



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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Sikh Coalition

Balpreet Singh

Prabjot Singh

Bloc Québécois

Mathieu Desquilbet

Iranian Canadian Congress

Dimitri Lascaris

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Ottawa, Ontario

--- The hearing begins Tuesday, October 8, 2024 at 9:31 a.m.

**THE REGISTRAR:** Order, please.

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

The time is 9:31 a.m.

**COMMISSIONER HOGUE:** Good morning. So Ms. Morgan, you can go ahead.

**MS. LYNDIA MORGAN:** Good morning. Thank you. I'd ask that both of these witnesses be sworn or affirmed, please.

**THE REGISTRAR:** All right. I'll start with Mr. Rochon.

Could you please state your full name and then spell your last name for the record?

**MR. DOMINIC ROCHON:** Dominic Rochon, R-o-c-h-o-n.

**--- MR DOMINIC ROCHON, Affirmed:**

**THE REGISTRAR:** And now for Mr. Stewart.

Mr. Stewart, could you please state your full name and then your last name for the record?

**MR. ROB STEWART:** Rob Stewart, S-t-e-w-a-r-t.

**--- MR. ROB STEWART, Affirmed:**

**THE REGISTRAR:** Counsel, you may proceed.

**--- EXAMINATION IN-CHIEF BY MS. LYNDIA MORGAN:**

**MS. LYNDIA MORGAN:** Thank you.

So I'll start with some preliminary



1 housekeeping, which is just to introduce summaries of  
2 previous evidence that you've provided to the Commission.

3 So if I could have WIT153 pulled up, please.

4 And this is a publicly disclosable summary of  
5 an *in camera* examination of both witnesses.

6 I'll ask both of you, have you reviewed the  
7 document for accuracy and do you have any changes to make?

8 **MR. ROB STEWART:** I have, and I have no  
9 changes to make.

10 **MR. DOMINIC ROCHON:** I have as well. No  
11 changes.

12 **MS. LYNDA MORGAN:** And do you adopt the  
13 contents of the summary as part of your evidence before the  
14 Commission today?

15 **MR. ROB STEWART:** I do.

16 **MR. DOMINIC ROCHON:** I do as well.

17 **MS. LYNDA MORGAN:** Thank you.

18 If we can pull up WIT154, please.

19 And Deputy Minister Stewart, this is an  
20 addendum to an *in camera* examination summary from the winter  
21 of 2024. Have you reviewed the document for accuracy and do  
22 you have any changes to make to it?

23 **MR. ROB STEWART:** I have, and I have no  
24 changes.

25 **MS. LYNDA MORGAN:** And do you adopt the  
26 contents of that summary as part of your evidence today?

27 **MR. ROB STEWART:** I do.

28 **MS. LYNDA MORGAN:** Thank you.

**--- EXHIBIT No. WIT0000153:**

In Camera Examination Summary: [Rob Stewart, formerly Deputy Minister of Public Safety, Dominic Rochon, formerly Senior Assistant Deputy Minister, National and Cyber Security Branch]

**--- EXHIBIT No. WIT0000154:**

Addendum to In Camera Examination  
Summary: Mr. Rob Stewart

**MS. LYNDIA MORGAN:** So Mr. Stewart, you were appointed Deputy Minister of Public Safety in December 2019 and you served in that role until October 21st, 2022. Is that correct?

**MR. ROB STEWART:** That is correct.

**MS. LYNDIA MORGAN:** And Mr. Rochon, you held the position of Senior Assistant Deputy Minister, National and Cyber Security Branch, from October 18th, 2019 until October 21st, 2022. Is that correct?

**MR. DOMINIC ROCHON:** That is correct.

**MS. LYNDIA MORGAN:** And the examination today is just going to focus solely on the period in which you were at Public Safety, so the questions are necessarily limited to that timeframe.

So I'd like to start by touching just generally on intelligence and intelligence flow within Public Safety. I understand that intelligence was shared with Public Safety from a contextual or policy perspective and not

1 from an action or operational perspective. Is that accurate?

2 **MR. DOMINIC ROCHON:** That is correct.

3 **MS. LYNDA MORGAN:** And so effectively, that  
4 means that intelligence was received to inform policy or for  
5 situational awareness and not to allow or require Public  
6 Safety to respond directly to whatever that intelligence or  
7 information was. Is that accurate?

8 **MR. ROB STEWART:** On the whole. There were a  
9 couple of areas where Public Safety has operational  
10 responsibilities and the intelligence would have fed into  
11 them.

12 **MR. DOMINIC ROCHON:** That's right.  
13 Passenger protect. So we had certain  
14 operational responsibilities for some very finite areas where  
15 intelligence would be fed in and we would have an action on,  
16 but in a general sense it's as you depicted.

17 **MS. LYNDA MORGAN:** And Mr. Stewart, during  
18 Stage 1 of the Commission, you described the incoming flow of  
19 intelligence as a river. Is that an accurate description of  
20 the incoming intelligence?

21 **MR. ROB STEWART:** I think it's a fair  
22 metaphor, yes.

23 **MS. LYNDA MORGAN:** Okay. And is that in  
24 relation both to volume and frequency?

25 **MR. ROB STEWART:** I would say so. I meant it  
26 more in terms of volume and scope, which is to say the  
27 diversity of topics.

28 **MS. LYNDA MORGAN:** And how was the incoming

1 intelligence shared with you? Can you give just a sense of  
2 like physically how the information was disseminated within  
3 Public Safety at the time you were there?

4 **MR. ROB STEWART:** There were two main  
5 methods. One method was by written form -- printed form  
6 where Mr. Rochon's branch coordinated the delivery of  
7 packages of information, packages of intelligence to my desk,  
8 and that would happen a couple of times a week with, you  
9 know, many items in each package. And then there was also a  
10 service offered by the Communications Security Establishment  
11 that had someone come to my office with a satchel and further  
12 information and deliver it and wait until I read it and take  
13 it away.

14 **MS. LYNDA MORGAN:** And that was the Client  
15 Relations Officer?

16 **MR. ROB STEWART:** The CRO.

17 **MS. LYNDA MORGAN:** The CRO?

18 **MR. ROB STEWART:** Yes, indeed.

19 **MS. LYNDA MORGAN:** Thank you.

20 And you've indicated that intelligence was  
21 shared with you a couple of times a week. Was there a set  
22 delivery?

23 **MR. ROB STEWART:** No. It wasn't a fixed  
24 schedule.

25 **MS. LYNDA MORGAN:** Okay. And you've  
26 indicated that the hard copy package was prepared, I believe  
27 you indicated, through Mr. Rochon's office. Who, to your  
28 knowledge, was responsible for determining what went into the

1 material that was shared with you?

2 Perhaps, Mr. Rochon, you're better situated  
3 to answer ---

4 **MR. ROB STEWART:** I think Mr. Rochon's ---

5 **MS. LYNDIA MORGAN:** --- this question.

6 **MR. ROB STEWART:** --- better situated than I  
7 am, yes.

8 **MR. DOMINIC ROCHON:** So we had the National  
9 Security Operational Directorate under me who had cleared  
10 individuals who would have access to the Canadian Top Secret  
11 Network through which they were able to look at intelligence  
12 products from organizations such as CSIS and CSE, but also  
13 from the Privy Council Office's international assessment  
14 secretariat, DND as well as Five Eyes partners. And so they  
15 would go through intelligence products of interest and pull  
16 together packages for me and for the Deputy on a regular  
17 basis, and more often than not, that was about twice a week  
18 they would put together binders of information. And they  
19 would make those determinations as to what was of relevance  
20 based on intelligence priorities and various policy files  
21 that we would be working on at Public Safety.

22 **MS. LYNDIA MORGAN:** Thank you.

23 And as I understand, there was no formal  
24 system in place at the time to track dissemination of  
25 specific intelligence products or to confirm who had read  
26 particular intelligence products within Public Safety. Is  
27 that accurate?

28 **MR. DOMINIC ROCHON:** That is accurate, yeah.

1                   **MR. ROB STEWART:** I think it'd be fair to say  
2                   that the National Security Operations Directorate would keep  
3                   track of what they were putting in folders for us. I don't  
4                   think it was a tracking system per se. They had their own  
5                   methods of determining what they were sharing. But there  
6                   would be no follow-up to find out whether we -- or whether I  
7                   read specifically each of the documents and so there wouldn't  
8                   be any tracking of that nature.

9                   **MS. LYNDIA MORGAN:** And as I understand it,  
10                  there'd be no way now to recreate what package was provided  
11                  to the Deputy Minister, for instance, on a particular date.

12                 **MR. DOMINIC ROCHON:** That's correct.

13                 **MS. LYNDIA MORGAN:** And I'll ask this question  
14                  of both of you.

15                  You've referenced individuals within the NSOD  
16                  that had access to the CTSN, the Canadian Top Secret Network.  
17                  Did both of you have access to CTSN while at Public Safety?

18                 **MR. ROB STEWART:** I did not.

19                 **MR. DOMINIC ROCHON:** I did. I had an  
20                  account.

21                 **MS. LYNDIA MORGAN:** And to your knowledge, did  
22                  the Minister of Public Safety have access to CTSN?

23                 **MR. DOMINIC ROCHON:** He would not have had  
24                  access to CTSN.

25                 **MS. LYNDIA MORGAN:** So we've talked about  
26                  dissemination of intelligence within Public Safety. Are you  
27                  able to provide or explain how intelligence and information  
28                  was shared between Public Safety and the Minister's office?

1                   **MR. ROB STEWART:** Yes, indeed. Similar  
2 packages to the ones that we received would be prepared on a  
3 similar timeline, same timeline, and delivered to the  
4 Minister's office, which was physically in -- you know, very  
5 short distance from my office, and, you know left for the  
6 office to determine how they got into the hands of the  
7 Minister.

8                   That was when we were working in the office.  
9 Of course, in the period of time we were at Public Safety,  
10 COVID had hit, and we were, in many ways, not in the office  
11 often. We -- Dom and I were in the office all the time, but  
12 the Minister was often in Toronto. So in those  
13 circumstances, we had arrangements whereby a secure means of  
14 delivery would be provided to the Minister's home, or the  
15 Minister would go into the CSIS office in Toronto and read  
16 material there.

17                   So we kind of had two or three different ways  
18 by which the Minister would receive intelligence.

19                   **MS. LYNDIA MORGAN:** And you'd indicated that  
20 similar materials were prepared for the Minister as were  
21 prepared for you. Who was responsible for preparing those  
22 materials? Was it the same source of information?

23                   **MR. ROB STEWART:** By and large, yes. There  
24 was, I would say, some filtering, only because of the volume  
25 problem, that we couldn't give the Minister everything that  
26 we were being given because it would have been too  
27 burdensome. There was a lot of other things that went to the  
28 Minister for him to deal with, so we tried to exercise a

1 little bit of judgment in that respect. But when I say  
2 filtering what I mean is we would be dropping off the things  
3 that were not relevant for current policy or operational  
4 interests.

5 **MS. LYNDIA MORGAN:** And who was -- you don't  
6 need to name names but I'm looking more for the role, who was  
7 responsible for that filtering process?

8 **MR. DOMINIC ROCHON:** Again, it would be the  
9 National Security Operations Directorate.

10 Maybe I should just qualify one point,  
11 though, in that we would proceed as I described earlier for  
12 packages of intelligence that were of relevance that would  
13 flow up to me and the Deputy Minister. A subset of that  
14 would also flow to the Minister's office for the Minister's  
15 interests. But there were instances where, for example, a  
16 operational agency would send something to Public Safety  
17 specifically for the purposes of being read by the Deputy  
18 Minister or the Minister. That there would be no filtering.  
19 That would simply follow on either an *ad hoc* basis or be  
20 added to the package as it flowed through to the Minister's  
21 office and the Deputy Minister's office.

22 **MS. LYNDIA MORGAN:** Okay. And I'll take you  
23 to an example of one of those shortly.

24 And just again back to the kind of general  
25 practice in terms of intelligence dissemination. Was there  
26 anyone at Public Safety who was tasked with flagging  
27 particular intelligence of importance to the Minister and/or  
28 his Chief of Staff?



1                   **MR. ROB STEWART:** No. The Minister had an  
2 independent and direct relationship with the head of CSIS,  
3 the Director, and we respected that. We felt that the -- and  
4 the Office of the Director was in contact with the Minister's  
5 office. So we left it to CSIS as part of their  
6 responsibilities to flag to the Minister when there was  
7 information of interest.

8                   **MS. LYNDIA MORGAN:** And I understand there was  
9 a liaison officer who, in some way, was involved in  
10 facilitating communications between Public Safety and the  
11 Minister's office. I'll ask first if that is correct; and,  
12 if so, to whom did the liaison officer report, and can you of  
13 describe, kind of high level, what their role was?

14                   **MR. ROB STEWART:** There was a liaison officer  
15 whose general tasks were to ensure that the Minister's office  
16 was supported by the department. So when they had  
17 information needs, we would -- he, at the time, would  
18 coordinate that with the rest of the department. The liaison  
19 officer reported to my Chief of Staff as a direct supervisor,  
20 and was generally responsible for ensuring that, you know,  
21 the Minister's office was aware of action items and following  
22 up to make sure they had what they needed to execute. So  
23 that would cover all the territory that Public Safety was  
24 operating in, and not just intelligence, or warrants, for  
25 that matter.

26                   **MS. LYNDIA MORGAN:** And when we've spoken --  
27 you discussed briefly the provision of intelligence to the  
28 Minister during COVID, and you'd indicated there was a secure

1 delivery system. I anticipate that Minister Blair's Chief of  
2 Staff will testify that after the pandemic started, the  
3 Minister's office was no longer provided with binders of  
4 intelligence, and she will testify that you told it was not  
5 possible to continue producing the binder.

6 Is that consistent with your recollection in  
7 relation to intelligence dissemination?

8 **MR. ROB STEWART:** That's not consistent with  
9 my recollection.

10 **MS. LYNDIA MORGAN:** And so was your  
11 understanding that binders were still being produced and  
12 provided to the Minister?

13 **MR. ROB STEWART:** Yes.

14 **MR. DOMINIC ROCHON:** Yeah, I would concur.

15 **MS. LYNDIA MORGAN:** And again in relation to  
16 intelligence sharing, you've testified about the role of the  
17 NSOD in selecting intelligence to share with the Minister,  
18 and I anticipate that Minister Blair will testify that during  
19 the pandemic he relied exclusively on verbal briefings from  
20 the CSIS Director or others at CSIS to receive intelligence,  
21 and that he did not receive weekly reading packages.

22 Is that consistent with your recollection of  
23 the intelligence dissemination and flow to the Minister's  
24 office during the pandemic?

25 **MR. ROB STEWART:** I would find it hard to  
26 answer that question because we did not track what happened  
27 after the information was provided to the Minister's office.  
28 So in other words, we were not aware of how it would be

1 delivered to him other than physically; we were aware of when  
2 drivers went to his house, et cetera. But as to the content  
3 of the packages and to the way it was flagged for his  
4 attention, that was not something we were aware of.

5 **MS. LYNDIA MORGAN:** And there was not ever a  
6 direct follow-up from you as Deputy Minister to the Minister  
7 to again ask, "Did you read this particular piece of  
8 intelligence, or can we discuss this other..." ---

9 **MR. ROB STEWART:** No.

10 **MS. LYNDIA MORGAN:** --- "...piece of  
11 intelligence?"

12 **MR. ROB STEWART:** No. I participated in  
13 most, if not all, of the briefings of the Minister by the  
14 Director when there was issues to discuss, but I was only  
15 there for information and support.

16 **MR. DOMINIC ROCHON:** Maybe I'll just qualify  
17 that the flow of intelligence continued during the pandemic  
18 as it did before but, again, we're talking hard copies. So a  
19 hard copy binder would make its way to the Minister's office.  
20 The Minister was not in Ottawa at the time so he wouldn't be  
21 there to read hard-copy information. I don't recall --  
22 you'll have to talk to the Chief of Staff in terms of her  
23 recollection.

24 So there was no additional provision made to  
25 send intelligence products electronically anywhere. I just  
26 wanted to make that clear.

27 **MS. LYNDIA MORGAN:** Okay.

28 **COMMISSIONER HOGUE:** And the hard copy was

1 not sent to his home?

2 **MR. DOMINIC ROCHON:** No. The hard copy would  
3 have been sent to the Minister's office. They have safes  
4 where they keep that information, and it would have had to be  
5 either the Minister in Ottawa or the Chief of Staff when she  
6 was in Ottawa in the office would have to go in the safe and  
7 look through those -- that information.

8 **MR. ROB STEWART:** But there was a capacity in  
9 the CSIS office in Toronto to print or reprint information  
10 and deliver it to the Minister's office.

11 **MR. DOMINIC ROCHON:** Absolutely.

12 **MR. ROB STEWART:** And there were multiple  
13 occasions on which that occurred. What -- other than  
14 warrants, which were actionable items for the Minister, there  
15 were -- there was information in those packages. As to what  
16 exactly that information was and how a subset of the  
17 intelligence that we were seeing was included, we can't speak  
18 to that.

19 **MR. DOMINIC ROCHON:** We're making a  
20 distinction, as I mentioned earlier, between the general flow  
21 of intelligence, which is what we're describing, and then a  
22 specific flow. So if there's a specific document that has  
23 been identified, there were ways for CSIS to actually have  
24 one of their officers bring that physically to the Minister  
25 for him read on premises and then take it back, or to deliver  
26 that, as Deputy Minister Stewart just mentioned, to the  
27 regional office and he could read it there.

28 **MS. LYNDIA MORGAN:** So I'll move on to one of

1 those specific documents, which is an IMU, which is a CSIS  
2 Issues Management Brief. I take it you're both familiar with  
3 an IMU.

4 So Court Reporter, can you please pull up  
5 CAN18796, please?

6 **--- EXHIBIT No. CAN018796:**

7 Defensive briefings to two Members of  
8 Parliament regarding PRC foreign  
9 interference activity

10 **MS. LYNDIA MORGAN:** And if you can scroll  
11 down. Stop there, please.

12 This is a CSIS Issues Management Brief dated  
13 May 31<sup>st</sup>, 2021. And the subject line is, "Defensive  
14 briefings to two members of Parliament regarding PRC foreign  
15 interference activity." And scroll up to the top of that  
16 page, please.

17 Stopping there.

18 So we see a series of email addresses at the  
19 top and then:

20 "Good afternoon. CSIS would like to  
21 share the following information.

22 Please note that the distribution is  
23 confined exclusively to..."

24 And then it lists DM Public Safety, Minister  
25 Public Safety, Minister PS Chief of Staff and NSIA.

26 This is the type of kind of focused  
27 distribution list that you'd discussed earlier, Mr. Rochon?

28 **MR. DOMINIC ROCHON:** M'hm. It would be an

1 example.

2 **MS. LYNDIA MORGAN:** If we scroll down to page  
3 2, there's some redactions to the document, but it indicates  
4 that:

5 "CSIS will be conducting defensive  
6 briefings to Members of Parliament  
7 Michael Chong and Kenny Chiu to  
8 sensitize both on foreign  
9 interference threats posed by the  
10 People's Republic of China."

11 And if you scroll further down, the document  
12 notes -- there's a text box over a redaction:

13 "The PRC's interest in Chong includes  
14 interest in Chong's relatives, who  
15 may be in the PRC."

16 And Mr. Stewart, I understand in relation to  
17 this particular document you don't recall seeing the IMU at  
18 the time in May of 2021.

19 **MR. ROB STEWART:** I have no particular memory  
20 of reading it, no. I do believe that it would have been in  
21 the binders that I was given, and I have testified to that  
22 effect.

23 **MS. LYNDIA MORGAN:** Right. But you have no  
24 memory of seeing this document.

25 **MR. ROB STEWART:** No, other than the  
26 refreshed one, let's just say, that comes from having seen it  
27 many times lately.

28 **MS. LYNDIA MORGAN:** And Mr. Vigneault, in his

1 evidence, testified that this note was circulated to create  
2 awareness of the intelligence around Mr. Chong to better  
3 equip officials and staff within the Minister's office in the  
4 event the issue were to eventually become public.

5 Do you agree with the Director's  
6 interpretation of the purpose of an IMU?

7 **MR. ROB STEWART:** Yes. I think, as the title  
8 would describe, it's for information of the Minister and  
9 others about something that CSIS is either concerned about or  
10 doing something about.

11 **MS. LYNDA MORGAN:** And the distribution list  
12 -- in addition to referencing you, the distribution list also  
13 included the Minister and the Minister's Chief of Staff.

14 Who did you -- and you may have already  
15 answered this question previously, but who did you understand  
16 was responsible for ensuring that the IMU was shared both  
17 with the Minister and with the Chief of Staff?

18 **MR. DOMINIC ROCHON:** So that -- this type of  
19 example would have gone into the binder that would have then  
20 gone up to the Minister's office. So we would have printed  
21 it off, put it in with a series of other things because this  
22 wouldn't have been a one-off. There probably would have been  
23 a series of other documents that would be coming in from an  
24 intelligence perspective and that would have flowed through  
25 as opposed to there were instances where CSIS would  
26 specifically have a sense of urgency of wanting to get a  
27 piece of intelligence to the Minister and they would arrange  
28 to have that delivered at this particular moment in time

1 given the pandemic and given the Minister's presence, or  
2 absence, from the office in Ottawa. They would have arranged  
3 to deliver it -- hand deliver it.

4 In this case, they would have used CTSN  
5 because it would have been added to a series of things that  
6 we would have had flowing to the Minister's office.

7 **MS. LYNDIA MORGAN:** And when you reference  
8 that "we would have prepared it" ---

9 **MR. DOMINIC ROCHON:** NSOD.

10 **MS. LYNDIA MORGAN:** NSOD?

11 **MR. DOMINIC ROCHON:** Yeah.

12 **MS. LYNDIA MORGAN:** And are you aware -- were  
13 you aware at the time that neither the Minister or his Chief  
14 of Staff received the IMU?

15 **MR. DOMINIC ROCHON:** My expectation would  
16 have been that it would have made its way to the Minister's  
17 office and the Chief of Staff, when she would have been in  
18 the office, would have retrieved it from the safe and then  
19 passed it on to the Minister as appropriate.

20 **MS. LYNDIA MORGAN:** And that was your  
21 expectation. Were you aware that it did ---

22 **MR. DOMINIC ROCHON:** I was not, no.

23 **MS. LYNDIA MORGAN:** --- that they did not  
24 receive it?

25 **MR. DOMINIC ROCHON:** No, I didn't follow up  
26 with every piece of intelligence to find out whether or not  
27 they indeed read it or -- again, this is more for  
28 informational purposes.



1                   **MS. LYNDIA MORGAN:** And I understand that in  
2 addition to the IMU there were also CSIS intelligence  
3 products relating to Michael Chong that pre-dated the  
4 issuance of the IMU and that the distribution list for those  
5 products included the recipient PS Intel, which I believe  
6 you've spoken to already, Mr. Rochon, as meaning the document  
7 would be routed through the NSOD.

8                   **MR. DOMINIC ROCHON:** Correct.

9                   **MS. LYNDIA MORGAN:** And Mr. Stewart, I  
10 understand you can't recall whether you received those  
11 products either. Is that correct?

12                  **MR. ROB STEWART:** No particular memory,  
13 although I feel comfortable in saying that they would have  
14 been in the packages that I saw, which were voluminous.

15                  **MS. LYNDIA MORGAN:** Okay. But no specific  
16 memory and there's no record to look at to see whether ---

17                  **MR. ROB STEWART:** No.

18                  **MS. LYNDIA MORGAN:** --- those materials were  
19 sent to you.

20                  **MR. ROB STEWART:** No.

21                  **MS. LYNDIA MORGAN:** And I understand that you  
22 were not contemporaneously aware of any threats against MP  
23 Chong. Is that correct?

24                  **MR. ROB STEWART:** No. I would say that I was  
25 generally aware through our conversations, and there were  
26 many with CSIS on the issue of foreign interference, that  
27 they were concerned about parliamentarians. So it would be  
28 true to say that I was not tracking a threat posed to Mr.

1 Chong personally, but I was certainly aware that CSIS was  
2 concerned about what was happening in a more general sense.

3 MS. LYNDIA MORGAN: Okay. But you were not  
4 aware specifically of threats against MP Chong.

5 MR. ROB STEWART: No.

6 MS. LYNDIA MORGAN: So I'd like to move on now  
7 to asking you about warrants, and starting generally with the  
8 warrant approval process within Public Safety.

9 So I'll ask the Court Reporter to pull up  
10 CAN.SUM29, please.

11 --- EXHIBIT No. CAN.SUM.000029:

12 CSIS Warrant Application Process

13 MS. LYNDIA MORGAN: And this document is a  
14 topical summary on the CSIS warrant application process. And  
15 I'd ask if you can scroll down to page 3, please.

16 So the second-to-last -- stopping there is  
17 good.

18 Second-to-last paragraph, which starts with,  
19 "The *CSIS Act*" stated that:

20 "The *CSIS Act* requires that any  
21 warrant application be approved by  
22 the Minister of Public Safety Canada.  
23 Public Safety... officials will  
24 review the warrant application to  
25 draft a summary with advice to the  
26 Minister as to whether the Minister  
27 should approve the application and  
28 provides all information received

1 from CSIS to the Minister for  
2 consideration. The Minister's office  
3 may ask questions or request further  
4 information from CSIS or Public  
5 Safety officials."

6 So first, do you agree with the accuracy of  
7 that high-level summary, I'll put it?

8 **MR. ROB STEWART:** I would agree.

9 **MR. DOMINIC ROCHON:** Yeah.

10 **MS. LYNDA MORGAN:** And the summary references  
11 Public Safety officials who would review the warrant and  
12 draft a summary with advice. Are you able to provide details  
13 as to who those are? And again, I'm not necessarily asking  
14 for names but, instead, the relevant role.

15 **MR. DOMINIC ROCHON:** So the National Security  
16 Policy Directorate, which is a separate directorate from the  
17 National Security Operations Directorate, also under me,  
18 would have had a Director General that would have sat on the  
19 Judicial Authority Acquisition Committee that's referenced a  
20 little higher up in your document. Under her, at the time,  
21 there would have been an assigned senior analyst that would  
22 have been responsible for tracking and pulling together  
23 packages related to individual warrants -- warrant requests.

24 **MS. LYNDA MORGAN:** And the CSIS Act also  
25 requires that CSIS consult with the Deputy Minister, being  
26 you, at Public Safety before applying for a warrant or a  
27 renewal, so there's kind of two statutory requirements within  
28 Public Safety when we're looking at warrants. One is

1 consultation with the Deputy Minister and the second is  
2 approval by the Minister. Is that correct?

3 **MR. DOMINIC ROCHON:** That is correct.

4 **MS. LYNDIA MORGAN:** So I'd just like to start  
5 by understanding generally the workflow in relation to  
6 incoming warrant applications within Public Safety.

7 So I'd like to understand, again, relatively  
8 high level, but the preparation of the warrant application  
9 process and then I'd like to understand from you kind of how  
10 the application is moved through the office and to the  
11 Minister's office for approval.

12 **MR. DOMINIC ROCHON:** Let me tackle that.

13 So the National Security Policy Directorate,  
14 as I say, would be made aware of the potential for a section  
15 12 or section 16 warrant application. They would get  
16 involved fairly early on simply because they would be aware  
17 and therefore start interacting with CSIS officials. As this  
18 particular document points out a little further on, CSIS  
19 officials get involved, there's a lot of internal interaction  
20 within CSIS. Then they get Justice lawyers involved.

21 Throughout that process, which can take  
22 several months, frankly, the analysts in the National  
23 Security Policy Directorate will be aware, will be tracking  
24 for -- in this case, it was a he -- for his awareness as he  
25 then puts together the package that ultimately would be  
26 prepared for both me, the Deputy Minister, and ultimately the  
27 Minister for sign off.

28 As it points out here, all of that internal

1 work at CSIS culminates in a judicial authority acquisition  
2 committee. The Director General of the National Security  
3 Policy Directorate sits on that committee, along with other  
4 departments and agencies. And from that point on, once it  
5 clears that hurdle, it then comes to Public Safety, the  
6 official publication comes -- application comes to Public  
7 Safety under letter from the Director of CSIS. And then with  
8 that, it triggers the formal process by which we pull  
9 together a binder, which includes the affidavit, and a whole  
10 series of other documents, including an attestation page that  
11 we would then produce, I would sign off, and then produce  
12 that for the Deputy Minister.

13 If you're asking in terms of flow and timing,  
14 typically once we get that package and it's ready, at the  
15 time it would probably get to my desk and it would take me  
16 usually around 24 hours to go through it and sign off on it.  
17 We would get it to the Deputy Minister. Rob similarly would  
18 take 24/48 hours to sign off, and then it would make its way  
19 to the Minister.

20 And under normal course of action, I think we  
21 would give the Minister roughly two weeks would be the  
22 expectation.

23 Now, every warrant is different, and as a  
24 result, there sometimes could be different types of  
25 urgencies, depending on whether court dates have been set for  
26 the actual warrant. So the timing is -- I would describe it  
27 as flexible and fluid thereafter.

28 **MS. LYNDIA MORGAN:** So if -- sorry, you wanted

1 to add something?

2 **MR. ROB STEWART:** I was going to add a couple  
3 points, if I may, one is that the National Security Policy  
4 Directorate puts a note on top of it, which is mentioned in  
5 this paragraph, which provides my -- an opportunity for me to  
6 sign as advice to the Minister. And this -- that note  
7 generally addresses what we think the Minister should be  
8 aware of in terms of the warrant or the context in which the  
9 warrant is being asked. So it's our little piece of advice  
10 that we layer on top of a warrant package. And it's  
11 occasionally an important issue because CSIS and the Federal  
12 Court are -- have a very sensitive relationship.

13 So the other piece I'd mention is just once  
14 it leaves my office in physical form, it goes via the liaison  
15 officer up to the Minister's officer, and at that point in  
16 time, we are only tracking it as outstanding. We're not  
17 tracking, you know, what plans or processes need to take  
18 place for the Minister's ultimate review and signature. So  
19 this, as this document you put before us shows, it is at the  
20 discretion of the Chief of Staff and the Minister to have  
21 meetings, ask questions, and in those -- in that regard, in  
22 the -- to the degree that it's amongst officials, it will be  
23 tracked by your officer, but it will -- it would not be  
24 managed by Public Safety in any way. We would be observers.  
25 And we would be leaving it, by and large, to the Minister's  
26 Office and to CSIS to coordinate on ultimately putting it  
27 before the Minister.

28 **MS. LYNDIA MORGAN:** And in terms of the office

1 -- the individual you identify as responsible for tracking,  
2 that was the liaison officer?

3 **MR. ROB STEWART:** That's correct. As part of  
4 a long list of things that were on a general basis,  
5 outstanding for signature or discussion.

6 **MS. LYNDIA MORGAN:** And if I understand your  
7 evidence correctly, this is all a hardcopy process binder  
8 with information passed to the Deputy Minister and a hard  
9 copy then passed through the liaison officer to the  
10 Minister's Office?

11 **MR. ROB STEWART:** That's correct.

12 **MS. LYNDIA MORGAN:** And do you know who the  
13 contact person -- like, who would the liaison officer provide  
14 that hard copy to, if you know?

15 **MR. ROB STEWART:** Chief of Staff. And then  
16 maybe one asterisk about the COVID period. So when the  
17 Minister -- the time came for the Minister to review, and he  
18 was in Toronto, he would go to the CSIS office and the  
19 materials would be reprinted. So they would not be taken  
20 from the safe at Public Safety here in Ottawa. They would be  
21 -- that would be a second copy and he would go into the  
22 office, it would be on the desk, he would look at it, and if  
23 he approved, he would sign it, which he always did, and then  
24 we would manage the process in Ottawa.

25 **MS. LYNDIA MORGAN:** And do you know who was  
26 responsible for facilitating the preparation of the second  
27 hard copy?

28 **MR. ROB STEWART:** The CSIS Office.

1                   **MS. LYNDIA MORGAN:** And at whose request? Do  
2     you know?

3                   **MR. ROB STEWART:** Between the Minister's  
4     Office and CSIS.

5                   **MS. LYNDIA MORGAN:** Okay. So it wasn't  
6     something that came out of the Public Safety Office?

7                   **MR. ROB STEWART:** No. Once the original  
8     package was delivered, that was it.

9                   **MS. LYNDIA MORGAN:** And you'd indicated as  
10    well that the liaison officer was tracking applications. Did  
11    you have access to, or any visibility into, the tracking  
12    system?

13                  **MR. ROB STEWART:** Well I was privy to the  
14    list, and indeed used the list to facilitate my regular  
15    discussions with the Chief of Staff of issues that we were  
16    jointly concerned about, and I would always take the  
17    opportunity to mention, you know, whatever on that list was  
18    of particular note, and a warrant would be in that category.

19                  **MS. LYNDIA MORGAN:** And was there a kind of  
20    tickler or reminder system in relation to warrants if you  
21    were at a certain period -- a certain period of time had  
22    passed, for instance?

23                  **MR. ROB STEWART:** Not at our end.

24                  **MR. DOMINIC ROCHON:** Well I would just  
25    qualify that to say that at the officials' level, CSIS would  
26    likely inquire with the lead on the file, the senior analyst  
27    in the file to say, "Have you heard anything? Has anything  
28    been scheduled?" So that could trickle up to me. I would



1       then check in with the Deputy Minister, and the Deputy  
2       Minister would then check in with the liaison officer,  
3       typically on Fridays, to say, "Here are all the outstanding  
4       things that the Minister needs to sign. Do we have a sense  
5       of when that's going to be?" But that's the extent of the  
6       ability for CSIS to inquire.

7                   **MS. LYNDIA MORGAN:** And that was information  
8       percolating upwards, as opposed to ---

9                   **MR. DOMINIC ROCHON:** Yes.

10                  **MS. LYNDIA MORGAN:** --- more kind of proactive  
11       nudging from the Public Safety Office or Department?

12                  **MR. DOMINIC ROCHON:** Yes.

13                  **MS. LYNDIA MORGAN:** So I'd like to move on now  
14       to ask about a specific warrant, which is described in your  
15       examination summary, which I'll just ask be pulled up so that  
16       we can track this in part. It's WIT153. And scrolling down  
17       to paragraph 13, please.

18                         So this is under the subheading of "A  
19       Warrant". If we look at paragraph 14, which references a  
20       timeline to some extent, Mr. Stewart, your -- can we scroll  
21       down so all of paragraph 14 is showing, please?

22                         So there is a letter to you from the Director  
23       of CSIS, and that letter noted that the application record  
24       and record of consultation were enclosed and requested a six  
25       day turn-around.

26                         Do you have a memory of receiving that letter  
27       and application?

28                  **MR. ROB STEWART:** I actually do.

1                   **MS. LYNDA MORGAN:** And as I understand it,  
2                   you signed off on the consultation letter confirming that you  
3                   were consulted four days after the date of the letter from  
4                   the CSIS Director to you?

5                   **MR. ROB STEWART:** I understand that to be  
6                   correct. I assume that was the period of time that it was  
7                   being packaged by the National Security Policy Director.

8                   **MS. LYNDA MORGAN:** And what is the import of  
9                   your signature? Once you've signed, what does that mean,  
10                  practically?

11                  **MR. ROB STEWART:** On the attestation that I  
12                  have reviewed the warrant?

13                  **MS. LYNDA MORGAN:** And so what happens next  
14                  after you sign?

15                  **MR. ROB STEWART:** After I have signed the  
16                  attestation, it moves. It moves to the Minister, or  
17                  Minister's Office, to be specific. But that is a legal  
18                  requirement. So I'm -- it's not a discretionary choice.

19                  **MS. LYNDA MORGAN:** And in your memo to  
20                  Minister Blair, you'd indicated that CSIS was seeking his  
21                  signature the same day. And we heard from Director Vigneault  
22                  that he was not aware that you had requested a same day  
23                  signature. Are you able to explain why you made that  
24                  request?

25                  **MR. ROB STEWART:** Yes, I will endeavour to  
26                  explain. And I'll first -- I'll say first of all we were in  
27                  COVID, and so there would have been a very small number of  
28                  people in the office at any given point in time. And to ask

1 or seek revisions to anything was burdensome and time  
2 consuming. And so I was, as a general matter, very flexible  
3 about what the dating was on anything, because at the end of  
4 the day, and I do say here "aspirational" in my witness  
5 summary, I viewed it as being subject to the discretion of  
6 the Minister's Office. And indeed my experience was, with  
7 the Minister's Office, that there was often a lot of  
8 discretion exercised in terms of when a Minister got to  
9 things as he was not only not in the office, but busy as  
10 well. So, you know, I didn't try to, you know, revise dates,  
11 be they the CSIS expected due date, which was just in the  
12 note reflecting what the Director's letter said, right, as  
13 factual, or the date that I sent a memo and, you know, the  
14 date that the Minister was requested to sign, merely because  
15 it was not essential that these be accurate.

16 **MS. LYNDIA MORGAN:** But, sorry, in terms of  
17 asking for the same-day signature, I'm not clear I  
18 understand. What was the specific purpose of requesting the  
19 same-day turnaround?

20 **MR. ROB STEWART:** I would view it as a  
21 reflection in the note of what the CSIS Director had asked  
22 for. So he had sent a letter saying do this by X date, so we  
23 couldn't actually change that date.

24 **MS. LYNDIA MORGAN:** Okay. And so you'd  
25 indicated you signed off on the letter. You described  
26 previously the general process within Public Safety in terms  
27 of how the warrant applications moved from the Public Safety  
28 to the Minister's Office. Was a similar process followed

1       here?

2                   **MR. ROB STEWART:** Yeah.

3                   **MS. LYNDA MORGAN:** Okay. And so hard copy  
4 binder was provided to the Minister's Office?

5                   **MR. ROB STEWART:** That's correct.

6                   **MS. LYNDA MORGAN:** And was that through the  
7 liaison officer?

8                   **MR. ROB STEWART:** That's correct.

9                   **MS. LYNDA MORGAN:** Okay. And I understand  
10 that through that process, you did not reach out to the  
11 Minister directly to tell him that there was an application  
12 on its way to him for review?

13                   **MR. ROB STEWART:** That is correct.

14                   **MS. LYNDA MORGAN:** And are you able to  
15 explain why you did not reach out to him?

16                   **MR. ROB STEWART:** It was not in my, as I saw  
17 it, my responsibility to do so. We worked with the Chief of  
18 Staff as the primary contact in terms of the delivery of  
19 materials to the Minister. When the Minister and I spoke, we  
20 were speaking about more substantive issues.

21                   **MS. LYNDA MORGAN:** And so if we scroll down  
22 to paragraph 20 of the witness summary, I'd like to ask you  
23 about the statement, it's about halfway through that  
24 paragraph.

25                               "The package was given to his Chief  
26 of Staff, so the assumption was the  
27 Chief of Staff would flag to the  
28 Minister that there was something for

1 him to sign."

2 And you also stated as the next sentence,  
3 that,

4 "The liaison officer would have been  
5 dealing with day to day tracking and  
6 reminding the Minister's office of  
7 the need for a signature."

8 Do you have any direct knowledge or  
9 understanding of whether the liaison officer followed up with  
10 the Minister's Office about the approval process?

11 **MR. ROB STEWART:** My general understanding  
12 would be that the liaison officer maintained at all times a  
13 list of things that were outstanding for action, and  
14 periodically met with the Minister's Chief of Staff and staff  
15 to remind them of that and to seek an update on the plans for  
16 actioning any particular item, which he could then report  
17 back on. But he -- it would have just been part of a list,  
18 and I have no recollection of or specific knowledge that he  
19 was flagging this particular warrant, or that he came back to  
20 my office with any information about the process attached to  
21 its signature.

22 **MS. LYNDIA MORGAN:** And did you in your  
23 regular discussions with the Chief of Staff, did you flag  
24 this as a priority at all?

25 **MR. ROB STEWART:** I would have had it on the  
26 upper part of a list of action items that we were seeking  
27 from the Minister. It would have -- all warrant 12, section  
28 16 warrants were mentionable as important outstanding for

1       action items.

2                   **MS. LYNDA MORGAN:** And do you have a specific  
3       memory of those discussions, or are you just basing that off  
4       of your ---

5                   **MR. ROB STEWART:** I don't have ---

6                   **MS. LYNDA MORGAN:** --- standard practice?

7                   **MR. ROB STEWART:** --- a specific memory of  
8       flagging this warrant. I would have just flagged every  
9       warrant.

10                  **MS. LYNDA MORGAN:** And the Commission has  
11       heard evidence that the average time for warrant application  
12       approval from the Minister was somewhere -- some differing  
13       numbers in terms of the averages, but between 4 to 10 days.  
14       Is that consistent with your recollection?

15                  **MR. ROB STEWART:** Yes.

16                  **MS. LYNDA MORGAN:** And we know that here the  
17       approval was not signed for 54 days, so longer than the  
18       average timeline; right?

19                  **MR. ROB STEWART:** That's correct.

20                  **MS. LYNDA MORGAN:** And minister -- we  
21       anticipate Minister Blair will testify that he had a number  
22       of discussions with you, Deputy Minister Stewart, during  
23       those 54 days, and that you did not raise the warrant  
24       application package with him at any time. Is that consistent  
25       with your memory?

26                  **MR. ROB STEWART:** That is correct, and that  
27       would be because, in part, we would have been speaking on the  
28       telephone and it wouldn't have been secure.

1                   **MS. LYNDIA MORGAN:** So all of your discussions  
2 with the Minister during that timeframe took place on non-  
3 secure lines?

4                   **MR. ROB STEWART:** Yes, I would say the  
5 majority of them.

6                   **MS. LYNDIA MORGAN:** Okay. Some of them though  
7 may have been allowed for classified discussions?

8                   **MR. ROB STEWART:** There were, on occasion,  
9 calls over secure networks, again, not dealing with  
10 outstanding action -- items for action, but more issues of  
11 other note. And there were times when he was in the secure  
12 facility in CSIS where we would have an opportunity to cover  
13 off other things, other than the, you know, the signatures on  
14 warrants.

15                   **MS. LYNDIA MORGAN:** Okay. So no discussions  
16 about it?

17                   **MR. ROB STEWART:** No.

18                   **MS. LYNDIA MORGAN:** And the Commission has  
19 heard evidence about a briefing given by CSIS to ministerial  
20 staff in relation to a warrant 13 days after their request --  
21 the warrant authorization request was received by Public  
22 Safety. And, Deputy Minister Stewart, I understand you were  
23 not aware of that briefing and did not participate in in that  
24 briefing?

25                   **MR. ROB STEWART:** That's correct.

26                   **MS. LYNDIA MORGAN:** Did you expect that the  
27 Chief of Staff would tell you about that type of briefing?

28                   **MR. ROB STEWART:** No, I did not.

1                   **MS. LYNDA MORGAN:** And I understand you  
2 attended a briefing approximately seven weeks after you  
3 signed the consultation letter, at which the Minister was  
4 also in attendance; is that correct?

5                   **MR. DOMINIC ROCHON:** That would have been ---

6                   **MR. ROB STEWART:** A briefing other than the  
7 one where he signed it? No.

8                   **MS. LYNDA MORGAN:** Sorry, just the one where  
9 he signed it.

10                  **MR. ROB STEWART:** That's correct.

11                  **MS. LYNDA MORGAN:** And was there any  
12 discussion of the 54-day time delay during that particular  
13 briefing?

14                  **MR. ROB STEWART:** Not that I recall.

15                  **MS. LYNDA MORGAN:** We anticipate that  
16 Minister Blair's evidence will be that the first time he  
17 became aware of the application was the day that he signed  
18 it. Were you aware of that at the time?

19                  **MR. ROB STEWART:** No.

20                  **MS. LYNDA MORGAN:** And when we look at the  
21 54-day timeframe as compared to the average of between 4 to  
22 10 days, did you seek out or receive any explanation for that  
23 time lag at the time?

24                  **MR. ROB STEWART:** No. I believe I previously  
25 testified or been interviewed to the effect that, first and  
26 foremost, we left the management of the process to Minister's  
27 Office and CSIS as being the direct relationship between CSIS  
28 and the Minister. So as an institutionally did not take on



1 the responsibility of managing these kinds of processes with  
2 the Minister. I would also say that, you know, it was always  
3 the case that things took time. And time, you know, and  
4 particularly in a period of COVID was -- you know, the time  
5 to get things done varied. And I would have -- I had, and I  
6 have today, a view that, you know, there was nothing  
7 particularly exceptional about this delay that I would have,  
8 at the time, thought, you know, there's something unusual  
9 here. I would have treated it as, by and large, you know, a  
10 function of the circumstances which were challenging.

11 **MS. LYNDIA MORGAN:** You've agreed though the  
12 average was 4 to 10 days regularly for approval?

13 **MR. ROB STEWART:** I did agree, yes.

14 **MS. LYNDIA MORGAN:** Okay. And that's even  
15 during COVID?

16 **MR. ROB STEWART:** Yes, but acknowledging that  
17 COVID really, I mean -- it's a bit fuzzy, I have to admit,  
18 the memory of COVID, but the reality here is that, you know,  
19 we were out of the office in March of 2020 until sometime in  
20 2021, and then we came back. And Parliament and Cabinet came  
21 back. So, you know, to characterize that entire time as  
22 being, you know, where the Minister was not in the city is  
23 incorrect. I think there's a fairly large chunk of it is  
24 when he was on the premises.

25 **MS. LYNDIA MORGAN:** Right. Just going back  
26 though to this delay or time lag was quite a bit longer than  
27 the average, even during COVID?

28 **MR. ROB STEWART:** I accept that.

1                   **MS. LYNDA MORGAN:** And are you aware that the  
2                   affiant also indicated that he would describe the delay as  
3                   unusual?

4                   **MR. ROB STEWART:** I've learned that. I  
5                   didn't know it at the time.

6                   **MS. LYNDA MORGAN:** And so as I understand it,  
7                   the monitoring system primarily relied on the liaison officer  
8                   and the Minister's Chief of Staff. Is that correct?

9                   **MR. ROB STEWART:** Yes.

10                  **MR. DOMINIC ROCHON:** Yeah.

11                  **MS. LYNDA MORGAN:** And did you have or do you  
12                  have any concerns about a system that relies on someone  
13                  without a statutory obligation in relation to warrants to  
14                  monitor and flag the process and timing?

15                  **MR. ROB STEWART:** My statutory obligation is  
16                  to review the warrant and give the Minister any advice that I  
17                  think is warranted. It isn't the statutory obligation of the  
18                  Department of Public Safety to ensure that the Minister is  
19                  informed about the contents of the warrant or briefed as  
20                  necessary, and it is a direct relationship between the  
21                  Director and the Minister to have that -- to take care of  
22                  that part of the process.

23                  **MS. LYNDA MORGAN:** So, no concerns?

24                  **MR. ROB STEWART:** Well, in retrospect, I  
25                  think tracking as a general matter is something that could  
26                  have been better and has been improved, but I would stand by  
27                  what I just said.

28                  **MS. LYNDA MORGAN:** Thank you.

1 And can I ask that that witness statement be  
2 pulled down?

3 I'm going to move now for our remaining 10  
4 minutes to talk about the HASA strategy and the MC, the May  
5 2022 HASA memorandum to Cabinet, which there is a publicly  
6 disclosable summary of the contents of that memo to Cabinet  
7 that has been produced.

8 And as a starting point, I'll ask either of  
9 you, I understand that HASA captures more than just foreign  
10 interference.

11 **MR. DOMINIC ROCHON:** Yes.

12 **MR. ROB STEWART:** Yes.

13 **MS. LYNDIA MORGAN:** And how would you describe  
14 what it encapsulates in addition to foreign interference?

15 **MR. DOMINIC ROCHON:** All threats emanating  
16 from hostile states which embrace not just foreign  
17 interference, but threats to citizens through cyber and the  
18 risks to critical infrastructure, stealing of intellectual  
19 property, cyber security, the full gamut of threats.

20 **MS. LYNDIA MORGAN:** And can I have CAN11948  
21 pulled up, please?

22 **--- EXHIBIT No. CAN011948 0001:**

23 HASA File Timeline

24 **MS. LYNDIA MORGAN:** This is a document called  
25 HASA File Timeline. It predates both of your tenures at  
26 Public Safety, starting in May 2018.

27 If you can scroll down, please.

28 And so we can see just by reviewing this

1 document quickly, by scrolling through it, that the  
2 development of a HASA strategy was already in progress by the  
3 time both of you joined Public Safety. Is that accurate?

4 **MR. DOMINIC ROCHON:** That is correct.

5 **MS. LYNDIA MORGAN:** And Deputy Minister  
6 Stewart, at paragraph 32 of your examination summary -- and I  
7 can pull it up if you need it, but I'll just read this to you  
8 first. You said:

9 "There's been a lot of confusion  
10 about what they mean by strategy, but  
11 that the strategy was always a work  
12 in progress."

13 Are you able to explain what you mean by that  
14 statement? And if it's helpful to have the summary pulled  
15 up, I can do that as well.

16 **MR. ROB STEWART:** I'll give it a go without  
17 the summary. Thank you.

18 Strategy has a number of meanings here, and  
19 maybe I'll just use the idea of small "s" and capital "S"  
20 Strategy. So the work that had been under way prior to our  
21 arrival and that continued under us and culminated in a  
22 memorandum to Cabinet was to the development of a capital "S"  
23 Strategy, which had a multi-faceted nature, including changes  
24 to law and responsibilities, coordination, information flow,  
25 et cetera.

26 So in the course of that process, we were  
27 operating with kind of small "s" strategy in mind, a strategy  
28 to get to a strategy, as it were. And so it became kind of

1 convention to call it strategy when, in fact, we had yet to  
2 arrive at a final version of one.

3 **MS. LYNDIA MORGAN:** Okay. And if we look at  
4 the lower-case strategy and the capital "S" Strategy, how is  
5 that distinct from and can you explain the distinction  
6 between those and the HASA MC?

7 **MR. ROB STEWART:** The HASA MC was the vehicle  
8 by which we were driving to the goal of a capital "S"  
9 Strategy. As I say, it had a number of facets or elements to  
10 it which were being put forward for discussion and approval  
11 to continue and to refine. So it was not a final version of  
12 a strategy as such.

13 **MS. LYNDIA MORGAN:** Okay. And if we can pull  
14 up CAN3249, please.

15 **--- EXHIBIT No. CAN003249:**

16 Canada's Strategy for Countering  
17 Hostile Activities by State Actors

18 **MS. LYNDIA MORGAN:** So this is a draft  
19 document. It's described as Canada's Strategy for Countering  
20 Hostile Activities by State Actors.

21 If we can scroll down to the bottom of that  
22 page.

23 So it's dated September 2nd, 2020 and  
24 described as version 9. Were either or both of you involved  
25 in preparing this document?

26 **MR. DOMINIC ROCHON:** I would say yes, it  
27 would have been my office. So that would have been -- maybe  
28 I should just qualify.

1                   The National Security Operations Directorate  
2     dealt with issues of foreign interference and hostile  
3     activities of state actors. The National Security Policy  
4     Directorate was responsible for pulling together strategies  
5     and when we both arrived, as you pointed out earlier in your  
6     timeline, there had already been over a year's work that was  
7     being led by the National Security Operations Directorate.  
8     Why? Because we were seeing various threats manifest  
9     themselves and in the community, and as this document points  
10    out, there are no fewer than, I think, 15 departments or  
11    agencies that are involved in terms of potential responses to  
12    hostile activities of state actors.

13                  Global Affairs can expel a diplomat. CSIS  
14    can get engaged in threat reduction measures. CSE can engage  
15    in offensive cyber capabilities. RCMP can arrest somebody.  
16    And the list goes on in terms of the toolbox of responses.

17                  So in the operational -- the National  
18    Security Operational Directorate and through committees where  
19    we're talking about operations for which Public Safety had a  
20    coordinating function, we were witnessing all of these  
21    various activities and toolboxes, but there wasn't a common  
22    thread that was happening in terms of addressing where are we  
23    actually pulling which lever and how are we actually  
24    identifying impacts.

25                  Around about this time -- and I would gather  
26    the previous versions would have all been led by the National  
27    Security Operations Directorate and then was handed off to  
28    the National Security Policy Directorate.

Again, in my time there we started moving towards pulling together actual policy options. So it's not enough that we have those toolboxes, but maybe there was a need to introduce legislative changes to, for example, the *CSIS Act* or RCMP authorities. Maybe there was a need to pull together a registry of foreign entities. So we started, leading up to two years later and culminating in an MC to Cabinet, formulating what policy pieces were missing that could be added to that toolkit.

So back to this particular document, I think a year in we were starting to describe the ECHO system and the players and some of the issues and things that we needed to tackle and started to characterize how we wanted to talk about this particular issue given the complexity and the fact that it covered so many different departments and agencies.

**MS. LYNDA MORGAN:** Okay. And so, as we said, this is September of 2020. I'd like to ask you about March 2022 email, which is referenced in WIT153 at paragraph 38, please.

So this, the summary quotes part of that email, and the email attached a HASA one-pager setting out a brief description of HASA governance. And you're quoted as writing:

"We've been talking about HASA governance for nearly three years now, and I'm afraid we are no closer to resolving the issue in terms of reaching a consensus. Some expressed

1                   a desire for a coordinator to be  
2                   housed at PCO."

3                   In terms of this email, was the -- well, are  
4                   you expressing a frustration with the speed at which the  
5                   development of the strategy is unfolding?

6                   **MR. DOMINIC ROCHON:** I wouldn't characterize  
7                   it as the speed of the strategy. I would more characterize  
8                   it as a particular element of that strategy. We were leaning  
9                   towards the creation of a coordinator. Someone specific that  
10                  would be keeping track of all of the moving parts, as I  
11                  described them earlier.

12                 As you can appreciate within the community,  
13                 trying to pull every department and agency together to  
14                 ultimately decide who would hold that accountability, there  
15                 were differences of opinion as to whether or not that  
16                 coordinator should reside at the Privy Council Office, or at  
17                 Public Safety, or indeed somewhere else. We had to involve  
18                 the Department of Justice because we needed to understand  
19                 exactly what that accountability meant.

20                 And as a result, we had had many, many  
21                 conversations. I think the idea of a coordinator surfaced  
22                 very early on in -- and I think I was expressing, "Here we  
23                 are three years later." I didn't understand why we couldn't  
24                 land on a consensus, and we needed to land on a consensus in  
25                 order to bring the totality of the strategy and the advice  
26                 that we had forward.

27                 And so specifically here, I think this email  
28                 was reaching out to some of my ADM colleagues to say, "We



1 need to get together in a smaller subset and actually land on  
2 what is our recommendation."

3 **MS. LYNDIA MORGAN:** Okay. And was the HASA  
4 Strategy, say capital S, finalized during your tenures at  
5 Public Safety?

6 **MR. DOMINIC ROCHON:** No.

7 **MS. LYNDIA MORGAN:** I'd like to ask you about  
8 one more HASA related issue.

9 If we can pull up COM.SUM4, please?

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

11 Summary of a Memorandum to Cabinet -  
12 Modernizing Canada's Approach to  
13 Addressing Threats from Hostile  
14 Activities by State Actors

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

16 Résumé d'un mémoire au Cabinet -  
17 Moderniser l'approche du Canada  
18 adoptée par le Canada pour faire face  
19 aux menaces posées par les activités  
20 hostiles parrainées par des états

21 **MS. LYNDIA MORGAN:** This is a summary of the  
22 HASA memo to Cabinet.

23 And if you can scroll down to page 2, please?

24 And at the second -- or the paragraph labeled  
25 number 2, there's reference to the Department of -- sorry, so  
26 it says:

27 "The proposal sought to implement  
28 various elements, including:"

1                   Number 2 states:

2                   "the Department of Public Safety  
3                   implement a whole-of-government  
4                   strategic communications approach  
5                   which would include undertaking  
6                   engagement with domestic  
7                   stakeholders, including members of  
8                   diaspora communities, who are  
9                   vulnerable to the malign impacts of  
10                  HASA..."

11                 Did you participate in the development of any  
12                 strategic communications approach in relation to the HASA  
13                 Strategy during your tenure at Public Safety?

14                 **MR. ROB STEWART:** We were working on it at  
15                 the end of my tenure, close to the end of my tenure, and  
16                 waiting for final approvals to go out into the community.  
17                 And when I say we, I mean as a -- on behalf of the government  
18                 and with other colleagues from other departments, and in  
19                 particular, CSIS and CSE, to engage.

20                 At the time that I left, that had not  
21                 happened, but we were -- we had prepared the materials and a  
22                 plan for doing so.

23                 **MS. LYNDIA MORGAN:** Thank you.

24                 **MR. DOMINIC ROCHON:** Maybe I'll just qualify  
25                 as well that there were always conversations around  
26                 transparency. In fact, I co-chaired a National Security  
27                 Transparency Advisory Group with a number of academics and  
28                 leading representatives of diaspora communities and we were

1 always talking in those -- in that fora -- or that forum,  
2 rather, around the need for better transparency in  
3 conversations. And so, although as Rob pointed out, we  
4 didn't have a finished product, we were always exploring how  
5 we could be more transparent and the need for better  
6 communications on national security matters.

7 **MS. LYNDIA MORGAN:** Thank you. Those are my  
8 questions.

9 **COMMISSIONER HOGUE:** Thank you. So we'll  
10 take a 20-minute break. We'll come back at 10:55.

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

12 This sitting of the Commission is now in  
13 recess until 10:55 a.m.

14 --- Upon recessing at 10:33 a.m.

15 --- Upon resuming at 10:58 a.m.

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

17 The sitting of the Foreign Interference  
18 Commission is now back in session.

19 The time is 10:58 a.m.

20 **COMMISSIONER HOGUE:** So the first one to  
21 cross-examine is counsel for Michael Chong.

22 **--- CROSS-EXAMINATION BY MR. GIB van ERT:**

23 **MR. GIB van ERT:** Gentlemen, I think we have  
24 to start with these binders. If I've understood your  
25 evidence correctly, it is that the binders containing top  
26 secret intelligence for the Minister's Office continued to be  
27 produced during the pandemic? Is that right?

28 **MR. DOMINIC ROCHON:** That's correct.

1                   **MR. GIB van ERT:** Thank you. And you heard  
2                   Ms. Morgan say that we have a witness statement from Ms.  
3                   Astravas, which she hasn't adopted yet, but we expect she  
4                   will, that contradicts that. In particular, she says, Deputy  
5                   Minister, that you told her that it was no longer possible to  
6                   continue producing the binders in the circumstances. I  
7                   take it you disagree with that?

8                   **MR. ROB STEWART:** That's fair.

9                   **MR. GIB van ERT:** Thank you.

10                  And in fact, the binders continued to be in a  
11                  safe in the Minister's office throughout the pandemic, is  
12                  that right?

13                  **MR. ROB STEWART:** To the best of my knowledge  
14                  that is right.

15                  **MR. GIB van ERT:** Mr. Rochon, do you agree  
16                  with that?

17                  **MR. DOMINIC ROCHON:** That would be my  
18                  understanding as well, yes.

19                  **MR. GIB van ERT:** Thank you. And in any  
20                  case, if I've understood you correctly, the content of the  
21                  binders, if there was a need for the Minister to access them  
22                  from the CSIS offices in Toronto, that was also possible, is  
23                  that right?

24                  **MR. ROB STEWART:** Yes, but not as a result of  
25                  the process that we've described originating in Public  
26                  Safety's offices in Ottawa. The printing of the material  
27                  would have been done via CSIS officers in their Toronto  
28                  office.

1                   **MR. GIB van ERT:** Right. So if the Minister  
2 were to come into the CSIS office in Toronto and say, "Look,  
3 I can't get my binders anymore because I haven't been to  
4 Ottawa for a while. Can you print out what would otherwise  
5 be available to me in my office in Ottawa?" The answer would  
6 be yes?

7                   **MR. ROB STEWART:** Generally speaking that's  
8 correct. And with an addendum to the point about delivery to  
9 his home, where there was named intelligence that the  
10 Minister was, you know, asked to review specifically, CSIS  
11 would have been printing that and would have been delivering  
12 that, I think, almost certainly.

13                   **MR. GIB van ERT:** All right. And do I take  
14 it, then, that you as the department, given that we were in  
15 COVID and people were sheltering in place and so on, you were  
16 counting on that continuing to be the case so that the  
17 Minister of Public Safety could continue to be informed about  
18 matters of national security importance?

19                   **MR. ROB STEWART:** That's correct.

20                   **MR. GIB van ERT:** Thank you.

21                   Both -- we have new witness summaries from  
22 the Minister, Mr. Blair, as well, and the gist of it, it  
23 seems to me, is that the Minister is pointing at the  
24 department for having failed to provide him with, or inform  
25 him of, the intelligence products addressed to him that CSIS  
26 was sending you for his attention. He seems to be saying  
27 that the department let him down. Do I take it that you do  
28 not feel the department failed in its duty to get relevant

1 intelligence to his office?

2 **MR. ROB STEWART:** I'm not sure I read the  
3 summary of his testimony the way you do. But leaving that  
4 aside, I think we did what we were required to do, which  
5 deliver the material to his office. And as I've said before,  
6 I think there is an independent relationship between the  
7 Minister and CSIS which is, you know, operative at all times.

8 So I don't feel that, you know, in the  
9 circumstances in which we were operating where, you know, the  
10 involvement of CSIS as an agency to get material to the  
11 Minister, was under my command and control.

12 **MR. GIB van ERT:** Thank you.

13 Coming on to this question of a warrant, did  
14 you -- and when I say "You" I mean your department, but I  
15 assume it would be probably you personally or somebody very  
16 senior in your office, Deputy Minister. Did you inform the  
17 Privy Council Office of the warrant before the Minister  
18 approved it?

19 **MR. ROB STEWART:** No.

20 **MR. GIB van ERT:** Was it part of the usual  
21 practice for your department to do that?

22 **MR. ROB STEWART:** No.

23 **MR. GIB van ERT:** No.

24 **MR. ROB STEWART:** It would have been  
25 inappropriate.

26 **MR. GIB van ERT:** It would have been  
27 inappropriate you say. All right. To your knowledge did the  
28 Service inform PCO of the warrant?

1                   **MR. ROB STEWART:** No, not to my knowledge.

2                   **MR. GIB van ERT:** Thank you. Are you aware  
3 of anyone having done so?

4                   **MR. ROB STEWART:** Not to my knowledge.

5                   **MR. GIB van ERT:** Thank you.

6                   Mr. Rochon, I take it you agree?

7                   **MR. DOMINIC ROCHON:** I do.

8                   **MR. GIB van ERT:** Thank you.

9                   Do either of you know whether the Chief of  
10 Staff informed the Prime Minister's Office of the warrant  
11 before the Minister approved it?

12                   **MR. ROB STEWART:** No awareness of that.

13                   **MR. DOMINIC ROCHON:** Neither do I.

14                   **MR. GIB van ERT:** Thank you.

15                   Do either of you know whether the Chief of  
16 Staff told the Minister about the warrant, had any  
17 discussions with the Minister about the warrant, before the  
18 11<sup>th</sup> of May that day when he reviewed it, took three hours to  
19 review it and then authorized it?

20                   **MR. ROB STEWART:** No knowledge of that.

21                   **MR. DOMINIC ROCHON:** Neither do I.

22                   **MR. GIB van ERT:** Thank you.

23                   This morning we talked about -- or Ms. Morgan  
24 referred to the 54-day delay. In your witness statement, Mr.  
25 Stewart -- and you're not the only one -- there's a reference  
26 to six weeks for the Minister to sign off. So I can pull it  
27 up if you need, but it says at paragraph 13 of your Witness  
28 154, that "Six weeks for the Minister to sign off on the

1 warrant was longer than average."

2 My question is -- my first question is, 54  
3 days is closer to eight weeks. This phrase about six weeks,  
4 as I say it's not just you who said it, other people have  
5 too. I don't understand it. Surely it's six weeks would be  
6 42 days and we're talking about 54 days. Can you explain why  
7 you phrased it in terms of six weeks? Because I think you do  
8 accept that it was, in fact, 54 days.

9 MR. ROB STEWART: I think the best  
10 explanation I can give you of that is that I was thinking in  
11 terms of the time lapse between the meeting that the  
12 Minister's office held with CSIS, ---

13 MR. GIB van ERT: Right.

14 MR. ROB STEWART: --- and the time the  
15 Minister signed off.

16 MR. GIB van ERT: Right, right, which  
17 happened roughly two weeks after the application actually  
18 came into the department.

19 MR. ROB STEWART: Right. And just to be  
20 clear on this point, as we've discussed this morning, the  
21 Minister's office, and the Minister of course, are at liberty  
22 to ask questions of CSIS, so we would see that as part of the  
23 normal course. And there are occasions, I don't -- couldn't  
24 give you specific ones, and indeed probably wouldn't be  
25 allowed, but where CSIS has, in the course of process of  
26 approving a warrant, made adjustments to the warrant and the  
27 affidavit that it contains. So, you know, there are  
28 circumstances which arise which string out the approval



1 process.

2 **MR. GIB van ERT:** Sure. I can readily  
3 understand why that would be true in certain cases. Was  
4 that, to your knowledge, true here? And let me just back up  
5 and generally ask you; do you have -- can you explain to the  
6 Commissioner why this warrant took 54 days, which is longer  
7 than usual?

8 **MR. ROB STEWART:** No, I cannot.

9 **MR. GIB van ERT:** All right. So in  
10 principle, CSIS could have pulled it back to make some  
11 corrections and changes, but you're not saying that you know  
12 that that happened, you're just saying that in theory that  
13 may have been a reason, but you don't know.

14 **MR. ROB STEWART:** I think what I've testified  
15 is, once we've delivered the warrant to the Minister's  
16 office, aside from the involvement of Mr. Rochon's officer in  
17 the process of, you know, discussion that goes on, it is  
18 dark; it goes dark for us.

19 **MR. GIB van ERT:** Yes. Yes, because your  
20 responsibility as the department -- I think this is important  
21 to emphasis this, particularly for people watching these  
22 proceedings who may not be conversant in the difference  
23 between the department and a Minister's office, for example.  
24 The department is the Public Service; you have certain  
25 obligations, and you then hand off, at a certain point, to  
26 the Minister's office, which is the political executive and  
27 their staff and has a separate function and a separate  
28 process from yours. Obviously there is a dialogue all the

1 way through, but am I right to say that at a certain point  
2 you've done your duty and it's over to the political element  
3 to do its share?

4 **MR. ROB STEWART:** Very well described, sir.

5 **MR. GIB van ERT:** Thank you. All right.  
6 Good to get something right.

7 Well, I would call up your witness statement  
8 now, please.

9 It's 154 at paragraph 10, please, Court  
10 Operator.

11 All right. Mr. Stewart here you're  
12 testifying about the six weeks/54 days, but I understand your  
13 point here. And halfway through the paragraph:

14 "Mr. Stewart testified that there  
15 were questions and it would have  
16 taken CIS some time to get the  
17 Minister and his staff comfortable  
18 with this particular warrant."

19 Is that because of who the target of the  
20 warrant was? I'm not asking you to say who it was, to be  
21 clear, but is that the reason why it would have taken some  
22 time to get the Minister and his staff comfortable?

23 **MR. ROB STEWART:** Well, to be clear, I'm not  
24 entitled to say anything about the warrant itself in  
25 substance. And you know, what I would say here is that this  
26 testimony comes from -- at the end of a process of being, you  
27 know, reminded through briefings of what happened at that  
28 time; right? Because we've all gone through a process of

1       being prepared.

2                   And I just felt that there was, you know, on  
3       a question of foreign interference, there was some -- you  
4       know, where foreign interference was a general issue, the  
5       Minister would have questions.

6                   **MR. GIB van ERT:** All right. Let me also ask  
7       you this. Would it have taken some time for the Minister and  
8       staff to be comfortable with this particular warrant, in part  
9       due to the Vanweenen list, which means the list that is  
10      included with the warrant materials of people whose  
11      communications are likely to be intercepted as a result of  
12      the target being intercepted. Is that part of the reason why  
13      there would have been -- it would have taken some time to get  
14      people comfortable with this warrant?

15                  **MR. ROB STEWART:** That's an interesting term  
16      of art, the Vanweenen list. I would say, sir, that that is  
17      generally a concern of the Minister's Office.

18                  **MR. GIB van ERT:** Yes, I'm sure it is. But  
19      you seem to be saying in this paragraph that for this  
20      particular warrant, and those were your words there, it would  
21      have taken some time for the Minister and staff to get  
22      comfortable. So I'm just trying to explore why you say that  
23      was the case?

24                  **MR. ROB STEWART:** I'm really not in a  
25      position to be able to discuss the substance of the warrant  
26      with you.

27                  **MR. GIB van ERT:** All right. Fair enough.  
28      So your answer is, "I can't answer that question here."

1 Understood.

2 Now, the Minister tells us that he signed the  
3 thing three hours after first learning of it. So it didn't  
4 take him any time to get comfortable with it. According to  
5 his account, he signed it right away. And I take it that you  
6 have no reason to disbelieve the Minister's account that he  
7 didn't see it until the 11<sup>th</sup> of May?

8 MR. ROB STEWART: I have no ---

9 MR. GIB van ERT: It's a little convoluted.  
10 Let me try again.

11 MR. ROB STEWART: The way you put that  
12 question, ---

13 MR. GIB van ERT: Yes. Let me try again.

14 MR. ROB STEWART: I have no information about  
15 what the Minister knew or didn't know, ---

16 MR. GIB van ERT: All right.

17 MR. ROB STEWART: --- prior to his signing  
18 the warrant.

19 MR. GIB van ERT: And the Minister has said,  
20 "I signed it within three hours." You don't know anything to  
21 contradict that?

22 MR. DOMINIC ROCHON: That's correct.

23 MR. GIB van ERT: Thank you.

24 MR. DOMINIC ROCHON: Thank you.

25 MR. GIB van ERT: Mr. Stewart, in your  
26 witness statement you have explained, in fact you said it  
27 again this morning, that you don't have any specific  
28 recollection of the intelligence products concerning my

1 client, Mr. Chong. There were -- we know now that there were  
2 three early 2021 products that CSIS directed to you, and to  
3 the Minister, and to the Chief of Staff, and to others, and  
4 then there was also the IMU. You had a discussion with Ms.  
5 Morgan about that this morning.

6 If I understood you correctly, you said you  
7 don't recall having seen those products, but you expect that  
8 you did see them at the time?

9 **MR. ROB STEWART:** That is correct.

10 **MR. GIB van ERT:** All right. You also say in  
11 your witness statement that you were not aware of any threats  
12 against Mr. Chong. Do you recall saying that? I can call it  
13 up if it would help.

14 **MR. ROB STEWART:** No, I believe that to be  
15 the case.

16 **MR. GIB van ERT:** All right. So I put it to  
17 you, sir, that if you had read the four instruments that I'm  
18 talking about, you would have been aware of at least CSIS'  
19 concern that there were threats? And so you don't recall  
20 whether you read it or not, but you also say you weren't  
21 aware of threats. That tells me that you didn't read the  
22 four products. Do you agree with that?

23 **MR. ROB STEWART:** No, I don't. And I'll tell  
24 you why. I consumed a very large amount of intelligence on  
25 an ongoing basis. And the intelligence products to which you  
26 refer were not exceptional in any way.

27 **MR. GIB van ERT:** In any way?

28 **MR. ROB STEWART:** No. If you think that Mr.

1 Chong was the only person subject to things on which  
2 intelligence is gathered, then you're -- then you'd be wrong.  
3 There's quite a large body of intelligence that flows through  
4 the system about things going on. So my recollection is I  
5 knew parliamentarians were under threat. I did not retain  
6 that it was Mr. Chong specifically.

7 **MR. GIB van ERT:** Right. Okay. And sir,  
8 look, you know your business far better than I do. But I  
9 would have thought that an allegation by the Service coming  
10 at around the same time as this particular warrant that we've  
11 been talking about, alleging that parliamentarians were being  
12 threatened by the consul, I just would have expected that  
13 that would stick out in your mind. But I understand that you  
14 read a lot and there are a lot of threats around. I'm sure  
15 if I could only know the things that you know, I would  
16 perhaps be a little more jaundiced about the world generally.  
17 But I would have thought those things would stick in your  
18 mind. It's quite a remarkable allegation by the Service.  
19 Did it just roll off your back?

20 **MR. ROB STEWART:** I would say what I just  
21 said, which is that -- and I appreciate your sympathy for  
22 what I've come to know. But the point being here that there  
23 is a lot going on and threats being levied against a lot of  
24 Canadians, okay, and you know, as a senior official in the  
25 Department of Public Safety, I was retaining the thread of  
26 all of that, and not dealing with the downstream, if you know  
27 what I mean, other than through a policy lens.

28 So I feel that it was not my responsibility

1 to be picking up on the individuals concerned in any  
2 particular set of circumstances and I left that to the  
3 agencies, I left that to the process that's downstream from  
4 the delivery of intelligence, and I was maintaining a high  
5 level of awareness that this was an issue of growing concern.

6 **MR. GIB van ERT:** Yes. And in any case, the  
7 Minister himself, and also the Minister's Chief of Staff,  
8 were also addressed on those products. So am I right to  
9 think that you would know, as you read them, assuming you  
10 did, which you believe you provably did, that this  
11 information was getting to the Minister's Office?

12 **MR. ROB STEWART:** I believe that to be true.

13 **MR. GIB van ERT:** Right. I suppose it came  
14 in those binders, in any event? Am I right? That that's the  
15 sort of thing that would end up in those binders?

16 **MR. ROB STEWART:** Very common to see those  
17 kinds of things in those binders.

18 **MR. GIB van ERT:** You would expect them to --  
19 -

20 **MR. ROB STEWART:** Yes.

21 **MR. GIB van ERT:** --- end up in those  
22 binders? All right.

23 Thank you very much, gentlemen. It's been  
24 very helpful. Those are my questions.

25 **COMMISSIONER HOGUE:** Thank you.

26 Mr. Lim for Erin O'Toole.

27 **MR. PRESTON LIM:** I have no questions, Madam  
28 Commissioner.

1                   **COMMISSIONER HOGUE:** Counsel for Jenny Kwan?  
2 Me Choudhry?

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

4                   **MR. SUJIT CHOUDHRY:** Good morning, gentlemen.  
5 Thank you for coming. For the record, my name is Sujit  
6 Choudhry. I'm counsel to Jenny Kwan.

7                   So Ms. Morgan covered a number of my  
8 questions about the CSIS warrant process, or work flow as she  
9 called it. I have a couple of follow up points, if I could.

10                  So are you able to estimate how many CSIS  
11 warrant applications come to Public Safety per year?

12                  **MR. DOMINIC ROCHON:** Hard to say. Dozens.

13                  **MR. ROB STEWART:** Well it varies, but I would  
14 say in the order of 10 to 20.

15                  **MR. SUJIT CHOUDHRY:** In the order of 10 to  
16 20. Okay. And then specifically, and you know, we're  
17 describing the COVID period, which is a fuzzy term, but you -  
18 - let's date it to February 2020, or from then, to some point  
19 in 2021, as you said when, at least in Ottawa, at least on  
20 the Hill, and in around the key ministries, people began to  
21 come back to work.

22                  So over that time period, the warrant in  
23 question obviously came to Public Safety, but in addition to  
24 that warrant, how many other warrants came to Public Safety  
25 from CSIS? Do you -- can you estimate?

26                  **MR. ROB STEWART:** I would estimate in the  
27 high single digits.

28                  **MR. SUJIT CHOUDHRY:** Okay. That's helpful.



1 Thank you.

2 Could we please call up Witness Statement  
3 153? And I believe it's paragraph 20, which I believe is PDF  
4 page 8, and forgive me if it's not. And of course it's not.  
5 So can we go up to paragraph 20? Okay. There. Right.

6 And so I just want to kind of go over a  
7 couple of points. it says -- if you look four lines down,  
8 and Mr. Stewart, I believe this is your evidence, it says:

9 "Mr. Stewart explained that there was  
10 no expectation at the time that the  
11 Deputy's Ministers -- Deputy  
12 Minister's Office would notify the  
13 Minister that the application was  
14 ready for review, the package was  
15 given to his Chief of Staff, so the  
16 assumption was the Chief of Staff  
17 would flag to the Minister that there  
18 was something for him to sign."

19 Is that your -- that's your evidence?

20 **MR. ROB STEWART:** That's my evidence.

21 **MR. SUJIT CHOUDHRY:** Okay. And so just to  
22 kind of circle back to the fact that the Minister and the  
23 Minister's Office also has a direct relationship with the  
24 CSIS Director, are you able to tell us, is the CSIS -- is it  
25 customary in your experience for the CSIS Director to follow  
26 up with the Minister's Office, either the Minister directly  
27 or the Chief of Staff or someone else, although I can't  
28 imagine who that would be, regarding a CSIS warrant, or would

1 the CSIS Director also take the same stance as the Ministry  
2 would, which is that the paperwork was there. It's with the  
3 Minister. It's with the Chief of Staff. It's now for them  
4 to decide what to do.

5 **MR. ROB STEWART:** My understanding would be  
6 that CSIS maintained an active engagement with the Minister's  
7 Office at a subordinate level to the Director.

8 **MR. SUJIT CHOUDHRY:** That is ---

9 **MR. ROB STEWART:** There was a liaison on  
10 their side as much as there was on ours, and that would have  
11 been the venue for which any follow up was conducted, and if  
12 necessary, matters raised to the Director's attention for  
13 either discussion with the Minister or flagging for my  
14 awareness. But that was not what happened in this case.

15 **MR. SUJIT CHOUDHRY:** It's not. So there's a  
16 CSIS liaison officer as well as the Ministry liaison officer,  
17 both of whom would have been tracking this warrant in the  
18 Minister's Office to see where it was in the process; is that  
19 fair?

20 **MR. ROB STEWART:** That is correct.

21 **MR. SUJIT CHOUDHRY:** Okay. Thank you. Could  
22 we go down to paragraph 21? Let's stop there. So just the  
23 first sentence. It states,

24 "Mr. Stewart surmised that the  
25 Minister would not know that there  
26 was a warrant waiting for his  
27 signature unless his Chief of Staff  
28 told him so."

1 Is that your evidence, Mr. Stewart?

2 **MR. ROB STEWART:** Yes, it is.

3 **MR. SUJIT CHOUDHRY:** Thank you. And so let's  
4 go down to paragraph 24 and the last sentence -- no, we'll  
5 move on from that. Actually, no, we'll look at the last  
6 sentence. It says, "However, Public Safety was reactive on  
7 that point." Is that your evidence?

8 **MR. ROB STEWART:** That is my evidence.

9 **MR. SUJIT CHOUDHRY:** Okay. I have two more  
10 sets of questions. So paragraph 25 says,

11 "Mr. Stewart did not know about a  
12 briefing given by CSIS to Ministerial  
13 staff in relation to the warrant that  
14 took place later that month. It is  
15 possible that a member of Mr.  
16 Rochon's staff attended that  
17 briefing."

18 Mr. Rochon, are you aware of that meeting?

19 **MR. DOMINIC ROCHON:** I am now. I wasn't  
20 aware of it at the time.

21 **MR. SUJIT CHOUDHRY:** Are you able to share  
22 with us in this venue what the date of that meeting was?

23 **MR. DOMINIC ROCHON:** No, I don't recollect  
24 when the date of it was. I believe it was what we were  
25 talking about earlier, two weeks after we signed the warrant,  
26 if I'm not mistaken.

27 **MR. SUJIT CHOUDHRY:** And, Mr. Rochon or Mr.  
28 Stewart, are you are aware if that meeting was about the list

1 of names of individuals whose communications might be  
2 intercepted under the warrant?

3 **MR. ROB STEWART:** I'm not aware of the  
4 substance of that meeting.

5 **MR. SUJIT CHOUDHRY:** Mr. Rochon, are you  
6 aware of the substance of the meeting?

7 **MR. DOMINIC ROCHON:** Only from what I read  
8 from the Chief of Staff's testimony.

9 **MR. SUJIT CHOUDHRY:** Right. Which is  
10 referred to the Vanweenen List; correct?

11 **MR. DOMINIC ROCHON:** There was a reference  
12 made, I believe, yes.

13 **MR. SUJIT CHOUDHRY:** So this meeting might  
14 have been about that, but you're not sure?

15 **MR. DOMINIC ROCHON:** I believe the testimony  
16 read that the Chief of Staff sought clarification in general  
17 about the Vanweenen process.

18 **MR. SUJIT CHOUDHRY:** And so let me ask you,  
19 in your experience, and this is to both of you, has the Chief  
20 of Staff at Public Safety under this Minister or any other  
21 Minister ever asked CSIS for a specific meeting about the  
22 Vanweenen List?

23 **MR. ROB STEWART:** I would have no awareness  
24 of that.

25 **MR. SUJIT CHOUDHRY:** Mr. Rochon?

26 **MR. DOMINIC ROCHON:** Agreed. No, I do know  
27 that Minister's Offices frequently asked me and my staff  
28 about the understanding of what this additional annex to a

1 warrant was, sought clarification from me. So it's not a  
2 surprise to me that -- to hear that there would have been  
3 clarification sought.

4 **MR. SUJIT CHOUDHRY:** But that's different  
5 from asking questions about the list per se that's in this  
6 warrant. It's about the concept of a list; right?

7 **MR. DOMINIC ROCHON:** I would agree with your  
8 premise there, yeah.

9 **MR. SUJIT CHOUDHRY:** Okay. Thank you. So  
10 one last question. If we could go to paragraph 27? It says,

11 "Mr. Stewart was asked about a

12 briefing note to the Director..."

13 I'm assuming that's the Director of CSIS.

14 "...that contained details that Mr.

15 Stewart was not aware of at the time

16 that the briefing took place. Had he

17 known about this information at the

18 time, it would have raised concerns."

19 Mr. Stewart, is that your evidence?

20 **MR. ROB STEWART:** That is my evidence.

21 **MR. SUJIT CHOUDHRY:** Are you able in this  
22 setting to tell us what those concerns were?

23 **MR. ROB STEWART:** No. I apologize, but, no.

24 **MR. SUJIT CHOUDHRY:** Don't apologize, sir.  
25 Are you declining on the grounds of national security?

26 **MR. ROB STEWART:** I am.

27 **MR. SUJIT CHOUDHRY:** Thank you very much.

28 **COMMISSIONER HOGUE:** Thank you.

1 It's now Mr. Singh for the Sikh Coalition.

2 **--- CROSS-EXAMINATION BY MR. PRABJOT SINGH:**

3 **MR. PRABJOT SINGH:** Commissioner and to our  
4 panelists, my name is Prabjot Singh for the Sikh Coalition.

5 Mr. Court Operator, if we could bring up  
6 TSC2, please?

7 **--- EXHIBIT No. TSC0000002:**

8 Exposed India's Disinformation

9 Campaign Against Canada's Sikhs

10 **MR. PRABJOT SINGH:** And if we just scroll  
11 down to the title. So I'm going to direct my questions to  
12 you, Mr. Stewart, but, Mr. Rochon, if you would like to jump  
13 in at any point, please feel free. So this is a report on  
14 Indian disinformation that was published by the WSO analyzing  
15 open-source information, a news reporting in February 2021.  
16 And if we scroll to page 4, please? Right there is fine. So  
17 that second paragraph I just want to read. It says that,

18 "In the wake of widespread farmer['s]  
19 protests in India, Indian  
20 disinformation campaigns have renewed  
21 with increased intensity. The goal  
22 remains the same as the [19]80s - to  
23 malign and marginalize Canadian Sikhs  
24 with allegations of extremism and to  
25 ensure that the Sikh community is  
26 regarded with suspicion and  
27 distrust."

28 And if we just scroll down just ever so

1 slightly again? Right there. And that second paragraph on  
2 the right-hand side talks about how,

3 "India's disinformation campaigns are  
4 not limited to influencing media.  
5 There is also evidence to suggest  
6 that India's intelligence agencies  
7 have been engaging in operations in  
8 Canada with the aim to influence  
9 Canadian politicians and media."

10 Do either of you recall receiving or seeing  
11 this report at any point in time?

12 **MR. ROB STEWART:** I do not.

13 **MR. PRABJOT SINGH:** Mr. Rochon?

14 **MR. DOMINIC ROCHON:** I don't remember this  
15 specific report, no, but I do remember the context. So some  
16 of the contents that you just read out is familiar.

17 **MR. PRABJOT SINGH:** Thank you. That was  
18 going to be my next question about any information that would  
19 have flown through -- flowed through your office or onto the  
20 Minister regarding the community's experiences and concerns  
21 communicated in those excerpts about Indian disinformation  
22 and targeting of the community with this aspersion of  
23 extremism.

24 **MR. DOMINIC ROCHON:** I will say in a general  
25 sense there were intelligence products.

26 **MR. PRABJOT SINGH:** And did those flow to the  
27 Minister as well?

28 **MR. DOMINIC ROCHON:** That I can't say for

1       sure, unfortunately. I don't remember anything specific. I  
2       do remember general. As we've gone over in today's  
3       testimony, we see a lot of intelligence products. And at the  
4       time, certainly, this topic was amongst that -- those  
5       intelligence products. Whether we specifically pulled some  
6       of them out and flagged them for the Minister, I can't say.

7                   **MR. PRABJOT SINGH:** No problem. Thank you.

8                   So in general terms, working in the national  
9       security space, I'm sure that you are both aware or have had  
10      conversations about the sensitivities and the potential  
11      detrimental impacts when national security issues like  
12      extremism are aligned with specific ethnic communities in  
13      generalized terms; is that fair?

14                  **MR. DOMINIC ROCHON:** One hundred per cent.

15                  **MR. PRABJOT SINGH:** Thank you. So something  
16      like this where these generalist versions are cast onto a  
17      community and amplified by disinformation, it can have the  
18      impact of increasing hate crimes. So, for example, anti-Sikh  
19      hate and Islamophobia being kind of exacerbated or  
20      accelerated by kind of amplification of narratives around  
21      these communities' associations with extremism and terrorism;  
22      is that fair?

23                  **MR. DOMINIC ROCHON:** I think we were very  
24      sensitive to that in my recollection, yes.

25                  **MR. PRABJOT SINGH:** And does the Department  
26      track any statistics with regards to incidents of hate crime  
27      and conduct any analysis to correlate them with the impacts  
28      of disinformation like this?



1                   **MR. DOMINIC ROCHON:** I can't say  
2 specifically, but I do recall that in the community, and we  
3 had a role to play within the national security and  
4 intelligence community, this was a topic. And again, I'll  
5 reference some of the work we were doing in our National  
6 Security Transparency Advisory Group. Similarly, we were  
7 discussing the types of impacts to which you refer.

8                   **MR. ROB STEWART:** I will add to that, because  
9 there are other parts of the Department that preoccupy  
10 themselves with issues affecting Canadians, and in particular  
11 where criminality is concerned, but also in terms of  
12 terrorism and hate crimes, and it would be fair to say that  
13 in my tenure, and obviously following events that occurred  
14 long before, we were very preoccupied with the impact on  
15 communities in Canada, be they Sikhs or others, of activities  
16 that, you know, were inappropriate, like illegal or, like,  
17 foreign interference, problematic. And we were certainly  
18 aware of the India threat and disinformation by India that  
19 targeted Canadian Sikhs.

20                   **MR. PRABJOT SINGH:** Thank you. And are you  
21 able to confirm whether the Department conducted any outreach  
22 or communication with Sikh community representatives raising  
23 these concerns?

24                   **MR. ROB STEWART:** Not specifically aware. We  
25 had a process of engagement that went on. And through our  
26 regionally offices, you know, were in contact with  
27 communities. We had programs which offered ---

28                   **MR. PRABJOT SINGH:** Sorry, just to interject,

1 and I apologize, I mean the Sikh community specifically.

2 **MR. ROB STEWART:** So, I'm going to say to  
3 you, sir, I do not have specific knowledge of that.

4 **MR. PRABJOT SINGH:** Thank you. Do you think  
5 -- and this is my last question, Madam Commissioner. Do you  
6 think it would be important in terms of formulating a policy  
7 response to national security issues, like foreign  
8 interference, its correlation with potential hate crimes, to  
9 actually engage with the concerned community that has been  
10 targeted by a foreign state and bears the brunt of those  
11 impacts?

12 **MR. ROB STEWART:** Yes.

13 **MR. PRABJOT SINGH:** Thank you. Those are all  
14 my questions.

15 **COMMISSIONER HOGUE:** Thank you.

16 Mr. Matas for the Human Rights Coalition.

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

18 **MR. DAVID MATAS:** Thank you. My name is  
19 David Matas. The Public Safety -- Department of Public  
20 Safety, the Canada Border Service Agency falls within that?  
21 Is that correct?

22 **MR. ROB STEWART:** That's in the portfolio of  
23 the Minister of Public Safety.

24 **MR. DAVID MATAS:** Within the portfolio. And  
25 the -- and is it part of the Department of Public Safety?

26 **MR. ROB STEWART:** No. It's an independent  
27 agency.

28 **MR. DAVID MATAS:** Would you have anything to

1 do with that agency yourself?

2 **MR. ROB STEWART:** I maintained a working  
3 relationship with the leader of that organization and staff  
4 in my organization maintained a working relationship to  
5 further certain of agendas related to that agency,  
6 specifically relating to the filing of documents in  
7 Parliament or any policy or legislative decisions that needed  
8 to be made. We did not have any ongoing and direct  
9 relationship on the operations of the agency.

10 **MR. DAVID MATAS:** Would you have a direct  
11 knowledge of the operations of the agency?

12 **MR. ROB STEWART:** No.

13 **MR. DAVID MATAS:** What sort of information  
14 would you get about the workings of the agency?

15 **MR. ROB STEWART:** Only when circumstances  
16 rendered it necessary for the president to brief the  
17 Minister, which I must say did arise quite frequently during  
18 the COVID period, where there were border issues that needed  
19 to be addressed, and that would be a window into the  
20 operations of the agency. But otherwise, on an ongoing  
21 basis, it would not be in my remit.

22 **MR. DAVID MATAS:** I understand. Now, this is  
23 a question which may be self-explanatory for you, but I'll  
24 just ask it anyways. The Canada Border Service Agency is  
25 engaged in removal of inadmissible persons from Canada. Is  
26 that correct?

27 **MR. ROB STEWART:** Yes, that's my  
28 understanding.

1                   **MR. DAVID MATAS:** The question I wanted to  
2 ask you more specifically is, are you aware of any cases or  
3 situations where the Canada Border Service Agency was engaged  
4 in removal of persons from Canada on the basis that they were  
5 engaged in foreign interference?

6                   **MR. ROB STEWART:** No, I am not.

7                   **MR. DAVID MATAS:** If that had happened, would  
8 you be aware of it?

9                   **MR. ROB STEWART:** No, I would not.

10                  **MR. DAVID MATAS:** If that happened and you  
11 were not aware of it, do you feel you should have been aware  
12 of it?

13                  **MR. ROB STEWART:** No, for the same reason  
14 that I cited before, which is that it wasn't in my remit to  
15 track the operational activities of an agency. Were we to  
16 be, on a systematic basis, expelling people for foreign  
17 interference, I would have wanted to know, and I did not.  
18 But let me just add the caveat that to do that, -- and as I  
19 understand the system, and I'm not, you know, specifically  
20 the responsible person for that system, the people would have  
21 to have been accused of a crime; right? The reason for  
22 expelling somebody is not a suspicion. It is evidence that  
23 they have conducted themselves in a criminal fashion, and  
24 that's what gives rise to expulsion.

25                  **MR. DAVID MATAS:** Well that's one basis for  
26 expulsion, is conviction for criminality. In theory, there  
27 could be conviction for harassment on *Criminal Code*, which  
28 could be -- and foreign interference could be the form of

1 harassment. So that's one possible basis. But another  
2 possible basis for expulsion is misrepresentation. Somebody  
3 could say they're coming to visit, but in fact, they're  
4 coming for foreign interference. And a third basis for  
5 expulsion could be a failure to comply with the terms in  
6 which you enter as a student or a worker or so on, saying  
7 you've come to study and instead you get involved in foreign  
8 interference. A fourth form of expulsion could be organized  
9 criminality, for which you do not have to be convicted, but  
10 just have reasonable grounds to believe that you're a member  
11 of an organization that's involved in organized crime, which  
12 could be foreign interference.

13 So there's a number of different grounds.  
14 And I hear what you say, if it was happening on a systematic  
15 basis, you would like to know about it, and you didn't know  
16 about it. Would you conclude that this was not happening  
17 because you didn't know about it?

18 **MR. ROB STEWART:** I thank you for your  
19 explanation, sir, and I would say that I would not be able to  
20 answer in the affirmative or the negative here. If I was  
21 unaware, I wasn't -- would not be able to say.

22 **MR. DAVID MATAS:** And does your colleague  
23 have anything to add?

24 **MR. DOMINIC ROCHON:** No. Maybe I'll just  
25 point out that certainly in the community, in the process of  
26 talking about foreign interference, we had departments and  
27 agencies discussing some of the tools in the toolkit, and  
28 this would have been an example, but I don't have any

1 recollection of, again, there being a systematic use of this  
2 in the realm of foreign interference. It may well have been  
3 since I was in the position, but while I was there, it wasn't  
4 a frequent occurrence, from what I recall.

5 **MR. DAVID MATAS:** Those are my questions.  
6 Thank you.

7 **COMMISSIONER HOGUE:** Thank you.  
8 Me Sirois.

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

10 **MR. GUILLAUME SIROIS:** Good morning.  
11 Guillaume Sirois for the Russian Canadian Democratic  
12 Alliance.

13 I would like to ask the Court Reporter to  
14 pull CAN3249, please.

15 **COURT OPERATOR:** Could you repeat the  
16 document ID, please?

17 **MR. GUILLAUME SIROIS:** Yes, it's CAN3249.  
18 Thirty-two forty-nine (3249).

19 I understand from your testimony during the  
20 examination in-chief that this is a strategy with a lower  
21 case, the strategy to develop a bigger strategy to counter  
22 hostile activities by state actors. Is that right?

23 **MR. ROB STEWART:** That is correct.

24 **MR. GUILLAUME SIROIS:** And this was developed  
25 in September 2020? Like, this version at least? We can  
26 scroll down to see the date.

27 **MR. DOMINIC ROCHON:** It was the same document  
28 we were shown earlier.

1                   **MR. ROB STEWART:** Yeah, no.

2                   **MR. DOMINIC ROCHON:** Sorry.

3                   **MR. ROB STEWART:** Sorry. I apologize.

4                   **MR. DOMINIC ROCHON:** Yeah.

5                   **MR. ROB STEWART:** I was going to say, this is  
6 a summary of the work at that point in time. As you  
7 understand, it was a continuing ---

8                   **MR. GUILLAUME SIROIS:** Yeah, exactly. So I  
9 just want to get back to on the -- about the notion of the  
10 whole-of-government approach.

11                               So as we see here, those are some of the 15  
12 or so agencies or departments that are involve din responding  
13 to these threats. I'm just going to read a few of them for  
14 the record. There's the CBSA, the Canadian Security  
15 Intelligence Service, Communication Security Establishment,  
16 the Department of Justice, the Department of National  
17 Defence, Canadian Armed Forces.

18                               You can scroll down to the next page.

19                               FINTRAC, Global Affairs Canada, Heritage  
20 Canada, Immigration, Innovation Science and Economic  
21 Development, all the way to Transport Canada.

22                               So obviously the more people the merrier, but  
23 I'm wondering if there's any -- which organization out of the  
24 15 that are listed here is ultimately accountable for  
25 implementing the strategy or for making sure that foreign  
26 interference doesn't happen in Canada.

27                   **MR. ROB STEWART:** I think the answer is most  
28 of these institutions, not all of them, but most of them have

1       some degree of accountability for dealing with foreign  
2       interference. In terms of overall accountability in  
3       governance, as you would have known from the examination in-  
4       chief this morning, the issue of governance and ownership of  
5       the coordination of that activity and of everyone's  
6       awareness, was at issue in our time in public safety.

7                   **MR. GUILLAUME SIROIS:** Okay. And it remained  
8       an issue until you left that department?

9                   **MR. ROB STEWART:** That's correct.

10                  **MR. GUILLAUME SIROIS:** Okay. I'd like to go  
11       down at page 9, please. I'm just going to read the second  
12       paragraph for the record:

13                                "Threat actors also target Canada's  
14                                social cohesion by exploiting  
15                                societal wedge issues, including by  
16                                pitting different civil society  
17                                groups against each other. These  
18                                activities can include information  
19                                manipulation online to spread false  
20                                narrative and amplify extreme views.  
21                                This has been particularly acute  
22                                during the pandemic, as both China  
23                                and Russia have been deploying  
24                                alternative narrative propaganda  
25                                efforts questioning the origins of  
26                                the virus, and criticizing the  
27                                approach of liberal democracies."

28                   Do you recall this specific threat during the



1 pandemic?

2 **MR. ROB STEWART:** Yes, I do.

3 **MR. GUILLAUME SIROIS:** And I'm wondering  
4 like, we've seen with the Tenet Media Operation that happened  
5 in 2023, 2024, that at least Russia is still using this  
6 strategy four years later. I'm wondering if there is any  
7 deterrents to using this strategy? And -- yeah, maybe we can  
8 start with that. Is there any deterrents for Russia to  
9 continue implementing the strategy in Canada four years  
10 later?

11 **MR. ROB STEWART:** Well, I can't speak to  
12 today since it's really not my area of expertise at the  
13 moment. But I can speak to during our tenure there and when  
14 we were actively engaged in trying to counter disinformation,  
15 right, by exposing it and using the tools at our disposal,  
16 including the creation of that unit at Global Affairs, the  
17 Rapid Response Mechanism. So we were addressing it in that  
18 way.

19 **MR. GUILLAUME SIROIS:** And do you believe  
20 that the delay in implementing the strategy, with capital S,  
21 may have made the Tenet Media Operation more likely in 2023,  
22 2024?

23 **MR. ROB STEWART:** I'm sorry, that's a  
24 hypothetical, I can't answer.

25 **MR. GUILLAUME SIROIS:** having a strategy ---

26 **MR. ROB STEWART:** I can say to you that the  
27 goal of this strategy would be to counter things like  
28 disinformation and foreign interference, absolutely.

1                   **MR. GUILLAUME SIROIS:** Okay. So if we had a  
2 strategy in 2020 that we could have more time to implement  
3 during a few years, it would have helped counter or deter  
4 this kind of operation from Russia?

5                   **MR. ROB STEWART:** The aim of the work that we  
6 were doing was among other things to interdict this  
7 information, but many other things as -- many other threats  
8 as well, and to do it in a more coordinated way.

9                   **MR. GUILLAUME SIROIS:** Thank you. Merci.

10                  **COMMISSIONER HOGUE:** Merci.

11                  Attorney General?

12                  **--- CROSS-EXAMINATION BY MS. HELENE ROBERTSON:**

13                  **MS. HELENE ROBERTSON:** Thank you very much.

14                  For the record, my name is Helene Robertson.  
15 I'm counsel for the Attorney General of Canada, and I just  
16 have a few questions for you today.

17                  Commission counsel asked you a few times  
18 about whether you followed up with the Minister, or his  
19 office, on intelligence that was sent up. Recognizing that  
20 the amount of intelligence depends on what's happening and  
21 the wide variety of topics that you can cover, how many  
22 documents would you say were being provided to your office on  
23 a weekly, bi-weekly basis?

24                  **MR. ROB STEWART:** Intelligence?

25                  **MS. HELENE ROBERTSON:** Yes.

26                  **MR. ROB STEWART:** I would say the average  
27 binder contained 30 to 40 individual documents.

28                  **MS. HELENE ROBERTSON:** Over what sort of time

1 frame would that be?

2 MR. ROB STEWART: In a binder about twice a  
3 week.

4 MR. DOMINIC ROCHON: Twice a week, and then  
5 you'd have the Client Relations Officer from CSE would also  
6 show up with additional information, sometimes duplicative,  
7 but not always.

8 MS. HELENE ROBERTSON: Okay. Thank you.

9 And then how much would the Minister's office  
10 be receiving in that sort of, same time frame? Is it the  
11 same amount or would it be a lower number?

12 MR. ROB STEWART: A lower number, because we  
13 curated the Minister's binders.

14 MS. HELENE ROBERTSON: And what sort of  
15 number would you put that?

16 MR. DOMINIC ROCHON: I'd say about a dozen  
17 per binder, so probably 20, 20 or so documents.

18 MS. HELENE ROBERTSON: Okay. Thank you. And  
19 the same caveat would apply that there might be CROs coming  
20 with particular individual pieces?

21 MR. DOMINIC ROCHON: I'm not familiar with  
22 whether the Minister's office had a Chief Relations Officer  
23 service. So they might have only been receiving  
24 intelligence reports through our channel.

25 MS. HELENE ROBERTSON: Okay. Thank you very  
26 much.

27 Moving on to a different topic, you discussed  
28 your particular intelligence management briefing -- sorry,

1       brief -- the IMU, with Commission counsel and some others.  
2       Deputy Minister Stewart, you have said you don't recall  
3       having seen that IMU at the time?

4                   **MR. ROB STEWART:** That's correct.

5                   **MS. HELENE ROBERTSON:** Having seen it now  
6       several times, what is your reaction to that IMU?

7                   **MR. ROB STEWART:** If I'm interpreting your  
8       question correctly, you're asking what would I have done  
9       about it?

10                  **MS. HELENE ROBERTSON:** Yes, or what was your  
11       reaction -- what would your reaction to it has been at the  
12       time?

13                  **MR. ROB STEWART:** Well, I think my reaction  
14       at the time was to take it as evidence of a body of activity  
15       that was of significant concern. Today, in the light of  
16       events, I would have taken it even more seriously.

17                         I would have always thought, then and now,  
18       that it would be CSIS informing the Minister that they  
19       intended to do something, which they now been more empowered  
20       to do, and that that would be the appropriate thing to do.

21                  **MS. HELENE ROBERTSON:** Thank you very much.

22                         On a different topic, you've been asked quite  
23       a few questions about a particular warrant today. Could you  
24       put that warrant into context? What sort of other topics  
25       were you dealing with in that time frame?

26                  **MR. ROB STEWART:** Generally speaking, the  
27       other issues ---

28                  **MS. HELENE ROBERTSON:** Yes.

1                   **MR. ROB STEWART:** --- the Minister was  
2     addressing?

3                   **MS. HELENE ROBERTSON:** Exactly.

4                   **MR. ROB STEWART:** Well, in the -- in that  
5     period of time, the first and foremost issue of course was  
6     COVID. And COVID was for the Minister, border security in  
7     particular, and we were -- some may recall the various stages  
8     of our policy with respect to entering Canada, particularly  
9     for people who are not nationals, and even those who are  
10    nationals, very evolving policy and one subject to a lot of  
11    discussion an enforcement by CBSA. And I don't think I need  
12    to remind people about the technology challenge that was  
13    involved in that.

14                   And then as an extension of Dom and my work,  
15    there was HASA, there was economic security, which is a whole  
16    other set of issues with which we continue to grapple. In  
17    the crime prevention world, there was the RCMP and issues  
18    around the RCMP's well functioning. There was firearms  
19    legislation that was pursuant to the ban on the guns after  
20    the Portapique murders the year before. That's just a  
21    handful off the top of my head.

22                   **MS. HELENE ROBERTSON:** So it was a  
23    significant number of topics that would be -- the Minister  
24    would be dealing with at any given time. Is that a fair  
25    characterization?

26                   **MR. ROB STEWART:** There was a constant flow  
27    of issues that were -- that the Minister had to deal with  
28    both in terms of approvals, engagement, participation in the

1 processes of governance, and then advancing them as, you  
2 know, policy.

3 **MS. HELENE ROBERTSON:** Thank you.

4 And in general, when we're talking about  
5 warrants, to go back, step back out for a minute, how would  
6 you know if CSIS viewed a warrant as being particularly  
7 important?

8 **MR. ROB STEWART:** The only way I would know  
9 is if the Director told me.

10 **MS. HELENE ROBERTSON:** Thank you.

11 And in terms if the warrant is particularly  
12 urgent, how would you know that?

13 **MR. ROB STEWART:** The same.

14 **MS. HELENE ROBERTSON:** Thank you.

15 Generally speaking, what is the relationship  
16 between Public Safety and CSIS?

17 **MR. ROB STEWART:** Well, it's a close working  
18 relationship without the responsibility of directing the  
19 agency in any way. As I have answered with respect to CBSA,  
20 there was a -- there's an element of CSIS's needs that are  
21 addressed by Public Safety, the filing of regular reports  
22 with government -- through the Minister's office to  
23 government.

24 In recent years of course, advancing the  
25 modernization of CSIS's powers would have been a legislative  
26 activity for which the department possessed the requisite  
27 authority to engage the Department of Justice in the drafting  
28 of legislation. And there was the coordination at all times

1 through committees that Dom chaired, that I chaired, that  
2 involved dealing with threats to the security of Canada.

3 **MS. HELENE ROBERTSON:** And did that  
4 relationship involve any oversight of CSIS by the Department  
5 of Public safety?

6 **MR. ROB STEWART:** No. I want to emphasize  
7 that point. The oversight is exercised by the Minister.

8 **MS. HELENE ROBERTSON:** Thank you.

9 Going back to the particular warrant, when  
10 you were discussing with Mr. Chong's lawyer, you said that  
11 you did not have a role to play and you referred to it as  
12 "going dark" once you had provided the Minister -- the  
13 warrant application to the Minister's office. Do you recall  
14 saying that?

15 **MR. ROB STEWART:** I do.

16 **MS. HELENE ROBERTSON:** Okay. What is your  
17 understanding of the ability of CSIS as an agency to engage  
18 with the Minister's office in respect of any particular  
19 warrant after the point that you provided it to their office?

20 **MR. ROB STEWART:** I personally consider that  
21 CSIS has the opportunity for full and frank discussions with  
22 the Minister's office.

23 **MS. HELENE ROBERTSON:** And would you -- if  
24 CSIS and the Minister's office were having those discussions,  
25 would you be made aware of that?

26 **MR. ROB STEWART:** No.

27 **MS. HELENE ROBERTSON:** Can you confirm that  
28 you have discussed the full substance and context of the

1 warrant with the Commissioner?

2 **MR. ROB STEWART:** Yes, I have.

3 **MS. HELENE ROBERTSON:** Thank you.

4 On a different topic, and this is my final  
5 question, when it comes to Bill C-70 as it has been now  
6 brought into force of law, which obviously has happened since  
7 you left Public Safety, what is your view of the inclusion in  
8 that law of two things: one is the Foreign Influence and  
9 Transparency Registry; the other being the ability of CSIS to  
10 share intelligence more broadly? Do you have a view of those  
11 particular parts of that legislation?

12 **MR. ROB STEWART:** They are entirely  
13 consistent with the work that Dom and I were doing to advance  
14 our ability to deal with foreign interference and the threats  
15 of hostile states, and so in that context I'm quite pleased.

16 **MS. HELENE ROBERTSON:** Thank you. Those are  
17 my questions.

18 **COMMISSIONER HOGUE:** Thank you.

19 Ms. Morgan, re-examination?

20 **MS. LYNDA MORGAN:** No, thank you.

21 **COMMISSIONER HOGUE:** So thank you very much.  
22 You're free to go.

23 **MR. DOMINIC ROCHON:** [No interpretation].

24 **MR. ROB STEWART:** [No interpretation],  
25 Commissioner.

26 **COMMISSIONER HOGUE:** We'll break for lunch  
27 and we'll come back at 1:15.

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



1                   This sitting of the Commission is now in  
2 recess until 1:15 p.m.

3 --- Upon recessing at 11:52 a.m.

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

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

6                   This sitting of the Foreign Interference  
7 Commission is now back in session.

8                   The time is 1:17 p.m.

9                   **COMMISSIONER HOGUE:** Good afternoon, Ms.  
10 Dann. So you can go ahead.

11                   **MS. ERIN DANN:** Thank you very much,  
12 Commissioner.

13                   For the record, it's Erin Dann. Our next  
14 panel is from Public Safety Canada.

15                   Can I ask that the witnesses be sworn or  
16 affirmed?

17                   **THE REGISTRAR:** [No interpretation].

18                   ...and spell your last name for the  
19 transcription.

20                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Sébastien  
21 Aubertin-Giguère, A-U-B-E-R-T-I-N-G-I-G-U-È-R-E.

22                   **THE REGISTRAR:** [No interpretation].

23 --- MR. SÉBASTIEN AUBERTIN-GIGUÈRE, Affirmed:

24                   **THE REGISTRAR:** Thank you.

25                   Now for Mr. Tupper. Could you please state  
26 your full name and spell your last name for the record?

27                   **MR. SHAWN TUPPER:** Shawn Tupper, T-u-p-p-e-r.

28                   **THE REGISTRAR:** Thank you.

1 --- MR. SHAWN TUPPER, Affirmed:

2 THE REGISTRAR: Thank you.

3 And finally for Ms. Geddes. So could you  
4 please state your full name and spell your last name for the  
5 record?

6 MS. TRICIA GEDDES: Tricia Geddes, G-e-d-d-e-  
7 s.

8 THE REGISTRAR: Thank you.

9 --- MS. TRICIA GEDDES, Affirmed:

10 THE REGISTRAR: Thank you.

11 Counsel, you may proceed.

12 MS. ERIN DANN: Thank you.

13 --- EXAMINATION IN-CHIEF BY MS. ERIN DANN:

14 MS. ERIN DANN: Good afternoon. I want to  
15 start today just by handling a few housekeeping matters.

16 I'll ask Court Operator, could you please  
17 bring up WIT95?

18 --- EXHIBIT NO. WIT0000095:

19 Interview Summary: Public Safety  
20 Canada (Shawn Tupper, Tricia Geddes,  
21 Sébastien Aubertin-Giguère

22 MS. ERIN DANN: This is the English version;  
23 there's also a French version WIT95.FR.

24 --- EXHIBIT NO. WIT0000095.FR:

25 Résumé d'entrevue : Sécurité publique  
26 Canada (Shawn Tupper, Tricia Geddes,  
27 Sébastien Aubertin-Giguère)

28 MS. ERIN DANN: I'll ask the panel; you were

1 interviewed in June of 2024. This is a summary of that  
2 interview. I'll ask each of you to confirm that you've had a  
3 chance to review the summary; that you have no amendments or  
4 modifications you wish to make, and that -- and confirm that  
5 you will adopt that summary as part of your evidence today.

6 I'll start with Ms. Geddes.

7 **MS. TRICIA GEDDES:** Yes, I have reviewed,  
8 happy to affirm.

9 **MS. ERIN DANN:** Thank you. And Mr. Tupper?

10 **MR. SHAWN TUPPER:** I've reviewed and affirm.

11 **MS. ERIN DANN:** Thank you. And ---

12 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** I've  
13 reviewed and affirm.

14 **MS. ERIN DANN:** Thank you.

15 Next, can I have WIT144?

16 **--- EXHIBIT NO. WIT0000144:**

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

20 **MS. ERIN DANN:** This is a summary of the in  
21 camera examination evidence, the unclassified portions of it.  
22 And, again, I'll ask each of you to confirm that you've had  
23 an opportunity to review, whether you're prepared to adopt  
24 that summary as part of your evidence today.

25 And we'll start with, perhaps, Mr. Aubertin-  
26 Giguère.

27 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** I've  
28 reviewed and I'm comfortable with it.

**In-Ch (Dann)**

MR. SHAWN TUPPER: I too have reviewed and approve.

**MS. TRICIA GEDDES:** I have reviewed and approve.

**MS. ERIN DANN:** Thank you. And a French translation of that summary will be provided as soon as it is available.

Finally, I'll ask that CAN.DOC40 please be brought up?

--- EXHIBIT NO. CAN.DOC.000040:

Public Safety Institutional Report

(Part C) - September 1, 2018 to March

15, 2024

**MS. ERIN DANN:** This is -- Mr. Tupper, I'll ask you about this document. It is a unclassified Public Safety Institutional Report. Have you had an opportunity to review this document?

**MR. SHAWN TUPPER:** I have.

**MS. ERIN DANN:** And are you prepared to adopt the Institutional Report on behalf of Public Safety?

MR. SHAWN TUPPER: I am.

**MS. ERIN DANN:** Thank you.

And the French version of the Institutional Report is at CAN.DOC41.

--- EXHIBIT NO. CAN.DOC.000041:

# Rapport institutionnel de Sécurité

public Canada (Partie C) - 1

septembre 2018 au 15 mars 2024

1                   **MS. ERIN DANN:** I should note I'll ask my  
2 questions in English today but of course please feel free to  
3 answer in either English or French.

4                   By way of brief introduction, Mr. Tupper, I  
5 understand you have been the Deputy Minister of Public Safety  
6 since October of 2022. Is that right?

7                   **MR. SHAWN TUPPER:** Correct.

8                   **MS. ERIN DANN:** And that's not your first job  
9 in government? You've been in the ---

10                  **MR. SHAWN TUPPER:** No.

11                  **MS. ERIN DANN:** --- Canadian Public Service  
12 for 38 years.

13                  **MR. SHAWN TUPPER:** Yes.

14                  **MS. ERIN DANN:** Ms. Geddes, I understand you  
15 have been the Associate Deputy Minister of Public Safety  
16 since June of 2022, and you previously have served as Deputy  
17 Director, Policy and Strategic Partnerships at CSIS, is that  
18 right?

19                  **MS. TRICIA GEDDES:** That's correct.

20                  **MS. ERIN DANN:** Mr. Aubertin-Giguère, you are  
21 the Associate Assistant Deputy Minister in the Cyber Security  
22 Branch at Public Safety, and I understand since June of 2022,  
23 and you were also appointed that National Counter Foreign  
24 Interference Coordinator in 2023.

25                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah, that's  
26 correct. It's the National and Cyber Security Branch.

27                  **MS. ERIN DANN:** National and Cyber Security  
28 Branch. Apologies. Thank you.

1                   We've seen in the Institutional Report and in  
2                   your previous evidence that the activities of the Public  
3                   Safety are broad but largely fall into the areas of emergency  
4                   management, community safety, criminal justice, and national  
5                   security.

6                   Mr. Tupper, you succinctly summarized the  
7                   work of Public Safety in one of the -- in the examination  
8                   summary where you described the role of Public Safety by  
9                   explaining that the department compiles relevant information,  
10                  convenes discussions that allow the government to interpret  
11                  that information, and then contributes to decisions on how  
12                  the government reacts to it.

13                  You also distinguished between government  
14                  responses to immediate threats or particular events, and  
15                  responses to broader, long-term situations, and cautioned  
16                  against confusing issue management and policy development.

17                  That's a long windup to ask if you can help  
18                  the Commission understand that distinction, and if you can  
19                  describe Public Safety's role in relation to issues  
20                  management responding to specific threats in relation to  
21                  foreign interference, versus the policy development work of  
22                  Public Safety.

23                  **MR. SHAWN TUPPER:** Sure. I think the primary  
24                  difference is simply the amount of time that you have to be  
25                  able to do the analytics you need to do around an issue and  
26                  develop responses to it. Issue management is much more about  
27                  focused on day-to-day events. They oftentimes are things  
28                  that arise that you need to respond to in an immediate way,

1 and you have to take considered action to respond to whatever  
2 that issue is.

3 The policy formation hopefully guides you in  
4 doing that on the day-to-day basis. The policy formulation  
5 is the result of public servants going out and engaging with  
6 Canadians, bringing together various experts to analyze  
7 issues, developing a *diagnostique*, doing the breakdown of  
8 that *diagnostique* into proper frameworks of advice to  
9 government about the best public policy responses.

10 So they are fundamentally different in terms  
11 of how you proceed with them. The policy development  
12 hopefully anticipates the kinds of issues that you may be  
13 managing on a day-to-day basis. And as I said earlier, it  
14 gives you kind of a foundation against which you can act and  
15 react.

16 **MS. ERIN DANN:** Thank you.

17 Ms. Geddes, Mr. Aubertin-Giguère, anything  
18 you'd want to add?

19 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** No.

20 **MS. ERIN DANN:** Okay.

21 **MS. TRICIA GEDDES:** That captured it.

22 **MS. ERIN DANN:** Thank you.

23 Within Public Safety, we have the National  
24 Security Policy Directorate. And Deputy Minister Tupper, you  
25 mentioned that within that policy directorate, there are  
26 individuals who have room to step back and breathe and do a  
27 bit of work on that policy development. Can you help us  
28 understand what that means and the role of the Policy

1 Directorate within and in relation to the other directorates  
2 at Public Safety?

3 **MR. SHAWN TUPPER:** Well, again, I think it's  
4 important for any organization within government to protect  
5 some resources that allow them to spend time doing the  
6 analysis, developing the *diagnostique*, the *problématique* and  
7 developing ideas for government, in terms of how government  
8 can reflect on proper public policy responses.

9 That's a really important thing and you  
10 oftentimes hear in public discourse how the government has  
11 kind of lost its policy muscle in that respect. That's  
12 exactly what that is, is taking that step back, taking the  
13 time to analyze, taking the time to engage, and being able to  
14 debate through different options because it isn't easy just  
15 to find a single line of discourse and action.

16 And so in this case, the policy shop in our  
17 National Security Branch is a pretty crucial organization  
18 because we hope that they are the organization that will look  
19 at trends, that will look at issues as they evolve over time  
20 and be able to understand what's happening such that they can  
21 give us good advice.

22 On the contrary side we have operations  
23 groups within that same organization that are much more  
24 focused on how we react, how we respond, how we  
25 operationalize the policy frameworks that we have. They are  
26 types of work that absolutely have to coalesce, but they are  
27 equally independent in terms of how you pursue them.

28 **MS. ERIN DANN:** I want to ask some questions



1 about the Countering Foreign Interference Coordinator role.

2 I'll perhaps start by just asking the Court  
3 Operator to put up COMM609.EN.

4 **--- EXHIBIT NO. COM0000609.EN:**

5 Government of Canada provides update  
6 on recommendations to combat foreign  
7 interference

8 **--- EXHIBIT NO. COM0000609.FR:**

9 Le gouvernement du Canada fait le  
10 point sur les recommandations visant  
11 à lutter contre l'ingérence étrangère

12 **MS. ERIN DANN:** This is a press release, and  
13 if we go to PDF page 5, please. This indicates that on March  
14 6, 2023, the government announced it was establishing a new  
15 national -- excuse me, if we can just scroll down a little  
16 bit on that -- a little further to the next bullet? Thank  
17 you. Thanks.

18 "Establishing a new National Counter  
19 Foreign Interference Coordinator in  
20 Public Safety [...] to coordinate  
21 efforts to combat foreign  
22 interference..."

23 Mr. Aubertin-Giguère, were you -- when were  
24 you appointed to this role?

25 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** When the  
26 announcement was made, I had joined Public Safety in June '22  
27 to just after the adoption of the HASA MC to prepare the  
28 groundwork for the creation of this office and to put some

1 structure around the function.

2 **MS. ERIN DANN:** I understand. And we'll talk  
3 a bit more about the HASA MC, but the creation or  
4 establishment of this Foreign Interference Coordinator, as I  
5 understand it, was one of sort of the elements contemplated  
6 through the work of the HASA MC? Is that right?

7 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** It's  
8 correct.

9 **MS. ERIN DANN:** Right. And so in advance of  
10 you formally taking that role, you were working within Public  
11 Safety in order to establish some of the framework or  
12 groundwork for that role? Is that a fair sort of summary?

13 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** It is.

14 **MS. ERIN DANN:** At the time you were  
15 appointed, if we -- sorry, we'll just scroll down to page 6,  
16 and to the second bullet on that page. Thank you. The press  
17 release also indicates that there will be -- that:

18 "...Budget 2023 proposes [...] \$13.5  
19 million over five years, starting in  
20 2023-[20]24, and \$3.1 million ongoing  
21 to Public Safety Canada to establish  
22 [the] National Counter-Foreign  
23 Interference Office."

24 At the time that the Office was created, and  
25 you were appointed, was that funding available?

26 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** No, it was  
27 not. So when there's a decision to funding allocated in the  
28 Budget, then the receiving department needs to go back to the

1 Treasury Board and explain how it's going to be spending the  
2 money and it needs to be approved by the Treasury Board. So  
3 there's kind of a time lapse between the time you receive  
4 money in the Budget and the time you actually get it in your  
5 departmental budget and you can start spending against that.

6 **MS. ERIN DANN:** All right. And when, in this  
7 case, were those funds unlocked or become available?

8 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** In the  
9 spring of this year. I think it's in late March.

10 **MS. ERIN DANN:** Late March 2024?

11 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** That's  
12 right.

13 **MS. ERIN DANN:** I understand, however, even  
14 before the funding was unlocked, that you were doing work in  
15 this area and that Public Safety was risk managing resources,  
16 meaning drawing on existing resources within Public Safety in  
17 order to advance the work of the Foreign Interference  
18 Coordinator position or Office?

19 **MR. SHAWN TUPPER:** That's a very common  
20 practice. So you go to Cabinet to Cabinet to get policy  
21 approval, so the government sets a direction for work, and  
22 then you have to go through the detailed work of designing  
23 and implementing how you will operationalize the policy  
24 approval that the Cabinet has given, and that takes a number  
25 of steps, including getting the funding approved, and then  
26 going to Treasury Board and getting the operational construct  
27 approved.

28 And so that is a bit of a time-consuming

1 process, but it's a very common approach to how we would  
2 implement a policy decision of the Federal Government.

3 **MS. ERIN DANN:** And did the -- that --  
4 recognizing that that's a common approach, can you speak to  
5 how, if at all, the -- that impacted -- or that need to  
6 resource manage within Public Safety impacted the work of the  
7 coordinator or other aspects of Public Safety? Did it slow  
8 the pace at which you could do some of the work that you  
9 wanted to do as coordinator?

10 **MR. SHAWN TUPPER:** Well part of the work  
11 you're doing at that point is indeed writing the Treasury  
12 Board submissions and what not. But that's a lot of work.  
13 But equally, you can't anticipate what the government will  
14 ultimately decide. So in advance of an MC, you can't  
15 anticipate where the government will land on a policy  
16 structure, and equally, we can't presume to know where the  
17 government will land in terms of funding and program  
18 approvals that will guide how that work is conducted.

19 So in so far as we had a policy direction, we  
20 knew we could safely assume that resources would come our way  
21 and we could safely assume that we could begin that work.

22 But one does have to be prudent that you  
23 don't make too many assumptions, in terms of how far you go  
24 in making that investment until the government gives you  
25 decisions.

26 And so I wouldn't say it slows us down in the  
27 sense of it was harmful. It is just a prudent approach to  
28 allow the government to make the decisions it needs to make

1 and that in the meantime you're getting on as best you can.

2 In the context of this work, it was a very  
3 busy time. We were just coming out of COVID. We were  
4 dealing with a number of other fairly serious national  
5 issues, like, the mass shooting in Nova Scotia, we were  
6 dealing with, in the Department, massive amounts of work  
7 around emergency management. All of those things kind of  
8 circumscribe a little bit the choices one has in terms of how  
9 you spread your resources out to pursue work across the  
10 organization.

11 **MS. ERIN DANN:** And can you help us  
12 understand the composition of the Office of the Countering  
13 Foreign Interference Coordinator at this stage? How many --  
14 approximately how many full-time employees are involved? Is  
15 it continuing to grow? Are you basically at the position you  
16 want to be at now? If you can help us understand where  
17 things stand?

18 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So it's --  
19 the plan is to have 13 full-time individuals, including  
20 myself. So there's me, my chief of staff, and two resources  
21 to do engagement. And then the CFI team, the Counter Foreign  
22 Interference team, that's led by a director and then a  
23 manager, is about seven people. It's in the National Security  
24 Operations Division and is also one resource that is  
25 dedicated to policy in the Policy Division.

26 At this point, we're almost done complete  
27 staffing. We're only missing the one individual for  
28 operations and we are also trying to staff the policy

1 position.

2 **MR. SHAWN TUPPER:** If I may, we've  
3 constructed it that way in the sense of it will exist within  
4 our broader work around national security because of the  
5 interlinkages of all of that work. We did have a discussion  
6 about whether we would set up a separate and independent  
7 organization within the Department that would be able to  
8 pursue this work, but we felt it would be, frankly, a more  
9 efficient use of our resources to make sure things were  
10 integrated, that we had the ability to kind of cross-  
11 reference lines of work against what the coordinator would do  
12 against some of the broader series of work that we're doing  
13 with respect to national security.

14 **MS. ERIN DANN:** Thank you. And Court  
15 Operator, you can take down that document.

16 On the role of the Countering Foreign  
17 Interference Coordinator, I want to take you now to some  
18 minutes of a DMCIR meeting. This is CAN4428\_R01.

19 **--- EXHIBIT No. CAN04428 R01:**

20 Deputy Minister Committee for  
21 Intelligence Response (DMCIR) Meeting  
22 Minutes

23 **MS. ERIN DANN:** Now I understand these are  
24 draft minutes. If we look at the top, it appears, Ms.  
25 Geddes, that you were at least listed as a member in  
26 attendance. Do you recall being at that meeting?

27 **MS. TRICIA GEDDES:** I do recall. I was  
28 there.

1                   **MS. ERIN DANN:** All right. And there's a  
2 discussion that emerges about the Countering Foreign  
3 Interference Coordinator in the context of a meeting that was  
4 discussing, amongst other things, PRC overseas police  
5 stations and the response to them.

6                   If we scroll to the bottom of that page 1, at  
7 the beginning of the second to last paragraph, it states:

8                   "PS emphasized the bottom line, which  
9 is that the role and mandate of the  
10 Foreign Interference [...] Coordinator  
11 has not yet been determined. [Public  
12 Safety] highlighted some 'lessons  
13 learned'..."

14                  And then if we look at sort of fourth line  
15 from the bottom:

16                  "PS reiterated the core issue, in  
17 their view: whether the FI  
18 Coordinator should play a  
19 strategic/policy or operational  
20 coordination role."

21                  Ms. Geddes, does this reflect -- accurately  
22 reflect your -- or consistent with your memory of the  
23 meeting? And if so, has that core issue that you identified  
24 been resolved?

25                  **MS. TRICIA GEDDES:** So maybe a couple things  
26 I might mention. First and foremost, you know, I think it's  
27 not unusual that when you're adopting a new coordinator, a  
28 new player, in the national security community, probably as

1 in any other part of government, to be able to well  
2 understand how best that coordinator is going to fit in  
3 amongst the departments and agencies who already have their  
4 own accountabilities, their own way of doing business, so to  
5 figure out how best can we introduce that coordinator into  
6 the efforts already ongoing to counter foreign interference.

7 Very healthy conversation, discussion about  
8 how we best do that.

9 I think that that meeting, as is elaborated  
10 throughout, it illuminates that a lot of players are on the  
11 table, were trying to best understand how that function was  
12 going to support their own ongoing efforts.

13 So from our perspective, understanding  
14 whether or not we could have the most meaningful impact in a  
15 policy strategic space or in coordinating operations or in  
16 both, I think, was a very healthy conversation to have very  
17 early on in the development of the Foreign Interference  
18 Coordinator's role. I think that you'll probably get to --  
19 Sébastien will probably elaborate a bit on what his mandate  
20 is and where he hopes to go in the coming months and years.

21 **MS. ERIN DANN:** Yes. And I will certainly  
22 ask about that.

23 Just to your point, if we look at -- about  
24 the ongoing discussion, if we look to page 2 of that  
25 document, there is a note. There's -- if we scroll down just  
26 a bit lower, there's some redacted text and it indicates that  
27 there's room to improve the role and work of the FI  
28 Coordinator.



1                   In the following paragraph that begins with  
2    "CSIS", the final sentence is, "CSIS noted the need for an  
3    amplified FI Coordinator."

4                   And then if we go to page 3 of the document,  
5    middle of the page, in the paragraph that starts the bold:

6                   "The Chair suggested the FI  
7                   Coordinator would be better placed at  
8                   PCO to provide coordination from the  
9                   centre. ... [and suggested] 'going  
10                  back to basics', and establishing a  
11                  new mandate, policy, and  
12                  framework..."

13                  Mr. Tupper and Ms. Geddes, you both described  
14    this as a healthy debate in your *in camera* examinations. Can  
15    you comment on those passages?

16                  I know, Ms. Geddes, you've spoken to this  
17    already to some extent, but tell us how those issues being  
18    debated were eventually resolved. Has there been a -- is  
19    there now a consensus about the placement of the foreign  
20    interference -- Countering Foreign Interference Coordinator  
21    at Public Safety?

22                  **MS. TRICIA GEDDES:**    Sure, I can start. And  
23    I know, Shawn, you'll probably want to add.

24                  Just to the CSIS Director's comments about  
25    needing an amplified role for an FI Coordinator and needing  
26    to have strategic plans to measure our progress against,  
27    agreed. This was very early in the development of the FI  
28    Coordinator's functions and I think that now I can very

1       confidently say that having a strategic vision of where we  
2       want to take the Foreign Interference Coordinator and how we  
3       want to work with departments and agencies who have  
4       accountabilities in this space much better defined, and that  
5       work has been really important. And I think having this  
6       conversation to kind of hear from our colleagues, you know,  
7       where were they feeling there were gaps, where did they feel  
8       that there were areas in which we should pursue that type of  
9       strategic coordination was very helpful to us in terms of  
10      well defining the role. And I think it's very clear within  
11      the department, within the community, the national security  
12      community, now that the FI Coordinator is well placed at  
13      Public Safety and is going to be able to effectively develop  
14      -- deliver on the mandate.

15                   **MR. SHAWN TUPPER:** I think one way to  
16      describe some of the debate was to identify gaps, where was  
17      work being done, where was work not being done, understanding  
18      respective roles and responsibilities and then, indeed,  
19      designing a position that would fill the gaps and not step on  
20      toes of other organizations doing really good work in this  
21      area, which is one of the reasons we determined that we  
22      didn't want this position to be operational because, in fact,  
23      operational organizations kind of are doing their role. So  
24      that function of developing policy, developing the toolkit,  
25      understanding kind of the substantive sort of forward work  
26      was kind of the bulk of what we decided.

27                   I fundamentally disagreed with the Chair  
28      because in my view, having worked many years at PCO and now

1 in this department and having worked in line departments for  
2 a good number of years, I see a particular function for PCO,  
3 which is about ensuring that departments are pursuing the  
4 agenda of government, that departments are following the  
5 direction of government, that they are challenging  
6 departments in the quality of the work that they're  
7 advancing, that they take the time to, you know, not second-  
8 guess us, but to challenge us to make sure that the options  
9 we're bringing forward are important.

10 But the fundamental equities of line  
11 departments to actually do the work of policy, to use their  
12 legislation, to use the tools and levers that departments  
13 have to articulate a framework, I think, is very well left to  
14 the line departments, so in this instance, I was strongly of  
15 the view that the coordinator position should be with the  
16 department because of that broad developmental function.  
17 That ability to pull departments together to kind of best use  
18 the levers that are there, that is just not a function, in my  
19 view, that should be performed at PCO.

20 **MS. ERIN DANN:** And I know we heard some  
21 evidence this morning from some of your predecessors at  
22 Public Safety that this discussion about a coordinator and  
23 where that coordinator would be best placed had been ongoing  
24 for quite some time when he was in place, so this sounds as  
25 though it's been a -- sort of a long-term discussion, but one  
26 which, if I've understood your evidence, there does now  
27 appear to be consensus about the placement at Public Safety -  
28 --

1                   **MR. SHAWN TUPPER:** Indeed, there is.

2                   **MS. ERIN DANN:** --- for the reasons you've  
3 articulated.

4                   **MR. SHAWN TUPPER:** That would be my view.

5                   **MS. ERIN DANN:** And in terms of the interplay  
6 -- and I'm -- between PCO and its sort of convening role, as  
7 you mentioned, Mr. Tupper, in the -- particularly in the  
8 security and intelligence community, can you speak about the  
9 interplay between the Countering Foreign Interference  
10 Coordinator position and PCO's convening role? Is there a --  
11 what is the interaction or the involvement?

12                   Perhaps, Mr. Aubertin-Giguère, how do you see  
13 that relationship?

14                   **MR. SHAWN TUPPER:** Why don't you start?

15                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well, to  
16 tackle complex problems like FI or transnational repression,  
17 for example, you need to have a broad view. And there's a  
18 lot of policy issues that don't fit neatly into precise  
19 departmental jurisdictions. What you need is someone that  
20 takes a step back and looks at the entirety of the problem  
21 and brings people together and proposes policy options and a  
22 basket of, you know, policy ideas and options or even  
23 operational capability to tackle the problem.

24                   You need someone who's outside of, you know,  
25 the different departments with different mandates to do that  
26 function and then, you know, bring it to a certain level.

27                   That's my role when it comes to foreign  
28 interference. PCO has the convening function, as Shawn said,

1 just making sure that what is being proposed aligns with  
2 government priorities but is also oftentimes a very more  
3 operational like issue management component to their  
4 convening function. So they complement one another and  
5 there's very good collaboration on that space.

6 **MR. SHAWN TUPPER:** Sorry. The other  
7 significant part of PCO's function in that broader convening  
8 and coordination is understanding the context in which  
9 Sébastien's specific work occurs against the whole context of  
10 the government's priorities and the government's agenda.

11 So PCO helps us a lot understanding the  
12 fiscal imperatives of the government, how they're managing  
13 the broad framework and how they want to make investments  
14 across a whole series of issues, how this might relate to  
15 other areas of work around economic security, around sectoral  
16 strategies, for instance, in critical minerals, how we engage  
17 with our friends at Heritage around social media platforms.

18 And so while Sébastien has a discrete  
19 formulation of work that would be relevant to foreign  
20 interference and how we address that, PCO helps us make sure  
21 that we do that work well informed by the appropriate context  
22 of other government-wide agenda that would be relevant to his  
23 work.

24 **MS. ERIN DANN:** All right. So turning to the  
25 role and mandate as it's described in the Terms of Reference,  
26 can I ask that CAN44981 be called up? And we'll look -- and  
27 go to page 4, please.

28 **--- EXHIBIT No. CAN044981 R01 0001:**

1 Terms of Reference: Office of the  
2 National Counter-Foreign Interference  
3 Coordinator (ONCFIC)

4 **MS. ERIN DANN:** So this document is titled  
5 "Mandate of the Foreign Counter" -- sorry, "the National  
6 Counter Foreign Interference Coordinator".

7 If we look at the bullets underneath the  
8 heading "The NCFIC Will", we see indication that it will  
9 provide strategic leadership, coordinate and deconflict, and  
10 it will not direct any department or agency to undertake  
11 operational activities or investigative actions related to  
12 FI. Mr. Aubertin-Giguère, can you tell us what this sort of  
13 means in practice? What does your role and responsibilities  
14 as the Countering Foreign Interference Coordinator involve?

15 **MR. AUBERTIN-GIGUÈRE:** Well, in terms of what  
16 I'm doing as to, you know, convening, you know, coordinating  
17 deconflicting ideas, try to do sort of a lot of the  
18 background policy work to put some meat around the bone of an  
19 issue, bring the right players to the table, and try to  
20 propose, you know, a set of actions and policy proposals  
21 around certain ideas. What I'm -- I think what's clearly  
22 what's not under my responsibilities, I am not in a position  
23 to direct operational agencies. They have clear mandates  
24 that have been established by legislation, and that's not the  
25 function of the coordinator. I'm not also receiving  
26 information that will, for example, be the base of a police  
27 investigation, so that's not my responsibility to be the  
28 intake process for disinformation. And I'm not an

1 intelligence assessor. So that's -- these functions are  
2 carried out by the -- you know, the -- you know, by CSIS, by  
3 PCO, by CSE.

4 **MS. ERIN DANN:** And you've told the  
5 Commission and, Mr. Tupper, you mentioned today, there's no  
6 sort of sharp distinction between your functions as Associate  
7 ADM and the Countering Foreign Interference Coordinator, that  
8 the office is purposefully sort of built into the structure  
9 of Public Safety. I assume you had a very busy full-time  
10 role before you took on the coordinator position. Can you  
11 tell us, how do you have the -- given that lack of sharp  
12 distinction, are you taking these responsibilities on in  
13 addition to all of the responsibilities you had previously?  
14 How does it work to get to all of that work, that very broad  
15 mandate of yours, how are you able to fulfil that?

16 **MR. AUBERTIN-GIGUÈRE:** I work a lot. I would  
17 say, as the associate, I stay involved in all the different  
18 files that the branch has responsibility for, you know, cyber  
19 security, critical infrastructure, national security policy,  
20 operations, but the branch is led by the Senior Associate  
21 Deputy Minister, and I'm supporting him in the full range of  
22 the functions. So that's busy, but I would say that the  
23 foreign interference is a major component of the, sort of the  
24 core work of the branch in itself. And so I tend to take  
25 sort of a bit more of a leadership role when it comes to  
26 files that fit into that category of foreign interference,  
27 and try to sort of carry maybe a heavier lift on these files  
28 than others. But overall, you know, I would say it's busy,

1 but it's a manageable burden.

2 **MS. ERIN DANN:** Just to explore one more as -  
3 - just to ask a few more questions on the role of the  
4 coordinator, can we have COM 48, please, Mr. Court Operator,  
5 and going to PDF page 15.

6 **--- EXHIBIT No. COM0000048:**

7 Countering an Evolving Threat: Update  
8 on Recommendations to Counter Foreign  
9 Interference in Canada's Democratic  
10 Institutions

11 **--- EXHIBIT No. COM0000048 FR:**

12 Contrer une menace en évolution :  
13 mise à jour sur les recommandations  
14 visant à prévenir l'ingérence  
15 étrangère dans les institutions  
16 démocratiques canadiennes

17 **MS. ERIN DANN:** This is the Countering an  
18 Evolving Threat, which was authored by Minister LeBlanc and  
19 then Clerk Charette. And at this portion at the annex of the  
20 report, there is a setting out recommendations made by  
21 various review bodies, and then the key actions and next  
22 steps that the government is taking to respond. And we see  
23 the -- listed on this page are recommendations from the  
24 NSICOP, the Annual Report of 2019. One of their  
25 recommendations was that,

26 "The Government of Canada develop a  
27 comprehensive strategy to counter  
28 foreign interference and build



1 institutional and public resiliency."

2 We see, if you look in the column on the

3 right that,

4 "The new National Counter Foreign

5 Interference Coordinator will [be]

6 play[ing] a lead role to ensure

7 [these] Government-wide efforts..."

8 If we go down to the next page, page 16, we

9 also see under letter (d), the,

10 "Develop practical, whole-of-

11 government operational and policy

12 mechanisms..."

13 Again, on the -- in the column on the right

14 we see that.

15 "The establishment of the Counter

16 Foreign Interference Coordinator

17 enhances the existing national

18 security governance..."

19 If we go to page 17(f), letter (f),

20 "Include an approach for ministers

21 and senior officials to engage with

22 fundamental institutions and the

23 public."

24 And if we look at the top of page 18, we see

25 again a reference to the Coordinator position to bolster

26 communications. If we go down to letter (g), guiding

27 cooperation with allies on foreign interference. Again,

28 there is a reference on the right to the Foreign Interference

1 Coordinator. And finally, on page 19, you see number 2,  
2 that,

3 "...Canada [establish] support this  
4 comprehensive strategy through  
5 sustained central leadership and  
6 coordination."

7 And once again, we have on the right a  
8 reference to the national Counter Foreign Interference  
9 Coordinator.

10 Do you have the resources and toolkit to  
11 fulfil this sort of broad, I would say, sort of tall order  
12 that is set out for the national Countering Foreign  
13 Interference Coordinator? That may be a -- it's a big  
14 question, I realize, but for the panel, if you can comment on  
15 that, and what areas listed here perhaps still need to be  
16 tackled or further addressed?

17 **MR. SHAWN TUPPER:** Your last question's the  
18 easiest one. So the work we confront, our understanding of  
19 what's going on in a global world, the threats that we  
20 understand Canada to be under by significant actors in this  
21 space, Russia, China, India, these are things that continue  
22 to evolve. And so the simple answer to your last question is  
23 we continue to evolve. The work will never be done because  
24 every time we develop tools and we find sufficient ways to  
25 address one activity, they will move to another activity, and  
26 that's just the reality of what we confront. And so it will  
27 be ever so that game of cat and mouse as we proceed.

28 And so that helps articulate the answer to

1 the front part of your question which is about resourcing.  
2 The resourcing will evolve over time, and it will adjust over  
3 time. What we have today may well be different than what we  
4 have in two or three years' time because the toolkit will  
5 evolve and the kinds of challenges, the kinds of expertise  
6 and skills that we need will also evolve.

7 So we have taken decisions, the government  
8 has taken decisions, instructed us to pursue the activities  
9 that are underway now because that is the investment we're  
10 making now. We need to understand as we implement these  
11 activities what their impact will be. And as we are able to  
12 evaluate that, we will give the government further advice  
13 about where we may need to move, what kinds of tools we may  
14 need, and we will undoubtedly make requests for further  
15 investment in this line of activity, not just for my  
16 department, but for my portfolio, the portfolio, and other  
17 actors in our system.

18 **MS. TRICIA GEDDES:** Can I just add to that?  
19 Because I think it's important to note, there's a huge team  
20 behind Sébastien's team. You're hearing from agencies and  
21 departments, RCMP, CSIS, CSE, PCO. Like, we all recognize  
22 the significance of the threat of foreign interference, and  
23 there are resources allocated in each of these departments  
24 and agencies to counter it. So I just -- I want to make  
25 sure, you know, Canadians understand and can have confidence  
26 in the fact that we have a Foreign Interference Coordinator  
27 whose job it is to leverage and help assign the best possible  
28 use of all of those resources and assets to be able to

1 counter these threats. So I just want to make sure that  
2 that's clear, that this is one small piece, a really critical  
3 piece, but one small piece of a much larger machine.

4 **MR. SHAWN TUPPER:** Very good point.

5 **MS. ERIN DANN:** Excuse me. We can take down  
6 that document. Thank you, Court Operator.

7 The -- as we saw, the NSICOP Annual Report  
8 2019 recommended the adoption of a whole-of-government  
9 strategy for tackling foreign interference. We have seen in  
10 -- we've seen this morning and reference in the various  
11 summaries to various drafts of what appears to be a strategy  
12 document on countering -- at one point called countering  
13 HASA, at one point called countering foreign interference.  
14 We also see mention of the Strategy in the summary of the  
15 Memo to Cabinet, the MC on HASA.

16 And that we can pull up. It's COM.SUM4. And  
17 if we scroll down to page 2?

18 It reads, just before the numbered list:

19 "The proposal sought to implement  
20 various elements, including: [...]  
21 endorsement of the principles,  
22 priority sectors and pillars set out  
23 in the Counter-HASA Strategy..."

24 And we heard some evidence from your  
25 predecessors about the work on the development of that  
26 strategy, sort of small s strategy, as opposed to capital S  
27 strategy, during their time at Public Safety.

28 What stage of development was the strategy,

1 small s/capital S, at when you began your tenures at Public  
2 Safety?

3 **MR. SHAWN TUPPER:** It's such a complex  
4 question because there's so much work that goes on, just the  
5 simple act of writing of an MC. All of the various drafts  
6 that we have talked about previously and in the documents  
7 that you have given us, talk about these drafts. The  
8 formulation of those drafts in that backroom with all of our  
9 partners across the city go a very long way to consolidating  
10 the community and understanding the challenge and the kind of  
11 work that we do collectively.

12 The fact we never really landed that strategy  
13 and got it published is almost irrelevant to the fact that we  
14 have a cogent and I think coherent sort of frame of work that  
15 is now being pursued with respect to foreign interference.  
16 It's a building process. It is -- it has been a long time  
17 coming through a period of frankly considerable difficulty,  
18 and particularly marked by the disruption of COVID and that  
19 did to work within the public service.

20 But I think at this point, big S/little s  
21 strategy, we are well informed by the HASA MC and all of the  
22 subsequent documentation that has been produced since to  
23 inform the terms of reference and the frame of work that  
24 Sébastien leads, how that work is integrated again into that  
25 broader community.

26 And I think we have now articulated and are  
27 well on our way to bringing in to kind of an operational  
28 format this work. And that is, I think, exemplified by the

1        engagements we've been doing publicly. Work that we've been  
2        doing since the October 7<sup>th</sup> strike in Israel and how we have  
3        been engaging with the public to reflect on what  
4        international events mean for Canadian society and the  
5        disrupt that we have in Canadian society as a result of these  
6        kinds of activities.

7                        And so whether or not we landed a big  
8        S/little s strategy, we have a strategic approach, we have a  
9        framework that I think is well-informed by all of that work,  
10       and I think the more we do in cementing and consolidating  
11       that work and giving further advice to the government, it  
12       just makes Canada that more resilient place that we want it  
13       to be.

14                      And I say all of this because I want  
15       Canadians to feel that despite this being relatively new work  
16       for us, that they should have confidence in our institutions,  
17       and they should have confidence that we have awareness of  
18       what's going on, and they should have confidence that we are  
19       trying to strike back, that we are trying to prevent the kind  
20       of interference that is being pursued by those other actors.

21                      **MS. ERIN DANN:** And you mentioned that the --  
22       you described the HASA MC as a good articulation of a lot of  
23       the complex issues that you've just discussed, and that the  
24       act of articulating the many aspects of the government's work  
25       on foreign interference in writing was beneficial and that it  
26       set out clear framing and the approach for the government.

27                      Has that framework -- I recognize what you  
28       said, that the capital S/small s strategy hasn't been done,

1 but has that framework and approach to a whole-of-government  
2 response been articulated outside of the HASA MC or in other  
3 ways, and would it be beneficial to do that for that process  
4 of having it articulated and in writing in order to provide  
5 guidance for all of the government's work in this area?

6 **MR. SHAWN TUPPER:** In an ideal world that is  
7 not disrupted by some of the things we have seen over the  
8 last few years, yes, we would put onto paper and we would  
9 have a much more conscious communication strategy with  
10 Canadians to explain the nature of the work that we're doing.

11 I would say one of the reasons we never got,  
12 frankly, to publishing the strategy was because it was  
13 overtaken by events. I think the work that we did on C-70,  
14 the -- both series of engagements that we did, things we have  
15 done on other issues, I think have allowed us to work with  
16 significant communities within the country. I think we've  
17 been able to kind of start building response strategies on  
18 issues that have kind of overtaken the need for a specific  
19 document that outlines that.

20 That said, in an ideal world, it would be  
21 nice to have a manual. It would be nice to kind of have that  
22 thing we could turn to as that consolidating piece. It just  
23 frankly hasn't been possible, given how much we've had to  
24 confront over the last couple of years.

25 **MS. ERIN DANN:** Thank you. And I'll very  
26 quickly move off on this point but I just wanted to cover,  
27 for the sake of completeness, I'll take you to one other  
28 document if you just give me a moment. CAN30915.

1 --- EXHIBIT No. CAN030915 0001:

2 Deputy Minister's Committee on China

3 **MS. ERIN DANN:** Mr. Tupper, I'll address  
4 these questions to you. This is a memorandum for you. It's  
5 dated April 14<sup>th</sup>, 2023.

6 And if we go to page 3 of the document, under  
7 the heading "Key Messages - Counter-Foreign Interference  
8 Strategy", there's an indication that:

9 "Work has been underway [...] to  
10 develop two versions of the  
11 Strategy..."

12 It describes:

13 "...the classified Strategy is in [its]  
14 nascent stages, the unclassified  
15 Strategy is [in] advanced stages and  
16 could be published in the short-  
17 term."

18 Two questions for you on that. Can you help  
19 us understand why the Strategy at this stage is described as  
20 being in its nascent stages, given the years of work that's  
21 sort of pre-dated this? Is this a different strategy that is  
22 being discussed here?

23 And second, and you've already addressed this  
24 to some extent, but why the unclassified strategy that was  
25 near ready for publication, why did that ultimately -- was  
26 publication not pursued?

27 **MR. SHAWN TUPPER:** Again, my immediate  
28 previous answer is part of my response to this. I simply



1 think it was overcome. But if I may, I'll ask Séb to kind of  
2 augment that, because frankly it was his direct line of work.

3 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So the broad  
4 principles of our strategy are essentially what's in the HASA  
5 MC about, you know, the priority sectors, how we position  
6 ourselves as a government towards this threat, the need for  
7 further cooperation, the need to ramp up our legislative  
8 tools, and that's been guiding, essentially, what we've been  
9 doing.

10 In an external document, these broad  
11 principles would have been, you know, presented to the  
12 Canadian public.

13 In a classified strategy, you're going to go  
14 into the more operational details of how that is translated  
15 to address specific threats. And that is evolving work. It  
16 doesn't mean that we don't have a sense of where we're going.  
17 Just saying that in terms of, you know, presenting a sort of  
18 finite document that details sort of the more classified  
19 aspect of the work we're doing and that's ongoing.

20 **MS. ERIN DANN:** All right.

21 **MS. TRICIA GEDDES:** Could I just add one  
22 thing? I think one of the important pivots that we undertook  
23 over the last couple of years was towards the public  
24 consultations prior to C-70.

25 So I do think that if you look at the public  
26 facing documents that we produced, put on the Public Safety  
27 Website, but that Sébastien and team engaged in community  
28 consultations and with Canadians over the course of a number

1 of months, a lot of that unclassified strategy was  
2 constructed in a different type of document to be able to  
3 have an ongoing conversation with Canadians.

4 And frankly, I think that was one of the  
5 healthiest discussions we could have, is rather than present  
6 an unclassified strategy to Canadians, but rather to produce  
7 it as a form of consultation and engagement with Canadians  
8 was actually much more productive in terms of our having a  
9 two-way conversation on it.

10 **MS. ERIN DANN:** And I -- just you've  
11 anticipated my next line of questioning ---

12 **MS. TRICIA GEDDES:** There you go.

13 **MS. ERIN DANN:** --- about the consultations.  
14 So that's good.

15 Just one last follow-up, Mr. Aubertin-  
16 Giguère, on your answer.

17 You mentioned the ongoing work in this area.  
18 I note the Terms of Reference that we looked at earlier, they  
19 make mention that the coordinator -- the Countering Foreign  
20 Interference Coordinator will work on publishing and updating  
21 a strategy every certain number of years. Is that still a  
22 goal of the office, to work on that type of -- publishing  
23 that type of strategy?

24 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Eventually,  
25 when -- if, you know, the community and all the players agree  
26 that this is perhaps what needs to happen, my office will  
27 take that as a responsibility.

28 **MS. ERIN DANN:** All right. Thank you.

1                   Turning, then, to the -- Public Safety's work  
2           on implementing the *Act Respecting Countering Foreign*  
3           *Interference*, that's been a significant focus, I understand,  
4           of your work and you were very much involved with the  
5           consultation process with the public in the lead-up to Bill  
6           C-70. Can you describe some of the -- can you describe that  
7           process, how -- Ms. Geddes, you've already addressed the sort  
8           of communication strategy part of those consultations. Can  
9           you describe the feedback and views you received during those  
10          consultation processes in sort of broad strokes and how those  
11          fed into the legislation that was ultimately tabled?

12                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So there  
13          were two rounds of consultations, one on the Foreign  
14          Influence Transparency Registry, and then a bigger round of  
15          consultations on the C-70 package of legislation.

16                   In both cases, we held what we call a hybrid  
17          consultation. So on the website, a policy document and then  
18          Canadians or anyone could respond and provide answers, and  
19          then a series of roundtables and conversations with  
20          stakeholders. It could be, you know, academics, people --  
21          individuals from different communities, advocacy groups where  
22          we lay out the policy principles, what we want to achieve,  
23          and try to shape a little bit what we think could be  
24          legislative answers to these problems.

25                   We got very extensive feedback from  
26          communities. I would summarize them by saying general  
27          agreement that foreign interference is a serious issue, that  
28          we need to -- we needed to ramp up our tools, our toolkits,

1 and to protect Canadians and Canadian institutions. A sort  
2 of series of very extensive concerns that needed to be  
3 addressed, for example, protecting communities against  
4 transnational repression, protecting democratic sort of  
5 processes. And we've taken that feedback and I think if I  
6 look at what C-70 looks like right now and if you compare  
7 with the feedback that we've received, I think we've taken on  
8 most of what has been put forward to us.

9 **MS. ERIN DANN:** I want to ask some questions  
10 about the implementation of one part of Bill C-70, the  
11 *Foreign Influence Transparency and Accountability Act*.

12 If we can go to CAN44799, please.

13 **--- EXHIBIT No. CAN044799 0001:**

14 Countering Foreign Interference Act

15 **MS. ERIN DANN:** This is a deck on a number of  
16 different elements, but if we look at page 9 of that  
17 document, we see reference to the -- to *FITAA* and the three  
18 elements that would give rise to a registration obligation.

19 If we look on the following page, page 10, it  
20 talks about administration and enforcement.

21 And we understand from the evidence that's  
22 been provided so far and the technical briefing that we  
23 received that a Foreign Influence Transparency Commissioner  
24 will be appointed to administer the Act. Can you help us  
25 understand where we are in the process of implementing the  
26 registry, what steps need to be taken to further implement it  
27 and any involvement of Public Safety in respect to that?

28 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So it's

1        pretty clear there's broad consensus from all parties that  
2        the -- this needs to be in place before the next election,  
3        assuming that the election is in fall 2025. We are working  
4        hard to meet that timeline.

5                There's a number of different concurrent  
6        streams of work of the creation of the office. The first one  
7        is the nomination of the Commissioner. The building, the  
8        office, the IT systems that come with it.

9                There's also a necessity to bring forward  
10       regulations. The law says that there will be 10 sets of  
11       regulations. Six of them are non-discretionary, so they need  
12       to be in place before the Commission's office is in place.  
13       And then making sure that there's a sufficient, I would say,  
14       curriculum of interpretation notices and education material  
15       that is ready for when the Commissioner is in position and  
16       starts to educate Canadians about the obligation to register  
17       and then to sort of go about their business.

18               So these streams of work are all started,  
19       ongoing. We are dedicating resources to do this and try to  
20       meet the -- our broad commitment for that office to be ready  
21       before the next election.

22               **MS. ERIN DANN:** And one just factual question  
23       about the registry. Is it designed to cover influence  
24       activities only in the federal government space or is it also  
25       -- will it also cover influence activities in subnational  
26       governments, Indigenous governments, other governments?

27               **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** It is --  
28       when fully implemented, *FITAA* will cover political activities

1 in the federal space and also the subnational level, federal,  
2 provincial, municipal and Indigenous governments.

3 That said, they all have a different come  
4 into force sort of, let's say, rules and at this point we are  
5 working to implement the -- sort of the federal authority  
6 because we need to further the conversation with provinces  
7 and territories and Indigenous governments for the  
8 application -- the further application of *FITAA*. So when --  
9 essentially, when the office is ready and -- ready to go,  
10 then the Governor-in-Council will sort of say that the  
11 federal parts of *FITAA* will come into force.

12 **COMMISSIONER HOGUE:** And based on what you  
13 can see as of now, do you believe that you'll be able to meet  
14 the target of the fall of 2025?

15 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** We're doing  
16 everything we can. It's very difficult to consider  
17 everything that could happen between now and then, but I  
18 would say that's -- you know, we have a very detailed plan of  
19 how we want to develop the office and doing everything we can  
20 to respect these timelines.

21 **MR. SHAWN TUPPER:** One of the luxuries that  
22 we have is we can compare how this office can be set up with  
23 other offices that already exist, and so we don't want to  
24 reinvent the wheel where we don't have to. There will be  
25 components of this work that are unique. For instance,  
26 setting up the case management system for that office is a  
27 new endeavour and it will be specifically designed for that  
28 endeavour.

1                   So that kind of work takes longer because it  
2                   is from scratch, so to speak, but where we can look at the  
3                   Lobbying Commissioner and other offices and be able to kind  
4                   of just take the benefit of comparison, we will be able to  
5                   kind of jump ahead with some of that work.

6                   **MS. ERIN DANN:** I want to move to a different  
7                   topic, which is about information and intelligence flow  
8                   within Public Safety.

9                   We heard from your counterparts -- or  
10                  predecessors, I should say, at Public Safety and they made  
11                  reference to the fact that during their tenure, Public Safety  
12                  did not have a way to reliably track the flow of intelligence  
13                  and reception of intelligence.

14                 Can you describe what, if any, steps have  
15                 been taken to improve information management and the tracking  
16                 of intelligence at Public Safety?

17                 **MR. SHAWN TUPPER:** Well, first of all, I  
18                 think we've really learned from some of the debate that we've  
19                 witnessed over the last couple of years in terms of being  
20                 able to answer the basic questions of who saw what when. And  
21                 so we've taken some very concerted steps within the  
22                 department to have a much closer tracking system. So when  
23                 any information comes into the department from the  
24                 intelligence agencies they are tracked, they are registered,  
25                 and we know who gets them and we know who has read them. We  
26                 require signatures and all of that now.

27                 So we've fundamentally kind of shifted the  
28                 way we treat the material that comes in. That gives us, I

1 think, a higher degree of confidence that we can now answer  
2 the questions of when people saw the material. And we also  
3 have got greater restrictions on it. That need-to-know  
4 principle, I think, is much more emphasized in how we conduct  
5 ourselves and track the flow of information.

6 We've also taken the benefit of new systems  
7 that have been designed elsewhere in government that also, I  
8 think, have been -- enhance the control and the monitoring of  
9 information flow. And we have built into our department kind  
10 of the receding side of that, so we now have dedicated staff  
11 and resources that come from CSIS who coordinate that work  
12 for the department and who are solely responsible for making  
13 sure that Tricia and I and others, including our Minister,  
14 are in receipt of pertinent information, and we are able to  
15 cultivate and build kind of reading lists that are designed  
16 to serve the needs of individuals.

17 **MS. ERIN DANN:** And I understand that you  
18 don't -- Mr. Tupper, you provided important clarification in  
19 one of our previous conversations that senior officials like  
20 yourself do not personally sit at a computer and access a  
21 database or access something over the Top Secret network.

22 **MR. SHAWN TUPPER:** That's correct.

23 **MS. ERIN DANN:** And that would -- the same, I  
24 imagine, would be true for the Minister or the Minister's  
25 Chief of Staff?

26 **MR. SHAWN TUPPER:** That is correct.

27 **MS. ERIN DANN:** Right. And rather you would  
28 rely on the CSIS liaison who you just referred to or a --



1 heard talk about CRO, a Client Relations Officer. These are  
2 individuals who would access that material and provide it to  
3 you; is that ---

4 **MR. SHAWN TUPPER:** I think for the broadest  
5 range of materials that is the case. We also have just the  
6 simple ability to send messages between agencies to say,  
7 "Something important has come in. We've sent it over on the  
8 high side," and we have individuals who are responsible for  
9 going and retrieving that material and delivering it. So the  
10 only oddity about that is I don't have my own computer and do  
11 it myself, but we have, I think, a very good system that  
12 ensures that when material comes in, that we have individuals  
13 who are designated; it is their responsibility to retract it  
14 out of the system and make sure it's delivered into the hands  
15 of the relevant recipients.

16 **MS. ERIN DANN:** Right. And they also have  
17 responsibility for doing the tracking.

18 **MR. SHAWN TUPPER:** yes.

19 **MS. ERIN DANN:** So receiving a signature to  
20 confirm receipt and entering that into the system that's in  
21 place that permits that tracking.

22 **MR. SHAWN TUPPER:** You are aware, I'm sure,  
23 of the list of recipients that are designated against each  
24 and every document, and indeed, those individuals who do the  
25 job are on that list and indeed it is tracked very carefully.

26 **COMMISSIONER HOGUE:** And if documents are  
27 sent in bulk, do you know for each and every document who has  
28 read the document? Or let's say, you know, there is 15

1 documents sent at the same time. Are you able to track who  
2 read the documents one by one, or...?

3 **MR. SHAWN TUPPER:** So seldom would we have  
4 that many documents come at once, but when we do, we would  
5 keep that package together so we would have a single  
6 signature page for that package, but it would be relevant to,  
7 "I've received those 15 documents. I've had the time to read  
8 them." And when I put my signature on it, it is an  
9 acknowledgement that I have received and reviewed and  
10 consumed that material.

11 **COMMISSIONER HOGUE:** The 15 documents  
12 contained in the package.

13 **MR. SHAWN TUPPER:** Yes

14 **COMMISSIONER HOGUE:** Okay, thank you.

15 **MS. ERIN DANN:** We heard evidence this  
16 morning about sort of weekly or bi-weekly binders. Are those  
17 still something that are produced and that you received, or  
18 is there a different system in place now?

19 **MR. SHAWN TUPPER:** We don't have the system  
20 that you've heard about previously in place anymore because  
21 it's been overcome a little bit by events and a little bit by  
22 this new system that we have in place, and the fact that we  
23 now have individuals who are able to compile packages and  
24 deliver them. So we don't rely on those binders as much as  
25 we used to.

26 **MS. ERIN DANN:** Now, in terms of not  
27 intelligence, but with respect to the processing of warrants  
28 at Public Safety, you described in your in camera examination

1       that there's quite a sort of regimented process for the  
2       handling of warrants. Can you provide us just with a brief  
3       overview of what happens on the Public Safety side when a  
4       warrant application package is received from CSIS?

5                   **MR. SHAWN TUPPER:** So warrants, as you know,  
6       are among the very most sensitive documents that we would  
7       receive, and indeed, they have probably the strictest  
8       controls of any documents that come into the department.

9                   They come into the department because CSIS is  
10      obliged to consult me, as well as prepare their advice to the  
11      Minister, and it is through consulting me that the department  
12      is able to offer its own reaction to and advice to the  
13      Minister and in terms of what that warrant is about, and to  
14      highlight any issues that we think would be particularly  
15      pertinent to the Minister.

16                  So CSIS will work with teams in my department  
17      in the National Security Branch to make sure that we know  
18      that something is coming our way, that we are able to prepare  
19      in advance for its arrival, and that we are able to expedite  
20      our work because these are typically fairly time limited  
21      exercises.

22                  The department prepares a note that comes to  
23      me that I'm able to review. I'm able to review the entirety  
24      of the warrant; I have to sign off on my obligation to review  
25      the warrant. I sign my note and then it proceeds on to the  
26      Minister.

27                  **MS. ERIN DANN:** And once it's proceeded on to  
28      the Minister, or the Minister's office, does Public Safety

1 have any further involvement or is it then left between the  
2 Minister's office and CSIS to coordinate the approval and  
3 return of the approved, if it is approved, application to  
4 CSIS?

5 **MR. SHAWN TUPPER:** So as a result of our new  
6 process that we have in place, we track this stuff a little  
7 bit more aggressively now than perhaps we used to. So we  
8 certainly have a tracking system that ensures a document is  
9 processed. If it's sitting, we will know that, and we will  
10 be able to find out why it is sitting.

11 That does not negate the fact that CSIS will  
12 have its own discussion with the Minister if it needs to.  
13 But certainly, I think between CSIS and ourselves we have a  
14 coordinated process now that ensures that we have a higher  
15 degree of awareness of the status of a given warrant.

16 **MS. ERIN DANN:** Turning to another topic,  
17 misinformation and disinformation. We have heard a lot of  
18 evidence at this Inquiry about the ubiquity of online  
19 influence campaigns, particularly target -- including those  
20 targeted at democratic processes in Canada and  
21 internationally, and the impact of advances in technology,  
22 like generative AI, on lowering the bar to entry and the  
23 proliferation of threat actors in this space.

24 We've heard evidence last week that outside  
25 of election periods and by-election periods, when RRM Canada  
26 monitors the online domestic space, that there are currently  
27 no agencies or departments with a mandate to -- with a  
28 mandate to monitor online space for misinformation and

1       disinformation or influence campaigns.

2               We know that there are ongoing discussions  
3       about where and whether this work should be done. Can I ask  
4       for your comments on this? Is this type of monitoring of the  
5       domestic online ecosystem something that should be taken on  
6       fulltime by a government department; and, if so, is Public  
7       Safety potentially the place for that work to be done?

8               **MR. SHAWN TUPPER:** So I think over time, our  
9       understanding of the necessity for this kind of monitoring  
10      has evolved. And I think that in the last few years there's  
11      a greater appreciation that we need more awareness. As we  
12      have developed our understanding of IMVE, of ideologically  
13      motivated violent extremism, and the fact that we're now  
14      seeing this occur in Canada through domestic sources, I think  
15      it has raised our desire to have a better awareness of what  
16      is happening in Canada, and it helps us understand how we  
17      need to kind of meet the threats that may exist here.

18              That said, we're equally conscious of the  
19      fact that in a democracy, that's going to be a messy thing,  
20      and it's a difficult thing. And finding the balance between  
21      people's right to expression, people's right to hold  
22      particular views, even if we might think that they are  
23      unconscionable. There are democratic principles that have to  
24      be adhered to, and so we are going through, as you say, a  
25      pretty active discussion about what that might mean in a  
26      democracy like Canada.

27              And so, indeed, officials are, I think  
28      cultivating advice -- not I think -- we are cultivating

1 advice that ultimately will be given to the government about  
2 a process that could be involved. We certainly believe that  
3 for Public Safety Canada, and for those who don't really  
4 understand what Public Safety Canada is, you know, in any  
5 other country we might be called the Interior Ministry, in  
6 the United States we would be Homeland Security.

7 Our function is indeed to ensure that we  
8 protect and defend Canadian communities and that we make sure  
9 that they are as resilient as they can be. And so, I think  
10 we are of the view that we would have a role in understanding  
11 events, and the evolution events in the country, and we think  
12 that we could contribute to that. We have mechanisms within  
13 the department, through the Government Operations Centre,  
14 through our national security branch, that we think could  
15 facilitate some of that monitoring.

16 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** I would say  
17 I think domestic monitoring is perhaps not the expression  
18 that describes the RRM mandate. So the RRM's mandate is to  
19 monitor social media and to find cases where foreign states  
20 are obfuscating the fact that they are pushing certain kind  
21 of narratives and information operations. I think it's about  
22 the methodology itself.

23 The G7 was created for the G7, and I think  
24 it's pretty clear that the core mandate of the RRM is to  
25 provide that support for the entire G7 group of countries.  
26 RRM has a mandate during the election to perform these  
27 functions to see if foreign states are targeting Canadian --  
28 the domestic landscape. But it's not about domestic

1 monitoring, it's more about having a focus on Canada when it  
2 comes to foreign interference operations by foreign states.  
3 And so, that's the domestic RRM function that we described.

4 **MS. ERIN DANN:** And that function is something  
5 that potentially could be -- RRM has given evidence about its  
6 sort of, discomfort as a foreign -- as part of Foreign  
7 Affairs and engaging in that work. Of course, it has been  
8 asked to do so and it is doing so, but it has expressed  
9 concerns about that function taking place within Global  
10 Affairs Canada. Is that function, as you've described it Mr.  
11 Aubertin-Giguère, and I thank you for that clarification --  
12 is that something that could be -- could live within Public  
13 Safety?

14 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** That's part  
15 of the consideration of all the, sort of, policy discussion  
16 that's taking place right now.

17 **MS. ERIN DANN:** Thank you. Excuse me.  
18 The Public Safety Institutional Report  
19 mentions Public Safety's role in the cyber attribution  
20 framework, and in particular it talks about cyber attacks on  
21 government systems, or systems of importance also, and this  
22 could also include attribution for influence activities.

23 What role does Public Safety play in the  
24 attribution framework? And given the -- in what  
25 circumstances might Public Safety recommend for or against  
26 attribution? What are the considerations that go into those  
27 recommendations?

28 **MS. TRICIA GEDDES:** Sure. You've already

1        named a couple of them. We need to do a bit of analysis to  
2        understand, like, what could be the impacts to critical  
3        infrastructure in Canada? What could be some of the law  
4        enforcement operations that are ongoing? There may be  
5        reasons for or against cyber attribution depending on the  
6        nature of the threats and the nature of the assets that have  
7        been affected by it.

8                So we have the domestic considerations about  
9        how are those cyber threats manifesting themselves here in  
10       Canada? What are the pros in terms of calling out a state  
11       actor for having made that attack on a critical component of  
12       Canada's infrastructure for example? But what might be some  
13       of the reasons why we may in some circumstances want to wait  
14       before doing that type of retribution?

15               And as I said, perhaps an example is that law  
16       enforcement has an active and ongoing investigation. So we  
17       contribute to that at the working level. I would say that  
18       you've probably noticed a number of ministers have a role to  
19       play in that as well. So the Minister of Public Safety,  
20       generally if there's a cyber attribution, personally I like  
21       it when it's done at the ministerial level. I think that  
22       that is very impactful to call out a foreign state for having  
23       meddled in our cyber infrastructure in Canada.

24               So the Minister of Public Safety, the  
25       Minister of Foreign Affairs, the Minister of Defence, all  
26       have roles to play. So not only do we do the analysis and  
27       feed it into the broad considerations, but we also support  
28       the Minister of Public Safety in whether or not he feels that



1 he would like to make that type of statement.

2 **MS. ERIN DANN:** Thank you.

3 I have one final area before I will hand you  
4 over to my colleague, Ms. Lazare, who will ask you some  
5 questions about public engagement an engagement beyond the  
6 federal government. I want to talk briefly about briefings  
7 to parliamentarians and sort of, two sub areas here.

8 First is, in relation to the ministerial  
9 directive on briefings to parliamentarians in respect of  
10 specific threats. We understand that a governance protocol  
11 for providing for -- I'm sorry, the implementation of the  
12 Ministerial Directive was issued in August of 2023 to guide  
13 the implementation of the Ministerial Directive. Does the  
14 Countering Foreign Interference Coordinator play any role in  
15 that protocol, Mr. Aubertin-Giguère?

16 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well, so the  
17 branch, so I would say me and the Senior ADM National  
18 Security play a critical role in that function. So when the  
19 service identifies a potential for a briefing, that  
20 intelligence is brought forward to a table of ADMs that we  
21 chair. And then we discuss the -- we discuss the  
22 information, CSIS provides a sense of what they want to say  
23 in the form of words, and then we collectively provide advice  
24 that is then provided to the table of Deputy Ministers who  
25 provide advice to the Director of CSIS.

26 **MS. ERIN DANN:** And if the -- if the threat  
27 or potential threat -- if intelligence relating to that did  
28 not come through CSIS, but rather, was for example in the

1 case of a cyber incident, for example if the cyber centre,  
2 CSE, became aware of that threat. I realize the Ministerial  
3 Directive only applies -- or it's directed towards CSIS, but  
4 would intelligence or information from other agencies or  
5 departments go through this same protocol?

6 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yes. So I  
7 think that's one of the -- I would say that one of our  
8 greatest achievements as a community is our -- is having  
9 designed very clear protocols of how we consider information,  
10 intelligence, that requires a response. How do we get  
11 together as a community to provide the response and assign  
12 roles and responsibilities, and then provide coordinated  
13 advice to our Deputy Ministers who then also decide on the  
14 response itself?

15 In that, it goes way beyond the Ministerial  
16 Directive, it covers now the full spectrum of response to  
17 specific pieces of intelligence.

18 **MS. ERIN DANN:** Thank you. Last then, are  
19 unclassified non-threat related briefings, but perhaps I will  
20 call them briefings for situational awareness, that were I  
21 understand, one of the initiatives of the Countering Foreign  
22 Interference Coordinator, were unclassified briefings that  
23 were delivered to parliamentarians, sort of, by caucus in  
24 June of 2024.

25 And we can bring up CAN47986, for the record  
26 this deck is also available in French at 47987, CAN47987.

27 **--- EXHIBIT No. CAN047986 0001:**

28 Foreign Interference - Briefing to

1 Canadian Parliamentarians

2 **--- EXHIBIT No. CAN047987 0001:**

3 Ingérence étrangère - Information à  
4 l'intention des parlementaires  
5 canadien

6 **MS. ERIN DANN:** I understand this was the  
7 deck that was used. Mr. Aubertin-Giguère, can you describe  
8 the reception that this briefing obtained? What feedback, if  
9 any, did you receive from the parliamentarians who attended?

10 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So this  
11 briefing came about as a request from the Sergeant-at-Arms  
12 who had noticed that there was perhaps uneven levels of  
13 awareness about foreign interference among parliamentarians.  
14 And so, I worked with CSIS, with CSE, and the RCMP to come up  
15 with a non classified briefing that is basically FI 101, sets  
16 the level, the playing ground. And then it also contains  
17 particular advice on how to protect their social selves, and  
18 their cyber selves, their digital selves. So we delivered  
19 the briefing to different caucuses. We got excellent  
20 feedback from it. And so it -- I think overall, it was a  
21 very positive experience.

22 **MS. ERIN DANN:** Commissioner, those are all  
23 of my questions. Ms. Lazare has some questions on community  
24 and provincial and territorial engagement.

25 **COMMISSIONER HOGUE:** Thank you.

26 Me Lazare?

27 **--- EXAMINATION IN-CHIEF BY MS. HANNAH LAZARE:**

28 **MS. HANNAH LAZARE:** Thank you.

1                   Good afternoon. I'm going to ask you a  
2                   series of questions about Public Safety's role in terms of  
3                   the broader efforts at engaging with stakeholders outside the  
4                   Federal Government. I'm going to discuss the specifics in a  
5                   few moments, but I'd like to ask a couple questions about  
6                   Public Safety's role in terms of coordinating that  
7                   engagement.

8                   So if I can ask the Court Registrar to please  
9                   pull up CAN44981?

10                  This is the Terms of Reference of the  
11                  Counter-Foreign Interference Coordinator.

12                  If you can turn to page 4, please?

13                  If we look at the last bullet under the  
14                  "National Counter-Foreign Interference Coordinator will", we  
15                  see that you, Mr. Aubertin-Giguère, are tasked with:

16                         "[To] coordinate and undertake  
17                         engagement activities with [non-  
18                         federal stakeholders, including  
19                         culturally and linguistically diverse  
20                         communities, to strengthen societal  
21                         resilience."

22                  So I guess part of the answer is probably in  
23                  there already, but I'll ask if you can explain sort of the  
24                  objective of this part of your mandate?

25                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well there's  
26                  two components. There's the engagement that I will conduct  
27                  myself, or me or individuals in my office will conduct, and  
28                  then there's the coordination with the community of

1 engagement with non-federal stakeholders, and especially  
2 Canadian communities that are oftentimes the first victims of  
3 transnational repression and FI. So there was -- I  
4 personally have conducted, I would say, a high number of  
5 engagement sessions with Canadian communities in the context  
6 of *FITAA* and C-70 consultations, but also outside of it. I  
7 would say I never refuse a phone call and I've met with, you  
8 know, representatives of different communities.

9 I think it's fundamental, so first to  
10 establish the trust relationship, but also to understand  
11 their concerns and to make sure that whatever policy or  
12 legislation we put forward is in line with the realities that  
13 they're living.

14 I would say also the coordination function is  
15 something we're working on right now. We -- there was a huge  
16 effort, huge push, to coordinate engagement during the two  
17 rounds of consultations, especially C-70, where we had to  
18 work with, you know, Justice and CSIS to go out and to engage  
19 with Canadians. And that was a massive effort in terms of  
20 engagement. And then we need to, now working on the post, I  
21 would say, C-70 implementation engagement, making sure that  
22 Canadians are aware of how the law has changed, what it means  
23 for them, and making sure that police of jurisdiction is also  
24 aware of the changes. So that's something we're working on  
25 with now the RCMP and all the partners.

26 **MR. SHAWN TUPPER:** May I -- just the  
27 importance of the coordination function here, so avoiding  
28 coordination fatigue or consultation fatigue, you know, these

1       -- oftentimes we're engaging with stakeholders who are small  
2       organizations who don't have people necessarily who are even  
3       working full-time for the organization. So our ability to be  
4       respectful of their realities in terms of how we go out and  
5       engage is just a fundamental thing that we don't overwhelm  
6       them.

7                       But it also, I think, helps us build back  
8       some of the trust that has been lost over time, in terms of  
9       how people perceive government and perceive public  
10      institutions. Our ability to show that we are coordinated.  
11      Our ability to show that in fact CSIS' work is aligned with  
12      the work of Public Safety, which is aligned with the work of  
13      CSE. Those are very important messages that Canadians and  
14      stakeholder organizations really need to see so that they  
15      actually believe that we are doing something that is coherent  
16      and that they have an expectation that the outcomes will  
17      actually result in something substantive that they may  
18      benefit from.

19                    **MS. TRICIA GEDDES:** Maybe I'll add too. You  
20      can tell we all care very much about this topic. We're all  
21      very passionate about it. I will add to it, I totally agree  
22      about Public Safety bringing some coherence and being able to  
23      demonstrate impacts and outcomes.

24                    I would say that every single national  
25      security leader in our community feels incredibly strongly  
26      that building resilience is going to happen through trust and  
27      relationships, and creating safe spaces for conversations.

28                    So I agree Public Safety has a very important

1 leadership role here, but CSIS, the RCMP, the Cyber Centre,  
2 have been doing this work over a significant number of years  
3 to try to increase that level of trust and transparency.  
4 It's critical. This is probably the most important element  
5 of how we're going to be able to counter foreign  
6 interference.

7 So our ability to help coordinate, push, find  
8 the resources, the coherence to be able to advance this  
9 issue, really important, but every agency being able to work  
10 to build those trusted relationships is equally critical, in  
11 my perspective.

12 **MS. HANNAH LAZARE:** Thank you. I'm going to  
13 pick up on much of that in a moment, but before I do so, I'm  
14 wondering if, Mr. Tupper, in your interview, we spoke about  
15 Public Safety's engagement with provincial, territorial, and  
16 Indigenous governments, and you've spoken about it in the  
17 context of Bill C-70 a little bit today, but you mentioned,  
18 Mr. Tupper, in the interview, the Ministerial Table that is  
19 co-chaired by Public Safety and Justice, and then a DM level  
20 table that mirrors this. And you expressed that there have  
21 been recent efforts to make sure that national security  
22 issues become a regular item of discussion at these tables.  
23 Can you tell us more about that?

24 **MR. SHAWN TUPPER:** Well, again, I think that  
25 realization that foreign interference isn't just focused on  
26 the Federal Government. I think that our ability to work  
27 with our provincial and territorial colleagues and our  
28 Indigenous partners is pretty critical because everybody is

1 subject to attempts to interference with activities.  
2 Everybody certainly is experiencing the amount of  
3 misinformation and disinformation that is flowing through  
4 networks. And so our ability to engender our conversation to  
5 build people's awareness, help them develop their own  
6 toolkits within government, is a fundamental thing.

7 And so we now have established, as I've told  
8 you previously, a standing item within our meetings at the  
9 federal, provincial, territorial level, and certainly in our  
10 engagement with Indigenous leadership, this has become a  
11 standing item and it is intended, indeed, to help them build  
12 their understanding of the issues and indeed to design  
13 whatever investments they want to make as other governments  
14 to confront and combat the challenge of foreign interference.

15 **MS. HANNAH LAZARE:** Thank you. And if I can  
16 ask the Court Registrar to please pull up CAN37228?

17 **--- EXHIBIT No. CAN037228 0001:**

18 FPT Collaboration to increase  
19 awareness on Foreign Interference  
20 Threats to Canada

21 **MS. HANNAH LAZARE:** I believe this is an  
22 example of such an effort from May of 2024, where I  
23 understand this is a conference document. And if we turn to  
24 page 2, thank you, under "Considerations and Options", we  
25 see:

26 "Public Safety Canada, in partnership  
27 with other Federal departments, has  
28 undertaken an effort to brief all



1 federal Members of Parliament on [...]

2 threats [...] foreign interference.

3 These materials are being adapted and

4 tailored in collaboration with

5 respective jurisdictions to meet

6 their needs."

7 Can you tell us a bit more about this effort?

8 **MR. SHAWN TUPPER:** He can.

9 **MS. HANNAH LAZARE:** Thank you.

10 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So

11 essentially the effort to brief federal parliamentarians, we

12 thought it would be a good idea to also offer this to

13 provincial and territorial members of Parliament,

14 parliamentarians. And so we reach out to all of the

15 jurisdictions to offer this.

16 At this point, we have completed this in one

17 province and we are in discussions with a number of other

18 provinces and territories to be conducting this, I would say

19 not exactly the same, but somewhat similar type of briefing,

20 provides a high description of the foreign interference

21 threat, what it means for them, why they are prime targets of

22 foreign interference, and how to better defend themselves.

23 **MS. HANNAH LAZARE:** Thank you. And my last

24 question on the question of engagement with provinces and

25 territories is about the challenges that might come with

26 that.

27 In the interview, we spoke about the need to

28 build capacity for provinces and territories to allow them to

1 receive classified information. Can you describe some of  
2 these challenges and efforts at addressing them?

3 **MR. SHAWN TUPPER:** It's some of the basic  
4 things that we've had to grow within the federal public  
5 service, is just simply having people who are trained, people  
6 who have the right skill set, people who have security  
7 clearances.

8 I remember years ago we were doing a  
9 federal/provincial meeting and we wanted to do a secure brief  
10 and we didn't realize that our counterparts didn't have  
11 sufficient clearance to receive the brief, and so we had to  
12 kind of rush at the last moment to kind of make that happen.

13 And so I think what we're trying to do is  
14 regularize that. We're trying to work with provinces so that  
15 we have a better designation of where we go within a  
16 provincial administration, who are our counterparts in that  
17 administration, so that it can affect a more regular and free  
18 flow of information such that provinces can be more aware and  
19 do their own preparations.

20 **MS. TRICIA GEDDES:** Maybe the only thing I  
21 would add is that clearly, there's a lot more that we could  
22 be saying in the unclassified space. Look at this inquiry  
23 and what we're able to achieve.

24 So I think that this is also -- when we  
25 changed -- in C-70 when we changed CSIS's ability to be able  
26 to provide information beyond simply the federal government  
27 out two other orders of government, really important change  
28 not just for classified information, but to also make it

1 clear that their mandate was to expand beyond just providing  
2 advice to the federal government.

3 And when we talk about whole of society  
4 approaches to these threats, our ability to move information  
5 sometimes from a classified venue into an unclassified space  
6 is really critical, not just for orders of government, but  
7 for businesses, for research institutions, and for Canadians.

8 So I think where we've learned a lot, I think  
9 that we've changed in a very short period of time from very  
10 secretive type of institutions that were containing the  
11 information into their ability to be able to translate that  
12 and transmit it at various levels of classification. I think  
13 we're making great progress there and I hope that our  
14 partners are starting to feel the effects of that.

15 **MS. HANNAH LAZARE:** Thank you.

16 I'm going to move on now to some questions  
17 about diaspora groups, but I'm looking at my time, and  
18 Commissioner, I'm wondering if I could have a slight  
19 indulgence for a few more minutes?

20 **COMMISSIONER HOGUE:** Yes, you can.

21 **MS. HANNAH LAZARE:** Thank you.

22 So I'm going to pick up on something you were  
23 discussing, Ms. Geddes, a few moments ago about this role for  
24 both a unified government engagement with respect to diaspora  
25 groups, but also, I guess maybe the need for a coherent  
26 messaging. Is there value in having a single point of  
27 contact, or as I guess you were getting at before, it's  
28 important to allow the agencies to maintain the networks that

1       they've already developed? Can you elaborate on that for us?

2                   **MS. TRICIA GEDDES:** So I think it's an every  
3 door is the right door kind of a circumstance. Shawn's not  
4 wrong to say when we do formal consultations there can be  
5 consultation fatigue. People are sort of being tapped every  
6 other day to come and sit and spend hours with us in a very  
7 formal type of engagement.

8                   But I will say that the real feeling, you  
9 know, when you are a community member, which we have heard  
10 from many of them who feel threatened or do not feel safe,  
11 the ability to find the right relationship that works for  
12 them, to be able to express their concerns, to feel that is  
13 being heard, and to feel like it is being acted on.  
14 Sometimes the policy department will be able to help with  
15 that because we will be able to better understand, how can we  
16 develop new policies and move forward in implementing the  
17 changes that they need.

18                   But sometimes it will be about being able to  
19 speak to a law enforcement officer or being able to  
20 understand that an intelligence officer working for your  
21 secured intelligence service is actually a friend, it is  
22 someone that you can talk to and that you feel safe to be  
23 able to bring your concerns to them. I think that that, you  
24 know, I don't want to speak for the communities, but I've  
25 heard from them a lot and they have said that they have not  
26 felt that they have someone that they can talk to and that  
27 they can trust and listen to.

28                   So I think it's absolutely critical that we

1 work on every level on this problem.

2 **MS. HANNAH LAZARE:** Thank you.

3 Can I ask that the Registrar please pull up  
4 WIT144 at page 20? This is the *in camera* hearing summary.  
5 And I'm going to ask a question about terminology that we  
6 discussed here. We've heard some evidence that diaspora  
7 groups may not always be the preferred terminology to  
8 describe -- to describe the groups that you're engaging with.

9 Mr. Aubertin-Giguère, can you explain where  
10 this comes from?

11 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** This stems  
12 from a -- well, first an internal discussion between all the  
13 security agencies on the use of diaspora communities, but  
14 also some of the feedback we got from communities that this  
15 word may sort of emphasize this notion that they're not fully  
16 Canadian. I think that's -- so that's why we prefer Canadian  
17 communities and that, you know, Canada has this sort of  
18 complex group of ethnocultural communities, but it all --  
19 it's the makeup of Canada. So that's -- it's not kind of a  
20 central policy or anything like this, it's just being  
21 sensitive to this concern.

22 **MS. HANNAH LAZARE:** But if we look for  
23 instance, at your institutional report, and we see reference  
24 to Canadian communities, we can understand that you're  
25 referring to this type of engagement?

26 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Correct.

27 **MS. HANNAH LAZARE:** Thank you.

28 If we can move to page 18 of the same

1 document, I'd like to discuss transnational repression  
2 briefly with you, and I think we'll do so through a specific  
3 example, and that's the response to the overseas police  
4 stations.

5 Mr. Tupper, here at paragraph 66 we see that  
6 you described this issue as "transformational for the  
7 department", and you continue:

8 "It demonstrated the department's  
9 capacity to respond to these types of  
10 activities and what more they needed  
11 to do."

12 Can you elaborate on this for us?

13 **MR. SHAWN TUPPER:** It was -- in my  
14 experience, short as it is as the Deputy, but I think it was  
15 perhaps among the first truly concrete examples of where we  
16 were confronted by the reality of the actions of a foreign  
17 state on our Canadian ground and impacting on Canadians. And  
18 I think it focused us in a way that perhaps, we hadn't been  
19 focused before.

20 I think it also challenged us, because of the  
21 nature of the activity, finding the line of what is legal,  
22 what may be illegal or improper, understanding the purpose  
23 for which some of the activities pursued. And then in the  
24 instance of some of the organizations that were identified as  
25 so-called police stations, was the fact that they were  
26 oftentimes community groups run by Canadians. And so, trying  
27 to understand the difficulty and the complexity of that  
28 context of the situation in terms of how we act.

1                   And it was quickly understood that, you know,  
2   kind of a policing activity that might -- as some people  
3   called for, why aren't we arresting people? Why aren't we  
4   deporting people? Well, the reality was they were below a  
5   threshold of illegal contact, and they were Canadians, so  
6   neither response was the appropriate response. And so, it  
7   forced us to think outside our box, it forced us to look at  
8   other tools.

9                   And as we started to say, and we say it all  
10   the time, you know sunlight is the best antiseptic. That  
11   shedding light on a problem, being transparent about the  
12   problem, communicating, making people aware, and engaging  
13   with communities such that they understand that there are  
14   avenues for them to seek support and to get better  
15   information, it was a very impactful result in terms of being  
16   able to curb those activities. And it allowed us to realize  
17   that indeed we have a much larger toolkit, and if we make  
18   different investments we can still have really positive  
19   outcomes.

20                   **MS. HANNAH LAZARE:** Thank you.

21                   I'd like to move on to some of the tools in  
22   that toolkit. Mr. Aubertin-Giguère, during the interview,  
23   you spoke about the interdepartmental working group on  
24   transnational repression. Can you tell us more about this  
25   working group, your involvement in it, and how it responds to  
26   this type of situation?

27                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So we just  
28   have to be careful, but ---

1                   **MS. HANNAH LAZARE:** Of course.

2                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** --- of how I  
3 -- what I say and how I frame it.

4                   What I can say is that the issue of  
5 transnational repression is complex. Every, sort of, threat  
6 actor has its own way of sort of conducting these activities.  
7 So our efforts have to be tailored to the realities of also  
8 the threat landscape, also realizing that some of the efforts  
9 cut across and help to sort of -- help Canada better counter  
10 transnational repression.

11                  What I can say is that we worked with, you  
12 know, all the partners to understand the threat, get a sense  
13 of what possible responses we can put forward; and it's a mix  
14 of operational actions, policy proposals, and engagement, all  
15 in one action plan. But also, what I can say is that it  
16 brings, I would say players that are not typically core to  
17 the security and intelligence group, other -- we call them  
18 equities. But it's essentially other departments with  
19 different mandates that are relevant to the work of  
20 countering transnational repression.

21                  So that work is ongoing, and then the details  
22 of it I'm not at liberty to discuss here.

23                  **MS. HANNAH LAZARE:** Of course. Thank you.

24                  I understand that another tool in the toolkit  
25 in this area are these cross-cultural roundtables on  
26 security, which I know played a part in a number of the  
27 things we've already spoken about. But can you tell us more  
28 about these and Public Safety's role in facilitating them,



1 and also how they serve as a mechanism for obtaining feedback  
2 from the communities that the government engages with?

3 **MR. SHAWN TUPPER:** So the cross-cultural  
4 roundtable is one of several different kinds of tables that  
5 we run as an organization, as a department. It is part of  
6 our outreach, it is part of us trying to establish a place  
7 where voices can come and kind of talk to us about issues,  
8 and where we can go and consult and get perspectives, other  
9 than government perspectives, about various issues. And so  
10 the roundtable, our National Security Transparency group, are  
11 all examples where we were able to invite Canadians  
12 representing various associations and organizations to come  
13 and engage with us and inform us and educate us at times  
14 about the challenges that are happening in our communities.  
15 They are ways that we can engage with those same  
16 organizations to test ideas, to debate and discuss potential  
17 policy options that we should consider.

18 So they're just very impactful, very  
19 important to us as a place for discussion and debate about  
20 some pretty critical issues.

21 **MS. HANNAH LAZARE:** Thank you. I have just  
22 one final question.

23 Mr. Registrar, can I ask that WIT144 be  
24 pulled back up, at page 21? If you can continue down,  
25 please, to paragraph 79? Yeah, thank you.

26 So if we look -- these are some comments that  
27 you made, Mr. Tupper, and about the fourth line up from the  
28 bottom of that paragraph you say:

1 "He noted that [Public Safety] has  
2 started to engage more actively on  
3 various public issues, which involves  
4 taking some risks."

5 And then if we can turn to paragraph 82 --  
6 scroll down, please -- we see:

7 "Mr. Tupper described risk aversion  
8 as a challenge within the public  
9 service. He testified that [Public  
10 Safety] is of the view that it is  
11 important the department lean in and  
12 engage with communities."

13 Can you tell us about the risks that you're  
14 identifying here and what Public Safety is doing to sort of  
15 overcome the risk aversion that you've described here?

16 **MR. SHAWN TUPPER:** It's, at times, very  
17 difficult being a public servant. At times we're expected to  
18 know everything, and at times we're accused of knowing  
19 nothing. And I think over the last number of years where  
20 debate in all of our communities has become much more  
21 vitriolic, at times a bit violent, certainly extreme, there  
22 is a real concern about venturing into that space and that  
23 place to engage. And the recent events in Israel and Gaza  
24 and now Lebanon are a perfect example where the debate is a  
25 very difficult one.

26 And for us as public servants, whose  
27 obligation it is to talk to every Canadian, to hear every  
28 perspective, to make sure that we are representative of

1 Canada as a whole, and that we overcome our own biases as we  
2 pursue the policy formation, it's a scary place right now.  
3 And so sometimes it's easier not to engage or sometimes it's  
4 easier to engage in a certain way that may insulate you from  
5 some of those difficulties.

6 And so what we have done in the department in  
7 pursuing a discussion of social cohesion that reflects the  
8 challenge that this country has in the debate around what  
9 happened in Gaza, in Israel, and subsequently what is  
10 happening throughout the Middle East, it's been hard to reach  
11 out to Canadians and ask them to come together to have a  
12 discussion about how we consider those issues in a Canadian  
13 context. How do we make sure that we truly are investing in  
14 initiatives that are about the resilience of Canadian  
15 communities; how we have debate in those communities without  
16 it being so fractious that we accomplish nothing; the ability  
17 to engage with communities about the rules of engagement? I  
18 don't really care what your opinion is, what I care about is  
19 that we have a dialogue in Canada that's respectful, and that  
20 people can express their different perspectives and that  
21 hopefully we can arrive at policy outcomes that find a way to  
22 serve all Canadians. That's really hard.

23 And sometimes we're risk averse; sometimes we  
24 avoid some of those things that are hard because you throw  
25 yourself in the middle of it. Sometimes we are, you know,  
26 accused of acting in bad faith. Sometimes we are accused of  
27 not being neutral enough and that we are becoming too  
28 affiliated with whatever government that we may be working

1 for over the years. And indeed, it's hard after you've  
2 served a government for 10 years, under Mr. Harper, under Mr.  
3 Mulroney, under Mr. Trudeau, you do have a sense from the  
4 other side that perhaps we're too close to the government.

5 You really have to kind of sturdy your spine  
6 in terms of being able to step into that void and engage in  
7 that conversation. And I think more recently we have done  
8 that; we have steeled ourselves to go and engage and we have  
9 met with the Jewish community, the Muslim community, with  
10 religious communities, with universities who have really, as  
11 you're well aware, over the past year really struggled with  
12 this debate on campus and how they manage that. It is not  
13 easy.

14 And so that was, I think, a little bit of the  
15 reflection that is in that text.

16 **MS. HANNAH LAZARE:** Thank you.

17 Commissioner, those are my questions.

18 **COMMISSIONER HOGUE:** Thank you.

19 We'll take a 20-minutes' break, so we'll  
20 resume at 3:25, so 22 minutes.

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

22 This sitting of the Commission is now in  
23 recess until 3:25 p.m.

24 --- Upon recessing at 3:04 p.m.

25 --- Upon resuming at 3:26 p.m.

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

27 This sitting of the Foreign Interference  
28 Commission is now back in session.

The time is 3:26 p.m.

--- MR. SÉBASTIEN AUBERTIN-GIGUÈRE, Resumed:

--- MR. SHAWN TUPPER, Resumed:

--- MS. TRICIA GEDDES, Resumed:

COMMISSIONER HOGUE: So the first one is  
Maître Sirois for the RCD, Russian Canadian Democratic  
Alliance.

MR. GUILLAUME SIROIS: Thank you.

COMMISSIONER HOGUE: For you.

MR. GUILLAUME SIROIS: [No interpretation].

COMMISSIONER HOGUE: RCD for us.

MR. GUILLAUME SIROIS: [No interpretation].

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

MR. GUILLAUME SIROIS: [No interpretation].

MR. SÉBASTIEN AUBERTIN-GIGUÈRE: [No  
interpretation].

MR. GUILLAUME SIROIS: [No interpretation].

MR. SÉBASTIEN AUBERTIN-GIGUÈRE: [No  
interpretation]. My responsibility is to coordinate and to  
make sure that people talk to each other, that we identify  
the problem and the right solutions.

MR. GUILLAUME SIROIS: We've heard it said  
that some departments will say, "It's not my responsibility,  
it's someone else's responsibility." And there may be a  
tendency sometimes to say, "It's not my responsibility, it's  
the responsibility of the other organization." I think it  
would be useful to have one entity that's responsible that  
you could designate, if there is ever foreign interference in

1 a democratic society.

2 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** No, I don't  
3 think so. I think the various mandates that the  
4 organizations have that are established by law, and they  
5 cover various aspects of the fight against foreign  
6 interference, and others are related to National Safety  
7 Canada. So I don't think creating such an agency, I think  
8 that's what you mean.

9 **MR. GUILLAUME SIROIS:** It wouldn't be useful  
10 that there was one person, one entity responsible for that  
11 mandate that could be pointed at if there were ever foreign  
12 interference in our institutions?

13 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** No. The  
14 idea clearly is to have mechanisms in place to make sure that  
15 when there's a problem that arises, that there's a clear  
16 understanding of problems that all departments would sit at  
17 the table, Public Safety and other organizations, meet at the  
18 table to understand the problem, communicate information,  
19 prepare a response. But having one person who's responsible  
20 in that way, that person would have to have the authority of  
21 guiding the operational responses of departments, which would  
22 not be feasible, and not even desirable.

23 **MR. SHAWN TUPPER:** We have a lot of  
24 experience in government that way. For instance, a  
25 comparison could be made between this work and what we do in  
26 Emergency Preparedness. My department, I'm the Federal  
27 Emergency Response Officer, but I don't have all of the  
28 tools, all of the levers in government to respond to

1 emergencies, whether they're floods or fires or whatever.

2 The job is to make sure we have adequate  
3 coordination. The job is to make sure that there is a  
4 horizontal framework that gets applied that brings in all  
5 those levers.

6 It would just be too complex to try and put  
7 every aspect of the work into one place, and so I think the  
8 work that SED does is ensures that the levers are being  
9 pulled at the right time and that they're coherent, but I  
10 don't think it's necessary and, as I say, there are lots of  
11 examples in government where the coordinating and that  
12 centralization of thought is one thing. The work itself, I  
13 think, can be left in place in other organizations.

14 **MR. GUILLAUME SIROIS:** I think I understand  
15 your point.

16 I would like to have your help, maybe, to try  
17 to understand why foreign interference operations such as  
18 Tenet Media take place, and maybe you can tell me which  
19 department did not respond adequately or it was not able to  
20 prevent that kind of operation in Canada.

21 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Your  
22 question leaves us to believe that there was that failure,  
23 which I disagree with. And in any case, I can't reveal  
24 details because in a criminal investigation we work in close  
25 collaboration with our American partners.

26 What I can say is that the threat was  
27 detected, and actions were taken. I think it would be  
28 unrealistic [*sic*] to think that there is a system that's

1 bulletproof that prevents any interference action. What we  
2 have to make sure is that there are mechanisms in place to  
3 recognize it and to act when such interference takes place.

4 **MR. GUILLAUME SIROIS:** I'll read you an  
5 excerpt of what the *Russia Today* chief editor said shortly  
6 after that operation was exposed to light by the Americans.

7 "We stayed in those countries, we  
8 worked there, and we shall work there  
9 - just not now in a straight line.  
10 We will continue to do that as far as  
11 we can - so far it is working out -  
12 it's almost like an exquisite  
13 gambling trail."

14 Do you think the measures that the government  
15 has taken are adequate to make sure that Russia does not  
16 interfere with our democracy at this point?

17 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** I have to  
18 say that Russia is a very persistent actor that has the means  
19 to work that won't be easily deterred.

20 **COMMISSIONER HOGUE:** [No interpretation]

21 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Sometimes I  
22 lose my French.

23 But what I wanted to say is that Canada is  
24 not a permissive environment; we have national safety  
25 responses and mechanisms that are quite solid, and we take  
26 all measures necessary to act against foreign interference.  
27 What I need to say is that even in spite of all that, it  
28 won't prevent Russia from trying.



1                   **MR. GUILLAUME SIROIS:** So you agree to say  
2 that Russia will continue and have the intent to act?

3                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yes.

4                   **MR. GUILLAUME SIROIS:** I would also like to  
5 speak to you of a report sponsored by Canadian Heritage. I  
6 can show it to you. It's RCD52.

7                   **--- EXHIBIT No. RCD0000052:**

8                                   Canadian Vulnerability to Russian  
9                                   Narratives About Ukraine

10                  **MR. GUILLAUME SIROIS:** There we talk about  
11 the effect of Russian propaganda on this issue, to what point  
12 this propaganda has an effect on the Canadian population.

13                               We could go further down.

14                               It was a study created by DisinfoWatch, July  
15 8<sup>th</sup>, 2024. So just to have that translation, the explanation  
16 of what this is and what its main conclusions were.

17                               So we can see on the first line, in spring  
18 2024 DisinfoWatch and the Canadian Digital Research Media  
19 Network, a Heritage Canada initiative, conducted a survey of  
20 about 2,000 Canadians to assess their exposure to several  
21 leading Kremlin narratives about Russia's war against  
22 Ukraine, and understand the vulnerability of Canadians to  
23 these narratives.

24                               Would you be surprised to find that the  
25 representatives of GAC who appeared last week were not aware  
26 of this study that was sponsored by Heritage Canada?

27                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** You're  
28 asking me am I surprised they didn't see it? No. There are

1 many reports that are produced. I don't think that this is  
2 anything exceptional.

3 **MR. GUILLAUME SIROIS:** Heritage Canada, when  
4 they spoke to us yesterday, told us that this kind of study  
5 is sponsored and paid for by the government in order to  
6 better understand Russian interference because we're saying  
7 that Russian interference does not have any -- and  
8 effectively don't respond to -- with great effort to that,  
9 but if we realize that it does have a big impact, we respond  
10 more strongly. Can this influence how Global Affairs  
11 responds to this threat?

12 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Not  
13 necessarily. As I said, the role of the RRM is to detect  
14 operations where a foreign state is inauthentic, creates an  
15 impression that there are real people communicating  
16 information, so there are fake operations at every level.  
17 That's their specific role.

18 Russia uses a large array of techniques to  
19 spread disinformation. They use open methods, for example,  
20 RT, that will spread information that we consider  
21 problematic, but they do it in a very open way. Also, we saw  
22 in the case in the US, they said they can influence certain  
23 influencers and give the impression that some narratives are  
24 more anchored in the population and seem more true.

25 They use a very wide array of techniques, and  
26 what RRM does is to detect operations where Russia is using  
27 inauthentic behaviour techniques to transmit this, to spread  
28 this information, so I'm not surprised they didn't see it,

1 and I don't believe that it really has an influence on their  
2 capacity or the quality of their work.

3 **MR. GUILLAUME SIROIS:** I should have maybe  
4 been more specific. I wasn't talking about RRM Canada; I was  
5 talking about GAC in general, and especially Mr. Lévêque, the  
6 ADM responsible for Europe and the Arctic, who did not meet  
7 the Russian Ambassador in Russia after the events of Tenet  
8 Media, in part because he said he did not believe that this  
9 type of propaganda had an important effect on Canadians.

10 Do you think it would be useful that there be  
11 better communication of this information to -- between  
12 Canadian Heritage and Global Affairs Canada?

13 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** I think that  
14 if information is produced that's relevant to its area of  
15 responsibility, yes, it would be good that they would read  
16 it.

17 **MR. GUILLAUME SIROIS:** That's all for me  
18 today.

19 **COMMISSIONER HOGUE:** Thanks.

20 Next one is Ms. Kakkar, I think, for Jenny  
21 Kwan.

22 **--- CROSS-EXAMINATION BY MS. MANI KAKKAR:**

23 **MS. MANI KAKKAR:** Good afternoon,  
24 Commissioner.

25 Good afternoon, panelists. I'm Mani Kakkar  
26 for MP Jenny Kwan.

27 I have some questions for you. They're  
28 flowing predominately from your in camera summary.

1                   So if I could ask for WIT144 to be pulled up,  
2                   that would be helpful. And paragraph 51.

3                   Mr. Tupper, given the nature of the questions  
4                   in this particular paragraph, I'll direct them to you, but if  
5                   there are others who can speak to the issue, that's most  
6                   welcome.

7                   So at paragraph 51, it reads that:

8                   "Commission Counsel referred the  
9                   witnesses to a 2023 email exchange  
10                  that discusses the alleged targeting  
11                  of members of the Inter-Parliamentary  
12                  Alliance on China..."

13                  For clarification, my understanding is that  
14                  this particular email has not been produced in a format that  
15                  is unclassified and can be produced for this forum, so I  
16                  won't be able to refer you to the particular email, and I  
17                  also understand if there are parts of these questions you  
18                  can't answer for national security concerns, but essentially  
19                  this email states that while Mr. Tupper wasn't a part of the  
20                  email exchange, which is just below, that he -- that what is  
21                  included in the email is a previous reference to Mr. Tupper  
22                  stating that there's a need to brief parliamentarians on  
23                  threats.

24                  So starting here, it seems like this email  
25                  chain was related to a hack that occurred in 2021, or an  
26                  attempted pixel reconnaissance hack that was thwarted, but  
27                  occurred in 2021. Am I right to understand that to be the  
28                  case?

1                   **MR. SHAWN TUPPER:** I must confess, as you  
2 see, I wasn't part of the email exchange, so I can't tell you  
3 the history and the complexity of what was expressed in that  
4 chain of emails.

5                   **MS. MANI KAKKAR:** That's fair enough. And  
6 I'm -- maybe we should start with do you recall saying that  
7 there was a need for briefing parliamentarians on threats in  
8 relation to the -- what we now know to be a pixel  
9 reconnaissance attempt at members of the Inter-Parliamentary  
10 Alliance on China, which I'll refer to IPAC?

11                  **MR. SHAWN TUPPER:** I would say I do not  
12 recall expressing that perspective specifically to that  
13 question or that issue.

14                  **MS. MANI KAKKAR:** Okay.

15                  **MR. SHAWN TUPPER:** I certainly have expressed  
16 the view that I think there is a need to brief  
17 parliamentarians on threats.

18                  **MS. MANI KAKKAR:** Okay. And to understand  
19 that a little bit better, would those have been statements  
20 that you made in and around this time? In and around 2023?

21                  **MR. SHAWN TUPPER:** That's entirely possible.

22                  **MS. MANI KAKKAR:** Do you recall when you  
23 would have started making those kinds of statements or  
24 suggesting that briefings were necessary?

25                  **MR. SHAWN TUPPER:** Well certainly I think in  
26 the broad context of the work that we were doing,  
27 particularly with respect to developing Sébastien's work,  
28 looking at what we do if, in the context of the Office of the

1 Coordinator, looking at the reality of the threats that we  
2 were seeing in terms of attempts to engage with  
3 parliamentarians, and understanding the work of CSIS and the  
4 work that they were doing with respect to threat reduction,  
5 there was a broad conversation about how we would engage, how  
6 we could be more transparent, and how we could support  
7 parliamentarians to understand the situations that they were  
8 in and to better defend themselves.

9 **MS. MANI KAKKAR:** And who were you having  
10 these conversations with? I know you said they were broad,  
11 but can you narrow who they were with?

12 **MR. SHAWN TUPPER:** Well they would typically  
13 have been with my Deputy colleagues within the national  
14 security community. So probably at DM National Security or  
15 DMCIR, which I can never remember the meaning of, the  
16 committee that looks at intelligence documents.

17 **MS. MANI KAKKAR:** It's helpful to know that  
18 someone who has spent 38 years in government can also forget  
19 acronyms occasionally.

20 So fair enough. I won't push too hard on  
21 that point. But in terms of having those discussions, what  
22 kinds of responses were you getting from the folks that you  
23 were speaking to?

24 **MR. SHAWN TUPPER:** Well I would say there is  
25 a general consensus of the need to engage with  
26 parliamentarians, and there were probably differences of use  
27 of exactly how we would do that and the timing for which we  
28 would do that.

1                   Again, we -- as we've discussed in the first  
2                   half of our appearance here, we don't engage on operational  
3                   matters. And so we had to be very cognizant of the reality,  
4                   particularly for CSIS and ITAC, that they have a set process  
5                   for engaging with parliamentarians around specific threats.

6                   And so we were, in those contexts, I think  
7                   trying to make sure that we had a good alliance of the  
8                   timeliness and the types of engagement that would occur. And  
9                   so within my portfolio across the RCMP and CSIS and  
10                  ourselves, that would have been a fairly robust conversation  
11                  to make sure that we got the process right.

12                 **MS. MANI KAKKAR:** In terms of getting the  
13                  process right, did you feel -- now and I appreciate you've  
14                  said to me that you don't recall saying that in relation to  
15                  this particular event. Were there particular events, whether  
16                  they happened during your tenure in this role, before, or in  
17                  relation to leaks where you felt like these briefings need to  
18                  happen now or need to happen faster than they are happening?

19                 **MR. SHAWN TUPPER:** I would say across the  
20                  spectrum of activity that we consider in terms of foreign  
21                  interference, I have a standing view, again, the  
22                  transparency, that ability to shed light on these issues to  
23                  educate people, including parliamentarians, is a standing  
24                  responsibility. I think that is something we need to build  
25                  and make sure that we have a good routine in terms of the  
26                  partnership that we can offer to parliamentarians to help  
27                  them understand the situation that we're in.

28                  That timeliness and the imperative would be

1 driven more from the spectrum of activity that truly is  
2 intelligence that is gathered by either CSE, the RCMP, or  
3 CSIS. It would speak to specific events, specific  
4 vulnerabilities. In those instances we would want to make  
5 sure that timeliness is a major factor in terms of how we  
6 engage with a said parliamentarian and help them understand a  
7 particular situation.

8 So again, it's across a spectrum of activity  
9 and trying to understand how we get each of the steps right  
10 to allow for a transparent process, but where necessary, to  
11 be able to directly and specifically intervene in order to  
12 help and protect parliamentarians.

13 **MS. MANI KAKKAR:** So with that in mind, can I  
14 ask if -- this is an event that occurred in 2021, there are  
15 discussions happening in 2023 around briefings, no briefings  
16 actually occur, and no knowledge is conveyed to these IPAC  
17 members of this potential reconnaissance threat until 2024.  
18 Do you have anything to say about the timing of those events?

19 **MR. SHAWN TUPPER:** I can't speak to those  
20 events that occurred before my tenure here at Public Safety  
21 Canada, so it's a bit difficult, but I would certainly say,  
22 as we started to look at trends that we were seeing, as we  
23 started to see information that's suggested, that we needed  
24 to be more proactive, I think that is what informed the  
25 conversation that Deputies were having and the information  
26 and the guidance that we were trying to give to our Ministers  
27 to move that forward.

28 It's always the struggle, of course, in



1 taking one specific incident and trying to understand whether  
2 it drives us in a broader context. And I think it is the  
3 accumulation of incidents, understanding trends,  
4 understanding the kinds of threats that we have, that give  
5 rise to our ability to say we need to systematize this, we  
6 need to regularize the way we engage.

7 **MS. MANI KAKKAR:** And so the second part of  
8 this paragraph says that you were aware of the incident and  
9 the email exchange, but that you did not participate actively  
10 in the specific discussions. Can you explain why you didn't  
11 participate actively. Was this related to some of what  
12 you're talking about? That maybe it wasn't driving how you  
13 broadly viewed briefings should be conducted? Was there  
14 another reason that you can share with us?

15 **MR. SHAWN TUPPER:** I suspect it was largely  
16 because many of those exchanges were focused on the  
17 operational aspect, for which I don't have a responsibility.

18 **MS. MANI KAKKAR:** Okay. In terms of this  
19 particular issue, I've covered off the questions that I had  
20 and I'd like to move on to paragraph 56, which talks about  
21 WeChat.

22 So here at the very last sentence, there's  
23 mention of being informed about and having a better  
24 understanding of how WeChat is used as a tool in PRC foreign  
25 interference. I wanted to ask first, what is your  
26 understanding of how WeChat is used as a part of PRC foreign  
27 interference?

28 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well, so the

1 tool itself, I mean WeChat is sort of under the control of  
2 the Chinese state by the very fact that it lives in -- under  
3 Chinese legislation. What we have noticed is that, you know,  
4 there's obviously certain topics that you are not allowed to  
5 discuss on WeChat. And so, the flow of information and the  
6 way discourse and narratives are, you know, cured, aligns  
7 with the -- aligns with the interest of the PRC.

8 And also that the channels by which  
9 information is distributed is through, I would say groups and  
10 -- I wouldn't say influencers, but key individuals who have  
11 managed newsgroups, and I would say almost newsletters, and  
12 then that they have a clear incentive not to -- to propagate  
13 messages that are aligned with the PRC, and not to share any  
14 information that would be perceived as contrary to the  
15 interests of the PRC. So and that's kind of an ecosystem  
16 that is very, I would say, in terms of news sharing, WeChat  
17 is much bigger than this, but in terms of the sharing of news  
18 and information, I would say that's quite aligned and is a  
19 useful tool for the PRC.

20 **MS. MANI KAKKAR:** I appreciate that  
21 explanation. And so, in a way, you've highlighted how it can  
22 be used in this public way of disseminating news amongst  
23 larger groups of users, but at its very core it's also an app  
24 that allows folks to have private chats amongst themselves.  
25 And so, in that way, does WeChat pose a unique challenge to  
26 the monitoring and response to mis- and disinformation?

27 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** The very  
28 fact that there are private conversations makes it much more

1       difficult to monitor, but that's true also for WhatsApp and,  
2       you know, Discord, and Telegram. So it's not unique. So  
3       there's a -- I would say there's a unique national security  
4       challenge associated with these spaces.

5                       Then again, we have to counterbalance with,  
6       you know, the right of citizens to exchange information and  
7       have conversations within themselves. But yes, the very, you  
8       know, it makes monitoring much more difficult.

9                       **MS. MANI KAKKAR:** And have you thought of  
10      tools or ways that you can address this difficulty or  
11      overcome this challenge?

12                      **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So the  
13      policy conversation is taking place right now, so I will not  
14      be -- I will not discuss that here.

15                      **MS. MANI KAKKAR:** I appreciate that.

16                      In the following paragraph you talk about a  
17      Government Operations Centre and its unique position perhaps  
18      to do some of this monitoring into mis- and disinformation.  
19      Could you elaborate on what role you see the Government  
20      Operations Centre playing?

21                      **MR. SHAWN TUPPER:** So again, a conversation  
22      around policy choices that the government has, and as we  
23      haven't yet discussed that with the government it's hard to  
24      discuss that here. But I think the function of the  
25      Government Operations Centre is a coordinating function. It  
26      is a centre for us that has great connections across the  
27      country with provincial jurisdictions, and it has an ability  
28      to monitor activities that are ongoing in communities and

1 using open-source information.

2 And so there is some potential, and as I said  
3 earlier in my testimony, within the context of trying to  
4 understand the balance of being able to see what is going on  
5 in Canadian communities while protecting our democratic  
6 values, that we don't want to be seen as just monitoring  
7 Canadians. But in the context of IMVE and whatnot, there is  
8 value to having a sense of things, and issues as they track  
9 through -- through open-source media. And so, it is one of  
10 the tools we have within the federal government that has some  
11 capacity to contribute to that.

12 **MS. MANI KAKKAR:** I appreciate the  
13 clarification and the limitations of you to be able to speak  
14 to this when it's actively being discussed.

15 I'd like to move to a last set of questions  
16 that I have with respect to, sort of, the expanded scope of  
17 what's defined in Bill C-70 as governmental processes, which  
18 now includes sub national and political party processes. You  
19 also testify that you've made unclassified briefings  
20 available at the provincial level as well. I wanted to ask  
21 if you agree individually, or as a panel, that FI activity is  
22 not confined to the federal level by any means?

23 **MS. TRICIA GEDDES:** Yes, I would agree with  
24 that statement. It is not confined.

25 **MR. SHAWN TUPPER:** I think we all would.  
26 Indeed.

27 **MS. MANI KAKKAR:** And as such, to you agree  
28 that the federal government has a comparative advantage as

1 well, when it comes to intelligence and resources when  
2 compared to provincial governments, municipal governments,  
3 band councils?

4 **MS. TRICIA GEDDES:** I'm not sure I would  
5 characterize it a comparative advantage. I would say  
6 obviously, the federal government has specific  
7 accountabilities in national security, and consequently has  
8 the agencies and the departments that are set up to be able  
9 to deliver on that mandate.

10 But your point is quite right in terms of us,  
11 and I think I have spoken to it earlier in my testimony. Our  
12 ability now to be able to take that intelligence and the  
13 information that we glean through those national security  
14 agencies, and ensure that people across the country, whether  
15 it's in other orders of government, whether it's businesses,  
16 whether it's research institutions, or whether it's  
17 communities, have the information that they need in order to  
18 be able to best protect themselves.

19 I think that's really important, and I think  
20 this has been a relatively recent shift that we've moved away  
21 from national security and intelligence only being, sort of,  
22 corely located in terms of protecting the federal government.  
23 It used to be about military institutions. It used to be  
24 about, you know, those types of national security issues at  
25 the national level. It has now become quite a bit -- well,  
26 apparent to all of us that we need to be able to share this  
27 information much more broadly.

28 **MS. MANI KAKKAR:** So is it fair to say then,

1 as your department addresses the issue of FI, as you look at  
2 policy, you're taking it from an approach that looks at all  
3 of Canada at all levels?

4 MS. TRICIA GEDDES: Very much.

5 MS. MANI KAKKAR: Those are all my questions.  
6 Thank you.

7 COMMISSIONER HOGUE: Thank you.

8 Mr. Chantler for the Concern Group.

9 --- CROSS-EXAMINATION BY MR. NEIL CHANTLER:

10 MR. NEIL CHANTLER: Good afternoon. Neil  
11 Chantler, for the Chinese Canadian Concern Group.

12 I'm going to start with some questions for  
13 you, panel, about the overseas police stations. We've heard  
14 a lot about these.

15 Could I ask each of you just a brief question  
16 of when you first learned about the existence of these  
17 overseas police stations in Canada and how that information  
18 came to you? And perhaps, what role you were in at the time?  
19 For reference, I can remind you that it was September 2022  
20 that the Safeguard Defenders report came out. I know you  
21 were all either very new, or just about to be in your current  
22 roles.

23 MS. TRICIA GEDDES: Well, I can start by  
24 saying September 2022, I was named Associate in June of 2022,  
25 and I would say that shortly after that report was released  
26 was when I found out. So it was in this current capacity.

27 MR. NEIL CHANTLER: And in what -- how did  
28 you receive that information?

1                   **MS. TRICIA GEDDES:** We would have had  
2                   briefings within our department. I'm quite confident that it  
3                   was the National Security branch that would have brought this  
4                   first to my attention.

5                   **MR. NEIL CHANTLER:** And Mr. Tupper?

6                   **MR. SHAWN TUPPER:** So it was already an  
7                   active conversation within the national security community.  
8                   So when I arrived in October 2022 it was already an active  
9                   conversation. So it would have been part of the briefings  
10                  that I received being introduced into the department and the  
11                  portfolio. And so again, it would have been part of the  
12                  briefings that were delivered to me from that part of the  
13                  department, the National Security part of the department.

14                  **MR. NEIL CHANTLER:** Okay. Mr. ---

15                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Same. When  
16                  I arrived in June '22, and I don't remember precisely how I  
17                  got the information, but I remember it was when the sort of,  
18                  one department, I can't remember which one, said you know,  
19                  have you seen this? And then we looked at the report, read  
20                  the report, and understood the issue.

21                  **MR. NEIL CHANTLER:** And for any of you, what  
22                  was your reaction to this information, both the fact of the  
23                  operation of these police stations in Canada and the manner  
24                  of discovery, the fact that we learned about these from an  
25                  NGO's report?

26                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** I would say  
27                  I was quite -- I was quite -- I would say pleased in many  
28                  ways that an NGO had the capacity to create that

1 transparency. And to have this amazing capability of looking  
2 at the world and finding evidence of the activities that --  
3 the problematic activities of a foreign state, and to produce  
4 a report that would have a global impact like this. So in a  
5 sense, I think that's a very positive state. It doesn't  
6 necessarily mean that the government needs to always be the  
7 one that finds this or the -- that civil society has tools to  
8 defend itself.

9 So on the nature of the activities  
10 themselves, we, you know, collectively, I think, all thought  
11 that this was problematic and needed a response.

12 **MS. TRICIA GEDDES:** Maybe I would just add on  
13 the nature of the activities, I spent eight years at CSIS  
14 before joining Public Safety, and I think that the  
15 understanding of foreign interference and the impacts of  
16 Chinese foreign interference in Canada was understood. And  
17 so those types of activities, the specificity of the manner  
18 in which those activities were carried out and the types of  
19 community settings that they were being carried out, I would  
20 not say it was surprising, I think, but I would say it was  
21 consistent with some of the concerns that were emerging in  
22 terms of Chinese foreign interference in Canada.

23 **MR. NEIL CHANTLER:** Thank you.

24 Madam Commissioner, I'd like to seek leave to  
25 introduce a document that was only added to the system this  
26 morning, but I have had a discussion with Commission counsel  
27 and it is available. It's ---

28 **COMMISSIONER HOGUE:** That's fine.



1                   **MR. NEIL CHANTLER:** --- an Interim Report of  
2 the Special Committee on the Canada People's Republic of  
3 China Relationship. It's document CCC260, please.

4                   **--- EXHIBIT No. CCC0000260:**

5                   The Chinese Communist Party's  
6                   Overseas Police Service Stations

7                   **MR. NEIL CHANTLER:** And I'm only going to ask  
8 a couple of very brief questions to the panel about this  
9 document. I put it to you because I believe, Mr. Aubertin-  
10 Giguère and Ms. Geddes, you were witnesses before this  
11 subcommittee. Do you recall?

12                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** The CSEN?  
13 Yes, I was.

14                   **MR. NEIL CHANTLER:** And if we turn to PDF  
15 page 19, we see your names under the list of witnesses.

16                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Correct.

17                   **MR. NEIL CHANTLER:** And so I presume you gave  
18 information to the subcommittee about your knowledge and  
19 expertise in relation to PRC's overseas police stations in  
20 Canada. And this report provides a lot of information about  
21 those police stations.

22                   And at page 21, PDF page 21, calls upon the  
23 government for a response.

24                   Now, I understand there has been a response.  
25 Mr. Hardie, the Chair of this committee, has received a  
26 letter from the Canadian government. And my question for you  
27 simply is, has that response landed on your desks?

28                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** We -- my

1 understanding is that our branch, National Security branch,  
2 led the response or coordinated the response to this  
3 committee, if I recall correctly, and I was part of the  
4 conversation.

5 **MR. NEIL CHANTLER:** All right. I'm going to  
6 move to the document WIT144. Again, this is your *in camera*  
7 examination summary you were taken to earlier today.

8 At page 17, paragraph 64, this is where you  
9 begin the discussion of issues related to Chinese overseas  
10 police stations. And you were referred, Mr. Aubertin-  
11 Giguère, to a memo that included a comment about the  
12 challenges of fully leveraging the government's toolkit.

13 There it is, paragraph 64.

14 In responding to OPS, or overseas police  
15 stations. And you were asked whether these would be  
16 addressed by Bill C-70.

17 In the next paragraph, 65, you say that Bill  
18 C-70 will not eliminate these issues completely.

19 I'm going to come back to that with a  
20 question for you, but first, at paragraph 66, over the page,  
21 Mr. Tupper states that the OPS were a transformational issue  
22 -- you were taken to that earlier -- for the department. And  
23 you go on to describe that:

24 "While the previous approach was to  
25 rely on police to conduct  
26 investigations and lay charges, here  
27 the RCMP took a different approach.  
28 The OPS situation demonstrated the

1 value in looking to tools beyond  
2 arrests and prosecutions."

3 Do you know why that approach was taken by  
4 the RCMP, and did that -- did Public Safety have any  
5 involvement in that decision?

6 **MR. SHAWN TUPPER:** So again, I think kind of  
7 referring back to my earlier testimony today, the complexity  
8 of that situation given -- we called them police stations but  
9 they weren't really police stations. They were oftentimes  
10 community centres and they had different kinds of activity  
11 engaged in them. And as I say, oftentimes the individuals in  
12 the centres were Canadians. And so it just created that  
13 complexity of environment that we had to kind of look at the  
14 toolkit.

15 So we were involved in a discussion.  
16 Obviously, the RCMP have their independence in terms of their  
17 operational decisions and their operational matters. How  
18 they chose to engage at the community level, how they chose  
19 to present themselves at the community level was entirely  
20 their decision.

21 I think, though, the collective discussion  
22 among the security institutions was that reality and that  
23 understanding that sometimes disruption to the activity is as  
24 valuable as getting to an investigation and an arrest and a  
25 prosecution. And in this instance, we saw quite readily just  
26 the simple act of being disruptive, establishing the 1-800  
27 line, putting up the posters, being present in the community  
28 seemed to shift the activity and it helped. It had, I think,

1 a positive effect in terms of curbing the activities that we  
2 were concerned about.

3 **MR. NEIL CHANTLER:** The document says in the  
4 middle of paragraph 66:

5 "This response contributed to the  
6 police stations shutting down their  
7 operations."

8 And I take it that's attributed to you, that  
9 comment.

10 My question is, do you go -- sorry, is how do  
11 you know that these operations resulted in the police  
12 stations being shut down?

13 **MR. SHAWN TUPPER:** Through intelligence that  
14 we received that I'm not at liberty to talk about  
15 specifically here.

16 **MR. NEIL CHANTLER:** Are you able to tell us  
17 when you believe those police stations were shut down?

18 **MR. SHAWN TUPPER:** I should be clear that in  
19 the NGO report they had identified five centres of operation,  
20 and at the time early on, we were focused on those areas of  
21 activity that we were aware of. We have subsequently learned  
22 that, indeed, there were other activities in the country. So  
23 my reference at that time was specific to the five community  
24 centres or the five activities that we were aware of.

25 My recollection is that the impact was quite  
26 quick and that we saw a reduction in the activities and,  
27 indeed, we understand that they ceased fairly quickly once we  
28 started shedding light on what was going on and the RCMP were

1       able to do the community engagement that they had pursued.

2                   **MR. NEIL CHANTLER:** When was that? How long  
3       after they came to light?

4                   **MR. SHAWN TUPPER:** I don't have a specific  
5       recollection of how fast that was.

6                   **MR. NEIL CHANTLER:** Months later, years  
7       later?

8                   **MR. SHAWN TUPPER:** Oh, no. I would say  
9       months.

10                  **MR. NEIL CHANTLER:** Okay. I'll move on to  
11       the next document, please, Court Operator, CAN44228\_001.

12                   This is also a document you saw earlier,  
13       DMCIR meeting from October 12th, 2023. These questions are  
14       for Ms. Geddes.

15                   I believe, Ms. Geddes, you were at this  
16       meeting ---

17                  **MS. TRICIA GEDDES:** I was.

18                  **MR. NEIL CHANTLER:** --- you confirmed earlier  
19       today. And you were asked to present an update.

20                   And down the page, please. A little further.  
21       There we go.

22                   That second-last paragraph there, where it  
23       says, "The note seeks" -- or sorry, "The note seeks to  
24       provide an update on our understanding". I'm looking for it  
25       in the paragraph there.

26                   Scroll down a bit further, please.

27                  **MS. TRICIA GEDDES:** It's just at the -- if it  
28       is this, it's right at the ---

1                   **MR. NEIL CHANTLER:** Oh, there it is. Thank  
2                   you very much.

3                               "The note seeks to provide an update  
4                               on our understanding and assessment  
5                               of PRC OPS, but gaps remain on how to  
6                               respond."

7                   We'll come back to that.

8                   The next paragraph, the second sentence:

9                               "PS highlighted some lessons learned  
10                              from this tasking, including the  
11                              timeliness of a response and  
12                              challenges with coordinating multiple  
13                              threat issues."

14                   You talked about the challenges of the  
15                   multiple threat issues. Perhaps you can speak to the  
16                   timeliness of the response.

17                   What was the concern there?

18                   **MS. TRICIA GEDDES:** So the timeliness of the  
19                   response, actually, it was referring to the DM committee that  
20                   wanted to have a conversation about this, had tasks out and  
21                   analysis and assessment, and it had taken some time for us to  
22                   be able to bring that assessment into the committee. That  
23                   doesn't mean the assessment wasn't ready earlier.

24                               So unfortunately, this is a bit of  
25                   bureaucratic speak that that's what we're talking about in  
26                   that instance, is that it took a little longer to be able to  
27                   bring the overall assessment and our understanding of the  
28                   issue to that particular DM committee.

1                   **MR. NEIL CHANTLER:** And what were those gaps  
2 remaining on how to respond to the police stations, and can  
3 you elaborate on the lessons learned by this situation?

4                   **MS. TRICIA GEDDES:** I think that there's two  
5 issues here. I won't be able to comment on the gaps issue.  
6 That would probably relate to national security issues that  
7 we wouldn't want to transmit. But what I can say on the  
8 lessons learned from this tasking, again, I'm referring to  
9 how do we -- the Foreign Interference Coordinator being  
10 relatively new in the role and the department being  
11 relatively new in the coordination effort, how do we learn  
12 the most efficient and effective way to be able to undertake  
13 that coordination, what aspects of that coordination were  
14 most beneficial for the deputy committee, were we undertaking  
15 an understanding of what the threat was, of the effectiveness  
16 of the response options.

17                   So that's what I'm talking about when we talk  
18 about -- well, that's what the minute taker was talking  
19 about, on the lessons learned. How do we ensure that we're  
20 able to bring in to the Deputy community the results of the  
21 Foreign Interference Coordinator's work in the most effective  
22 and timely fashion.

23                   **MR. NEIL CHANTLER:** How do you believe the  
24 police response to the overseas police stations will be  
25 different post-Bill C-70.

26                   **MS. TRICIA GEDDES:** I'll let Séb talk about  
27 that.

28                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So Bill C-70

1 criminalizes behaviour associated with transnational  
2 repression, you know, and it will help law enforcement to be,  
3 you know, I would say to sort of to address, you know, cases  
4 like this.

5                   Though I must say that the -- there's always  
6 a gray zone that these -- in cases like this. So the new  
7 legislation, for example, says that anyone who uses  
8 intimidation, threats, or violence on behalf or for the  
9 benefit of a foreign state, you know, would -- that's a  
10 criminal offence. You don't have to prove now that there's  
11 harm to Canadian interests. So you've now changed the  
12 threshold. And that's consistent with the lessons learned  
13 from transnational repression.

14                   We still need victims to come forward and to  
15 be able to talk to law enforcement for one.

16                   And secondly, also more generally on the  
17 police stations, the key issue is not the activities that  
18 were performed, but rather the very fact that these -- it  
19 provides, I would say, a place for a foreign state, you know,  
20 the PRC, to potentially do these things. So it doesn't  
21 necessarily translate it into direct action, but the concern  
22 here was that you have kind of a structure that could be used  
23 to perform these transnational repression activities or the  
24 problematic FI activities that were about to be conducted --  
25 that could have happened.

26                   So that's what we mean by this.

27                   And I think also to clarify on the other  
28 question, the minute we learned about the safeguard defender,



1 in the days after, there was a coordination meeting led by  
2 Public Safety and we quickly came to an understanding of the  
3 problem, you know, sort of sharing of information,  
4 deconflicting of information, we also came to some  
5 conclusions on what is the best course of action, and we  
6 acted on it.

7 I think here in the DMCIR conversation, it's  
8 more about one time has elapsed and DMCIR wanted to have kind  
9 of a summary of actions many months after the fact. It took  
10 a bit more time to bring that paper. The response was ready,  
11 but it's just conflicting, you know, agenda items, and that's  
12 what this is a reflection of.

13 **MR. NEIL CHANTLER:** Thank you.

14 Madam Commissioner, may I have the indulgence  
15 of a couple of minutes to ask about one issue that hasn't  
16 been raised?

17 **COMMISSIONER HOGUE:** Yes.

18 **MR. NEIL CHANTLER:** To the panel, later in  
19 these minutes, and the document can come down, Director  
20 Vigneault refers to this as a game of wack-a-mole, and Mr.  
21 Tupper, I believe earlier today you called it a game of cat  
22 and mouse. And there's a concern that when you maybe  
23 affectively shut down these stations, the activity will  
24 continue somewhere else.

25 And I expect the panel will confirm awareness  
26 of the existence of what are called Hong Kong Economic Trade  
27 Offices. These exist around the world and allegedly there's  
28 an office -- allegedly there is an office operating in

1 Toronto.

2           These offices have come under increasing  
3 international scrutiny, both because of events in Hong Kong  
4 and because of their role as bases for foreign interference  
5 activity. The manager of the Hong Kong Economic Trade Office  
6 in London, England was recently charged with spying, and the  
7 U.S. has taken steps to remove the office's status and  
8 privileges in that country, yet the office in Toronto remains  
9 operational.

10           Is the panel aware that members of the  
11 Chinese diaspora have brought forward concerns about the  
12 activities of the Hong Kong economic trade office in Canada?  
13 And what can the panel provide to the Commission about the --  
14 this office and whether it is another potential threat to the  
15 country, in terms of foreign interference, and specifically  
16 to the Chinese diaspora?

17           **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah, we've  
18 been made aware of the concerns of members of the Chinese  
19 communities and advocacy groups. I think this is a question  
20 that concerns the *Vienna Convention* and would be best  
21 answered by GAC, Global Affairs Canada.

22           **MR. NEIL CHANTLER:** Very well. Anybody have  
23 anything else to offer?

24           **MR. SHAWN TUPPER:** No.

25           **MR. NEIL CHANTLER:** Thank you.

26           **COMMISSIONER HOGUE:** Thank you.

27           Mr. Lim for Erin O'Toole.

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

1                   **MR. PRESTON LIM:** Hi, my name is Preston Lim,  
2                   and first off, thank you so much for your time and for  
3                   spending the afternoon with us. I have four disparate  
4                   questions and they're going to build on some of the themes  
5                   that you've all already touched on.

6                   So first off, building on what my friend, Ms.  
7                   Kakkar was speaking to you about, the topic of WeChat, I  
8                   think this is probably best answered by you, Mr. Tupper, but  
9                   up until this point, what measures has Public Safety Canada  
10                  taken to counter and prevent the spread of disinformation on  
11                  WeChat, if any?

12                 **MR. SHAWN TUPPER:** Actually, it's best, I  
13                 think, answered by my friend here.

14                 **MR. PRESTON LIM:** Absolutely. Please.

15                 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So the  
16                 monitoring of social media space to find cases of, you know,  
17                 targeted inauthentic behaviour by a foreign state is the  
18                 responsibility of the RRM. So it's really their  
19                 responsibility. It's not within our mandate.

20                 We do, as part of the members of the national  
21                 security community, understand, you know, the security  
22                 challenges that some aspects of WeChat may represent, and  
23                 we've been discussing it, but that's essentially it.

24                 **MR. PRESTON LIM:** Okay. Great. And then  
25                 sticking with this theme of the RRM, and we talked earlier  
26                 about the monitoring, the domestic monitoring of media in  
27                 response to some of these very severe threats. Mr. Tupper,  
28                 you mentioned earlier in your testimony some tools that

1 Public Safety Canada has that it could use, you know, if  
2 Public Safety Canada were hypothetically tasked with RRM-like  
3 responsibilities. Could you maybe expand on some of the  
4 tools that do exist within the Department that would be  
5 relevant?

6 **MR. SHAWN TUPPER:** So not all the tools exist  
7 within the Department, but they may be tools that the  
8 Department seeks to use. For instance, there are private  
9 sector agencies that do media monitoring. So we have,  
10 through procurement, through contracting, the ability to kind  
11 of engage with others who can provide us with information.  
12 And indeed, that may be a quick response to some of the  
13 things that we want to do in the future.

14 I've already referenced, both through my  
15 national security team, but also work that our Government  
16 Operation Centre has the capacity to do, and it would be very  
17 similar to what we might contract out if the government so  
18 chooses to give us that direction, and that would be simply  
19 to monitor open-source information and be able to report on  
20 it, and to analyze it. So looking for trends that we may be  
21 seeing through open-source information that might inform and  
22 help us anticipate activities that are ongoing.

23 Work that the Canada Centre and my department  
24 does with respect to understanding the growing domestic  
25 threats through extremist philosophy and ideology, those are  
26 areas of work again that I think the Department has started  
27 to build its capacity to understand the nature of those  
28 threats that are growing domestically.

1 I think this is something that we haven't  
2 really talked about today, but that evolution of how we  
3 understand the threats to Canada, and indeed in some of the  
4 initial work that my department was put in place to do, early  
5 work that was pursued by CSIS, had very much an external  
6 focus. It was the view that the greatest threats to Canada  
7 came from outside of Canada.

8 In recent years, we have had, I think, a  
9 growing appreciation of those threats that arise within our  
10 domestic context. And so our ability to fine-tune some of  
11 the tools that we have within government, and particularly  
12 within my department, to understand what is going on in our  
13 communities, why are people, Canadians, choosing violence as  
14 their form of political expression? Those are things that we  
15 need to attend to and that we need to put more focus on.

16 **MR. PRESTON LIM:** That's very helpful. And  
17 we have heard quite a bit about RRM, the setup, and some of  
18 the challenges that RRM labours under. In your professional  
19 opinion, would it make sense for Public Safety Canada to take  
20 on maybe the lion's share or a good chunk of RRM's current  
21 mandate?

22 **MR. SHAWN TUPPER:** I think Public Safety is  
23 capable of taking that on. I think if you think about it as  
24 a coin, RRM has an external-facing sort of function we need  
25 to define, and that is part of the policy discussion that is  
26 going on and advice that ultimately will be given to the  
27 government. We need to define what the internal-facing, the  
28 domestic-facing sort of posture for that work is. They have

1 to align; I think that's one critical part of the discussion  
2 is to make sure that whatever is designed to do that  
3 monitoring in Canada has to align with and be able to benefit  
4 from that interaction with the RRM at Global Affairs.

5 **MR. PRESTON LIM:** Great. Switching now to a  
6 different topic entirely, we've heard a lot about the SITE  
7 Task Force, its operations, the -- kind of its makeup. And  
8 this is a question for anybody on the panel, but would it be  
9 a good idea perhaps to make the SITE Task Force a permanent  
10 enterprise, given the fact that foreign interference occurs  
11 on a 24/7 365 days a week basis?

12 **MR. SHAWN TUPPER:** So the SITE Task Force is  
13 a relatively new construct within the federal system. It's  
14 part of the response that was developed by the democratic  
15 institutions' folks at PCO. I think that is has an election  
16 focus.

17 I think we have seen over the last two  
18 elections an evolution in our thinking and an evolution in  
19 terms of understanding the threats that we may confront in  
20 Canada. That is in part informed by what the experience of  
21 other countries have been in the last six or seven years, in  
22 terms of running their own elections.

23 I think the advice that indeed we are  
24 preparing to give government in this vein, again, is  
25 something that I can't speak to openly here, but I think for  
26 us, and I think for the government, everybody is keenly aware  
27 that as elections arrive in Canada we want to make sure we're  
28 doing our utmost, and that we can continue to assure

1       Canadians that they have every confidence that our elections  
2       are free and fair; that they are not interfered with.

3               It isn't to say that people don't try, or  
4       nations or bad actors don't try to interfere with our  
5       elections, but I think we can say honestly that Canadians  
6       should that the confidence in our past elections that they  
7       were free and fair and they were without interference that  
8       had an overt impact on the outcome. And our ambition would  
9       be to give the government advice as to how we can continue to  
10      build that toolkit to ensure that continues in the future.

11              **MR. PRESTON LIM:** That's great.

12              And my last question, you've already talked  
13      extensively about the community centres or as they were  
14      reported in the media, the overseas police stations. Now, we  
15      heard unsworn testimony on October the 2<sup>nd</sup> from a Chinese  
16      Canadian community member in Montreal who heavily criticized  
17      the RCMP for its investigation of two of these community  
18      centres. And I wanted to ask from a Public safety Canada  
19      perspective, and to the extent that you do feel comfortable  
20      talking about the RCMP's operations, are you proud of the  
21      department's performance during those operations?

22              **MS. TRICIA GEDDES:** Maybe I could just  
23      comment? I don't want to speak to the RCMP operations, ---

24              **MR. PRESTON LIM:** Yeah.

25              **MS. TRICIA GEDDES:** --- but I maybe want to  
26      underline some of the comments I've made previously, and as  
27      have we all, which is about the importance of trust and  
28      relationship building. And I know this is a huge priority

1 for the RCMP, that their ability to be able to have very  
2 effective community liaison members and to be able to have  
3 the trust of the community is absolutely essential to them  
4 being able to carry this out.

5 So I think they are highly conscious of the  
6 fact that that's an essential component of their response,  
7 and I have trust in the leadership of the RCMP to be able to  
8 continue to do this work. I think they probably learned a  
9 lot in how they have managed those cases, and I genuinely  
10 believe that they are wholeheartedly committed to ensuring  
11 that they're very responsive to the concerns of the  
12 communities.

13 **MR. PRESTON LIM:** Great. I appreciate that  
14 answer.

15 That's all I have, Madam Commissioner.

16 **COMMISSIONER HOGUE:** Thank you.

17 Mr. Matas for Human Rights Coalition.

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

19 **MR. DAVID MATAS:** Yes, I wanted to ask some  
20 questions about the Canada Border Services Agency, which I  
21 understand is an agency within the ministry but not directly  
22 run by the department.

23 When it comes to foreign interference, it can  
24 be conducted by four different types of actors; foreigners  
25 overseas, Canadians, foreigners in Canada that are parts of  
26 embassies and consulates, and foreigners in Canada that are  
27 not parts of embassies and consulates.

28 For foreigners in Canada engaged in foreign



1 interference who are not part of embassies and consulates,  
2 one tool we have in dealing with that foreign interference is  
3 removal procedures through Canada Border Service Agency. And  
4 I wanted to ask you the extent to which that manner of  
5 dealing with foreign interference has been considered as a  
6 strategy for dealing with foreign interference.

7 **MR. SHAWN TUPPER:** Do you want to tackle  
8 that?

9 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well -- so  
10 the *Immigration and Refugee Protection Act*, IRPA, is the tool  
11 by which, you know, the IRCC, the Department of Immigration,  
12 can grant status to someone in Canada, and they're vetting  
13 individuals who want to, you know, come to Canada, and  
14 they're vetting for National Security Risks, section 34, and  
15 are working very closely with CSIS and partners and -- and  
16 CBSA to vet individuals against known information and then  
17 any risk indicators. So that's the first layer.

18 Once you have individuals who are in Canada  
19 that have no status, if information comes about that they are  
20 conducting activities that are inconsistent with, you know,  
21 the -- sort of their status, then it's the CBSA's  
22 responsibility to take that on, and they're doing it.

23 And so -- but once someone is a Canadian  
24 citizen, it's very different. One thing that is a  
25 possibility is that if someone, you know, provided misleading  
26 information on their application then that case could be  
27 reviewed. There's, you know, obviously a fair process to get  
28 there through the Immigration and Refugee Board.

1                   So there are layers, I would say, of controls  
2                   of which Immigration, CSIS, CBSA are part of the continuum.

3                   **MR. DAVID MATAS:** You say they're doing it.  
4                   Do you have any information about the extent to which they're  
5                   doing it?

6                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** No, I can't  
7                   speak about the specific cases, but I can say that it's  
8                   definitely -- you know, their core activity. You know, the  
9                   enforcement branch of the CBSA is actively working to, you  
10                  know, address cases of non-compliance with IRPA, and section  
11                  34 of National Security Risks are always considered very  
12                  high, I would say, in their list of priorities.

13                  **MR. SHAWN TUPPER:** I think, just to be really  
14                  clear, while we can't comment on operational matters at CBSA,  
15                  what we can say is CBSA is absolutely a longstanding member  
16                  of the national security community. They participate in the  
17                  deputy committees, they are part of the discussion, they are  
18                  part of my portfolio.

19                  And so I convene portfolio heads regularly to  
20                  have conversations about critical public policy, issues that  
21                  we share as a portfolio. And so they are certainly part of  
22                  that discussion. They certainly have a high degree of  
23                  awareness of the challenges of this work around foreign  
24                  interference, and I would presume that gets translated into  
25                  their operational procedures.

26                  **MR. DAVID MATAS:** I'm wondering whether it  
27                  might be useful -- I appreciate you cannot talk about  
28                  individual cases, and I'm not asking about individual cases,

1 but I wonder if it might be useful simply to have some sort  
2 of overview.

3 I mean, CBSA does produce statistics in some  
4 areas, and I wonder if it would be useful to have statistics  
5 in this area, to the extent to which the removals or the  
6 removal initiatives are related to foreign interference.

7 **MR. SHAWN TUPPER:** That is something worth  
8 considering. I'll take that away.

9 Certainly data, evidence-based, right? I  
10 think that's a critical component of any of the work that we  
11 do in terms of making sure advice we give is relevant to the  
12 reality that we see on the ground. So collecting evidence in  
13 that area may well be worthwhile.

14 **MR. DAVID MATAS:** Well, Madam Justice, when I  
15 hear a witness say that something I said is worth  
16 considering, perhaps I'd better stop.

17 **(LAUGHTER)**

18 **COMMISSIONER HOGUE:** I think it's pretty  
19 unspeaking.

20 **MR. DAVID MATAS:** Thank you.

21 **COMMISSIONER HOGUE:** Thank you.

22 Mr. van Ert for Michael Chong.

23 **MR. GIB van ERT:** That's going to be a tough  
24 act to follow, Commissioner.

25 **--- CROSS-EXAMINATION BY MR. GIB van ERT:**

26 **MR. GIB van ERT:** I'll ask the Court Operator  
27 to put WIT144 and go to paragraph 17.

28 Just a couple questions firstly for you, Mr.

1 Tupper. Paragraph 17 you say -- you're explaining the  
2 warrant process here and you say once you receive:

3 "...the warrant application package,  
4 [you try] to ensure it is processed  
5 and sent to the Minister's Office  
6 within 48 hours. The package is  
7 presented to the Minister for review  
8 in a secure facility. There is  
9 relatively little wait-time in this  
10 process, because warrants can impact  
11 CSIS operations and so [Public  
12 Safety] needs to advance the warrant  
13 application promptly."

14 Now, I appreciate you're speaking generally  
15 here and things can happen, and life can frustrate our  
16 various plans, but let me ask you this. Just I'd like you to  
17 expand on this a little bit for the benefit of the  
18 Commissioner. And I'll start by asking you this. My  
19 understanding is that generally when a warrant begins life,  
20 it is because CSIS has assessed that there are reasonable  
21 grounds to believe that a warrant is needed in order to  
22 investigate some threat to the security of Canada, and so  
23 once CSIS comes to that conclusion, any delay in obtaining  
24 the warrant that it feels that it needs it potentially  
25 prejudicial, not in every case, it's going to depend on the  
26 circumstances, but potentially prejudicial. Do you agree  
27 with that?

28 **MR. SHAWN TUPPER:** Warrants are developed for

1 different reasons. It may be as a result of a new line of  
2 work, it may be a renewal, or it may be in response to a  
3 specific incident where urgency is required. So there are  
4 different drivers in terms of that spectrum of timeliness.  
5 And so you're right, I was talking in generalities, but I  
6 think it's worth noting that we would look at a warrant that  
7 is about a renewal, where we already have background and  
8 information, that would be treated differently, ---

9 **MR. GIB van ERT:** Right.

10 **MR. SHAWN TUPPER:** --- than a warrant that is  
11 about a new line of work, and then indeed a warrant that is  
12 in response to a critical incident that is under  
13 investigation.

14 So we are driven by slightly different  
15 things, and indeed we would act accordingly.

16 **MR. GIB van ERT:** So I take your point about  
17 renewals. Let's set those aside because that's a slightly  
18 different situation. But if it's not a renewal, what I'm  
19 imaging is this, and again, circumstances are going to vary  
20 from warrant to warrant, I do appreciate that, but if the  
21 Service has assessed that it needs some sort of intercept,  
22 whether it's searching someone's office, or their home, or  
23 getting into their emails, or whatever it may be, in order to  
24 investigate what they perceive to be a threat to the security  
25 of Canada, the -- in principle, the sooner they can achieve  
26 that intercept and investigate that threat risk, the safer we  
27 all are? Would you agree with that?

28 **MR. SHAWN TUPPER:** I think that's a general

1 principle that we operate on, yes.

2 MR. GIB van ERT: Thank you. Yes. And so am  
3 I right to understand that when CSIS has come to that  
4 assessment, even before submitting warrant applications to  
5 your department, they will reach out to your department and  
6 say, "We want you to know that we have something we're  
7 working on and we hope to get it to you before too long"?

8 MR. SHAWN TUPPER: Correct.

9 MR. GIB van ERT: Right. Okay. And so they  
10 try to prepare the way in order to facilitate you doing your  
11 part as quickly as reasonably possible?

12 MR. SHAWN TUPPER: Correct.

13 MR. GIB van ERT: Is that right? Okay.  
14 Thank you. Thank you very much.

15 And then going to paragraph 18, please?

16 For Ms. Geddes, I have to ask, any relation  
17 to Gary Geddes, the poet?

18 MS. TRICIA GEDDES: No, I'm not,  
19 unfortunately. I wish I was.

20 MR. GIB van ERT: Oh, that's very  
21 disappointing. Anyway, back to work.

22 MR. SHAWN TUPPER: She's poetic in her  
23 writing, ---

24 MS. TRICIA GEDDES: I am.

25 MR. SHAWN TUPPER: --- I must say.

26 MR. GIB van ERT: Oh, well that's very  
27 encouraging to hear. I'm pleased about that at least.

28 Ms. Geddes, you've said here that the

1 Departmental Liaison Officer usually provides the package,  
2 the warrant application package, to the Minister's Chief of  
3 Staff for transmission to the Minister. So I -- what I  
4 understand by that, and I think I heard this this morning as  
5 well, but I'm going to go belt and suspenders on this, once  
6 the Department has done its work, it hands the materials not  
7 to the Minister personally, but to the Minister's Office. Is  
8 that fair?

9 **MS. TRICIA GEDDES:** Yes, and I think that's  
10 for purposes generally of logistic simplicity. So the  
11 Minister's Office is there and present all day every day.

12 **MR. GIB van ERT:** Right.

13 **MS. TRICIA GEDDES:** The Minister obviously  
14 has other accountabilities. So we rely on the staff, both  
15 our Departmental Liaison Officer, who serves the Minister's  
16 Office, and the Minister's Office themselves, to be able to  
17 ensure that that is handed to the Minister for signature.

18 **MR. GIB van ERT:** Right. But once you've  
19 conferred it to the Minister's Office, you rely on the Chief  
20 of Staff or whoever it is responsible in the Minister's  
21 Office to actually bring it to the attention of the Minister?

22 **MS. TRICIA GEDDES:** Yes.

23 **MR. GIB van ERT:** Those are my questions.  
24 Thank you very much.

25 **COMMISSIONER HOGUE:** Thank you.  
26 Attorney General?

27 **MR. MATTHEW JOHNSON:** I apologize, Madam  
28 Commissioner. I was expecting one other party to cross-

1 examine.

2 COMMISSIONER HOGUE: Yes, but decided not to  
3 ask any questions.

4 --- CROSS-EXAMINATION BY MR. MATTHEW JOHNSON:

5 MR. MATTHEW JOHNSON: Fair enough. Then I  
6 missed that, and I apologize.

7 For the record, good afternoon. My name is  
8 Matthew Johnson. I'm counsel for the Attorney General of  
9 Canada.

10 I think in terms of what I intend to do here  
11 is to start with a few areas just where we can clarify a  
12 couple of issues that you've testified to earlier, and then I  
13 think I'm going to take a step back and ask a few more  
14 general questions at that point.

15 So first, I think I would like to turn to a  
16 discussion that you engaged in earlier with my friend,  
17 Commission counsel, about the new tracking system for  
18 intelligence within Public Safety, and you referred to  
19 individuals who are designated within the system to handle  
20 information and talked about there being a new group.

21 I'm wondering if you can talk a little bit  
22 more detail, because I think I heard you, you mentioned  
23 something about CSIS resources, but I don't think it was  
24 quite clear what it was that -- or what resources you had  
25 obtained from CSIS and I think that would be useful for the  
26 Commissioner to hear.

27 MR. SHAWN TUPPER: You explain it better than  
28 I, so.



1                   **MS. TRICIA GEDDES:** Sure. So previously,  
2                   there was a Client Relations Officer who managed most of the  
3                   intelligence dissemination within our department, and that  
4                   was a Communications Security Establishment Officer.

5                   In recent years, one of the new improvements  
6                   that we have made is to have a CSIS liaison officer who  
7                   supports our smallish group of individuals, but who are  
8                   dedicated fully to ensuring that the intelligence that we  
9                   need to see is managed by a very small group of employees for  
10                  the senior leadership, so for Shawn and I, a couple of other  
11                  senior ADMs, and the Minister and his Office, to ensure that  
12                  we're able to see what it is that we need to see.

13                  The huge benefit that we have seen in the  
14                  CSIS liaison, and this is no discredit to the CSIS CROs who  
15                  preceded them, but CSIS obviously is very highly attuned to  
16                  the types of intelligence needs that our department, Public  
17                  Safety, and that the Minister of Public Safety needs to be  
18                  able to see. So they manage the interface with the actual  
19                  mechanics, so to go into the systems themselves and ensure  
20                  that the intelligence that we need to see is provided to us  
21                  in a very timely fashion.

22                  So part of it is that they get to know us and  
23                  our intelligence and information needs, and we are able to  
24                  curate, with their assistance, "Here are the types of issues  
25                  that we're following. Here's the information that we need  
26                  brought to us." But additionally, because they work so  
27                  closely with all the other departments in town who are  
28                  receiving that type of intelligence, they're also able to

1       ensure that if the National Security Advisor is seeing a  
2       particular piece of intelligence that she thinks is germane  
3       and is important for us to see, that that cross-block is  
4       done. So they're able to work in a team environment with the  
5       rest of the national security community and ensure that we're  
6       all seeing the same intelligence at the right time.

7                     But as I say, they're also able to adapt a  
8       bit to the policy needs, the issues that we're tracking, to  
9       ensure that we're getting the most relevant information that  
10      we need in a very timely basis.

11                    **MR. MATTHEW JOHNSON:** And just to be clear,  
12      the CSIS liaison officer, are they giving you just CSIS  
13      information? Or is it a broader set of intelligence?

14                    **MS. TRICIA GEDDES:** No, thank you for  
15      correcting that. It is a broader set of intelligence. So  
16      they continue to produce for us the CSIS Signals Intelligence  
17      that we need and information that comes out of the  
18      Intelligence Assessment Secretariat at PCO. So all sources  
19      of intelligence. Five Eyes intelligence is another place  
20      that we get it. So it's a pretty broad range.

21                    I know we've talked a lot about volume. And  
22      one of the reasons why I think this liaison officer is so  
23      important is that they're able to help us manage the enormous  
24      volume of intelligence and ensure that we are getting the  
25      most relevant information.

26                    **MR. MATTHEW JOHNSON:** Thank you. Next issue  
27      I want to turn to is about resources and what -- and the  
28      resources available to your office, Mr. Aubertin-Giguère.

1                   My -- again, my friend, Commission counsel,  
2           took you to the budget that was received in 2023. There was  
3           a discussion about you then received the funding in 2024, you  
4           talked about your staffing in 2024. I think it's important  
5           to ask you, what was the staff available to you? Because I  
6           know, Mr. Tupper, you talked about risk managing resources.  
7           What does that mean in practice? What was your resource  
8           complement in terms of what you could draw on to advance the  
9           work of the Office of the CFI Coordinator at that time?

10                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well, the  
11           CFI team was led by a director and there was also one or two  
12           managers, depending on -- and then senior analysts. So a  
13           total of about seven to eight depending on, you know, the ebb  
14           and flow, of individuals who were performing full-time tasks  
15           around countering foreign interference. And that covers  
16           anything from creating the *FITAA* consultation, the MC around  
17           C-70, the consultation process, the engagement sessions, some  
18           of the policy work, so quite an -- it was a very, very busy  
19           team. But I would say it's seven to eight people that were  
20           risk managing internally within the branch to do full-time  
21           CFI activities.

22                   **MR. MATTHEW JOHNSON:** And just maybe, Mr.  
23           Tupper, I'll have you confirm, when you mention "risk  
24           management", that means even though you didn't have an  
25           established budget, you were still able to move resources  
26           around to ensure that the work that needed to be done was  
27           able to be done. Is that fair to say?

28                   **MR. SHAWN TUPPER:** Absolutely. It's like

1 everybody does. You pinch here and pinch there and you pull  
2 together what you have until you get the funding that is --  
3 you presume is coming your way and then you're able to kind  
4 of reallocate back.

5 **MR. MATTHEW JOHNSON:** And you mentioned  
6 that's quite common in government, that that's part of the  
7 process that ---

8 **MR. SHAWN TUPPER:** Very common.

9 **MR. MATTHEW JOHNSON:** And then, Mr. Aubertin-  
10 Giguère, I'll just confirm, you had those resources and I  
11 think in the summer you've talked about that when you  
12 required further resources, you talked about being able to  
13 pull in a couple of employees who worked on engagement and,  
14 at other times, worked -- had policy analysts who were able  
15 to come in and assist you with C-70. Was that part of that  
16 risk management process that when you need more resources  
17 that they were available to you when needed?

18 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah,  
19 exactly.

20 So C-70 was a major goal for the department  
21 and we were able to surge resources. The team handled the  
22 consultation process, which was quite heavy on logistics.  
23 Another team helped to -- also with the drafting process of  
24 the MC. So we were able to pull about six to eight more  
25 resources for that specific moment in time.

26 **MR. MATTHEW JOHNSON:** Okay. And Mr. Tupper,  
27 I want to clarify something that Madam Commissioner may -- it  
28 may not have necessarily been clear, but you and Mr.

1 Aubertin-Giguère were both taken to the Terms of Reference of  
2 the National Counter Foreign Interference Coordinator, was  
3 how it's framed in the documents. And you were asked about  
4 those Terms of Reference.

5 I just want to confirm, those Terms of  
6 Reference are not final; correct? You haven't formally  
7 approved those.

8 **MR. SHAWN TUPPER:** That's correct.

9 **MR. MATTHEW JOHNSON:** But even though they  
10 are still draft and not final, as far as you're concerned the  
11 office is acting consistently with those Terms of Reference.  
12 Is that fair?

13 **MR. SHAWN TUPPER:** Again, they are created in  
14 a context, and until we have clarity about the governance  
15 structure that will be put in place across government, I'm  
16 kind of holding off finalizing our determination to kind of  
17 make sure that we are aligned properly with that overall  
18 governance. So indeed, we've started to conduct ourselves  
19 accordingly, but we may have to adjust depending on exactly  
20 how we land in terms of that governance structure.

21 **MR. MATTHEW JOHNSON:** Perfect.

22 The next area I just want to go to briefly is  
23 about consultations. And you mentioned -- and you were asked  
24 about consultations around Bill C-70.

25 And I think, Mr. Aubertin-Giguère, you  
26 mentioned that there was extensive consultations, but I don't  
27 think you specified exactly what that meant. I'm wondering  
28 if you can give a bit more information about what you mean

1       when you talk about those consultations and how extensive  
2       those were at the time.

3                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well, as I  
4       said earlier, there were two rounds of consultations. On  
5       both occasions, we had hybrid consultations, so a policy  
6       paper that was made public on our website, we'd send an AI  
7       tool to get comments from the Canadian public and provide  
8       regular sort of updates.

9                   We also held quite a high number of  
10      roundtables with stakeholders and talked about, you know, the  
11      legal community, academic community, different ethnocultural  
12      groups, advocacy groups. We talked to provincial and  
13      territorial partners, with Indigenous governments.

14                  So yeah, I don't have the specifics of the  
15      numbers. We're talking about dozens and dozens of  
16      consultation sessions.

17                  **MR. MATTHEW JOHNSON:** Perfect. And just to  
18      confirm, you mentioned that you consulted with ethnocultural  
19      groups like diaspora groups, community groups. That was a  
20      fairly important part of the consultation process. Would you  
21      agree with that?

22                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah, that's  
23      right.

24                  **MR. MATTHEW JOHNSON:** Okay. I want to move  
25      to you had mentioned -- I'm not sure in which examination,  
26      but you mentioned that -- you were taken to briefings of  
27      parliamentarians unclassified and you were asked about a  
28      briefing that you had given to a provincial legislature, MLAs

1 in a provincial legislature, and you didn't specify which  
2 one. And I think it's useful to be clear and to be  
3 transparent about that.

4 I think you're able to tell us which province  
5 that was. Are you ---

6 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yes, of  
7 course. British Columbia.

8 **MR. MATTHEW JOHNSON:** British Columbia.  
9 And part of that is British Columbia had an  
10 election coming up?

11 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah, and  
12 that's probably most likely why they responded so quickly,  
13 but I can't really say. That would be speculation on my  
14 part.

15 They were just very responsive and we could  
16 organize the briefing in very short delays.

17 **MR. MATTHEW JOHNSON:** Okay. And the offer is  
18 on the table for any other provinces and territories that  
19 want to do the same. You're ---

20 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah.

21 **MR. MATTHEW JOHNSON:** --- prepared and  
22 willing to do that.

23 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** That's  
24 correct.

25 **MR. MATTHEW JOHNSON:** And taking a step back  
26 considering both briefings to provincial legislatures,  
27 briefings to members of Parliament, how does ensuring that  
28 Canadian legislators have a baseline understanding of the

1 foreign interference threat that they face contribute to  
2 their resilience? Because -- what is the benefit of what  
3 you're doing and why are you doing it? Can you talk a little  
4 bit about that?

5 **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well,  
6 knowledge is the best tool to defend yourself against foreign  
7 interference, so in the case of parliamentarians, they are  
8 prime targets because of the very nature of their activities  
9 and the fact that they are close to individuals of, you know,  
10 high status and they have sometimes privileged information  
11 about Canadian policy and can influence Canadian policy. So  
12 they need to be made aware of where the main threat actors,  
13 what do the threat actors want from them, how to recognize  
14 certain patterns, understand the methodologies that are being  
15 used by the threat actors and then have some basic tools on  
16 how to interact and how to -- with the public, how to handle  
17 information and also how to have a sort of -- we call it a  
18 bit more best cyber hygiene, making sure that their digital  
19 sort of life is -- respects certain conditions to protect  
20 themselves.

21 So this is all, you know, basic advice that I  
22 think every Parliamentarian should have so that they're  
23 better able to defend themselves against the threat. It's  
24 not foolproof, but it's -- it goes a long way.

25 **MR. MATTHEW JOHNSON:** Perfect. Thank you.

26 Mr. Tupper, I want to ask you just a few  
27 final questions given my time remaining. One of the things  
28 that you discussed during, I think, both the interview and



1 the *in camera* hearing, and it's in your summary, is given  
2 that public safety is sort of the centre of policy expertise  
3 and has the mandate for national security, you were sort of  
4 asked about -- you know, C-70 was a major step and Public  
5 Safety obviously played a crucial role in that. But you were  
6 sort of asked about next steps and you made some comments  
7 about sort of the policy process and what's important to have  
8 happen once a major piece of legislation like this goes in.

9 Could you talk a little bit about sort of the  
10 need to almost let it breathe, if I can put it that way? Can  
11 you comment on that?

12 **MR. SHAWN TUPPER:** I think I put it that way.

13 **MR. MATTHEW JOHNSON:** You may have.

14 **MR. SHAWN TUPPER:** I think at times if you  
15 focus on the entirety of the challenge, it can freeze you in  
16 place so you don't act because you don't know what to do to  
17 address every single thing. I think as well understanding  
18 the impacts of what you put in place -- so for instance, we  
19 were talking about the police stations and the RCMP and the  
20 actions that they took which we felt were effective, but  
21 perhaps, we understand now, may have had some unintended  
22 consequences, just as an example. And so making sure that as  
23 you put tools in place that you let them operate, that you  
24 work with them and understand them and their impact, it  
25 better informs you on the next steps to take.

26 And so I just think it's really important  
27 that we don't collapse under the weight of trying to do  
28 everything at once but, rather, we put in place a strategy

1       that allows us to understand the steps to be taken, the tools  
2       that we have and how they interact with other things, and  
3       that best informs us of what the remaining gaps are and how  
4       we should fill them.

5                   **MR. MATTHEW JOHNSON:**   So you put something in  
6       place, you wait to see how it works and then you evaluate  
7       what your next steps are based on that.

8                   **MR. SHAWN TUPPER:**   Indeed.

9                   **MR. MATTHEW JOHNSON:**   Okay.   The last  
10      question I'm going to put to you, Deputy Tupper, is --  
11      because I think to take kind of a step back, and I think what  
12      we've heard today is one of the important developments in the  
13      last, I would say, 18 months, 24 months has been the creation  
14      of the position of Counter FI Coordinator and Mr. Aubertin-  
15      Giguère.

16                   So I'm wondering if you can take a bit of a  
17      step back and talk about how that fits into the broader  
18      Government of Canada effort to deter, detect, and counter FI?

19                   **MR. SHAWN TUPPER:**   Well, again, I think in  
20      some of the other lines of questioning that we confronted is  
21      that need to ensure that we are not operating in silos, that  
22      we are not operating in isolation; that that policy frames  
23      that are put in place understand, again, the context in which  
24      they're being put.

25                   And so I think that one of the critical  
26      elements and the critical benefits of having somebody who is  
27      a coordinator, somebody who can cast their eye more broadly  
28      on some of the interrelated parts is a pretty important

1 outcome of our dialogue and our discussion. The ability for  
2 us to have a team of people whose job it is to engage across  
3 government to ensure that we have a whole-of-government  
4 response in looking at these issues, and who can tie  
5 together, not just what government is doing but what other  
6 orders of government are doing, what a civil society is  
7 doing, those are fairly important elements, I think, of this  
8 work.

9 And so it is, I think, a major achievement  
10 that we now can say we are building that centre of expertise,  
11 that capacity to ensure that we see the links, the crosswalks  
12 across all of the activity in government, and that we have  
13 some degree of assurance that it is coordinated, and it works  
14 together in a cohesive way.

15 **MR. MATTHEW JOHNSON:** Perfect. Thank you,  
16 Deputy.

17 Thank you, Madam Commissioner. Those are my  
18 questions.

19 **COMMISSIONER HOGUE:** Thank you.

20 Ms. Dann, Ms. Lazare, do you have any  
21 questions in the re-examination?

22 **MS. ERIN DANN:** No, thank you.

23 **COMMISSIONER HOGUE:** So thank you. The day  
24 is over. So thank you for your time and sharing with us all  
25 your experience and views on foreign interference.

26 **MR. SHAWN TUPPER:** It was a pleasure.

27 **COMMISSIONER HOGUE:** We will resume tomorrow  
28 morning at -- it's 9:30. It will be a long day, but we start

1 at 9:30.

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

3 This sitting of the Foreign Interference  
4 Commission is adjourned until tomorrow, the 9<sup>th</sup> of October  
5 2024 at 9:30 a.m.

6 --- Upon adjourning at 4:50 p.m.

7  
8 **C E R T I F I C A T I O N**

9  
10 I, Sandrine Marineau-Lupien, a certified court reporter,  
11 hereby certify the foregoing pages to be an accurate  
12 transcription of my notes/records to the best of my skill and  
13 ability, and I so swear.

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15 Je, Sandrine Marineau-Lupien, une sténographe officielle,  
16 certifie que les pages ci-hautes sont une transcription  
17 conforme de mes notes/enregistrements au meilleur de mes  
18 capacités, et je le jure.

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