



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**

**VOLUME 30**

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Russian Canadian Democratic Alliance	Mark Power Guillaume Sirois
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Churchill Society

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Yuen Pau Woo

Sikh Coalition

Balpreet Singh

Prabjot Singh

Bloc Québécois

Mathieu Desquilbet

Iranian Canadian Congress

Dimitri Lascaris

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Ottawa, Ontario

--- L'audience débute le mardi 8 octobre 2024 à 9 h 31

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

**THE REGISTRAR:** Order, please. À l'ordre, s'il vous plaît.

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

Cette séance de la Commission sur l'ingérence étrangère est en cours. La Commissaire Hogue préside.

The time is 9:31 a.m. Il est 9 h 31.

**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/Assermenté:**

**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/Assermenté:**



1 THE REGISTRAR: Counsel, you may proceed.

2 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR

3 MS. LYNDIA MORGAN:

4 MS. LYNDIA MORGAN: Thank you.

5 So I'll start with some preliminary  
6 housekeeping, which is just to introduce summaries of  
7 previous evidence that you've provided to the Commission.

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

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

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

13 MR. ROB STEWART: I have, and I have no  
14 changes to make.

15 MR. DOMINIC ROCHON: I have as well. No  
16 changes.

17 MS. LYNDIA MORGAN: And do you adopt the  
18 contents of the summary as part of your evidence before the  
19 Commission today?

20 MR. ROB STEWART: I do.

21 MR. DOMINIC ROCHON: I do as well.

22 MS. LYNDIA MORGAN: Thank you.

23 If we can pull up WIT154, please.

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

28 MR. ROB STEWART: I have, and I have no

1 changes.

2 **MS. LYNDIA MORGAN:** And do you adopt the  
3 contents of that summary as part of your evidence today?

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

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

6 **--- EXHIBIT No./PIÈCE No. WIT0000153:**

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

13 **--- EXHIBIT No./PIÈCE No. WIT0000154:**

14 Addendum to In Camera Examination  
15 Summary: Mr. Rob Stewart

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

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

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

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

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

1       that timeframe.

2                       So I'd like to start by touching just  
3       generally on intelligence and intelligence flow within Public  
4       Safety. I understand that intelligence was shared with  
5       Public Safety from a contextual or policy perspective and not  
6       from an action or operational perspective. Is that accurate?

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

8                       **MS. LYNDIA MORGAN:** And so effectively, that  
9       means that intelligence was received to inform policy or for  
10      situational awareness and not to allow or require Public  
11      Safety to respond directly to whatever that intelligence or  
12      information was. Is that accurate?

13                      **MR. ROB STEWART:** On the whole. There were a  
14      couple of areas where Public Safety has operational  
15      responsibilities and the intelligence would have fed into  
16      them.

17                      **MR. DOMINIC ROCHON:** That's right.

18                      Passenger protect. So we had certain  
19      operational responsibilities for some very finite areas where  
20      intelligence would be fed in and we would have an action on,  
21      but in a general sense it's as you depicted.

22                      **MS. LYNDIA MORGAN:** And Mr. Stewart, during  
23      Stage 1 of the Commission, you described the incoming flow of  
24      intelligence as a river. Is that an accurate description of  
25      the incoming intelligence?

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

28                      **MS. LYNDIA MORGAN:** Okay. And is that in

1 relation both to volume and frequency?

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

5 **MS. LYNDA MORGAN:** And how was the incoming  
6 intelligence shared with you? Can you give just a sense of  
7 like physically how the information was disseminated within  
8 Public Safety at the time you were there?

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

19 **MS. LYNDA MORGAN:** And that was the Client  
20 Relations Officer?

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

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

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

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

25 And you've indicated that intelligence was  
26 shared with you a couple of times a week. Was there a set  
27 delivery?

28 **MR. ROB STEWART:** No. It wasn't a fixed

1 schedule.

2 **MS. LYNDIA MORGAN:** Okay. And you've  
3 indicated that the hard copy package was prepared, I believe  
4 you indicated, through Mr. Rochon's office. Who, to your  
5 knowledge, was responsible for determining what went into the  
6 material that was shared with you?

7 Perhaps, Mr. Rochon, you're better situated  
8 to answer ---

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

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

11 **MR. ROB STEWART:** --- better situated than I  
12 am, yes.

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

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

28 And as I understand, there was no formal

1 system in place at the time to track dissemination of  
2 specific intelligence products or to confirm who had read  
3 particular intelligence products within Public Safety. Is  
4 that accurate?

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

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

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

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

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

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

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

24 **MR. DOMINIC ROCHON:** I did. I had an  
25 account.

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

28 **MR. DOMINIC ROCHON:** He would not have had

1 access to CTSN.

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

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

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

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

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

28 **MR. ROB STEWART:** By and large, yes. There

1 was, I would say, some filtering, only because of the volume  
2 problem, that we couldn't give the Minister everything that  
3 we were being given because it would have been too  
4 burdensome. There was a lot of other things that went to the  
5 Minister for him to deal with, so we tried to exercise a  
6 little bit of judgment in that respect. But when I say  
7 filtering what I mean is we would be dropping off the things  
8 that were not relevant for current policy or operational  
9 interests.

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

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

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

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



1                   And just again back to the kind of general  
2 practice in terms of intelligence dissemination. Was there  
3 anyone at Public Safety who was tasked with flagging  
4 particular intelligence of importance to the Minister and/or  
5 his Chief of Staff?

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

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

19                  **MR. ROB STEWART:** There was a liaison officer  
20 whose general tasks were to ensure that the Minister's office  
21 was supported by the department. So when they had  
22 information needs, we would -- he, at the time, would  
23 coordinate that with the rest of the department. The liaison  
24 officer reported to my Chief of Staff as a direct supervisor,  
25 and was generally responsible for ensuring that, you know,  
26 the Minister's office was aware of action items and following  
27 up to make sure they had what they needed to execute. So  
28 that would cover all the territory that Public Safety was

1 operating in, and not just intelligence, or warrants, for  
2 that matter.

3 **MS. LYNDA MORGAN:** And when we've spoken --  
4 you discussed briefly the provision of intelligence to the  
5 Minister during COVID, and you'd indicated there was a secure  
6 delivery system. I anticipate that Minister Blair's Chief of  
7 Staff will testify that after the pandemic started, the  
8 Minister's office was no longer provided with binders of  
9 intelligence, and she will testify that you told it was not  
10 possible to continue producing the binder.

11 Is that consistent with your recollection in  
12 relation to intelligence dissemination?

13 **MR. ROB STEWART:** That's not consistent with  
14 my recollection.

15 **MS. LYNDA MORGAN:** And so was your  
16 understanding that binders were still being produced and  
17 provided to the Minister?

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

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

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

27 Is that consistent with your recollection of  
28 the intelligence dissemination and flow to the Minister's

1 office during the pandemic?

2 **MR. ROB STEWART:** I would find it hard to  
3 answer that question because we did not track what happened  
4 after the information was provided to the Minister's office.  
5 So in other words, we were not aware of how it would be  
6 delivered to him other than physically; we were aware of when  
7 drivers went to his house, et cetera. But as to the content  
8 of the packages and to the way it was flagged for his  
9 attention, that was not something we were aware of.

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

14 **MR. ROB STEWART:** No.

15 **MS. LYNDIA MORGAN:** --- "...piece of  
16 intelligence?"

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

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

1           So there was no additional provision made to  
2       send intelligence products electronically anywhere. I just  
3       wanted to make that clear.

4           **MS. LYNDIA MORGAN:** Okay.

5           **COMMISSIONER HOGUE:** And the hard copy was  
6       not sent to his home?

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

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

16          **MR. DOMINIC ROCHON:** Absolutely.

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

24          **MR. DOMINIC ROCHON:** We're making a  
25      distinction, as I mentioned earlier, between the general flow  
26      of intelligence, which is what we're describing, and then a  
27      specific flow. So if there's a specific document that has  
28      been identified, there were ways for CSIS to actually have

1 one of their officers bring that physically to the Minister  
2 for him read on premises and then take it back, or to deliver  
3 that, as Deputy Minister Stewart just mentioned, to the  
4 regional office and he could read it there.

5 **MS. LYNDIA MORGAN:** So I'll move on to one of  
6 those specific documents, which is an IMU, which is a CSIS  
7 Issues Management Brief. I take it you're both familiar with  
8 an IMU.

9 So Court Reporter, can you please pull up  
10 CAN18796, please?

11 **--- EXHIBIT No./PIÈCE No. CAN018796:**

12 Defensive briefings to two Members of  
13 Parliament regarding PRC foreign  
14 interference activity

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

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

22 Stopping there.

23 So we see a series of email addresses at the  
24 top and then:

25 "Good afternoon. CSIS would like to  
26 share the following information.  
27 Please note that the distribution is  
28 confined exclusively to..."

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

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

5                   **MR. DOMINIC ROCHON:** M'hm. It would be an  
6                   example.

7                   **MS. LYNDIA MORGAN:** If we scroll down to page  
8                   2, there's some redactions to the document, but it indicates  
9                   that:

10                               "CSIS will be conducting defensive  
11                               briefings to Members of Parliament  
12                               Michael Chong and Kenny Chiu to  
13                               sensitize both on foreign  
14                               interference threats posed by the  
15                               People's Republic of China."

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

18                               "The PRC's interest in Chong includes  
19                               interest in Chong's relatives, who  
20                               may be in the PRC."

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

24                   **MR. ROB STEWART:** I have no particular memory  
25                   of reading it, no. I do believe that it would have been in  
26                   the binders that I was given, and I have testified to that  
27                   effect.

28                   **MS. LYNDIA MORGAN:** Right. But you have no

1 memory of seeing this document.

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

5 **MS. LYNDIA MORGAN:** And Mr. Vigneault, in his  
6 evidence, testified that this note was circulated to create  
7 awareness of the intelligence around Mr. Chong to better  
8 equip officials and staff within the Minister's office in the  
9 event the issue were to eventually become public.

10 Do you agree with the Director's  
11 interpretation of the purpose of an IMU?

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

16 **MS. LYNDIA MORGAN:** And the distribution list  
17 -- in addition to referencing you, the distribution list also  
18 included the Minister and the Minister's Chief of Staff.

19 Who did you -- and you may have already  
20 answered this question previously, but who did you understand  
21 was responsible for ensuring that the IMU was shared both  
22 with the Minister and with the Chief of Staff?

23 **MR. DOMINIC ROCHON:** So that -- this type of  
24 example would have gone into the binder that would have then  
25 gone up to the Minister's office. So we would have printed  
26 it off, put it in with a series of other things because this  
27 wouldn't have been a one-off. There probably would have been  
28 a series of other documents that would be coming in from an

1 intelligence perspective and that would have flowed through  
2 as opposed to there were instances where CSIS would  
3 specifically have a sense of urgency of wanting to get a  
4 piece of intelligence to the Minister and they would arrange  
5 to have that delivered at this particular moment in time  
6 given the pandemic and given the Minister's presence, or  
7 absence, from the office in Ottawa. They would have arranged  
8 to deliver it -- hand deliver it.

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

12 MS. LYNDA MORGAN: And when you reference  
13 that "we would have prepared it" ---

14 MR. DOMINIC ROCHON: NSOD.

15 MS. LYNDA MORGAN: NSOD?

16 MR. DOMINIC ROCHON: Yeah.

17 MS. LYNDA MORGAN: And are you aware -- were  
18 you aware at the time that neither the Minister or his Chief  
19 of Staff received the IMU?

20 MR. DOMINIC ROCHON: My expectation would  
21 have been that it would have made its way to the Minister's  
22 office and the Chief of Staff, when she would have been in  
23 the office, would have retrieved it from the safe and then  
24 passed it on to the Minister as appropriate.

25 MS. LYNDA MORGAN: And that was your  
26 expectation. Were you aware that it did ---

27 MR. DOMINIC ROCHON: I was not, no.

28 MS. LYNDA MORGAN: --- that they did not



1 receive it?

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

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

13 **MR. DOMINIC ROCHON:** Correct.

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

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

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

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

23 **MS. LYNDIA MORGAN:** --- those materials were  
24 sent to you.

25 **MR. ROB STEWART:** No.

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

1                   **MR. ROB STEWART:** No. I would say that I was  
2 generally aware through our conversations, and there were  
3 many with CSIS on the issue of foreign interference, that  
4 they were concerned about parliamentarians. So it would be  
5 true to say that I was not tracking a threat posed to Mr.  
6 Chong personally, but I was certainly aware that CSIS was  
7 concerned about what was happening in a more general sense.

8                   **MS. LYNDIA MORGAN:** Okay. But you were not  
9 aware specifically of threats against MP Chong.

10                  **MR. ROB STEWART:** No.

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

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

16                  **--- EXHIBIT No./PIÈCE No. CAN.SUM.000029:**

17                               CSIS Warrant Application Process

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

21                   So the second-to-last -- stopping there is  
22 good.

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

25                               "The *CSIS Act* requires that any  
26 warrant application be approved by  
27 the Minister of Public Safety Canada.  
28 Public Safety... officials will

1 review the warrant application to  
2 draft a summary with advice to the  
3 Minister as to whether the Minister  
4 should approve the application and  
5 provides all information received  
6 from CSIS to the Minister for  
7 consideration. The Minister's office  
8 may ask questions or request further  
9 information from CSIS or Public  
10 Safety officials."

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

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

14 **MR. DOMINIC ROCHON:** Yeah.

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

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

1                   **MS. LYNDIA MORGAN:** And the *CSIS Act* also  
2 requires that CSIS consult with the Deputy Minister, being  
3 you, at Public Safety before applying for a warrant or a  
4 renewal, so there's kind of two statutory requirements within  
5 Public Safety when we're looking at warrants. One is  
6 consultation with the Deputy Minister and the second is  
7 approval by the Minister. Is that correct?

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

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

12                   So I'd like to understand, again, relatively  
13 high level, but the preparation of the warrant application  
14 process and then I'd like to understand from you kind of how  
15 the application is moved through the office and to the  
16 Minister's office for approval.

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

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

26                   Throughout that process, which can take  
27 several months, frankly, the analysts in the National  
28 Security Policy Directorate will be aware, will be tracking

1       for -- in this case, it was a he -- for his awareness as he  
2       then puts together the package that ultimately would be  
3       prepared for both me, the Deputy Minister, and ultimately the  
4       Minister for sign off.

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

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

25             And under normal course of action, I think we  
26      would give the Minister roughly two weeks would be the  
27      expectation.

28             Now, every warrant is different, and as a

1 result, there sometimes could be different types of  
2 urgencies, depending on whether court dates have been set for  
3 the actual warrant. So the timing is -- I would describe it  
4 as flexible and fluid thereafter.

5 **MS. LYNDIA MORGAN:** So if -- sorry, you wanted  
6 to add something?

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

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

1 managed by Public Safety in any way. We would be observers.  
2 And we would be leaving it, by and large, to the Minister's  
3 Office and to CSIS to coordinate on ultimately putting it  
4 before the Minister.

5 **MS. LYNDIA MORGAN:** And in terms of the office  
6 -- the individual you identify as responsible for tracking,  
7 that was the liaison officer?

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

11 **MS. LYNDIA MORGAN:** And if I understand your  
12 evidence correctly, this is all a hardcopy process binder  
13 with information passed to the Deputy Minister and a hard  
14 copy then passed through the liaison officer to the  
15 Minister's Office?

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

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

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

1 we would manage the process in Ottawa.

2 **MS. LYNDIA MORGAN:** And do you know who was  
3 responsible for facilitating the preparation of the second  
4 hard copy?

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

6 **MS. LYNDIA MORGAN:** And at whose request? Do  
7 you know?

8 **MR. ROB STEWART:** Between the Minister's  
9 Office and CSIS.

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

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

14 **MS. LYNDIA MORGAN:** And you'd indicated as  
15 well that the liaison officer was tracking applications. Did  
16 you have access to, or any visibility into, the tracking  
17 system?

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

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

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



1                   **MR. DOMINIC ROCHON:** Well I would just  
2                   qualify that to say that at the officials' level, CSIS would  
3                   likely inquire with the lead on the file, the senior analyst  
4                   in the file to say, "Have you heard anything? Has anything  
5                   been scheduled?" So that could trickle up to me. I would  
6                   then check in with the Deputy Minister, and the Deputy  
7                   Minister would then check in with the liaison officer,  
8                   typically on Fridays, to say, "Here are all the outstanding  
9                   things that the Minister needs to sign. Do we have a sense  
10                  of when that's going to be?" But that's the extent of the  
11                  ability for CSIS to inquire.

12                  **MS. LYNDA MORGAN:** And that was information  
13                  percolating upwards, as opposed to ---

14                  **MR. DOMINIC ROCHON:** Yes.

15                  **MS. LYNDA MORGAN:** --- more kind of proactive  
16                  nudging from the Public Safety Office or Department?

17                  **MR. DOMINIC ROCHON:** Yes.

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

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

27                         So there is a letter to you from the Director  
28                  of CSIS, and that letter noted that the application record

1 and record of consultation were enclosed and requested a six  
2 day turn-around.

3 Do you have a memory of receiving that letter  
4 and application?

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

6 **MS. LYNDIA MORGAN:** And as I understand it,  
7 you signed off on the consultation letter confirming that you  
8 were consulted four days after the date of the letter from  
9 the CSIS Director to you?

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

13 **MS. LYNDIA MORGAN:** And what is the import of  
14 your signature? Once you've signed, what does that mean,  
15 practically?

16 **MR. ROB STEWART:** On the attestation that I  
17 have reviewed the warrant?

18 **MS. LYNDIA MORGAN:** And so what happens next  
19 after you sign?

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

24 **MS. LYNDIA MORGAN:** And in your memo to  
25 Minister Blair, you'd indicated that CSIS was seeking his  
26 signature the same day. And we heard from Director Vigneault  
27 that he was not aware that you had requested a same day  
28 signature. Are you able to explain why you made that

1 request?

2 **MR. ROB STEWART:** Yes, I will endeavour to  
3 explain. And I'll first -- I'll say first of all we were in  
4 COVID, and so there would have been a very small number of  
5 people in the office at any given point in time. And to ask  
6 or seek revisions to anything was burdensome and time  
7 consuming. And so I was, as a general matter, very flexible  
8 about what the dating was on anything, because at the end of  
9 the day, and I do say here "aspirational" in my witness  
10 summary, I viewed it as being subject to the discretion of  
11 the Minister's Office. And indeed my experience was, with  
12 the Minister's Office, that there was often a lot of  
13 discretion exercised in terms of when a Minister got to  
14 things as he was not only not in the office, but busy as  
15 well. So, you know, I didn't try to, you know, revise dates,  
16 be they the CSIS expected due date, which was just in the  
17 note reflecting what the Director's letter said, right, as  
18 factual, or the date that I sent a memo and, you know, the  
19 date that the Minister was requested to sign, merely because  
20 it was not essential that these be accurate.

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

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

1                   **MS. LYNDA MORGAN:** Okay. And so you'd  
2 indicated you signed off on the letter. You described  
3 previously the general process within Public Safety in terms  
4 of how the warrant applications moved from the Public Safety  
5 to the Minister's Office. Was a similar process followed  
6 here?

7                   **MR. ROB STEWART:** Yeah.

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

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

11                  **MS. LYNDA MORGAN:** And was that through the  
12 liaison officer?

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

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

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

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

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

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

1 paragraph.

2 "The package was given to his Chief  
3 of Staff, so the assumption was the  
4 Chief of Staff would flag to the  
5 Minister that there was something for  
6 him to sign."

7 And you also stated as the next sentence,  
8 that,

9 "The liaison officer would have been  
10 dealing with day to day tracking and  
11 reminding the Minister's office of  
12 the need for a signature."

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

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

27 **MS. LYNDA MORGAN:** And did you in your  
28 regular discussions with the Chief of Staff, did you flag

1 this as a priority at all?

2 **MR. ROB STEWART:** I would have had it on the  
3 upper part of a list of action items that we were seeking  
4 from the Minister. It would have -- all warrant 12, section  
5 16 warrants were mentionable as important outstanding for  
6 action items.

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

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

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

12 **MR. ROB STEWART:** --- a specific memory of  
13 flagging this warrant. I would have just flagged every  
14 warrant.

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

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

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

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

25 **MS. LYNDA MORGAN:** And minister -- we  
26 anticipate Minister Blair will testify that he had a number  
27 of discussions with you, Deputy Minister Stewart, during  
28 those 54 days, and that you did not raise the warrant

1 application package with him at any time. Is that consistent  
2 with your memory?

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

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

9 **MR. ROB STEWART:** Yes, I would say the  
10 majority of them.

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

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

20 **MS. LYNDIA MORGAN:** Okay. So no discussions  
21 about it?

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

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

1 briefing?

2 MR. ROB STEWART: That's correct.

3 MS. LYNDIA MORGAN: Did you expect that the  
4 Chief of Staff would tell you about that type of briefing?

5 MR. ROB STEWART: No, I did not.

6 MS. LYNDIA MORGAN: And I understand you  
7 attended a briefing approximately seven weeks after you  
8 signed the consultation letter, at which the Minister was  
9 also in attendance; is that correct?

10 MR. DOMINIC ROCHON: That would have been ---

11 MR. ROB STEWART: A briefing other than the  
12 one where he signed it? No.

13 MS. LYNDIA MORGAN: Sorry, just the one where  
14 he signed it.

15 MR. ROB STEWART: That's correct.

16 MS. LYNDIA MORGAN: And was there any  
17 discussion of the 54-day time delay during that particular  
18 briefing?

19 MR. ROB STEWART: Not that I recall.

20 MS. LYNDIA MORGAN: We anticipate that  
21 Minister Blair's evidence will be that the first time he  
22 became aware of the application was the day that he signed  
23 it. Were you aware of that at the time?

24 MR. ROB STEWART: No.

25 MS. LYNDIA MORGAN: And when we look at the  
26 54-day timeframe as compared to the average of between 4 to  
27 10 days, did you seek out or receive any explanation for that  
28 time lag at the time?



1                   **MR. ROB STEWART:** No. I believe I previously  
2 testified or been interviewed to the effect that, first and  
3 foremost, we left the management of the process to Minister's  
4 Office and CSIS as being the direct relationship between CSIS  
5 and the Minister. So as an institutionally did not take on  
6 the responsibility of managing these kinds of processes with  
7 the Minister. I would also say that, you know, it was always  
8 the case that things took time. And time, you know, and  
9 particularly in a period of COVID was -- you know, the time  
10 to get things done varied. And I would have -- I had, and I  
11 have today, a view that, you know, there was nothing  
12 particularly exceptional about this delay that I would have,  
13 at the time, thought, you know, there's something unusual  
14 here. I would have treated it as, by and large, you know, a  
15 function of the circumstances which were challenging.

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

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

19                   **MS. LYNDIA MORGAN:** Okay. And that's even  
20 during COVID?

21                   **MR. ROB STEWART:** Yes, but acknowledging that  
22 COVID really, I mean -- it's a bit fuzzy, I have to admit,  
23 the memory of COVID, but the reality here is that, you know,  
24 we were out of the office in March of 2020 until sometime in  
25 2021, and then we came back. And Parliament and Cabinet came  
26 back. So, you know, to characterize that entire time as  
27 being, you know, where the Minister was not in the city is  
28 incorrect. I think there's a fairly large chunk of it is

1       when he was on the premises.

2                   **MS. LYNDA MORGAN:** Right. Just going back  
3       though to this delay or time lag was quite a bit longer than  
4       the average, even during COVID?

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

6                   **MS. LYNDA MORGAN:** And are you aware that the  
7       affiant also indicated that he would describe the delay as  
8       unusual?

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

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

14                   **MR. ROB STEWART:** Yes.

15                   **MR. DOMINIC ROCHON:** Yeah.

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

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

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

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

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

6                   And can I ask that that witness statement be  
7 pulled down?

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

13                   And as a starting point, I'll ask either of  
14 you, I understand that HASA captures more than just foreign  
15 interference.

16                   **MR. DOMINIC ROCHON:** Yes.

17                   **MR. ROB STEWART:** Yes.

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

20                   **MR. DOMINIC ROCHON:** All threats emanating  
21 from hostile states which embrace not just foreign  
22 interference, but threats to citizens through cyber and the  
23 risks to critical infrastructure, stealing of intellectual  
24 property, cyber security, the full gamut of threats.

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

27                   **--- EXHIBIT No./PIÈCE No. CAN011948 0001:**

28                   HASA File Timeline

1                   **MS. LYNDA MORGAN:** This is a document called  
2 HASA File Timeline. It predates both of your tenures at  
3 Public Safety, starting in May 2018.

4                   If you can scroll down, please.

5                   And so we can see just by reviewing this  
6 document quickly, by scrolling through it, that the  
7 development of a HASA strategy was already in progress by the  
8 time both of you joined Public Safety. Is that accurate?

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

10                  **MS. LYNDA MORGAN:** And Deputy Minister  
11 Stewart, at paragraph 32 of your examination summary -- and I  
12 can pull it up if you need it, but I'll just read this to you  
13 first. You said:

14                               "There's been a lot of confusion  
15                               about what they mean by strategy, but  
16                               that the strategy was always a work  
17                               in progress."

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

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

23                  Strategy has a number of meanings here, and  
24 maybe I'll just use the idea of small "s" and capital "S"  
25 Strategy. So the work that had been under way prior to our  
26 arrival and that continued under us and culminated in a  
27 memorandum to Cabinet was to the development of a capital "S"  
28 Strategy, which had a multi-faceted nature, including changes

1 to law and responsibilities, coordination, information flow,  
2 et cetera.

3 So in the course of that process, we were  
4 operating with kind of small "s" strategy in mind, a strategy  
5 to get to a strategy, as it were. And so it became kind of  
6 convention to call it strategy when, in fact, we had yet to  
7 arrive at a final version of one.

8 **MS. LYNDA MORGAN:** Okay. And if we look at  
9 the lower-case strategy and the capital "S" Strategy, how is  
10 that distinct from and can you explain the distinction  
11 between those and the HASA MC?

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

18 **MS. LYNDA MORGAN:** Okay. And if we can pull  
19 up CAN3249, please.

20 **--- EXHIBIT No./PIÈCE No. CAN003249:**

21 Canada's Strategy for Countering  
22 Hostile Activities by State Actors

23 **MS. LYNDA MORGAN:** So this is a draft  
24 document. It's described as Canada's Strategy for Countering  
25 Hostile Activities by State Actors.

26 If we can scroll down to the bottom of that  
27 page.

28 So it's dated September 2nd, 2020 and

1 described as version 9. Were either or both of you involved  
2 in preparing this document?

3 **MR. DOMINIC ROCHON:** I would say yes, it  
4 would have been my office. So that would have been -- maybe  
5 I should just qualify.

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

18 Global Affairs can expel a diplomat. CSIS  
19 can get engaged in threat reduction measures. CSE can engage  
20 in offensive cyber capabilities. RCMP can arrest somebody.  
21 And the list goes on in terms of the toolbox of responses.

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

1 identifying impacts.

2           Around about this time -- and I would gather  
3 the previous versions would have all been led by the National  
4 Security Operations Directorate and then was handed off to  
5 the National Security Policy Directorate.

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

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

21           **MS. LYNDA MORGAN:** Okay. And so, as we said,  
22 this is September of 2020. I'd like to ask you about March  
23 2022 email, which is referenced in WIT153 at paragraph 38,  
24 please.

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

1 "We've been talking about HASA  
2 governance for nearly three years  
3 now, and I'm afraid we are no closer  
4 to resolving the issue in terms of  
5 reaching a consensus. Some expressed  
6 a desire for a coordinator to be  
7 housed at PCO."

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

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

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

25 And as a result, we had had many, many  
26 conversations. I think the idea of a coordinator surfaced  
27 very early on in -- and I think I was expressing, "Here we  
28 are three years later." I didn't understand why we couldn't



1 land on a consensus, and we needed to land on a consensus in  
2 order to bring the totality of the strategy and the advice  
3 that we had forward.

4 And so specifically here, I think this email  
5 was reaching out to some of my ADM colleagues to say, "We  
6 need to get together in a smaller subset and actually land on  
7 what is our recommendation."

8 MS. LYNDIA MORGAN: Okay. And was the HASA  
9 Strategy, say capital S, finalized during your tenures at  
10 Public Safety?

11 MR. DOMINIC ROCHON: No.

12 MS. LYNDIA MORGAN: I'd like to ask you about  
13 one more HASA related issue.

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

15 **--- EXHIBIT No./PIÈCE No. COM.SUM0000004.EN:**

16 Summary of a Memorandum to Cabinet -  
17 Modernizing Canada's Approach to  
18 Addressing Threats from Hostile  
19 Activities by State Actors

20 **--- EXHIBIT No./PIÈCE No. COM.SUM0000004.FR:**

21 Résumé d'un mémoire au Cabinet -  
22 Moderniser l'approche du Canada  
23 adoptée par le Canada pour faire face  
24 aux menaces posées par les activités  
25 hostiles parrainées par des états

26 MS. LYNDIA MORGAN: This is a summary of the  
27 HASA memo to Cabinet.

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

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

4                               "The proposal sought to implement  
5                               various elements, including:"

6                   Number 2 states:

7                               "the Department of Public Safety  
8                               implement a whole-of-government  
9                               strategic communications approach  
10                              which would include undertaking  
11                              engagement with domestic  
12                              stakeholders, including members of  
13                              diaspora communities, who are  
14                              vulnerable to the malign impacts of  
15                              HASA..."

16                   Did you participate in the development of any  
17                   strategic communications approach in relation to the HASA  
18                   Strategy during your tenure at Public Safety?

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

25                               At the time that I left, that had not  
26                   happened, but we were -- we had prepared the materials and a  
27                   plan for doing so.

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

1                   **MR. DOMINIC ROCHON:** Maybe I'll just qualify  
2 as well that there were always conversations around  
3 transparency. In fact, I co-chaired a National Security  
4 Transparency Advisory Group with a number of academics and  
5 leading representatives of diaspora communities and we were  
6 always talking in those -- in that fora -- or that forum,  
7 rather, around the need for better transparency in  
8 conversations. And so, although as Rob pointed out, we  
9 didn't have a finished product, we were always exploring how  
10 we could be more transparent and the need for better  
11 communications on national security matters.

12                   **MS. LYNDA MORGAN:** Thank you. Those are my  
13 questions.

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

16                   **THE REGISTRAR:** Order, please. À l'ordre,  
17 s'il vous plaît.

18                   This sitting of the Commission is now in  
19 recess until 10:55 a.m. Cette séance de la commission est  
20 maintenant suspendue jusqu'à 10h55.

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

22 --- La séance est suspendue à 10 h 33

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

24 --- L'audience reprend à 10 h 58

25                   **THE REGISTRAR:** Order, please. À l'ordre,  
26 s'il vous plaît.

27                   The sitting of the Foreign Interference  
28 Commission is now back in session. Cette séance de la

1 Commission sur l'ingérence étrangère est de retour en  
2 session.

3 The time is 10:58 a.m. Il est 10 h 58.

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

6 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

7 **MR. GIB van ERT:**

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

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

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

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

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

23 And in fact, the binders continued to be in a  
24 safe in the Minister's office throughout the pandemic, is  
25 that right?

26 **MR. ROB STEWART:** To the best of my knowledge  
27 that is right.

28 **MR. GIB van ERT:** Mr. Rochon, do you agree

1 with that?

2 **MR. DOMINIC ROCHON:** That would be my  
3 understanding as well, yes.

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

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

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

20 **MR. ROB STEWART:** Generally speaking that's  
21 correct. And with an addendum to the point about delivery to  
22 his home, where there was named intelligence that the  
23 Minister was, you know, asked to review specifically, CSIS  
24 would have been printing that and would have been delivering  
25 that, I think, almost certainly.

26 **MR. GIB van ERT:** All right. And do I take  
27 it, then, that you as the department, given that we were in  
28 COVID and people were sheltering in place and so on, you were

1 counting on that continuing to be the case so that the  
2 Minister of Public Safety could continue to be informed about  
3 matters of national security importance?

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

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

6 Both -- we have new witness summaries from  
7 the Minister, Mr. Blair, as well, and the gist of it, it  
8 seems to me, is that the Minister is pointing at the  
9 department for having failed to provide him with, or inform  
10 him of, the intelligence products addressed to him that CSIS  
11 was sending you for his attention. He seems to be saying  
12 that the department let him down. Do I take it that you do  
13 not feel the department failed in its duty to get relevant  
14 intelligence to his office?

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

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

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

26 Coming on to this question of a warrant, did  
27 you -- and when I say "You" I mean your department, but I  
28 assume it would be probably you personally or somebody very

1 senior in your office, Deputy Minister. Did you inform the  
2 Privy Council Office of the warrant before the Minister  
3 approved it?

4 MR. ROB STEWART: No.

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

7 MR. ROB STEWART: No.

8 MR. GIB van ERT: No.

9 MR. ROB STEWART: It would have been  
10 inappropriate.

11 MR. GIB van ERT: It would have been  
12 inappropriate you say. All right. To your knowledge did the  
13 Service inform PCO of the warrant?

14 MR. ROB STEWART: No, not to my knowledge.

15 MR. GIB van ERT: Thank you. Are you aware  
16 of anyone having done so?

17 MR. ROB STEWART: Not to my knowledge.

18 MR. GIB van ERT: Thank you.

19 Mr. Rochon, I take it you agree?

20 MR. DOMINIC ROCHON: I do.

21 MR. GIB van ERT: Thank you.

22 Do either of you know whether the Chief of  
23 Staff informed the Prime Minister's Office of the warrant  
24 before the Minister approved it?

25 MR. ROB STEWART: No awareness of that.

26 MR. DOMINIC ROCHON: Neither do I.

27 MR. GIB van ERT: Thank you.

28 Do either of you know whether the Chief of

1 Staff told the Minister about the warrant, had any  
2 discussions with the Minister about the warrant, before the  
3 11<sup>th</sup> of May that day when he reviewed it, took three hours to  
4 review it and then authorized it?

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

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

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

8 This morning we talked about -- or Ms. Morgan  
9 referred to the 54-day delay. In your witness statement, Mr.  
10 Stewart -- and you're not the only one -- there's a reference  
11 to six weeks for the Minister to sign off. So I can pull it  
12 up if you need, but it says at paragraph 13 of your Witness  
13 154, that "Six weeks for the Minister to sign off on the  
14 warrant was longer than average."

15 My question is -- my first question is, 54  
16 days is closer to eight weeks. This phrase about six weeks,  
17 as I say it's not just you who said it, other people have  
18 too. I don't understand it. Surely it's six weeks would be  
19 42 days and we're talking about 54 days. Can you explain why  
20 you phrased it in terms of six weeks? Because I think you do  
21 accept that it was, in fact, 54 days.

22 **MR. ROB STEWART:** I think the best  
23 explanation I can give you of that is that I was thinking in  
24 terms of the time lapse between the meeting that the  
25 Minister's office held with CSIS, ---

26 **MR. GIB van ERT:** Right.

27 **MR. ROB STEWART:** --- and the time the  
28 Minister signed off.



1                   **MR. GIB van ERT:** Right, right, which  
2 happened roughly two weeks after the application actually  
3 came into the department.

4                   **MR. ROB STEWART:** Right. And just to be  
5 clear on this point, as we've discussed this morning, the  
6 Minister's office, and the Minister of course, are at liberty  
7 to ask questions of CSIS, so we would see that as part of the  
8 normal course. And there are occasions, I don't -- couldn't  
9 give you specific ones, and indeed probably wouldn't be  
10 allowed, but where CSIS has, in the course of process of  
11 approving a warrant, made adjustments to the warrant and the  
12 affidavit that it contains. So, you know, there are  
13 circumstances which arise which string out the approval  
14 process.

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

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

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

27                   **MR. ROB STEWART:** I think what I've testified  
28 is, once we've delivered the warrant to the Minister's

1 office, aside from the involvement of Mr. Rochon's officer in  
2 the process of, you know, discussion that goes on, it is  
3 dark; it goes dark for us.

4 **MR. GIB van ERT:** Yes. Yes, because your  
5 responsibility as the department -- I think this is important  
6 to emphasis this, particularly for people watching these  
7 proceedings who may not be conversant in the difference  
8 between the department and a Minister's office, for example.  
9 The department is the Public Service; you have certain  
10 obligations, and you then hand off, at a certain point, to  
11 the Minister's office, which is the political executive and  
12 their staff and has a separate function and a separate  
13 process from yours. Obviously there is a dialogue all the  
14 way through, but am I right to say that at a certain point  
15 you've done your duty and it's over to the political element  
16 to do its share?

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

18 **MR. GIB van ERT:** Thank you. All right.  
19 Good to get something right.

20 Well, I would call up your witness statement  
21 now, please.

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

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

27 "Mr. Stewart testified that there  
28 were questions and it would have

1                   taken CIS some time to get the  
2                   Minister and his staff comfortable  
3                   with this particular warrant."

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

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

15                  And I just felt that there was, you know, on  
16                  a question of foreign interference, there was some -- you  
17                  know, where foreign interference was a general issue, the  
18                  Minister would have questions.

19                  **MR. GIB van ERT:** All right. Let me also ask  
20                  you this. Would it have taken some time for the Minister and  
21                  staff to be comfortable with this particular warrant, in part  
22                  due to the Vanweenen list, which means the list that is  
23                  included with the warrant materials of people whose  
24                  communications are likely to be intercepted as a result of  
25                  the target being intercepted. Is that part of the reason why  
26                  there would have been -- it would have taken some time to get  
27                  people comfortable with this warrant?

28                  **MR. ROB STEWART:** That's an interesting term

1 of art, the Vanweenen list. I would say, sir, that that is  
2 generally a concern of the Minister's Office.

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

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

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

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

21 **MR. ROB STEWART:** I have no ---

22 **MR. GIB van ERT:** It's a little convoluted.  
23 Let me try again.

24 **MR. ROB STEWART:** The way you put that  
25 question, ---

26 **MR. GIB van ERT:** Yes. Let me try again.

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

1                   **MR. GIB van ERT:** All right.

2                   **MR. ROB STEWART:** --- prior to his signing  
3 the warrant.

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

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

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

9                   **MR. DOMINIC ROCHON:** Thank you.

10                  **MR. GIB van ERT:** Mr. Stewart, in your  
11 witness statement you have explained, in fact you said it  
12 again this morning, that you don't have any specific  
13 recollection of the intelligence products concerning my  
14 client, Mr. Chong. There were -- we know now that there were  
15 three early 2021 products that CSIS directed to you, and to  
16 the Minister, and to the Chief of Staff, and to others, and  
17 then there was also the IMU. You had a discussion with Ms.  
18 Morgan about that this morning.

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

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

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

27                  **MR. ROB STEWART:** No, I believe that to be  
28 the case.

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

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

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

13                 **MR. ROB STEWART:** No. If you think that Mr.  
14                  Chong was the only person subject to things on which  
15                  intelligence is gathered, then you're -- then you'd be wrong.  
16                  There's quite a large body of intelligence that flows through  
17                  the system about things going on. So my recollection is I  
18                  knew parliamentarians were under threat. I did not retain  
19                  that it was Mr. Chong specifically.

20                 **MR. GIB van ERT:** Right. Okay. And sir,  
21                  look, you know your business far better than I do. But I  
22                  would have thought that an allegation by the Service coming  
23                  at around the same time as this particular warrant that we've  
24                  been talking about, alleging that parliamentarians were being  
25                  threatened by the consul, I just would have expected that  
26                  that would stick out in your mind. But I understand that you  
27                  read a lot and there are a lot of threats around. I'm sure  
28                  if I could only know the things that you know, I would

1 perhaps be a little more jaundiced about the world generally.  
2 But I would have thought those things would stick in your  
3 mind. It's quite a remarkable allegation by the Service.  
4 Did it just roll off your back?

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

13 So I feel that it was not my responsibility  
14 to be picking up on the individuals concerned in any  
15 particular set of circumstances and I left that to the  
16 agencies, I left that to the process that's downstream from  
17 the delivery of intelligence, and I was maintaining a high  
18 level of awareness that this was an issue of growing concern.

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

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

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

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

3                   **MR. GIB van ERT:** You would expect them to --  
4 -

5                   **MR. ROB STEWART:** Yes.

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

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

10                  **COMMISSIONER HOGUE:** Thank you.

11                  Mr. Lim for Erin O'Toole.

12                  **MR. PRESTON LIM:** I have no questions, Madam  
13 Commissioner.

14                  **COMMISSIONER HOGUE:** Counsel for Jenny Kwan?  
15 Me Choudhry?

16                  **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

17                  **MR. SUJIT CHOUDHRY:**

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

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

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

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

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



"Mr. Stewart explained that there was no expectation at the time that the Deputy's Ministers -- Deputy Minister's Office would notify the Minister that the application was ready for review, the package was

1                   given to his Chief of Staff, so the  
2                   assumption was the Chief of Staff  
3                   would flag to the Minister that there  
4                   was something for him to sign."

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

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

7                   **MR. SUJIT CHOUDHRY:** Okay. And so just to  
8                   kind of circle back to the fact that the Minister and the  
9                   Minister's Office also has a direct relationship with the  
10                  CSIS Director, are you able to tell us, is the CSIS -- is it  
11                  customary in your experience for the CSIS Director to follow  
12                  up with the Minister's Office, either the Minister directly  
13                  or the Chief of Staff or someone else, although I can't  
14                  imagine who that would be, regarding a CSIS warrant, or would  
15                  the CSIS Director also take the same stance as the Ministry  
16                  would, which is that the paperwork was there. It's with the  
17                  Minister. It's with the Chief of Staff. It's now for them  
18                  to decide what to do.

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

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

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

**MR. SUJIT CHOUDHRY:** It's not. So there's a

MR. SUJIT CHOUDHRY: Okay. Thank you. Could paragraph 21? Let's stop there. So just the It states,

Is that your evidence, Mr. Stewart?

**MR. SUJIT CHOUDHRY:** Thank you. And so let's graph 24 and the last sentence -- no, we'll at. Actually, no, we'll look at the last days, "However, Public Safety was reactive on s that your evidence?

MR. SUJIT CHOUDHRY: Okay. I have two more  
ns. So paragraph 25 says,

"Mr. Stewart did not know about a briefing given by CSIS to Ministerial staff in relation to the warrant that took place later that month. It is

1 possible that a member of Mr.  
2 Rochon's staff attended that  
3 briefing."

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

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

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

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

13 **MR. SUJIT CHOUDHRY:** And, Mr. Rochon or Mr.  
14 Stewart, are you are aware if that meeting was about the list  
15 of names of individuals whose communications might be  
16 intercepted under the warrant?

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

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

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

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

25 **MR. DOMINIC ROCHON:** There was a reference  
26 made, I believe, yes.

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

**MR. DOMINIC ROCHON:** I believe the testimony

**MR. SUJIT CHOUDHRY:** And so let me ask you,

**MR. ROB STEWART:** I would have no awareness

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

**MR. DOMINIC ROCHON:** Agreed. No, I do know

**MR. SUJIT CHOUDHRY:** But that's different

**MR. DOMINIC ROCHON:** I would agree with your

**MR. SUJIT CHOUDHRY:** Okay. Thank you. So

"Mr. Stewart was asked about a

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

"...that contained details that Mr.

1                   Stewart was not aware of at the time  
2                   that the briefing took place. Had he  
3                   known about this information at the  
4                   time, it would have raised concerns."

5                   Mr. Stewart, is that your evidence?

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

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

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

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

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

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

14                  **COMMISSIONER HOGUE:** Thank you.

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

16                  **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

17                  **MR. PRABJOT SINGH:**

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

20                  Mr. Court Operator, if we could bring up  
21                  TSC2, please?

22                  **--- EXHIBIT No./PIÈCE No. TSC0000002:**

23                  Exposed India's Disinformation

24                  Campaign Against Canada's Sikhs

25                  **MR. PRABJOT SINGH:** And if we just scroll  
26                  down to the title. So I'm going to direct my questions to  
27                  you, Mr. Stewart, but, Mr. Rochon, if you would like to jump  
28                  in at any point, please feel free. So this is a report on

1 Indian disinformation that was published by the WSO analyzing  
2 open-source information, a news reporting in February 2021.  
3 And if we scroll to page 4, please? Right there is fine. So  
4 that second paragraph I just want to read. It says that,

5 "In the wake of widespread farmer['s]  
6 protests in India, Indian  
7 disinformation campaigns have renewed  
8 with increased intensity. The goal  
9 remains the same as the [19]80s - to  
10 malign and marginalize Canadian Sikhs  
11 with allegations of extremism and to  
12 ensure that the Sikh community is  
13 regarded with suspicion and  
14 distrust."

15 And if we just scroll down just ever so  
16 slightly again? Right there. And that second paragraph on  
17 the right-hand side talks about how,

18 "India's disinformation campaigns are  
19 not limited to influencing media.  
20 There is also evidence to suggest  
21 that India's intelligence agencies  
22 have been engaging in operations in  
23 Canada with the aim to influence  
24 Canadian politicians and media."

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

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

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

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

4                   **MR. PRABJOT SINGH:** Thank you. That was  
5 going to be my next question about any information that would  
6 have flown through -- flowed through your office or onto the  
7 Minister regarding the community's experiences and concerns  
8 communicated in those excerpts about Indian disinformation  
9 and targeting of the community with this aspersion of  
10 extremism.

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

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

15                   **MR. DOMINIC ROCHON:** That I can't say for  
16 sure, unfortunately. I don't remember anything specific. I  
17 do remember general. As we've gone over in today's  
18 testimony, we see a lot of intelligence products. And at the  
19 time, certainly, this topic was amongst that -- those  
20 intelligence products. Whether we specifically pulled some  
21 of them out and flagged them for the Minister, I can't say.

22                   **MR. PRABJOT SINGH:** No problem. Thank you.  
23                   So in general terms, working in the national  
24 security space, I'm sure that you are both aware or have had  
25 conversations about the sensitivities and the potential  
26 detrimental impacts when national security issues like  
27 extremism are aligned with specific ethnic communities in  
28 generalized terms; is that fair?



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

2                   **MR. PRABJOT SINGH:** Thank you. So something  
3 like this where these generalist versions are cast onto a  
4 community and amplified by disinformation, it can have the  
5 impact of increasing hate crimes. So, for example, anti-Sikh  
6 hate and Islamophobia being kind of exacerbated or  
7 accelerated by kind of amplification of narratives around  
8 these communities' associations with extremism and terrorism;  
9 is that fair?

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

12                  **MR. PRABJOT SINGH:** And does the Department  
13 track any statistics with regards to incidents of hate crime  
14 and conduct any analysis to correlate them with the impacts  
15 of disinformation like this?

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

23                  **MR. ROB STEWART:** I will add to that, because  
24 there are other parts of the Department that preoccupy  
25 themselves with issues affecting Canadians, and in particular  
26 where criminality is concerned, but also in terms of  
27 terrorism and hate crimes, and it would be fair to say that  
28 in my tenure, and obviously following events that occurred

1 long before, we were very preoccupied with the impact on  
2 communities in Canada, be they Sikhs or others, of activities  
3 that, you know, were inappropriate, like illegal or, like,  
4 foreign interference, problematic. And we were certainly  
5 aware of the India threat and disinformation by India that  
6 targeted Canadian Sikhs.

7 **MR. PRABJOT SINGH:** Thank you. And are you  
8 able to confirm whether the Department conducted any outreach  
9 or communication with Sikh community representatives raising  
10 these concerns?

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

15 **MR. PRABJOT SINGH:** Sorry, just to interject,  
16 and I apologize, I mean the Sikh community specifically.

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

19 **MR. PRABJOT SINGH:** Thank you. Do you think  
20 -- and this is my last question, Madam Commissioner. Do you  
21 think it would be important in terms of formulating a policy  
22 response to national security issues, like foreign  
23 interference, its correlation with potential hate crimes, to  
24 actually engage with the concerned community that has been  
25 targeted by a foreign state and bears the brunt of those  
26 impacts?

27 **MR. ROB STEWART:** Yes.

28 **MR. PRABJOT SINGH:** Thank you. Those are all

1 my questions.

2 COMMISSIONER HOGUE: Thank you.

3 Mr. Matas for the Human Rights Coalition.

4 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

5 MR. DAVID MATAS:

6 MR. DAVID MATAS: Thank you. My name is  
7 David Matas. The Public Safety -- Department of Public  
8 Safety, the Canada Border Service Agency falls within that?  
9 Is that correct?

10 MR. ROB STEWART: That's in the portfolio of  
11 the Minister of Public Safety.

12 MR. DAVID MATAS: Within the portfolio. And  
13 the -- and is it part of the Department of Public Safety?

14 MR. ROB STEWART: No. It's an independent  
15 agency.

16 MR. DAVID MATAS: Would you have anything to  
17 do with that agency yourself?

18 MR. ROB STEWART: I maintained a working  
19 relationship with the leader of that organization and staff  
20 in my organization maintained a working relationship to  
21 further certain of agendas related to that agency,  
22 specifically relating to the filing of documents in  
23 Parliament or any policy or legislative decisions that needed  
24 to be made. We did not have any ongoing and direct  
25 relationship on the operations of the agency.

26 MR. DAVID MATAS: Would you have a direct  
27 knowledge of the operations of the agency?

28 MR. ROB STEWART: No.

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

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

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

15                  **MR. ROB STEWART:** Yes, that's my  
16 understanding.

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

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

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

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

26                  **MR. DAVID MATAS:** If that happened and you  
27 were not aware of it, do you feel you should have been aware  
28 of it?

1                   **MR. ROB STEWART:** No, for the same reason  
2                   that I cited before, which is that it wasn't in my remit to  
3                   track the operational activities of an agency. Were we to  
4                   be, on a systematic basis, expelling people for foreign  
5                   interference, I would have wanted to know, and I did not.  
6                   But let me just add the caveat that to do that, -- and as I  
7                   understand the system, and I'm not, you know, specifically  
8                   the responsible person for that system, the people would have  
9                   to have been accused of a crime; right? The reason for  
10                  expelling somebody is not a suspicion. It is evidence that  
11                  they have conducted themselves in a criminal fashion, and  
12                  that's what gives rise to expulsion.

13                 **MR. DAVID MATAS:** Well that's one basis for  
14                 expulsion, is conviction for criminality. In theory, there  
15                 could be conviction for harassment on *Criminal Code*, which  
16                 could be -- and foreign interference could be the form of  
17                 harassment. So that's one possible basis. But another  
18                 possible basis for expulsion is misrepresentation. Somebody  
19                 could say they're coming to visit, but in fact, they're  
20                 coming for foreign interference. And a third basis for  
21                 expulsion could be a failure to comply with the terms in  
22                 which you enter as a student or a worker or so on, saying  
23                 you've come to study and instead you get involved in foreign  
24                 interference. A fourth form of expulsion could be organized  
25                 criminality, for which you do not have to be convicted, but  
26                 just have reasonable grounds to believe that you're a member  
27                 of an organization that's involved in organized crime, which  
28                 could be foreign interference.

1                   So there's a number of different grounds.  
2           And I hear what you say, if it was happening on a systematic  
3           basis, you would like to know about it, and you didn't know  
4           about it. Would you conclude that this was not happening  
5           because you didn't know about it?

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

10                  **MR. DAVID MATAS:** And does your colleague  
11           have anything to add?

12                  **MR. DOMINIC ROCHON:** No. Maybe I'll just  
13           point out that certainly in the community, in the process of  
14           talking about foreign interference, we had departments and  
15           agencies discussing some of the tools in the toolkit, and  
16           this would have been an example, but I don't have any  
17           recollection of, again, there being a systematic use of this  
18           in the realm of foreign interference. It may well have been  
19           since I was in the position, but while I was there, it wasn't  
20           a frequent occurrence, from what I recall.

21                  **MR. DAVID MATAS:** Those are my questions.  
22           Thank you.

23                  **COMMISSIONER HOGUE:** Thank you.

24                  Me Sirois.

25           **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

26           **MR. GUILLAUME SIROIS:**

27                  **MR. GUILLAUME SIROIS:** Good morning.  
28           Guillaume Sirois for the Russian Canadian Democratic

1 Alliance.

2 I would like to ask the Court Reporter to  
3 pull CAN3249, please.

4 **COURT OPERATOR:** Could you repeat the  
5 document ID, please?

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

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

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

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

16 **MR. DOMINIC ROCHON:** It was the same document  
17 we were shown earlier.

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

19 **MR. DOMINIC ROCHON:** Sorry.

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

21 **MR. DOMINIC ROCHON:** Yeah.

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

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

28 So as we see here, those are some of the 15

1 or so agencies or departments that are involve din responding  
2 to these threats. I'm just going to read a few of them for  
3 the record. There's the CBSA, the Canadian Security  
4 Intelligence Service, Communication Security Establishment,  
5 the Department of Justice, the Department of National  
6 Defence, Canadian Armed Forces.

7 You can scroll down to the next page.

8 FINTRAC, Global Affairs Canada, Heritage  
9 Canada, Immigration, Innovation Science and Economic  
10 Development, all the way to Transport Canada.

11 So obviously the more people the merrier, but  
12 I'm wondering if there's any -- which organization out of the  
13 15 that are listed here is ultimately accountable for  
14 implementing the strategy or for making sure that foreign  
15 interference doesn't happen in Canada.

16 **MR. ROB STEWART:** I think the answer is most  
17 of these institutions, not all of them, but most of them have  
18 some degree of accountability for dealing with foreign  
19 interference. In terms of overall accountability in  
20 governance, as you would have known from the examination in-  
21 chief this morning, the issue of governance and ownership of  
22 the coordination of that activity and of everyone's  
23 awareness, was at issue in our time in public safety.

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

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

27 **MR. GUILLAUME SIROIS:** Okay. I'd like to go  
28 down at page 9, please. I'm just going to read the second



1 paragraph for the record:

2 "Threat actors also target Canada's  
3 social cohesion by exploiting  
4 societal wedge issues, including by  
5 pitting different civil society  
6 groups against each other. These  
7 activities can include information  
8 manipulation online to spread false  
9 narrative and amplify extreme views.  
10 This has been particularly acute  
11 during the pandemic, as both China  
12 and Russia have been deploying  
13 alternative narrative propaganda  
14 efforts questioning the origins of  
15 the virus, and criticizing the  
16 approach of liberal democracies."

17 Do you recall this specific threat during the  
18 pandemic?

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

20 **MR. GUILLAUME SIROIS:** And I'm wondering  
21 like, we've seen with the Tenet Media Operation that happened  
22 in 2023, 2024, that at least Russia is still using this  
23 strategy four years later. I'm wondering if there is any  
24 deterrents to using this strategy? And -- yeah, maybe we can  
25 start with that. Is there any deterrents for Russia to  
26 continue implementing the strategy in Canada four years  
27 later?

28 **MR. ROB STEWART:** Well, I can't speak to

1 today since it's really not my area of expertise at the  
2 moment. But I can speak to during our tenure there and when  
3 we were actively engaged in trying to counter disinformation,  
4 right, by exposing it and using the tools at our disposal,  
5 including the creation of that unit at Global Affairs, the  
6 Rapid Response Mechanism. So we were addressing it in that  
7 way.

8 **MR. GUILLAUME SIROIS:** And do you believe  
9 that the delay in implementing the strategy, with capital S,  
10 may have made the Tenet Media Operation more likely in 2023,  
11 2024?

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

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

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

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

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

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

27 **COMMISSIONER HOGUE:** Merci.

28 Attorney General?

1 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

2 MS. HELENE ROBERTSON:

3 MS. HELENE ROBERTSON: Thank you very much.

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

7 Commission counsel asked you a few times  
8 about whether you followed up with the Minister, or his  
9 office, on intelligence that was sent up. Recognizing that  
10 the amount of intelligence depends on what's happening and  
11 the wide variety of topics that you can cover, how many  
12 documents would you say were being provided to your office on  
13 a weekly, bi-weekly basis?

14 MR. ROB STEWART: Intelligence?

15 MS. HELENE ROBERTSON: Yes.

16 MR. ROB STEWART: I would say the average  
17 binder contained 30 to 40 individual documents.

18 MS. HELENE ROBERTSON: Over what sort of time  
19 frame would that be?

20 MR. ROB STEWART: In a binder about twice a  
21 week.

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

26 MS. HELENE ROBERTSON: Okay. Thank you.

27 And then how much would the Minister's office  
28 be receiving in that sort of, same time frame? Is it the

1 same amount or would it be a lower number?

2 **MR. ROB STEWART:** A lower number, because we  
3 curated the Minister's binders.

4 **MS. HELENE ROBERTSON:** And what sort of  
5 number would you put that?

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

8 **MS. HELENE ROBERTSON:** Okay. Thank you. And  
9 the same caveat would apply that there might be CROs coming  
10 with particular individual pieces?

11 **MR. DOMINIC ROCHON:** I'm not familiar with  
12 whether the Minister's office had a Chief Relations Officer  
13 service. So they might have only been receiving  
14 intelligence reports through our channel.

15 **MS. HELENE ROBERTSON:** Okay. Thank you very  
16 much.

17 Moving on to a different topic, you discussed  
18 your particular intelligence management briefing -- sorry,  
19 brief -- the IMU, with Commission counsel and some others.  
20 Deputy Minister Stewart, you have said you don't recall  
21 having seen that IMU at the time?

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

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

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

28 **MS. HELENE ROBERTSON:** Yes, or what was your

1 reaction -- what would your reaction to it has been at the  
2 time?

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

7 I would have always thought, then and now,  
8 that it would be CSIS informing the Minister that they  
9 intended to do something, which they now been more empowered  
10 to do, and that that would be the appropriate thing to do.

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

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

16 **MR. ROB STEWART:** Generally speaking, the  
17 other issues ---

18 **MS. HELENE ROBERTSON:** Yes.

19 **MR. ROB STEWART:** --- the Minister was  
20 addressing?

21 **MS. HELENE ROBERTSON:** Exactly.

22 **MR. ROB STEWART:** Well, in the -- in that  
23 period of time, the first and foremost issue of course was  
24 COVID. And COVID was for the Minister, border security in  
25 particular, and we were -- some may recall the various stages  
26 of our policy with respect to entering Canada, particularly  
27 for people who are not nationals, and even those who are  
28 nationals, very evolving policy and one subject to a lot of

1 discussion an enforcement by CBSA. And I don't think I need  
2 to remind people about the technology challenge that was  
3 involved in that.

4 And then as an extension of Dom and my work,  
5 there was HASA, there was economic security, which is a whole  
6 other set of issues with which we continue to grapple. In  
7 the crime prevention world, there was the RCMP and issues  
8 around the RCMP's well functioning. There was firearms  
9 legislation that was pursuant to the ban on the guns after  
10 the Portapique murders the year before. That's just a  
11 handful off the top of my head.

12 **MS. HELENE ROBERTSON:** So it was a  
13 significant number of topics that would be -- the Minister  
14 would be dealing with at any given time. Is that a fair  
15 characterization?

16 **MR. ROB STEWART:** There was a constant flow  
17 of issues that were -- that the Minister had to deal with  
18 both in terms of approvals, engagement, participation in the  
19 processes of governance, and then advancing them as, you  
20 know, policy.

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

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

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

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

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

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

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

5                   Generally speaking, what is the relationship  
6 between Public Safety and CSIS?

7                   **MR. ROB STEWART:** Well, it's a close working  
8 relationship without the responsibility of directing the  
9 agency in any way. As I have answered with respect to CBSA,  
10 there was a -- there's an element of CSIS's needs that are  
11 addressed by Public Safety, the filing of regular reports  
12 with government -- through the Minister's office to  
13 government.

14                   In recent years of course, advancing the  
15 modernization of CSIS's powers would have been a legislative  
16 activity for which the department possessed the requisite  
17 authority to engage the Department of Justice in the drafting  
18 of legislation. And there was the coordination at all times  
19 through committees that Dom chaired, that I chaired, that  
20 involved dealing with threats to the security of Canada.

21                   **MS. HELENE ROBERTSON:** And did that  
22 relationship involve any oversight of CSIS by the Department  
23 of Public safety?

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

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

27                   Going back to the particular warrant, when  
28 you were discussing with Mr. Chong's lawyer, you said that

1       you did not have a role to play and you referred to it as  
2       "going dark" once you had provided the Minister -- the  
3       warrant application to the Minister's office. Do you recall  
4       saying that?

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

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

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

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

16                  **MR. ROB STEWART:** No.

17                  **MS. HELENE ROBERTSON:** Can you confirm that  
18       you have discussed the full substance and context of the  
19       warrant with the Commissioner?

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

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

22                         On a different topic, and this is my final  
23       question, when it comes to Bill C-70 as it has been now  
24       brought into force of law, which obviously has happened since  
25       you left Public Safety, what is your view of the inclusion in  
26       that law of two things: one is the Foreign Influence and  
27       Transparency Registry; the other being the ability of CSIS to  
28       share intelligence more broadly? Do you have a view of those



1 particular parts of that legislation?

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

6 **MS. HELENE ROBERTSON:** Thank you. Those are  
7 my questions.

8 **COMMISSIONER HOGUE:** Thank you.

9 Ms. Morgan, re-examination?

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

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

13 **M. DOMINIC ROCHON:** Merci beaucoup.

14 **M. ROB STEWART:** Merci, Commissioner.

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

17 **THE REGISTRAR:** Order, please. À l'ordre,  
18 s'il vous plaît.

19 This sitting of the Commission is now in  
20 recess until 1:15 p.m. Cette séance de la Commission est  
21 maintenant suspendue jusqu'à 13 h 15.

22 --- Upon recessing at 11:52 a.m./

23 --- L'audience est suspendue à 11 h 52

24 --- Upon resuming at 1:17 p.m./

25 --- La séance est reprise à 13 h 17

26 **THE REGISTRAR:** Order, please. À l'ordre,  
27 s'il vous plaît.

28 This sitting of the Foreign Interference

1 Commission is now back in session. Cette séance de la  
2 Commission sur l'ingérence étrangère est de retour en  
3 session.

4 The time is 1:17 p.m. Il est 13 h 17.

5 **COMMISSIONER HOGUE:** Good afternoon, Ms.  
6 Dann. So you can go ahead.

7 **MS. ERIN DANN:** Thank you very much,  
8 Commissioner.

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

11 Can I ask that the witnesses be sworn or  
12 affirmed?

13 **LE GREFFIER:** Donc je commence avec M.  
14 Aubertin-Giguère.

15 Pourriez-vous, s'il vous plaît, indiquer  
16 votre nom au complet pour les fins de la transcription  
17 sténographique.

18 **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Sébastien  
19 Aubertin-Giguère – A-U-B-E-R-T-I-N-tiret-G-I-G-U-È-R-E.

20 **LE GREFFIER:** Merci beaucoup. Et pour la  
21 déclaration solennelle :

22 **--- MR. SÉBASTIEN AUBERTIN-GIGUÈRE, Affirmed/Sous affirmation**  
23 **solennelle:**

24 **LE GREFFIER:** Merci beaucoup.

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

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

1 THE REGISTRAR: Thank you.

2 --- MR. SHAWN TUPPER, Affirmed/Sous affirmation solennelle:

3 THE REGISTRAR: Thank you.

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

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

9 THE REGISTRAR: Thank you.

10 --- MS. TRICIA GEDDES, Affirmed/Sous affirmation solennelle:

11 THE REGISTRAR: Thank you.

12 Counsel, you may proceed.

13 MS. ERIN DANN: Thank you.

14 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR

15 MS. ERIN DANN:

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

18 I'll ask Court Operator, could you please  
19 bring up WIT95?

20 --- EXHIBIT NO./PIÈCE No. WIT0000095.EN:

21 Interview Summary: Public Safety

22 Canada (Shawn Tupper, Tricia Geddes,

23 Sébastien Aubertin-Giguère

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

26 --- EXHIBIT NO./PIÈCE No. WIT0000095.FR:

27 Résumé d'entrevue : Sécurité publique

28 Canada (Shawn Tupper, Tricia Geddes,

Sébastien Aubertin-Giguère)

**MS. ERIN DANN:** I'll ask the panel; you were interviewed in June of 2024. This is a summary of that interview. I'll ask each of you to confirm that you've had a chance to review the summary; that you have no amendments or modifications you wish to make, and that -- and confirm that you will adopt that summary as part of your evidence today.

I'll start with Ms. Geddes.

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

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

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

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

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

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

Next, can I have WIT144?

--- EXHIBIT NO./PIÈCE No. WIT0000144:

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

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

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

1 MR. SÉBASTIEN AUBERTIN-GIGUÈRE: I've  
2 reviewed and I'm comfortable with it.

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

5 MS. TRICIA GEDDES: I have reviewed and  
6 approve.

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

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

12 **--- EXHIBIT NO./PIÈCE No. CAN.DOC.000040:**

13 Public Safety Institutional Report  
14 (Part C) - September 1, 2018 to March  
15 15, 2024

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

20 MR. SHAWN TUPPER: I have.

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

23 MR. SHAWN TUPPER: I am.

24 MS. ERIN DANN: Thank you.

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

27 **--- EXHIBIT NO./PIÈCE No. CAN.DOC.000041:**

28 Rapport institutionnel de Sécurité

1                    publique Canada (Partie C) - 1

2                    septembre 2018 au 15 mars 2024

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

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

9                    **MR. SHAWN TUPPER:** Correct.

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

12                   **MR. SHAWN TUPPER:** No.

13                   **MS. ERIN DANN:** --- Canadian Public Service  
14                   for 38 years.

15                   **MR. SHAWN TUPPER:** Yes.

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

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

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

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

1                   **MS. ERIN DANN:** National and Cyber Security  
2 Branch. Apologies. Thank you.

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

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

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

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

25                  **MR. SHAWN TUPPER:** Sure. I think the primary  
26 difference is simply the amount of time that you have to be  
27 able to do the analytics you need to do around an issue and  
28 develop responses to it. Issue management is much more about

1 focused on day-to-day events. They oftentimes are things  
2 that arise that you need to respond to in an immediate way,  
3 and you have to take considered action to respond to whatever  
4 that issue is.

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

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

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

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

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

22 **MS. ERIN DANN:** Okay.

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

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

25 Within Public Safety, we have the National  
26 Security Policy Directorate. And Deputy Minister Tupper, you  
27 mentioned that within that policy directorate, there are  
28 individuals who have room to step back and breathe and do a



1 bit of work on that policy development. Can you help us  
2 understand what that means and the role of the Policy  
3 Directorate within and in relation to the other directorates  
4 at Public Safety?

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

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

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

24 On the contrary side we have operations  
25 groups within that same organization that are much more  
26 focused on how we react, how we respond, how we  
27 operationalize the policy frameworks that we have. They are  
28 types of work that absolutely have to coalesce, but they are

1      equally independent in terms of how you pursue them.

2                    **MS. ERIN DANN:** I want to ask some questions  
3      about the Countering Foreign Interference Coordinator role.

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

6      **--- EXHIBIT NO./PIECE No. COM0000609.EN:**

7                    Government of Canada provides update  
8                    on recommendations to combat foreign  
9                    interference

10     **--- EXHIBIT NO./PIECE No. COM0000609.FR:**

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

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

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

25                    Mr. Aubertin-Giguère, were you -- when were  
26      you appointed to this role?

27                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** When the  
28      announcement was made, I had joined Public Safety in June '22

1      to just after the adoption of the HASA MC to prepare the  
2      groundwork for the creation of this office and to put some  
3      structure around the function.

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

9                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** It's  
10     correct.

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

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

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

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

26                   At the time that the Office was created, and  
27     you were appointed, was that funding available?

28                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** No, it was

1      not. So when there's a decision to funding allocated in the  
2      Budget, then the receiving department needs to go back to the  
3      Treasury Board and explain how it's going to be spending the  
4      money and it needs to be approved by the Treasury Board. So  
5      there's kind of a time lapse between the time you receive  
6      money in the Budget and the time you actually get it in your  
7      departmental budget and you can start spending against that.

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

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

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

13                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** That's  
14      right.

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

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

1      approved.

2                      And so that is a bit of a time-consuming  
3      process, but it's a very common approach to how we would  
4      implement a policy decision of the Federal Government.

5                      **MS. ERIN DANN:**    And did the -- that --  
6      recognizing that that's a common approach, can you speak to  
7      how, if at all, the -- that impacted -- or that need to  
8      resource manage within Public Safety impacted the work of the  
9      coordinator or other aspects of Public Safety? Did it slow  
10     the pace at which you could do some of the work that you  
11     wanted to do as coordinator?

12                     **MR. SHAWN TUPPER:**    Well part of the work  
13     you're doing at that point is indeed writing the Treasury  
14     Board submissions and what not. But that's a lot of work.  
15     But equally, you can't anticipate what the government will  
16     ultimately decide. So in advance of an MC, you can't  
17     anticipate where the government will land on a policy  
18     structure, and equally, we can't presume to know where the  
19     government will land in terms of funding and program  
20     approvals that will guide how that work is conducted.

21                     So in so far as we had a policy direction, we  
22     knew we could safely assume that resources would come our way  
23     and we could safely assume that we could begin that work.

24                     But one does have to be prudent that you  
25     don't make too many assumptions, in terms of how far you go  
26     in making that investment until the government gives you  
27     decisions.

28                     And so I wouldn't say it slows us down in the

1      sense of it was harmful. It is just a prudent approach to  
2      allow the government to make the decisions it needs to make  
3      and that in the meantime you're getting on as best you can.

4                      In the context of this work, it was a very  
5      busy time. We were just coming out of COVID. We were  
6      dealing with a number of other fairly serious national  
7      issues, like, the mass shooting in Nova Scotia, we were  
8      dealing with, in the Department, massive amounts of work  
9      around emergency management. All of those things kind of  
10     circumscribe a little bit the choices one has in terms of how  
11     you spread your resources out to pursue work across the  
12     organization.

13                    **MS. ERIN DANN:** And can you help us  
14     understand the composition of the Office of the Countering  
15     Foreign Interference Coordinator at this stage? How many --  
16     approximately how many full-time employees are involved? Is  
17     it continuing to grow? Are you basically at the position you  
18     want to be at now? If you can help us understand where  
19     things stand?

20                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So it's --  
21     the plan is to have 13 full-time individuals, including  
22     myself. So there's me, my chief of staff, and two resources  
23     to do engagement. And then the CFI team, the Counter Foreign  
24     Interference team, that's led by a director and then a  
25     manger, is about seven people. It's in the National Security  
26     Operations Division and is also one resource that is  
27     dedicated to policy in the Policy Division.

28                    At this point, we're almost done complete

1      staffing. We're only missing the one individual for  
2      operations and we are also trying to staff the policy  
3      position.

4                    **MR. SHAWN TUPPER:**    If I may, we've  
5      constructed it that way in the sense of it will exist within  
6      our broader work around national security because of the  
7      interlinkages of all of that work. We did have a discussion  
8      about whether we would set up a separate and independent  
9      organization within the Department that would be able to  
10     pursue this work, but we felt it would be, frankly, a more  
11     efficient use of our resources to make sure things were  
12     integrated, that we had the ability to kind of cross-  
13     reference lines of work against what the coordinator would do  
14     against some of the broader series of work that we're doing  
15     with respect to national security.

16                   **MS. ERIN DANN:**    Thank you.    And Court  
17     Operator, you can take down that document.

18                   On the role of the Countering Foreign  
19     Interference Coordinator, I want to take you now to some  
20     minutes of a DMCIR meeting. This is CAN4428\_R01.

21     **--- EXHIBIT No./PIÈCE No. CAN04428 R01:**

22                   Deputy Minister Committee for  
23                   Intelligence Response (DMCIR) Meeting  
24                   Minutes

25                   **MS. ERIN DANN:**    Now I understand these are  
26     draft minutes. If we look at the top, it appears, Ms.  
27     Geddes, that you were at least listed as a member in  
28     attendance. Do you recall being at that meeting?

1                    **MS. TRICIA GEDDES:** I do recall. I was  
2 there.

3                    **MS. ERIN DANN:** All right. And there's a  
4 discussion that emerges about the Countering Foreign  
5 Interference Coordinator in the context of a meeting that was  
6 discussing, amongst other things, PRC overseas police  
7 stations and the response to them.

8                    If we scroll to the bottom of that page 1, at  
9 the beginning of the second to last paragraph, it states:

10                   "PS emphasized the bottom line, which  
11 is that the role and mandate of the  
12 Foreign Interference [...] Coordinator  
13 has not yet been determined. [Public  
14 Safety] highlighted some 'lessons  
15 learned'..."

16                   And then if we look at sort of fourth line  
17 from the bottom:

18                   "PS reiterated the core issue, in  
19 their view: whether the FI  
20 Coordinator should play a  
21 strategic/policy or operational  
22 coordination role."

23                   Ms. Geddes, does this reflect -- accurately  
24 reflect your -- or consistent with your memory of the  
25 meeting? And if so, has that core issue that you identified  
26 been resolved?

27                   **MS. TRICIA GEDDES:** So maybe a couple things  
28 I might mention. First and foremost, you know, I think it's



1 not unusual that when you're adopting a new coordinator, a  
2 new player, in the national security community, probably as  
3 in any other part of government, to be able to well  
4 understand how best that coordinator is going to fit in  
5 amongst the departments and agencies who already have their  
6 own accountabilities, their own way of doing business, so to  
7 figure out how best can we introduce that coordinator into  
8 the efforts already ongoing to counter foreign interference.

9 Very healthy conversation, discussion about  
10 how we best do that.

11 I think that that meeting, as is elaborated  
12 throughout, it illuminates that a lot of players are on the  
13 table, were trying to best understand how that function was  
14 going to support their own ongoing efforts.

15 So from our perspective, understanding  
16 whether or not we could have the most meaningful impact in a  
17 policy strategic space or in coordinating operations or in  
18 both, I think, was a very healthy conversation to have very  
19 early on in the development of the Foreign Interference  
20 Coordinator's role. I think that you'll probably get to --  
21 Sébastien will probably elaborate a bit on what his mandate  
22 is and where he hopes to go in the coming months and years.

23 **MS. ERIN DANN:** Yes. And I will certainly  
24 ask about that.

25 Just to your point, if we look at -- about  
26 the ongoing discussion, if we look to page 2 of that  
27 document, there is a note. There's -- if we scroll down just  
28 a bit lower, there's some redacted text and it indicates that

1      there's room to improve the role and work of the FI  
2      Coordinator.

3                      In the following paragraph that begins with  
4      "CSIS", the final sentence is, "CSIS noted the need for an  
5      amplified FI Coordinator."

6                      And then if we go to page 3 of the document,  
7      middle of the page, in the paragraph that starts the bold:

8                      "The Chair suggested the FI  
9                      Coordinator would be better placed at  
10                     PCO to provide coordination from the  
11                     centre. ... [and suggested] 'going  
12                     back to basics', and establishing a  
13                     new mandate, policy, and  
14                     framework..."

15                     Mr. Tupper and Ms. Geddes, you both described  
16      this as a healthy debate in your *in camera* examinations. Can  
17      you comment on those passages?

18                     I know, Ms. Geddes, you've spoken to this  
19      already to some extent, but tell us how those issues being  
20      debated were eventually resolved. Has there been a -- is  
21      there now a consensus about the placement of the foreign  
22      interference -- Countering Foreign Interference Coordinator  
23      at Public Safety?

24                     **MS. TRICIA GEDDES:**    Sure, I can start. And  
25      I know, Shawn, you'll probably want to add.

26                     Just to the CSIS Director's comments about  
27      needing an amplified role for an FI Coordinator and needing  
28      to have strategic plans to measure our progress against,

1      agreed. This was very early in the development of the FI  
2      Coordinator's functions and I think that now I can very  
3      confidently say that having a strategic vision of where we  
4      want to take the Foreign Interference Coordinator and how we  
5      want to work with departments and agencies who have  
6      accountabilities in this space much better defined, and that  
7      work has been really important. And I think having this  
8      conversation to kind of hear from our colleagues, you know,  
9      where were they feeling there were gaps, where did they feel  
10     that there were areas in which we should pursue that type of  
11     strategic coordination was very helpful to us in terms of  
12     well defining the role. And I think it's very clear within  
13     the department, within the community, the national security  
14     community, now that the FI Coordinator is well placed at  
15     Public Safety and is going to be able to effectively develop  
16     -- deliver on the mandate.

17                    **MR. SHAWN TUPPER:** I think one way to  
18     describe some of the debate was to identify gaps, where was  
19     work being done, where was work not being done, understanding  
20     respective roles and responsibilities and then, indeed,  
21     designing a position that would fill the gaps and not step on  
22     toes of other organizations doing really good work in this  
23     area, which is one of the reasons we determined that we  
24     didn't want this position to be operational because, in fact,  
25     operational organizations kind of are doing their role. So  
26     that function of developing policy, developing the toolkit,  
27     understanding kind of the substantive sort of forward work  
28     was kind of the bulk of what we decided.

1                    I fundamentally disagreed with the Chair  
2           because in my view, having worked many years at PCO and now  
3           in this department and having worked in line departments for  
4           a good number of years, I see a particular function for PCO,  
5           which is about ensuring that departments are pursuing the  
6           agenda of government, that departments are following the  
7           direction of government, that they are challenging  
8           departments in the quality of the work that they're  
9           advancing, that they take the time to, you know, not second-  
10          guess us, but to challenge us to make sure that the options  
11          we're bringing forward are important.

12                   But the fundamental equities of line  
13          departments to actually do the work of policy, to use their  
14          legislation, to use the tools and levers that departments  
15          have to articulate a framework, I think, is very well left to  
16          the line departments, so in this instance, I was strongly of  
17          the view that the coordinator position should be with the  
18          department because of that broad developmental function.  
19          That ability to pull departments together to kind of best use  
20          the levers that are there, that is just not a function, in my  
21          view, that should be performed at PCO.

22                   **MS. ERIN DANN:**    And I know we heard some  
23          evidence this morning from some of your predecessors at  
24          Public Safety that this discussion about a coordinator and  
25          where that coordinator would be best placed had been ongoing  
26          for quite some time when he was in place, so this sounds as  
27          though it's been a -- sort of a long-term discussion, but one  
28          which, if I've understood your evidence, there does now

1      appear to be consensus about the placement at Public Safety -  
2      --

3                    **MR. SHAWN TUPPER:**    Indeed, there is.

4                    **MS. ERIN DANN:**    --- for the reasons you've  
5      articulated.

6                    **MR. SHAWN TUPPER:**    That would be my view.

7                    **MS. ERIN DANN:**    And in terms of the interplay  
8      -- and I'm -- between PCO and its sort of convening role, as  
9      you mentioned, Mr. Tupper, in the -- particularly in the  
10     security and intelligence community, can you speak about the  
11     interplay between the Countering Foreign Interference  
12     Coordinator position and PCO's convening role? Is there a --  
13     what is the interaction or the involvement?

14                   Perhaps, Mr. Aubertin-Giguère, how do you see  
15     that relationship?

16                   **MR. SHAWN TUPPER:**    Why don't you start?

17                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    Well, to  
18     tackle complex problems like FI or transnational repression,  
19     for example, you need to have a broad view. And there's a  
20     lot of policy issues that don't fit neatly into precise  
21     departmental jurisdictions. What you need is someone that  
22     takes a step back and looks at the entirety of the problem  
23     and brings people together and proposes policy options and a  
24     basket of, you know, policy ideas and options or even  
25     operational capability to tackle the problem.

26                   You need someone who's outside of, you know,  
27     the different departments with different mandates to do that  
28     function and then, you know, bring it to a certain level.

1                    That's my role when it comes to foreign  
2                    interference. PCO has the convening function, as Shawn said,  
3                    just making sure that what is being proposed aligns with  
4                    government priorities but is also oftentimes a very more  
5                    operational like issue management component to their  
6                    convening function. So they complement one another and  
7                    there's very good collaboration on that space.

8                    **MR. SHAWN TUPPER:** Sorry. The other  
9                    significant part of PCO's function in that broader convening  
10                    and coordination is understanding the context in which  
11                    Sébastien's specific work occurs against the whole context of  
12                    the government's priorities and the government's agenda.

13                    So PCO helps us a lot understanding the  
14                    fiscal imperatives of the government, how they're managing  
15                    the broad framework and how they want to make investments  
16                    across a whole series of issues, how this might relate to  
17                    other areas of work around economic security, around sectoral  
18                    strategies, for instance, in critical minerals, how we engage  
19                    with our friends at Heritage around social media platforms.

20                    And so while Sébastien has a discrete  
21                    formulation of work that would be relevant to foreign  
22                    interference and how we address that, PCO helps us make sure  
23                    that we do that work well informed by the appropriate context  
24                    of other government-wide agenda that would be relevant to his  
25                    work.

26                    **MS. ERIN DANN:** All right. So turning to the  
27                    role and mandate as it's described in the Terms of Reference,  
28                    can I ask that CAN44981 be called up? And we'll look -- and

1      go to page 4, please.

2      --- EXHIBIT No./PIÈCE No. CAN044981 R01 0001:

3                              Terms of Reference: Office of the  
4                              National Counter-Foreign Interference  
5                              Coordinator (ONCFIC)

6                      **MS. ERIN DANN:** So this document is titled  
7      "Mandate of the Foreign Counter" -- sorry, "the National  
8      Counter Foreign Interference Coordinator".

9                      If we look at the bullets underneath the  
10     heading "The NCFIC Will", we see indication that it will  
11     provide strategic leadership, coordinate and deconflict, and  
12     it will not direct any department or agency to undertake  
13     operational activities or investigative actions related to  
14     FI. Mr. Aubertin-Giguère, can you tell us what this sort of  
15     means in practice? What does your role and responsibilities  
16     as the Countering Foreign Interference Coordinator involve?

17                      **MR. AUBERTIN-GIGUÈRE:** Well, in terms of what  
18     I'm doing as to, you know, convening, you know, coordinating  
19     deconflicting ideas, try to do sort of a lot of the  
20     background policy work to put some meat around the bone of an  
21     issue, bring the right players to the table, and try to  
22     propose, you know, a set of actions and policy proposals  
23     around certain ideas. What I'm -- I think what's clearly  
24     what's not under my responsibilities, I am not in a position  
25     to direct operational agencies. They have clear mandates  
26     that have been established by legislation, and that's not the  
27     function of the coordinator. I'm not also receiving  
28     information that will, for example, be the base of a police

1      investigation, so that's not my responsibility to be the  
2      intake process for disinformation. And I'm not an  
3      intelligence assessor. So that's -- these functions are  
4      carried out by the -- you know, the -- you know, by CSIS, by  
5      PCO, by CSE.

6                    **MS. ERIN DANN:** And you've told the  
7      Commission and, Mr. Tupper, you mentioned today, there's no  
8      sort of sharp distinction between your functions as Associate  
9      ADM and the Countering Foreign Interference Coordinator, that  
10     the office is purposefully sort of built into the structure  
11     of Public Safety. I assume you had a very busy full-time  
12     role before you took on the coordinator position. Can you  
13     tell us, how do you have the -- given that lack of sharp  
14     distinction, are you taking these responsibilities on in  
15     addition to all of the responsibilities you had previously?  
16     How does it work to get to all of that work, that very broad  
17     mandate of yours, how are you able to fulfil that?

18                   **MR. AUBERTIN-GIGUÈRE:** I work a lot. I would  
19     say, as the associate, I stay involved in all the different  
20     files that the branch has responsibility for, you know, cyber  
21     security, critical infrastructure, national security policy,  
22     operations, but the branch is led by the Senior Associate  
23     Deputy Minister, and I'm supporting him in the full range of  
24     the functions. So that's busy, but I would say that the  
25     foreign interference is a major component of the, sort of the  
26     core work of the branch in itself. And so I tend to take  
27     sort of a bit more of a leadership role when it comes to  
28     files that fit into that category of foreign interference,



1      and try to sort of carry maybe a heavier lift on these files  
2      than others. But overall, you know, I would say it's busy,  
3      but it's a manageable burden.

4                      **MS. ERIN DANN:** Just to explore one more as -  
5      - just to ask a few more questions on the role of the  
6      coordinator, can we have COM 48, please, Mr. Court Operator,  
7      and going to PDF page 15.

8      **--- EXHIBIT No./PIÈCE No. COM0000048:**

9                      Countering an Evolving Threat: Update  
10                     on Recommendations to Counter Foreign  
11                     Interference in Canada's Democratic  
12                     Institutions

13      **--- EXHIBIT No./PIÈCE No. COM0000048 FR:**

14                     Contrer une menace en évolution :  
15                     mise à jour sur les recommandations  
16                     visant à prévenir l'ingérence  
17                     étrangère dans les institutions  
18                     démocratiques canadiennes

19                     **MS. ERIN DANN:** This is the Countering an  
20      Evolving Threat, which was authored by Minister LeBlanc and  
21      then Clerk Charette. And at this portion at the annex of the  
22      report, there is a setting out recommendations made by  
23      various review bodies, and then the key actions and next  
24      steps that the government is taking to respond. And we see  
25      the -- listed on this page are recommendations from the  
26      NSICOP, the Annual Report of 2019. One of their  
27      recommendations was that,

28                     "The Government of Canada develop a

1                    comprehensive strategy to counter  
2                    foreign interference and build  
3                    institutional and public resiliency."

4                    We see, if you look in the column on the  
5                    right that,

6                    "The new National Counter Foreign  
7                    Interference Coordinator will [be]  
8                    play[ing] a lead role to ensure  
9                    [these] Government-wide efforts..."

10                   If we go down to the next page, page 16, we  
11                   also see under letter (d), the,

12                   "Develop practical, whole-of-  
13                   government operational and policy  
14                   mechanisms..."

15                   Again, on the -- in the column on the right  
16                   we see that.

17                   "The establishment of the Counter  
18                   Foreign Interference Coordinator  
19                   enhances the existing national  
20                   security governance..."

21                   If we go to page 17(f), letter (f),

22                   "Include an approach for ministers  
23                   and senior officials to engage with  
24                   fundamental institutions and the  
25                   public."

26                   And if we look at the top of page 18, we see  
27                   again a reference to the Coordinator position to bolster  
28                   communications. If we go down to letter (g), guiding

1      cooperation with allies on foreign interference. Again,  
2      there is a reference on the right to the Foreign Interference  
3      Coordinator. And finally, on page 19, you see number 2,  
4      that,

5                              "...Canada [establish] support this  
6                              comprehensive strategy through  
7                              sustained central leadership and  
8                              coordination."

9                      And once again, we have on the right a  
10      reference to the national Counter Foreign Interference  
11      Coordinator.

12                      Do you have the resources and toolkit to  
13      fulfil this sort of broad, I would say, sort of tall order  
14      that is set out for the national Countering Foreign  
15      Interference Coordinator? That may be a -- it's a big  
16      question, I realize, but for the panel, if you can comment on  
17      that, and what areas listed here perhaps still need to be  
18      tackled or further addressed?

19                      **MR. SHAWN TUPPER:** Your last question's the  
20      easiest one. So the work we confront, our understanding of  
21      what's going on in a global world, the threats that we  
22      understand Canada to be under by significant actors in this  
23      space, Russia, China, India, these are things that continue  
24      to evolve. And so the simple answer to your last question is  
25      we continue to evolve. The work will never be done because  
26      every time we develop tools and we find sufficient ways to  
27      address one activity, they will move to another activity, and  
28      that's just the reality of what we confront. And so it will

1        be ever so that game of cat and mouse as we proceed.

2                    And so that helps articulate the answer to  
3        the front part of your question which is about resourcing.  
4        The resourcing will evolve over time, and it will adjust over  
5        time. What we have today may well be different than what we  
6        have in two or three years' time because the toolkit will  
7        evolve and the kinds of challenges, the kinds of expertise  
8        and skills that we need will also evolve.

9                    So we have taken decisions, the government  
10       has taken decisions, instructed us to pursue the activities  
11       that are underway now because that is the investment we're  
12       making now. We need to understand as we implement these  
13       activities what their impact will be. And as we are able to  
14       evaluate that, we will give the government further advice  
15       about where we may need to move, what kinds of tools we may  
16       need, and we will undoubtedly make requests for further  
17       investment in this line of activity, not just for my  
18       department, but for my portfolio, the portfolio, and other  
19       actors in our system.

20                   **MS. TRICIA GEDDES:** Can I just add to that?  
21       Because I think it's important to note, there's a huge team  
22       behind Sébastien's team. You're hearing from agencies and  
23       departments, RCMP, CSIS, CSE, PCO. Like, we all recognize  
24       the significance of the threat of foreign interference, and  
25       there are resources allocated in each of these departments  
26       and agencies to counter it. So I just -- I want to make  
27       sure, you know, Canadians understand and can have confidence  
28       in the fact that we have a Foreign Interference Coordinator

1        whose job it is to leverage and help assign the best possible  
2        use of all of those resources and assets to be able to  
3        counter these threats. So I just want to make sure that  
4        that's clear, that this is one small piece, a really critical  
5        piece, but one small piece of a much larger machine.

6                    **MR. SHAWN TUPPER:** Very good point.

7                    **MS. ERIN DANN:** Excuse me. We can take down  
8        that document. Thank you, Court Operator.

9                    The -- as we saw, the NSICOP Annual Report  
10       2019 recommended the adoption of a whole-of-government  
11       strategy for tackling foreign interference. We have seen in  
12       -- we've seen this morning and reference in the various  
13       summaries to various drafts of what appears to be a strategy  
14       document on countering -- at one point called countering  
15       HASA, at one point called countering foreign interference.  
16       We also see mention of the Strategy in the summary of the  
17       Memo to Cabinet, the MC on HASA.

18                   And that we can pull up. It's COM.SUM4. And  
19       if we scroll down to page 2?

20                   It reads, just before the numbered list:

21                   "The proposal sought to implement  
22                   various elements, including: [...]  
23                   endorsement of the principles,  
24                   priority sectors and pillars set out  
25                   in the Counter-HASA Strategy..."

26                   And we heard some evidence from your  
27       predecessors about the work on the development of that  
28       strategy, sort of small s strategy, as opposed to capital S

1      strategy, during their time at Public Safety.

2                      What stage of development was the strategy,  
3      small s/capital S, at when you began your tenures at Public  
4      Safety?

5                      **MR. SHAWN TUPPER:**    It's such a complex  
6      question because there's so much work that goes on, just the  
7      simple act of writing of an MC. All of the various drafts  
8      that we have talked about previously and in the documents  
9      that you have given us, talk about these drafts. The  
10     formulation of those drafts in that backroom with all of our  
11     partners across the city go a very long way to consolidating  
12     the community and understanding the challenge and the kind of  
13     work that we do collectively.

14                     The fact we never really landed that strategy  
15     and got it published is almost irrelevant to the fact that we  
16     have a cogent and I think coherent sort of frame of work that  
17     is now being pursued with respect to foreign interference.  
18     It's a building process. It is -- it has been a long time  
19     coming through a period of frankly considerable difficulty,  
20     and particularly marked by the disruption of COVID and that  
21     did to work within the public service.

22                     But I think at this point, big S/little s  
23     strategy, we are well informed by the HASA MC and all of the  
24     subsequent documentation that has been produced since to  
25     inform the terms of reference and the frame of work that  
26     Sébastien leads, how that work is integrated again into that  
27     broader community.

28                     And I think we have now articulated and are

1      well on our way to bringing in to kind of an operational  
2      format this work. And that is, I think, exemplified by the  
3      engagements we've been doing publicly. Work that we've been  
4      doing since the October 7<sup>th</sup> strike in Israel and how we have  
5      been engaging with the public to reflect on what  
6      international events mean for Canadian society and the  
7      disrupt that we have in Canadian society as a result of these  
8      kinds of activities.

9                      And so whether or not we landed a big  
10      S/little s strategy, we have a strategic approach, we have a  
11      framework that I think is well-informed by all of that work,  
12      and I think the more we do in cementing and consolidating  
13      that work and giving further advice to the government, it  
14      just makes Canada that more resilient place that we want it  
15      to be.

16                     And I say all of this because I want  
17      Canadians to feel that despite this being relatively new work  
18      for us, that they should have confidence in our institutions,  
19      and they should have confidence that we have awareness of  
20      what's going on, and they should have confidence that we are  
21      trying to strike back, that we are trying to prevent the kind  
22      of interference that is being pursued by those other actors.

23                    **MS. ERIN DANN:** And you mentioned that the --  
24      you described the HASA MC as a good articulation of a lot of  
25      the complex issues that you've just discussed, and that the  
26      act of articulating the many aspects of the government's work  
27      on foreign interference in writing was beneficial and that it  
28      set out clear framing and the approach for the government.

1                    Has that framework -- I recognize what you  
2                    said, that the capital S/small s strategy hasn't been done,  
3                    but has that framework and approach to a whole-of-government  
4                    response been articulated outside of the HASA MC or in other  
5                    ways, and would it be beneficial to do that for that process  
6                    of having it articulated and in writing in order to provide  
7                    guidance for all of the government's work in this area?

8                    **MR. SHAWN TUPPER:** In an ideal world that is  
9                    not disrupted by some of the things we have seen over the  
10                   last few years, yes, we would put onto paper and we would  
11                   have a much more conscious communication strategy with  
12                   Canadians to explain the nature of the work that we're doing.

13                   I would say one of the reasons we never got,  
14                   frankly, to publishing the strategy was because it was  
15                   overtaken by events. I think the work that we did on C-70,  
16                   the -- both series of engagements that we did, things we have  
17                   done on other issues, I think have allowed us to work with  
18                   significant communities within the country. I think we've  
19                   been able to kind of start building response strategies on  
20                   issues that have kind of overtaken the need for a specific  
21                   document that outlines that.

22                   That said, in an ideal world, it would be  
23                   nice to have a manual. It would be nice to kind of have that  
24                   thing we could turn to as that consolidating piece. It just  
25                   frankly hasn't been possible, given how much we've had to  
26                   confront over the last couple of years.

27                   **MS. ERIN DANN:** Thank you. And I'll very  
28                   quickly move off on this point but I just wanted to cover,



1      for the sake of completeness, I'll take you to one other  
2      document if you just give me a moment.    CAN30915.

3      --- EXHIBIT No./PIÈCE No. CAN030915 0001:

4                                  Deputy Minister's Committee on China

5                      **MS. ERIN DANN:**    Mr. Tupper, I'll address  
6      these questions to you.    This is a memorandum for you.    It's  
7      dated April 14<sup>th</sup>, 2023.

8                      And if we go to page 3 of the document, under  
9      the heading "Key Messages - Counter-Foreign Interference  
10     Strategy", there's an indication that:

11                                  "Work has been underway [...] to  
12                                  develop two versions of the  
13                                  Strategy..."

14                      It describes:

15                                  "...the classified Strategy is in [its]  
16                                  nascent stages, the unclassified  
17                                  Strategy is [in] advanced stages and  
18                                  could be published in the short-  
19                                  term."

20                      Two questions for you on that.    Can you help  
21      us understand why the Strategy at this stage is described as  
22      being in its nascent stages, given the years of work that's  
23      sort of pre-dated this?    Is this a different strategy that is  
24      being discussed here?

25                      And second, and you've already addressed this  
26      to some extent, but why the unclassified strategy that was  
27      near ready for publication, why did that ultimately -- was  
28      publication not pursued?

1                    **MR. SHAWN TUPPER:** Again, my immediate  
2 previous answer is part of my response to this. I simply  
3 think it was overcome. But if I may, I'll ask Séb to kind of  
4 augment that, because frankly it was his direct line of work.

5                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So the broad  
6 principles of our strategy are essentially what's in the HASA  
7 MC about, you know, the priority sectors, how we position  
8 ourselves as a government towards this threat, the need for  
9 further cooperation, the need to ramp up our legislative  
10 tools, and that's been guiding, essentially, what we've been  
11 doing.

12                   In an external document, these broad  
13 principles would have been, you know, presented to the  
14 Canadian public.

15                   In a classified strategy, you're going to go  
16 into the more operational details of how that is translated  
17 to address specific threats. And that is evolving work. It  
18 doesn't mean that we don't have a sense of where we're going.  
19 Just saying that in terms of, you know, presenting a sort of  
20 finite document that details sort of the more classified  
21 aspect of the work we're doing and that's ongoing.

22                   **MS. ERIN DANN:** All right.

23                   **MS. TRICIA GEDDES:** Could I just add one  
24 thing? I think one of the important pivots that we undertook  
25 over the last couple of years was towards the public  
26 consultations prior to C-70.

27                   So I do think that if you look at the public  
28 facing documents that we produced, put on the Public Safety

1      Website, but that Sébastien and team engaged in community  
2      consultations and with Canadians over the course of a number  
3      of months, a lot of that unclassified strategy was  
4      constructed in a different type of document to be able to  
5      have an ongoing conversation with Canadians.

6                      And frankly, I think that was one of the  
7      healthiest discussions we could have, is rather than present  
8      an unclassified strategy to Canadians, but rather to produce  
9      it as a form of consultation and engagement with Canadians  
10     was actually much more productive in terms of our having a  
11     two-way conversation on it.

12                    **MS. ERIN DANN:**    And I -- just you've  
13     anticipated my next line of questioning ---

14                    **MS. TRICIA GEDDES:**    There you go.

15                    **MS. ERIN DANN:**    --- about the consultations.  
16     So that's good.

17                    Just one last follow-up, Mr. Aubertin-  
18     Giguère, on your answer.

19                    You mentioned the ongoing work in this area.  
20     I note the Terms of Reference that we looked at earlier, they  
21     make mention that the coordinator -- the Countering Foreign  
22     Interference Coordinator will work on publishing and updating  
23     a strategy every certain number of years. Is that still a  
24     goal of the office, to work on that type of -- publishing  
25     that type of strategy?

26                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    Eventually,  
27     when -- if, you know, the community and all the players agree  
28     that this is perhaps what needs to happen, my office will

1        take that as a responsibility.

2                    **MS. ERIN DANN:** All right. Thank you.

3                    Turning, then, to the -- Public Safety's work  
4        on implementing the *Act Respecting Countering Foreign*  
5        *Interference*, that's been a significant focus, I understand,  
6        of your work and you were very much involved with the  
7        consultation process with the public in the lead-up to Bill  
8        C-70. Can you describe some of the -- can you describe that  
9        process, how -- Ms. Geddes, you've already addressed the sort  
10       of communication strategy part of those consultations. Can  
11       you describe the feedback and views you received during those  
12       consultation processes in sort of broad strokes and how those  
13       fed into the legislation that was ultimately tabled?

14                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So there  
15       were two rounds of consultations, one on the Foreign  
16       Influence Transparency Registry, and then a bigger round of  
17       consultations on the C-70 package of legislation.

18                   In both cases, we held what we call a hybrid  
19       consultation. So on the website, a policy document and then  
20       Canadians or anyone could respond and provide answers, and  
21       then a series of roundtables and conversations with  
22       stakeholders. It could be, you know, academics, people --  
23       individuals from different communities, advocacy groups where  
24       we lay out the policy principles, what we want to achieve,  
25       and try to shape a little bit what we think could be  
26       legislative answers to these problems.

27                   We got very extensive feedback from  
28       communities. I would summarize them by saying general

1      agreement that foreign interference is a serious issue, that  
2      we need to -- we needed to ramp up our tools, our toolkits,  
3      and to protect Canadians and Canadian institutions. A sort  
4      of series of very extensive concerns that needed to be  
5      addressed, for example, protecting communities against  
6      transnational repression, protecting democratic sort of  
7      processes. And we've taken that feedback and I think if I  
8      look at what C-70 looks like right now and if you compare  
9      with the feedback that we've received, I think we've taken on  
10     most of what has been put forward to us.

11            **MS. ERIN DANN:** I want to ask some questions  
12     about the implementation of one part of Bill C-70, the  
13     *Foreign Influence Transparency and Accountability Act*.

14            If we can go to CAN44799, please.

15     --- EXHIBIT No./PIÈCE No. CAN044799 0001:

16            Countering Foreign Interference Act

17            **MS. ERIN DANN:** This is a deck on a number of  
18     different elements, but if we look at page 9 of that  
19     document, we see reference to the -- to *FITAA* and the three  
20     elements that would give rise to a registration obligation.

21            If we look on the following page, page 10, it  
22     talks about administration and enforcement.

23            And we understand from the evidence that's  
24     been provided so far and the technical briefing that we  
25     received that a Foreign Influence Transparency Commissioner  
26     will be appointed to administer the Act. Can you help us  
27     understand where we are in the process of implementing the  
28     registry, what steps need to be taken to further implement it

1      and any involvement of Public Safety in respect to that?

2                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    So it's  
3      pretty clear there's broad consensus from all parties that  
4      the -- this needs to be in place before the next election,  
5      assuming that the election is in fall 2025. We are working  
6      hard to meet that timeline.

7                    There's a number of different concurrent  
8      streams of work of the creation of the office. The first one  
9      is the nomination of the Commissioner. The building, the  
10     office, the IT systems that come with it.

11                   There's also a necessity to bring forward  
12     regulations. The law says that there will be 10 sets of  
13     regulations. Six of them are non-discretionary, so they need  
14     to be in place before the Commission's office is in place.  
15     And then making sure that there's a sufficient, I would say,  
16     curriculum of interpretation notices and education material  
17     that is ready for when the Commissioner is in position and  
18     starts to educate Canadians about the obligation to register  
19     and then to sort of go about their business.

20                   So these streams of work are all started,  
21     ongoing. We are dedicating resources to do this and try to  
22     meet the -- our broad commitment for that office to be ready  
23     before the next election.

24                   **MS. ERIN DANN:**    And one just factual question  
25     about the registry. Is it designed to cover influence  
26     activities only in the federal government space or is it also  
27     -- will it also cover influence activities in subnational  
28     governments, Indigenous governments, other governments?

1                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** It is --  
2                    when fully implemented, *FITAA* will cover political activities  
3                    in the federal space and also the subnational level, federal,  
4                    provincial, municipal and Indigenous governments.

5                    That said, they all have a different come  
6                    into force sort of, let's say, rules and at this point we are  
7                    working to implement the -- sort of the federal authority  
8                    because we need to further the conversation with provinces  
9                    and territories and Indigenous governments for the  
10                   application -- the further application of *FITAA*. So when --  
11                   essentially, when the office is ready and -- ready to go,  
12                   then the Governor-in-Council will sort of say that the  
13                   federal parts of *FITAA* will come into force.

14                   **COMMISSIONER HOGUE:** And based on what you  
15                   can see as of now, do you believe that you'll be able to meet  
16                   the target of the fall of 2025?

17                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** We're doing  
18                   everything we can. It's very difficult to consider  
19                   everything that could happen between now and then, but I  
20                   would say that's -- you know, we have a very detailed plan of  
21                   how we want to develop the office and doing everything we can  
22                   to respect these timelines.

23                   **MR. SHAWN TUPPER:** One of the luxuries that  
24                   we have is we can compare how this office can be set up with  
25                   other offices that already exist, and so we don't want to  
26                   reinvent the wheel where we don't have to. There will be  
27                   components of this work that are unique. For instance,  
28                   setting up the case management system for that office is a

1      new endeavour and it will be specifically designed for that  
2      endeavour.

3                      So that kind of work takes longer because it  
4      is from scratch, so to speak, but where we can look at the  
5      Lobbying Commissioner and other offices and be able to kind  
6      of just take the benefit of comparison, we will be able to  
7      kind of jump ahead with some of that work.

8                      **MS. ERIN DANN:** I want to move to a different  
9      topic, which is about information and intelligence flow  
10     within Public Safety.

11                     We heard from your counterparts -- or  
12     predecessors, I should say, at Public Safety and they made  
13     reference to the fact that during their tenure, Public Safety  
14     did not have a way to reliably track the flow of intelligence  
15     and reception of intelligence.

16                     Can you describe what, if any, steps have  
17     been taken to improve information management and the tracking  
18     of intelligence at Public Safety?

19                     **MR. SHAWN TUPPER:** Well, first of all, I  
20     think we've really learned from some of the debate that we've  
21     witnessed over the last couple of years in terms of being  
22     able to answer the basic questions of who saw what when. And  
23     so we've taken some very concerted steps within the  
24     department to have a much closer tracking system. So when  
25     any information comes into the department from the  
26     intelligence agencies they are tracked, they are registered,  
27     and we know who gets them and we know who has read them. We  
28     require signatures and all of that now.



1                    So we've fundamentally kind of shifted the  
2                    way we treat the material that comes in. That gives us, I  
3                    think, a higher degree of confidence that we can now answer  
4                    the questions of when people saw the material. And we also  
5                    have got greater restrictions on it. That need-to-know  
6                    principle, I think, is much more emphasized in how we conduct  
7                    ourselves and track the flow of information.

8                    We've also taken the benefit of new systems  
9                    that have been designed elsewhere in government that also, I  
10                    think, have been -- enhance the control and the monitoring of  
11                    information flow. And we have built into our department kind  
12                    of the receding side of that, so we now have dedicated staff  
13                    and resources that come from CSIS who coordinate that work  
14                    for the department and who are solely responsible for making  
15                    sure that Tricia and I and others, including our Minister,  
16                    are in receipt of pertinent information, and we are able to  
17                    cultivate and build kind of reading lists that are designed  
18                    to serve the needs of individuals.

19                    **MS. ERIN DANN:** And I understand that you  
20                    don't -- Mr. Tupper, you provided important clarification in  
21                    one of our previous conversations that senior officials like  
22                    yourself do not personally sit at a computer and access a  
23                    database or access something over the Top Secret network.

24                    **MR. SHAWN TUPPER:** That's correct.

25                    **MS. ERIN DANN:** And that would -- the same, I  
26                    imagine, would be true for the Minister or the Minister's  
27                    Chief of Staff?

28                    **MR. SHAWN TUPPER:** That is correct.

1                    **MS. ERIN DANN:** Right. And rather you would  
2 rely on the CSIS liaison who you just referred to or a --  
3 heard talk about CRO, a Client Relations Officer. These are  
4 individuals who would access that material and provide it to  
5 you; is that ---

6                    **MR. SHAWN TUPPER:** I think for the broadest  
7 range of materials that is the case. We also have just the  
8 simple ability to send messages between agencies to say,  
9 "Something important has come in. We've sent it over on the  
10 high side," and we have individuals who are responsible for  
11 going and retrieving that material and delivering it. So the  
12 only oddity about that is I don't have my own computer and do  
13 it myself, but we have, I think, a very good system that  
14 ensures that when material comes in, that we have individuals  
15 who are designated; it is their responsibility to retract it  
16 out of the system and make sure it's delivered into the hands  
17 of the relevant recipients.

18                   **MS. ERIN DANN:** Right. And they also have  
19 responsibility for doing the tracking.

20                   **MR. SHAWN TUPPER:** yes.

21                   **MS. ERIN DANN:** So receiving a signature to  
22 confirm receipt and entering that into the system that's in  
23 place that permits that tracking.

24                   **MR. SHAWN TUPPER:** You are aware, I'm sure,  
25 of the list of recipients that are designated against each  
26 and every document, and indeed, those individuals who do the  
27 job are on that list and indeed it is tracked very carefully.

28                   **COMMISSIONER HOGUE:** And if documents are

1      sent in bulk, do you know for each and every document who has  
2      read the document? Or let's say, you know, there is 15  
3      documents sent at the same time. Are you able to track who  
4      read the documents one by one, or...?

5                    **MR. SHAWN TUPPER:**    So seldom would we have  
6      that many documents come at once, but when we do, we would  
7      keep that package together so we would have a single  
8      signature page for that package, but it would be relevant to,  
9      "I've received those 15 documents. I've had the time to read  
10     them." And when I put my signature on it, it is an  
11     acknowledgement that I have received and reviewed and  
12     consumed that material.

13                   **COMMISSIONER HOGUE:**    The 15 documents  
14     contained in the package.

15                   **MR. SHAWN TUPPER:**    Yes

16                   **COMMISSIONER HOGUE:**    Okay, thank you.

17                   **MS. ERIN DANN:**    We heard evidence this  
18     morning about sort of weekly or bi-weekly binders. Are those  
19     still something that are produced and that you received, or  
20     is there a different system in place now?

21                   **MR. SHAWN TUPPER:**    We don't have the system  
22     that you've heard about previously in place anymore because  
23     it's been overcome a little bit by events and a little bit by  
24     this new system that we have in place, and the fact that we  
25     now have individuals who are able to compile packages and  
26     deliver them. So we don't rely on those binders as much as  
27     we used to.

28                   **MS. ERIN DANN:**    Now, in terms of not

1      intelligence, but with respect to the processing of warrants  
2      at Public Safety, you described in your in camera examination  
3      that there's quite a sort of regimented process for the  
4      handling of warrants. Can you provide us just with a brief  
5      overview of what happens on the Public Safety side when a  
6      warrant application package is received from CSIS?

7                    **MR. SHAWN TUPPER:** So warrants, as you know,  
8      are among the very most sensitive documents that we would  
9      receive, and indeed, they have probably the strictest  
10     controls of any documents that come into the department.

11                   They come into the department because CSIS is  
12     obliged to consult me, as well as prepare their advice to the  
13     Minister, and it is through consulting me that the department  
14     is able to offer its own reaction to and advice to the  
15     Minister and in terms of what that warrant is about, and to  
16     highlight any issues that we think would be particularly  
17     pertinent to the Minister.

18                   So CSIS will work with teams in my department  
19     in the National Security Branch to make sure that we know  
20     that something is coming our way, that we are able to prepare  
21     in advance for its arrival, and that we are able to expedite  
22     our work because these are typically fairly time limited  
23     exercises.

24                   The department prepares a note that comes to  
25     me that I'm able to review. I'm able to review the entirety  
26     of the warrant; I have to sign off on my obligation to review  
27     the warrant. I sign my note and then it proceeds on to the  
28     Minister.

1                    **MS. ERIN DANN:** And once it's proceeded on to  
2 the Minister, or the Minister's office, does Public Safety  
3 have any further involvement or is it then left between the  
4 Minister's office and CSIS to coordinate the approval and  
5 return of the approved, if it is approved, application to  
6 CSIS?

7                    **MR. SHAWN TUPPER:** So as a result of our new  
8 process that we have in place, we track this stuff a little  
9 bit more aggressively now than perhaps we used to. So we  
10 certainly have a tracking system that ensures a document is  
11 processed. If it's sitting, we will know that, and we will  
12 be able to find out why it is sitting.

13                    That does not negate the fact that CSIS will  
14 have its own discussion with the Minister if it needs to.  
15 But certainly, I think between CSIS and ourselves we have a  
16 coordinated process now that ensures that we have a higher  
17 degree of awareness of the status of a given warrant.

18                    **MS. ERIN DANN:** Turning to another topic,  
19 misinformation and disinformation. We have heard a lot of  
20 evidence at this Inquiry about the ubiquity of online  
21 influence campaigns, particularly target -- including those  
22 targeted at democratic processes in Canada and  
23 internationally, and the impact of advances in technology,  
24 like generative AI, on lowering the bar to entry and the  
25 proliferation of threat actors in this space.

26                    We've heard evidence last week that outside  
27 of election periods and by-election periods, when RRM Canada  
28 monitors the online domestic space, that there are currently

1      no agencies or departments with a mandate to -- with a  
2      mandate to monitor online space for misinformation and  
3      disinformation or influence campaigns.

4                      We know that there are ongoing discussions  
5      about where and whether this work should be done. Can I ask  
6      for your comments on this? Is this type of monitoring of the  
7      domestic online ecosystem something that should be taken on  
8      fulltime by a government department; and, if so, is Public  
9      Safety potentially the place for that work to be done?

10                    **MR. SHAWN TUPPER:** So I think over time, our  
11      understanding of the necessity for this kind of monitoring  
12      has evolved. And I think that in the last few years there's  
13      a greater appreciation that we need more awareness. As we  
14      have developed our understanding of IMVE, of ideologically  
15      motivated violent extremism, and the fact that we're now  
16      seeing this occur in Canada through domestic sources, I think  
17      it has raised our desire to have a better awareness of what  
18      is happening in Canada, and it helps us understand how we  
19      need to kind of meet the threats that may exist here.

20                    That said, we're equally conscious of the  
21      fact that in a democracy, that's going to be a messy thing,  
22      and it's a difficult thing. And finding the balance between  
23      people's right to expression, people's right to hold  
24      particular views, even if we might think that they are  
25      unconscionable. There are democratic principles that have to  
26      be adhered to, and so we are going through, as you say, a  
27      pretty active discussion about what that might mean in a  
28      democracy like Canada.

1                    And so, indeed, officials are, I think  
2                    cultivating advice -- not I think -- we are cultivating  
3                    advice that ultimately will be given to the government about  
4                    a process that could be involved. We certain believe that  
5                    for Public Safety Canada, and for those who don't really  
6                    understand what Public Safety Canada is, you know, in any  
7                    other country we might be called the Interior Ministry, in  
8                    the United States we would be Homeland Security.

9                    Our function is indeed to ensure that we  
10                    protect and defend Canadian communities and that we make sure  
11                    that they are as resilient as they can be. And so, I think  
12                    we are of the view that we would have a role in understanding  
13                    events, and the evolution events in the country, and we think  
14                    that we could contribute to that. We have mechanisms within  
15                    the department, through the government operations centre,  
16                    through our national security branch, that we think could  
17                    facilitate some of that monitoring.

18                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** I would say  
19                    I think domestic monitoring is perhaps not the expression  
20                    that describes the RRM mandate. So the RRM's mandate is to  
21                    monitor social media and to find cases where foreign states  
22                    are obfuscating the fact that they are pushing certain kind  
23                    of narratives and information operations. I think it's about  
24                    the methodology itself.

25                    The G7 was created for the G7, and I think  
26                    it's pretty clear that the core mandate of the RRM is to  
27                    provide that support for the entire G7 group of countries.  
28                    RRM has a mandate during the election to perform these

1      functions to see if foreign states are targeting Canadian --  
2      the domestic landscape. But it's not about domestic  
3      monitoring, it's more about having a focus on Canada when it  
4      comes to foreign interference operations by foreign states.  
5      And so, that's the domestic RRM function that we described.

6                    **MS. ERIN DANN:** And that function is something  
7      that potentially could be -- RRM has given evidence about its  
8      sort of, discomfort as a foreign -- as part of Foreign  
9      Affairs and engaging in that work. Of course, it has been  
10     asked to do so and it is doing so, but it has expressed  
11     concerns about that function taking place within Global  
12     Affairs Canada. Is that function, as you've described it Mr.  
13     Aubertin-Giguère, and I thank you for that clarification --  
14     is that something that could be -- could live within Public  
15     Safety?

16                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** That's part  
17     of the consideration of all the, sort of, policy discussion  
18     that's taking place right now.

19                   **MS. ERIN DANN:** Thank you. Excuse me.  
20                   The Public Safety Institutional Report  
21     mentions Public Safety's role in the cyber attribution  
22     framework, and in particular it talks about cyber attacks on  
23     government systems, or systems of importance also, and this  
24     could also include attribution for influence activities.

25                   What role does Public Safety play in the  
26     attribution framework? And given the -- in what  
27     circumstances might Public Safety recommend for or against  
28     attribution? What are the considerations that go into those



1        recommendations?

2                    **MS. TRICIA GEDDES:**    Sure.    You've already  
3        named a couple of them.    We need to do a bit of analysis to  
4        understand, like, what could be the impacts to critical  
5        infrastructure in Canada?    What could be some of the law  
6        enforcement operations that are ongoing?    There may be  
7        reasons for or against cyber attribution depending on the  
8        nature of the threats and the nature of the assets that have  
9        been affected by it.

10                    So we have the domestic considerations about  
11        how are those cyber threats manifesting themselves here in  
12        Canada?    What are the pros in terms of calling out a state  
13        actor for having made that attack on a critical component of  
14        Canada's infrastructure for example?    But what might be some  
15        of the reasons why we may in some circumstances want to wait  
16        before doing that type of retribution?

17                    And as I said, perhaps an example is that law  
18        enforcement has an active and ongoing investigation.    So we  
19        contribute to that at the working level.    I would say that  
20        you've probably noticed a number of ministers have a role to  
21        play in that as well.    So the Minister of Public Safety,  
22        generally if there's a cyber attribution, personally I like  
23        it when it's done at the ministerial level.    I think that  
24        that is very impactful to call out a foreign state for having  
25        meddled in our cyber infrastructure in Canada.

26                    So the Minister of Public Safety, the  
27        Minister of Foreign Affairs, the Minister of Defence, all  
28        have roles to play.    So not only do we do the analysis and

1        feed it into the broad considerations, but we also support  
2        the Minister of Public Safety in whether or not he feels that  
3        he would like to make that type of statement.

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

5                    I have one final area before I will hand you  
6        over to my colleague, Ms. Lazare, who will ask you some  
7        questions about public engagement an engagement beyond the  
8        federal government. I want to talk briefly about briefings  
9        to parliamentarians and sort of, two sub areas here.

10                   First is, in relation to the ministerial  
11        directive on briefings to parliamentarians in respect of  
12        specific threats. We understand that a governance protocol  
13        for providing for -- I'm sorry, the implementation of the  
14        Ministerial Directive was issued in August of 2023 to guide  
15        the implementation of the Ministerial Directive. Does the  
16        Countering Foreign Interference Coordinator play any role in  
17        that protocol, Mr. Aubertin-Giguère?

18                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well, so the  
19        branch, so I would say me and the Senior ADM National  
20        Security play a critical role in that function. So when the  
21        service identifies a potential for a briefing, that  
22        intelligence is brought forward to a table of ADMs that we  
23        chair. And then we discuss the -- we discuss the  
24        information, CSIS provides a sense of what they want to say  
25        in the form of words, and then we collectively provide advice  
26        that is then provided to the table of Deputy Ministers who  
27        provide advice to the Director of CSIS.

28                   **MS. ERIN DANN:** And if the -- if the threat

1      or potential threat -- if intelligence relating to that did  
2      not come through CSIS, but rather, was for example in the  
3      case of a cyber incident, for example if the cyber centre,  
4      CSE, became aware of that threat. I realize the Ministerial  
5      Directive only applies -- or it's directed towards CSIS, but  
6      would intelligence or information from other agencies or  
7      departments go through this same protocol?

8                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yes. So I  
9      think that's one of the -- I would say that one of our  
10     greatest achievements as a community is our -- is having  
11     designed very clear protocols of how we consider information,  
12     intelligence, that requires a response. How do we get  
13     together as a community to provide the response and assign  
14     roles and responsibilities, and then provide coordinated  
15     advice to our Deputy Ministers who then also decide on the  
16     response itself?

17                   In that, it goes way beyond the Ministerial  
18     Directive, it covers now the full spectrum of response to  
19     specific pieces of intelligence.

20                   **MS. ERIN DANN:** Thank you. Last then, are  
21     unclassified non-threat related briefings, but perhaps I will  
22     call them briefings for situational awareness, that were I  
23     understand, one of the initiatives of the Countering Foreign  
24     Interference Coordinator, were unclassified briefings that  
25     were delivered to parliamentarians, sort of, by caucus in  
26     June of 2024.

27                   And we can bring up CAN47986, for the record  
28     this deck is also available in French at 47987, CAN47987.

1      --- EXHIBIT No./PIÈCE No. CAN047986 0001:

2                                      Foreign Interference - Briefing to  
3                                      Canadian Parliamentarians

4      --- EXHIBIT No./PIÈCE No. CAN047987 0001:

5                                      Ingérence étrangère - Information à  
6                                      l'intention des parlementaires  
7                                      canadien

8                      **MS. ERIN DANN:** I understand this was the  
9      deck that was used. Mr. Aubertin-Giguère, can you describe  
10     the reception that this briefing obtained? What feedback, if  
11     any, did you receive from the parliamentarians who attended?

12                      **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So this  
13     briefing came about as a request from the Sergeant-at-Arms  
14     who had noticed that there was perhaps uneven levels of  
15     awareness about foreign interference among parliamentarians.  
16     And so, I worked with CSIS, with CSE, and the RCMP to come up  
17     with a non classified briefing that is basically FI 101, sets  
18     the level, the playing ground. And then it also contains  
19     particular advice on how to protect their social selves, and  
20     their cyber selves, their digital selves. So we delivered  
21     the briefing to different caucuses. We got excellent  
22     feedback from it. And so it -- I think overall, it was a  
23     very positive experience.

24                      **MS. ERIN DANN:** Commissioner, those are all  
25     of my questions. Ms. Lazare has some questions on community  
26     and provincial and territorial engagement.

27                      **COMMISSIONER HOGUE:** Thank you.

28                      Me Lazare?

1      **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR**

2      **MS. HANNAH LAZARE:**

3                    **MS. HANNAH LAZARE:** Thank you.

4                    Good afternoon. I'm going to ask you a  
5 series of questions about Public Safety's role in terms of  
6 the broader efforts at engaging with stakeholders outside the  
7 Federal Government. I'm going to discuss the specifics in a  
8 few moments, but I'd like to ask a couple questions about  
9 Public Safety's role in terms of coordinating that  
10 engagement.

11                   So if I can ask the Court Registrar to please  
12 pull up CAN44981?

13                   This is the Terms of Reference of the  
14 Counter-Foreign Interference Coordinator.

15                   If you can turn to page 4, please?

16                   If we look at the last bullet under the  
17 "National Counter-Foreign Interference Coordinator will", we  
18 see that you, Mr. Aubertin-Giguère, are tasked with:

19                   "[To] coordinate and undertake  
20 engagement activities with [non-  
21 federal stakeholders, including  
22 culturally and linguistically diverse  
23 communities, to strengthen societal  
24 resilience."

25                   So I guess part of the answer is probably in  
26 there already, but I'll ask if you can explain sort of the  
27 objective of this part of your mandate?

28                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well there's

1      two components. There's the engagement that I will conduct  
2      myself, or me or individuals in my office will conduct, and  
3      then there's the coordination with the community of  
4      engagement with non-federal stakeholders, and especially  
5      Canadian communities that are oftentimes the first victims of  
6      transnational repression and FI. So there was -- I  
7      personally have conducted, I would say, a high number of  
8      engagement sessions with Canadian communities in the context  
9      of *FITAA* and C-70 consultations, but also outside of it. I  
10     would say I never refuse a phone call and I've met with, you  
11     know, representatives of different communities.

12                    I think it's fundamental, so first to  
13     establish the trust relationship, but also to understand  
14     their concerns and to make sure that whatever policy or  
15     legislation we put forward is in line with the realities that  
16     they're living.

17                    I would say also the coordination function is  
18     something we're working on right now. We -- there was a huge  
19     effort, huge push, to coordinate engagement during the two  
20     rounds of consultations, especially C-70, where we had to  
21     work with, you know, Justice and CSIS to go out and to engage  
22     with Canadians. And that was a massive effort in terms of  
23     engagement. And then we need to, now working on the post, I  
24     would say, C-70 implementation engagement, making sure that  
25     Canadians are aware of how the law has changed, what it means  
26     for them, and making sure that police of jurisdiction is also  
27     aware of the changes. So that's something we're working on  
28     with now the RCMP and all the partners.

1                    **MR. SHAWN TUPPER:**    May I -- just the  
2                    importance of the coordination function here, so avoiding  
3                    coordination fatigue or consultation fatigue, you know, these  
4                    -- oftentimes we're engaging with stakeholders who are small  
5                    organizations who don't have people necessarily who are even  
6                    working full-time for the organization. So our ability to be  
7                    respectful of their realities in terms of how we go out and  
8                    engage is just a fundamental thing that we don't overwhelm  
9                    them.

10                   But it also, I think, helps us build back  
11                   some of the trust that has been lost over time, in terms of  
12                   how people perceive government and perceive public  
13                   institutions. Our ability to show that we are coordinated.  
14                   Our ability to show that in fact CSIS' work is aligned with  
15                   the work of Public Safety, which is aligned with the work of  
16                   CSE. Those are very important messages that Canadians and  
17                   stakeholder organizations really need to see so that they  
18                   actually believe that we are doing something that is coherent  
19                   and that they have an expectation that the outcomes will  
20                   actually result in something substantive that they may  
21                   benefit from.

22                   **MS. TRICIA GEDDES:**    Maybe I'll add too. You  
23                   can tell we all care very much about this topic. We're all  
24                   very passionate about it. I will add to it, I totally agree  
25                   about Public Safety bringing some coherence and being able to  
26                   demonstrate impacts and outcomes.

27                   I would say that every single national  
28                   security leader in our community feels incredibly strongly

1        that building resilience is going to happen through trust and  
2        relationships, and creating safe spaces for conversations.

3                So I agree Public Safety has a very important  
4        leadership role here, but CSIS, the RCMP, the Cyber Centre,  
5        have been doing this work over a significant number of years  
6        to try to increase that level of trust and transparency.  
7        It's critical. This is probably the most important element  
8        of how we're going to be able to counter foreign  
9        interference.

10               So our ability to help coordinate, push, find  
11        the resources, the coherence to be able to advance this  
12        issue, really important, but every agency being able to work  
13        to build those trusted relationships is equally critical, in  
14        my perspective.

15               **MS. HANNAH LAZARE:** Thank you. I'm going to  
16        pick up on much of that in a moment, but before I do so, I'm  
17        wondering if, Mr. Tupper, in your interview, we spoke about  
18        Public Safety's engagement with provincial, territorial, and  
19        Indigenous governments, and you've spoken about it in the  
20        context of Bill C-70 a little bit today, but you mentioned,  
21        Mr. Tupper, in the interview, the Ministerial Table that is  
22        co-chaired by Public Safety and Justice, and then a DM level  
23        table that mirrors this. And you expressed that there have  
24        been recent efforts to make sure that national security  
25        issues become a regular item of discussion at these tables.  
26        Can you tell us more about that?

27               **MR. SHAWN TUPPER:** Well, again, I think that  
28        realization that foreign interference isn't just focused on



1      the Federal Government. I think that our ability to work  
2      with our provincial and territorial colleagues and our  
3      Indigenous partners is pretty critical because everybody is  
4      subject to attempts to interference with activities.  
5      Everybody certainly is experiencing the amount of  
6      misinformation and disinformation that is flowing through  
7      networks. And so our ability to engender our conversation to  
8      build people's awareness, help them develop their own  
9      toolkits within government, is a fundamental thing.

10                      And so we now have established, as I've told  
11      you previously, a standing item within our meetings at the  
12      federal, provincial, territorial level, and certainly in our  
13      engagement with Indigenous leadership, this has become a  
14      standing item and it is intended, indeed, to help them build  
15      their understanding of the issues and indeed to design  
16      whatever investments they want to make as other governments  
17      to confront and combat the challenge of foreign interference.

18                      **MS. HANNAH LAZARE:** Thank you. And if I can  
19      ask the Court Registrar to please pull up CAN37228?

20      **--- EXHIBIT No./PIÈCE No. CAN037228 0001:**

21                      FPT Collaboration to increase  
22                      awareness on Foreign Interference  
23                      Threats to Canada

24                      **MS. HANNAH LAZARE:** I believe this is an  
25      example of such an effort from May of 2024, where I  
26      understand this is a conference document. And if we turn to  
27      page 2, thank you, under "Considerations and Options", we  
28      see:

1                    "Public Safety Canada, in partnership  
2                    with other Federal departments, has  
3                    undertaken an effort to brief all  
4                    federal Members of Parliament on [...]   
5                    threats [...] foreign interference.  
6                    These materials are being adapted and  
7                    tailored in collaboration with  
8                    respective jurisdictions to meet  
9                    their needs."

10                   Can you tell us a bit more about this effort?

11                   **MR. SHAWN TUPPER:**    He can.

12                   **MS. HANNAH LAZARE:**    Thank you.

13                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    So  
14                   essentially the effort to brief federal parliamentarians, we  
15                   thought it would be a good idea to also offer this to  
16                   provincial and territorial members of Parliament,  
17                   parliamentarians. And so we reach out to all of the  
18                   jurisdictions to offer this.

19                   At this point, we have completed this in one  
20                   province and we are in discussions with a number of other  
21                   provinces and territories to be conducting this, I would say  
22                   not exactly the same, but somewhat similar type of briefing,  
23                   provides a high description of the foreign interference  
24                   threat, what it means for them, why they are prime targets of  
25                   foreign interference, and how to better defend themselves.

26                   **MS. HANNAH LAZARE:**    Thank you. And my last  
27                   question on the question of engagement with provinces and  
28                   territories is about the challenges that might come with

1        that.

2                    In the interview, we spoke about the need to  
3 build capacity for provinces and territories to allow them to  
4 receive classified information. Can you describe some of  
5 these challenges and efforts at addressing them?

6                    **MR. SHAWN TUPPER:** It's some of the basic  
7 things that we've had to grow within the federal public  
8 service, is just simply having people who are trained, people  
9 who have the right skill set, people who have security  
10 clearances.

11                   I remember years ago we were doing a  
12 federal/provincial meeting and we wanted to do a secure brief  
13 and we didn't realize that our counterparts didn't have  
14 sufficient clearance to receive the brief, and so we had to  
15 kind of rush at the last moment to kind of make that happen.

16                   And so I think what we're trying to do is  
17 regularize that. We're trying to work with provinces so that  
18 we have a better designation of where we go within a  
19 provincial administration, who are our counterparts in that  
20 administration, so that it can affect a more regular and free  
21 flow of information such that provinces can be more aware and  
22 do their own preparations.

23                   **MS. TRICIA GEDDES:** Maybe the only thing I  
24 would add is that clearly, there's a lot more that we could  
25 be saying in the unclassified space. Look at this inquiry  
26 and what we're able to achieve.

27                   So I think that this is also -- when we  
28 changed -- in C-70 when we changed CSIS's ability to be able

1      to provide information beyond simply the federal government  
2      out two other orders of government, really important change  
3      not just for classified information, but to also make it  
4      clear that their mandate was to expand beyond just providing  
5      advice to the federal government.

6                      And when we talk about whole of society  
7      approaches to these threats, our ability to move information  
8      sometimes from a classified venue into an unclassified space  
9      is really critical, not just for orders of government, but  
10     for businesses, for research institutions, and for Canadians.

11                     So I think where we've learned a lot, I think  
12     that we've changed in a very short period of time from very  
13     secretive type of institutions that were containing the  
14     information into their ability to be able to translate that  
15     and transmit it at various levels of classification. I think  
16     we're making great progress there and I hope that our  
17     partners are starting to feel the effects of that.

18                     **MS. HANNAH LAZARE:** Thank you.

19                     I'm going to move on now to some questions  
20     about diaspora groups, but I'm looking at my time, and  
21     Commissioner, I'm wondering if I could have a slight  
22     indulgence for a few more minutes?

23                     **COMMISSIONER HOGUE:** Yes, you can.

24                     **MS. HANNAH LAZARE:** Thank you.

25                     So I'm going to pick up on something you were  
26     discussing, Ms. Geddes, a few moments ago about this role for  
27     both a unified government engagement with respect to diaspora  
28     groups, but also, I guess maybe the need for a coherent

1      messaging. Is there value in having a single point of  
2      contact, or as I guess you were getting at before, it's  
3      important to allow the agencies to maintain the networks that  
4      they've already developed? Can you elaborate on that for us?

5                    **MS. TRICIA GEDDES:** So I think it's an every  
6      door is the right door kind of a circumstance. Shawn's not  
7      wrong to say when we do formal consultations there can be  
8      consultation fatigue. People are sort of being tapped every  
9      other day to come and sit and spend hours with us in a very  
10     formal type of engagement.

11                   But I will say that the real feeling, you  
12     know, when you are a community member, which we have heard  
13     from many of them who feel threatened or do not feel safe,  
14     the ability to find the right relationship that works for  
15     them, to be able to express their concerns, to feel that is  
16     being heard, and to feel like it is being acted on.  
17     Sometimes the policy department will be able to help with  
18     that because we will be able to better understand, how can we  
19     develop new policies and move forward in implementing the  
20     changes that they need.

21                   But sometimes it will be about being able to  
22     speak to a law enforcement officer or being able to  
23     understand that an intelligence officer working for your  
24     secured intelligence service is actually a friend, it is  
25     someone that you can talk to and that you feel safe to be  
26     able to bring your concerns to them. I think that that, you  
27     know, I don't want to speak for the communities, but I've  
28     heard from them a lot and they have said that they have not

1        felt that they have someone that they can talk to and that  
2        they can trust and listen to.

3                    So I think it's absolutely critical that we  
4        work on every level on this problem.

5                    **MS. HANNAH LAZARE:** Thank you.

6                    Can I ask that the Registrar please pull up  
7        WIT144 at page 20? This is the *in camera* hearing summary.  
8        And I'm going to ask a question about terminology that we  
9        discussed here. We've heard some evidence that diaspora  
10       groups may not always be the preferred terminology to  
11       describe -- to describe the groups that you're engaging with.

12                   Mr. Aubertin-Giguère, can you explain where  
13       this comes from?

14                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** This stems  
15       from a -- well, first an internal discussion between all the  
16       security agencies on the use of diaspora communities, but  
17       also some of the feedback we got from communities that this  
18       word may sort of emphasize this notion that they're not fully  
19       Canadian. I think that's -- so that's why we prefer Canadian  
20       communities and that, you know, Canada has this sort of  
21       complex group of ethnocultural communities, but it all --  
22       it's the makeup of Canada. So that's -- it's not kind of a  
23       central policy or anything like this, it's just being  
24       sensitive to this concern.

25                   **MS. HANNAH LAZARE:** But if we look for  
26       instance, at your institutional report, and we see reference  
27       to Canadian communities, we can understand that you're  
28       referring to this type of engagement?

1                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    Correct.

2                    **MS. HANNAH LAZARE:**    Thank you.

3                    If we can move to page 18 of the same  
4                    document, I'd like to discuss transnational repression  
5                    briefly with you, and I think we'll do so through a specific  
6                    example, and that's the response to the overseas police  
7                    stations.

8                    Mr. Tupper, here at paragraph 66 we see that  
9                    you described this issue as "transformational for the  
10                   department", and you continue:

11                                "It demonstrated the department's  
12                                capacity to respond to these types of  
13                                activities and what more they needed  
14                                to do."

15                    Can you elaborate on this for us?

16                    **MR. SHAWN TUPPER:**    It was -- in my  
17                    experience, short as it is as the Deputy, but I think it was  
18                    perhaps among the first truly concrete examples of where we  
19                    were confronted by the reality of the actions of a foreign  
20                    state on our Canadian ground and impacting on Canadians.    And  
21                    I think it focused us in a way that perhaps, we hadn't been  
22                    focused before.

23                    I think it also challenged us, because of the  
24                    nature of the activity, finding the line of what is legal,  
25                    what may be illegal or improper, understanding the purpose  
26                    for which some of the activities pursued.    And then in the  
27                    instance of some of the organizations that were identified as  
28                    so-called police stations, was the fact that they were

1      oftentimes community groups run by Canadians. And so, trying  
2      to understand the difficulty and the complexity of that  
3      context of the situation in terms of how we act.

4                      And it was quickly understood that, you know,  
5      kind of a policing activity that might -- as some people  
6      called for, why aren't we arresting people? Why aren't we  
7      deporting people? Well, the reality was they were below a  
8      threshold of illegal contact, and they were Canadians, so  
9      neither response was the appropriate response. And so, it  
10     forced us to think outside our box, it forced us to look at  
11     other tools.

12                     And as we started to say, and we say it all  
13     the time, you know sunlight is the best antiseptic. That  
14     shedding light on a problem, being transparent about the  
15     problem, communicating, making people aware, and engaging  
16     with communities such that they understand that there are  
17     avenues for them to seek support and to get better  
18     information, it was a very impactful result in terms of being  
19     able to curb those activities. And it allowed us to realize  
20     that indeed we have a much larger toolkit, and if we make  
21     different investments we can still have really positive  
22     outcomes.

23                     **MS. HANNAH LAZARE:** Thank you.

24                     I'd like to move on to some of the tools in  
25     that toolkit. Mr. Aubertin-Giguère, during the interview,  
26     you spoke about the interdepartmental working group on  
27     transnational repression. Can you tell us more about this  
28     working group, your involvement in it, and how it responds to



1        this type of situation?

2                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    So we just  
3        have to be careful, but ---

4                    **MS. HANNAH LAZARE:**    Of course.

5                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    --- of how I  
6        -- what I say and how I frame it.

7                    What I can say is that the issue of  
8        transnational repression is complex. Every, sort of, threat  
9        actor has its own way of sort of conducting these activities.  
10       So our efforts have to be tailored to the realities of also  
11       the threat landscape, also realizing that some of the efforts  
12       cut across and help to sort of -- help Canada better counter  
13       transnational repression.

14                    What I can say is that we worked with, you  
15       know, all the partners to understand the threat, get a sense  
16       of what possible responses we can put forward; and it's a mix  
17       of operational actions, policy proposals, and engagement, all  
18       in one action plan. But also, what I can say is that it  
19       brings, I would say players that are not typically core to  
20       the security and intelligence group, other -- we call them  
21       equities. But it's essentially other departments with  
22       different mandates that are relevant to the work of  
23       countering transnational repression.

24                    So that work is ongoing, and then the details  
25       of it I'm not at liberty to discuss here.

26                    **MS. HANNAH LAZARE:**    Of course. Thank you.

27                    I understand that another tool in the toolkit  
28       in this area are these cross-cultural roundtables on

1      security, which I know played a part in a number of the  
2      things we've already spoken about. But can you tell us more  
3      about these and Public Safety's role in facilitating them,  
4      and also how they serve as a mechanism for obtaining feedback  
5      from the communities that the government engages with?

6                    **MR. SHAWN TUPPER:** So the cross-cultural  
7      roundtable is one of several different kinds of tables that  
8      we run as an organization, as a department. It is part of  
9      our outreach, it is part of us trying to establish a place  
10     where voices can come and kind of talk to us about issues,  
11     and where we can go and consult and get perspectives, other  
12     than government perspectives, about various issues. And so  
13     the roundtable, our National Security Transparency group, are  
14     all examples where we were able to invite Canadians  
15     representing various associations and organizations to come  
16     and engage with us and inform us and educate us at times  
17     about the challenges that are happening in our communities.  
18     They are ways that we can engage with those same  
19     organizations to test ideas, to debate and discuss potential  
20     policy options that we should consider.

21                   So they're just very impactful, very  
22     important to us as a place for discussion and debate about  
23     some pretty critical issues.

24                   **MS. HANNAH LAZARE:** Thank you. I have just  
25     one final question.

26                   Mr. Registrar, can I ask that WIT144 be  
27     pulled back up, at page 21? If you can continue down,  
28     please, to paragraph 79? Yeah, thank you.

1                    So if we look -- these are some comments that  
2                    you made, Mr. Tupper, and about the fourth line up from the  
3                    bottom of that paragraph you say:

4                    "He noted that [Public Safety] has  
5                    started to engage more actively on  
6                    various public issues, which involves  
7                    taking some risks."

8                    And then if we can turn to paragraph 82 --  
9                    scroll down, please -- we see:

10                   "Mr. Tupper described risk aversion  
11                   as a challenge within the public  
12                   service. He testified that [Public  
13                   Safety] is of the view that it is  
14                   important the department lean in and  
15                   engage with communities."

16                   Can you tell us about the risks that you're  
17                   identifying here and what Public Safety is doing to sort of  
18                   overcome the risk aversion that you've described here?

19                   **MR. SHAWN TUPPER:** It's, at times, very  
20                   difficult being a public servant. At times we're expected to  
21                   know everything, and at times we're accused of knowing  
22                   nothing. And I think over the last number of years where  
23                   debate in all of our communities has become much more  
24                   vitriolic, at times a bit violent, certainly extreme, there  
25                   is a real concern about venturing into that space and that  
26                   place to engage. And the recent events in Israel and Gaza  
27                   and now Lebanon are a perfect example where the debate is a  
28                   very difficult one.

1                    And for us as public servants, whose  
2                    obligation it is to talk to every Canadian, to hear every  
3                    perspective, to make sure that we are representative of  
4                    Canada as a whole, and that we overcome our own biases as we  
5                    pursue the policy formation, it's a scary place right now.  
6                    And so sometimes it's easier not to engage or sometimes it's  
7                    easier to engage in a certain way that may insulate you from  
8                    some of those difficulties.

9                    And so what we have done in the department in  
10                   pursuing a discussion of social cohesion that reflects the  
11                   challenge that this country has in the debate around what  
12                   happened in Gaza, in Israel, and subsequently what is  
13                   happening throughout the Middle East, it's been hard to reach  
14                   out to Canadians and ask them to come together to have a  
15                   discussion about how we consider those issues in a Canadian  
16                   context. How do we make sure that we truly are investing in  
17                   initiatives that are about the resilience of Canadian  
18                   communities; how we have debate in those communities without  
19                   it being so fractious that we accomplish nothing; the ability  
20                   to engage with communities about the rules of engagement? I  
21                   don't really care what your opinion is, what I care about is  
22                   that we have a dialogue in Canada that's respectful, and that  
23                   people can express their different perspectives and that  
24                   hopefully we can arrive at policy outcomes that find a way to  
25                   serve all Canadians. That's really hard.

26                   And sometimes we're risk averse; sometimes we  
27                   avoid some of those things that are hard because you throw  
28                   yourself in the middle of it. Sometimes we are, you know,

1        accused of acting in bad faith. Sometimes we are accused of  
2        not being neutral enough and that we are becoming too  
3        affiliated with whatever government that we may be working  
4        for over the years. And indeed, it's hard after you've  
5        served a government for 10 years, under Mr. Harper, under Mr.  
6        Mulroney, under Mr. Trudeau, you do have a sense from the  
7        other side that perhaps we're too close to the government.

8                    You really have to kind of sturdy your spine  
9        in terms of being able to step into that void and engage in  
10       that conversation. And I think more recently we have done  
11       that; we have steeled ourselves to go and engage and we have  
12       met with the Jewish community, the Muslim community, with  
13       religious communities, with universities who have really, as  
14       you're well aware, over the past year really struggled with  
15       this debate on campus and how they manage that. It is not  
16       easy.

17                   And so that was, I think, a little bit of the  
18       reflection that is in that text.

19                   **MS. HANNAH LAZARE:** Thank you.

20                   Commissioner, those are my questions.

21                   **COMMISSIONER HOGUE:** Thank you.

22                   We'll take a 20-minutes' break, so we'll  
23       resume at 3:25, so 22 minutes.

24                   **THE REGISTRAR:** Order, please. À l'ordre,  
25       s'il vous plaît.

26                   This sitting of the Commission is now in  
27       recess until 3:25 p.m. Cette séance de la Commission est  
28       maintenant suspendue jusqu'à 15 h 25.

1      --- Upon recessing at 3:04 p.m./

2      --- La séance est suspendue à 15 h 04

3      --- Upon resuming at 3:26 p.m./

4      --- La séance est reprise à 15 h 26

5                    **THE REGISTRAR:** Order, please. À l'ordre,  
6      s'il vous plaît.

7                    This sitting of the Foreign Interference  
8      Commission is now back in session. Cette séance de la  
9      Commission sur l'ingérence étrangère est de retour en  
10     session.

11                   The time is 3:26 p.m. Il est 15 h 26.

12     --- MR. SÉBASTIEN AUBERTIN-GIGUÈRE, Resumed/Sous la même  
13     affirmation:

14     --- MR. SHAWN TUPPER, Resumed/Sous la même affirmation:

15     --- MS. TRICIA GEDDES, Resumed/Sous la même affirmation:

16                   **COMMISSIONER HOGUE:** So the first one is  
17     Maître Sirois for the RCD, Russian Canadian Democratic  
18     Alliance.

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

20                   **COMMISSIONER HOGUE:** For you.

21                   **MR. GUILLAUME SIROIS:** Merci, Madame la  
22     commissaire.

23                   **COMMISSIONER HOGUE:** RCD for us.

24                   **Me GUILLAUME SIROIS:** Oui. Aussi connu en  
25     français comme l'Alliance démocratique des Canadiens russes.

26     --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR  
27     MR. GUILLAUME SIROIS:

28                   **Me GUILLAUME SIROIS:** Je vais commencer mes

1      questions en français, puis ensuite... mais sentez-vous libres  
2      de répondre en anglais ou en français. Y'a pas de problème.

3                      Donc, Monsieur Aubertin-Giguère, vous avez  
4      été nommé en mars 2023 comme coordonnateur national de la  
5      lutte contre l'ingérence étrangère. C'est bien ça?

6                      **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Oui.

7                      **Me GUILLAUME SIROIS:** Est-ce qu'on peut dire  
8      que dans la fonction publique, vous êtes donc la personne  
9      ultimement responsable de l'ingérence étrangère si elle se  
10     produit au Canada?

11                     **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Non. Je pense  
12     pas que ça capture adéquatement la fonction, mais les  
13     différents ministères ont différentes responsabilités dans la  
14     lutte contre l'ingérence étrangère, ils ont différents  
15     mandats.

16                     Ma responsabilité, c'est de coordonner puis  
17     de faire en sorte que les ministères se parlent, on travaille  
18     ensemble, on identifie les bons problèmes et les bonnes  
19     solutions.

20                     **Me GUILLAUME SIROIS:** On a entendu parler que  
21     des fois certains ministères peuvent dire « c'est pas ma  
22     responsabilité, c'est la responsabilité d'un autre », puis il  
23     y a un peu... il peut y avoir une tendance des fois à dire  
24     « ben, c'est pas ma responsabilité, c'est la responsabilité  
25     d'un autre organisme ». Croyez-vous que ça serait utile  
26     d'avoir une entité qui est responsable, qu'on pourrait  
27     montrer du doigt si jamais il y a de l'ingérence étrangère  
28     qui se produit dans nos institutions démocratiques?

1                    **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Non, je crois  
2 pas. En fait, je pense que les différents mandats que les  
3 organisations ont établis par des lois couvrent différents  
4 aspects de la lutte contre l'ingérence étrangère et des  
5 autres composantes de la sécurité nationale du Canada, donc  
6 je ne crois pas que de créer une agence fédérale de lutte  
7 contre l'ingérence étrangère – je pense que c'est sous-  
8 entendu dans votre question – serait utile à ce propos.

9                    **Me GUILLAUME SIROIS:** Ça ne serait pas utile  
10 d'avoir une seule personne ou entité responsable pour ce  
11 mandat-là qu'on pourrait montrer du doigt si jamais de  
12 l'ingérence étrangère se présente dans nos institutions  
13 démocratiques.

14                   **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Non. En fait,  
15 je crois que l'idée est... l'idée, c'est d'avoir des mécanismes  
16 en place pour s'assurer que quand il y a un problème qui se  
17 présente ou il y a une compréhension plus claire des  
18 problèmes, que tous les ministères s'assoient à la table, des  
19 organisations s'assoient à la table, qu'on prenne le problème  
20 de la même, qu'on fasse une déconstruction de l'information,  
21 on prépare une réponse.

22                   Mais d'avoir une personne responsable, il  
23 faudrait qu'il y ait, de cette façon-là, une autorité de  
24 guider les réponses opérationnelles des ministères, ce qui ne  
25 serait pas... ce qui ne serait pas faisable et même  
26 souhaitable.

27                   **MR. SHAWN TUPPER:** We have a lot of  
28 experience in government that way. For instance, a



1      comparison could be made between this work and what we do in  
2      Emergency Preparedness. My department, I'm the Federal  
3      Emergency Response Officer, but I don't have all of the  
4      tools, all of the levers in government to respond to  
5      emergencies, whether they're floods or fires or whatever.

6                      The job is to make sure we have adequate  
7      coordination. The job is to make sure that there is a  
8      horizontal framework that gets applied that brings in all  
9      those levers.

10                     It would just be too complex to try and put  
11      every aspect of the work into one place, and so I think the  
12      work that SED does is ensures that the levers are being  
13      pulled at the right time and that they're coherent, but I  
14      don't think it's necessary and, as I say, there are lots of  
15      examples in government where the coordinating and that  
16      centralization of thought is one thing. The work itself, I  
17      think, can be left in place in other organizations.

18                     **Me GUILLAUME SIROIS:** Parfait. Merci.

19                     Bien, je pense que je comprends, je comprends  
20      votre point. J'aimerais peut-être avoir votre aide dans ce  
21      cas-là pour essayer de comprendre pourquoi des opérations  
22      d'ingérence étrangère comme Tenet Media se produisent  
23      toujours au Canada, malgré la création de votre bureau, puis  
24      peut-être que vous pouvez m'indiquer quel était le  
25      département qui n'a pas répondu adéquatement ou qui n'a pas  
26      réussi à empêcher que ce genre d'opérations là se produisent  
27      au Canada en 2023-2024.

28                     **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Votre question

1      sous-entend qu'il y a eu échec, ce que je ne suis pas  
2      d'accord avec ça d'une certaine façon. Je ne peux pas révéler  
3      les détails parce qu'il y a une enquête criminelle, on  
4      travaille bien étroitement avec les partenaires américains  
5      là-dessus. Ce que je peux dire, c'est que la menace a été  
6      détectée et puis il y a eu des actions qui ont été posées.

7                      On n'est pas en mesure... je crois qu'il serait  
8      irréaliste de penser qu'il existe un système à toute épreuve  
9      qui empêche toute action d'ingérence. Ce qu'il faut  
10     s'assurer, c'est qu'il y a des mécanismes en place pour  
11     reconnaître puis agir quand ils seront... quand ils existent.

12                    **Me GUILLAUME SIROIS:** Puis je vais peut-être  
13     vous lire un extrait de ce que l'éditrice en chef de *Russia*  
14     *Today* a dit peu de temps après que cette opération-là a été  
15     mise au grand jour par les Américains. Elle a dit :

16                    "We stayed in those countries, we  
17                    worked there, and we shall work there  
18                    - just not now in a straight line.  
19                    We will continue to do that as far as  
20                    we can - so far it is working out -  
21                    it's almost like an exquisite  
22                    gambling trail."

23                    Ma question, c'est : croyez-vous que les  
24     mesures prises jusqu'à présent par le gouvernement sont  
25     suffisantes pour dissuader la Russie de s'ingérer dans notre  
26     démocratie?

27                    **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Je dois dire  
28     que la Russie est un acteur persistant, qui met les moyens,

1      qui ne sera pas facilement... c'est quoi le mot en français...  
2      « deterred ».

3                    **COMMISSAIRE HOGUE:** Dissuadé.

4                    **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Dissuadé,  
5      merci. J'en perds mon français des fois.

6                    Par contre, ce que je dois dire, c'est que le  
7      Canada n'est pas un environnement permmissible, qu'on a des  
8      mécanismes de sécurité nationale et de réponse qui sont assez  
9      élaborés, et puis qu'on prend toutes les mesures nécessaires  
10     pour agir contre l'ingérence étrangère. Ce que je dois dire,  
11     c'est s'il... même malgré tout ça, ça n'empêchera pas la Russie  
12     d'essayer.

13                   **Me GUILLAUME SIROIS:** Donc, vous êtes d'accord  
14     que la Russie continue d'avoir l'intention de s'ingérer.  
15     C'est ça?

16                   **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Oui.

17                   **Me GUILLAUME SIROIS:** OK.

18                   Et j'aimerais aussi vous parler d'un rapport  
19     qui a été commandité par Patrimoine Canada. Je peux vous le  
20     montrer, ça va peut-être être plus simple là. C'est RCD52.

21     **--- EXHIBIT No./PIÈCE No. RCD0000052:**

22                   Canadian Vulnerability to Russian  
23                   Narratives About Ukraine

24                   **Me GUILLAUME SIROIS:** Là, on parle bien de  
25     l'effet de la propagande russe, parce que, ça aussi, c'est  
26     une question là, à quel point cette propagande-là a un effet  
27     sur la population canadienne.

28                   Vous pouvez descendre un peu plus.

1                   Ç'a été une étude faite par DisinfoWatch qui  
2                   s'appelle « Canadian Vulnerability to Russian narratives  
3                   About Ukraine », le 8 juillet 2024.

4                   On peut descendre. Oui, c'est ça.

5                   Juste pour avoir l'introduction, une  
6                   explication un peu de c'est quoi cette étude-là et les  
7                   conclusions principales. Donc, on voit à la première ligne,  
8                   au printemps 2024, DisinfoWatch et le Canadian Digital Media  
9                   Research Network, qui est une initiative financée par  
10                  Patrimoine Canada, ont mené un sondage de 2 000 Canadiens  
11                  environ pour examiner l'exposition de narratifs du Kremlin à  
12                  propos de la guerre en Ukraine justement pour comprendre la  
13                  vulnérabilité des Canadiens à ces narratifs.

14                  Est-ce que ça vous surprendrait d'apprendre  
15                  que les représentants d'Affaires mondiales Canada, qui sont  
16                  venus témoigner ici à la fin de la semaine dernière,  
17                  n'avaient pas entendu parler de cette étude-là commanditée  
18                  par Patrimoine Canada et publiée le 8 juillet, quand même là,  
19                  avant de venir témoigner devant la Commission?

20                  **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Vous me  
21                  demandez si je suis surpris qu'ils ne l'aient pas vue? Non.  
22                  Il y a beaucoup de rapports qui sont produits. Je ne crois  
23                  pas que ce soit exceptionnel.

24                  **Me GUILLAUME SIROIS:** Patrimoine Canada, quand  
25                  ils sont venus nous parler lundi, hier, ils nous ont dit que  
26                  ce genre d'étude là est commanditée et payée par le  
27                  gouvernement justement pour comprendre et mieux répondre à  
28                  l'ingérence russe, parce que si on dit que l'ingérence, la

1      propagande russe n'a pas d'effet sur les Canadiens, on peut  
2      être tenté de moins répondre sévèrement à cette propagande-  
3      là, mais si on voit, comme cette étude-là le démontre,  
4      qu'elle a, en effet, un effet sur les Canadiens, on peut être  
5      tenté d'y répondre de manière plus sérieuse.

6                      Puis le fait que Affaires... ce rapport-là ne  
7      se soit pas rendu à Affaires mondiales deux mois plus tard,  
8      est-ce que ça peut influencer comment Affaires mondiales  
9      répond à ces menaces?

10                    **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Pas  
11      nécessairement. Donc, comme je l'ai dit auparavant, le rôle  
12      du RRM, c'est de détecter des opérations où l'État étranger  
13      est inauthentique dans son... donc, il crée une impression, par  
14      exemple, qu'il y a des vraies personnes qui transmettent de  
15      l'information ou en créent, donc c'est des opérations, donc,  
16      créées de toutes pièces. C'est leur rôle spécifique.

17                    La Russie utilise un vaste éventail de  
18      techniques pour propager de l'information, ils utilisent des  
19      organes qui sont ouverts, par exemple RT, RT qui est... donc,  
20      pour propager de l'information que nous, on considère, donc,  
21      problématique, mais qu'ils font à l'étranger d'une façon  
22      très, très ouverte. Ils ont aussi, on l'a vu dans le cas qui  
23      est aux États-Unis, ils peuvent financer certains  
24      influenceurs pour donner l'impression que certains récits  
25      sont plus... disons, ont plus d'assises dans la population que  
26      ce l'est pour de vrai. Ils utilisent un éventail très, très  
27      large de techniques.

28                    Ce que RRM fait, c'est qu'ils essaient de

1      détecter des opérations où la Russie utilise des techniques,  
2      ce qu'on appelle « inauthentic behaviour », pour promulguer  
3      de l'information.

4                      Donc, je ne suis pas surpris qu'ils n'aient  
5      pas vu ça, puis je ne crois pas que ça a une influence  
6      vraiment sur la capacité... leurs capacités ou la qualité de  
7      leur travail.

8                      **Me GUILLAUME SIROIS:** En fait... en fait,  
9      j'aurais peut-être dû clarifier, mais je ne parlais pas de  
10     RRM Canada, je parlais bien de Affaires mondiales  
11     généralement, et plus spécifiquement, en fait, le sous-  
12     ministre adjoint, monsieur Lévêque, responsable de l'Europe  
13     et de l'Arctique, qui n'a pas rencontré d'ailleurs  
14     l'ambassadeur russe à Ottawa suite aux événements de Tenet  
15     Media. En partie, ce qu'il nous a expliqué, c'est qu'il ne  
16     croyait pas que ce genre de propagande avait un grand effet  
17     sur les Canadiens.

18                     Donc, pensez-vous que ça serait utile qu'il y  
19     ait une meilleure coordination, une meilleure communication  
20     de ce genre d'études là, puis particulièrement le Canada et  
21     Affaires mondiales Canada?

22                     **M. SÉBASTIEN AUBERTIN-GIGUÈRE:** Je crois que  
23     si l'information est produite, qui est aussi pertinente à  
24     son... sa zone de responsabilités, oui, en effet, ce serait  
25     bien qu'ils le lisent.

26                     **Me GUILLAUME SIROIS:** C'est mon temps  
27     aujourd'hui. Je vous remercie.

28                     **COMMISSAIRE HOGUE:** Merci.

1                    Next one is Ms. Kakkar, I think, for Jenny  
2                    Kwan.

3                    --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

4                    MS. MANI KAKKAR:

5                    MS. MANI KAKKAR:    Good afternoon,  
6                    Commissioner.

7                    Good afternoon, panelists.    I'm Mani Kakkar  
8                    for MP Jenny Kwan.

9                    I have some questions for you.    They're  
10                    flowing predominately from your in camera summary.

11                    So if I could ask for WIT144 to be pulled up,  
12                    that would be helpful.    And paragraph 51.

13                    Mr. Tupper, given the nature of the questions  
14                    in this particular paragraph, I'll direct them to you, but if  
15                    there are others who can speak to the issue, that's most  
16                    welcome.

17                    So at paragraph 51, it reads that:

18                    "Commission Counsel referred the  
19                    witnesses to a 2023 email exchange  
20                    that discusses the alleged targeting  
21                    of members of the Inter-Parliamentary  
22                    Alliance on China..."

23                    For clarification, my understanding is that  
24                    this particular email has not been produced in a format that  
25                    is unclassified and can be produced for this forum, so I  
26                    won't be able to refer you to the particular email, and I  
27                    also understand if there are parts of these questions you  
28                    can't answer for national security concerns, but essentially

1      this email states that while Mr. Tupper wasn't a part of the  
2      email exchange, which is just below, that he -- that what is  
3      included in the email is a previous reference to Mr. Tupper  
4      stating that there's a need to brief parliamentarians on  
5      threats.

6                      So starting here, it seems like this email  
7      chain was related to a hack that occurred in 2021, or an  
8      attempted pixel reconnaissance hack that was thwarted, but  
9      occurred in 2021. Am I right to understand that to be the  
10     case?

11                    **MR. SHAWN TUPPER:** I must confess, as you  
12     see, I wasn't part of the email exchange, so I can't tell you  
13     the history and the complexity of what was expressed in that  
14     chain of emails.

15                    **MS. MANI KAKKAR:** That's fair enough. And  
16     I'm -- maybe we should start with do you recall saying that  
17     there was a need for briefing parliamentarians on threats in  
18     relation to the -- what we now know to be a pixel  
19     reconnaissance attempt at members of the Inter-Parliamentary  
20     Alliance on China, which I'll refer to IPAC?

21                    **MR. SHAWN TUPPER:** I would say I do not  
22     recall expressing that perspective specifically to that  
23     question or that issue.

24                    **MS. MANI KAKKAR:** Okay.

25                    **MR. SHAWN TUPPER:** I certainly have expressed  
26     the view that I think there is a need to brief  
27     parliamentarians on threats.

28                    **MS. MANI KAKKAR:** Okay. And to understand



1      that a little bit better, would those have been statements  
2      that you made in and around this time? In and around 2023?

3                    **MR. SHAWN TUPPER:** That's entirely possible.

4                    **MS. MANI KAKKAR:** Do you recall when you  
5      would have started making those kinds of statements or  
6      suggesting that briefings were necessary?

7                    **MR. SHAWN TUPPER:** Well certainly I think in  
8      the broad context of the work that we were doing,  
9      particularly with respect to developing Sébastien's work,  
10     looking at what we do if, in the context of the Office of the  
11     Coordinator, looking at the reality of the threats that we  
12     were seeing in terms of attempts to engage with  
13     parliamentarians, and understanding the work of CSIS and the  
14     work that they were doing with respect to threat reduction,  
15     there was a broad conversation about how we would engage, how  
16     we could be more transparent, and how we could support  
17     parliamentarians to understand the situations that they were  
18     in and to better defend themselves.

19                   **MS. MANI KAKKAR:** And who were you having  
20     these conversations with? I know you said they were broad,  
21     but can you narrow who they were with?

22                   **MR. SHAWN TUPPER:** Well they would typically  
23     have been with my Deputy colleagues within the national  
24     security community. So probably at DM National Security or  
25     DMCIR, which I can never remember the meaning of, the  
26     committee that looks at intelligence documents.

27                   **MS. MANI KAKKAR:** It's helpful to know that  
28     someone who has spent 38 years in government can also forget

1        acronyms occasionally.

2                    So fair enough. I won't push too hard on  
3        that point. But in terms of having those discussions, what  
4        kinds of responses were you getting from the folks that you  
5        were speaking to?

6                    **MR. SHAWN TUPPER:** Well I would say there is  
7        a general consensus of the need to engage with  
8        parliamentarians, and there were probably differences of use  
9        of exactly how we would do that and the timing for which we  
10       would do that.

11                   Again, we -- as we've discussed in the first  
12       half of our appearance here, we don't engage on operational  
13       matters. And so we had to be very cognizant of the reality,  
14       particularly for CSIS and ITAC, that they have a set process  
15       for engaging with parliamentarians around specific threats.

16                   And so we were, in those contexts, I think  
17       trying to make sure that we had a good alliance of the  
18       timeliness and the types of engagement that would occur. And  
19       so within my portfolio across the RCMP and CSIS and  
20       ourselves, that would have been a fairly robust conversation  
21       to make sure that we got the process right.

22                   **MS. MANI KAKKAR:** In terms of getting the  
23       process right, did you feel -- now and I appreciate you've  
24       said to me that you don't recall saying that in relation to  
25       this particular event. Were there particular events, whether  
26       they happened during your tenure in this role, before, or in  
27       relation to leaks where you felt like these briefings need to  
28       happen now or need to happen faster than they are happening?

1                    **MR. SHAWN TUPPER:** I would say across the  
2 spectrum of activity that we consider in terms of foreign  
3 interference, I have a standing view, again, the  
4 transparency, that ability to shed light on these issues to  
5 educate people, including parliamentarians, is a standing  
6 responsibility. I think that is something we need to build  
7 and make sure that we have a good routine in terms of the  
8 partnership that we can offer to parliamentarians to help  
9 them understand the situation that we're in.

10                    That timeliness and the imperative would be  
11 driven more from the spectrum of activity that truly is  
12 intelligence that is gathered by either CSE, the RCMP, or  
13 CSIS. It would speak to specific events, specific  
14 vulnerabilities. In those instances we would want to make  
15 sure that timeliness is a major factor in terms of how we  
16 engage with a said parliamentarian and help them understand a  
17 particular situation.

18                    So again, it's across a spectrum of activity  
19 and trying to understand how we get each of the steps right  
20 to allow for a transparent process, but where necessary, to  
21 be able to directly and specifically intervene in order to  
22 help and protect parliamentarians.

23                    **MS. MANI KAKKAR:** So with that in mind, can I  
24 ask if -- this is an event that occurred in 2021, there are  
25 discussions happening in 2023 around briefings, no briefings  
26 actually occur, and no knowledge is conveyed to these IPAC  
27 members of this potential reconnaissance threat until 2024.  
28 Do you have anything to say about the timing of those events?

1                    **MR. SHAWN TUPPER:** I can't speak to those  
2 events that occurred before my tenure here at Public Safety  
3 Canada, so it's a bit difficult, but I would certainly say,  
4 as we started to look at trends that we were seeing, as we  
5 started to see information that's suggested, that we needed  
6 to be more proactive, I think that is what informed the  
7 conversation that Deputies were having and the information  
8 and the guidance that we were trying to give to our Ministers  
9 to move that forward.

10                    It's always the struggle, of course, in  
11 taking one specific incident and trying to understand whether  
12 it drives us in a broader context. And I think it is the  
13 accumulation of incidents, understanding trends,  
14 understanding the kinds of threats that we have, that give  
15 rise to our ability to say we need to systematize this, we  
16 need to regularize the way we engage.

17                    **MS. MANI KAKKAR:** And so the second part of  
18 this paragraph says that you were aware of the incident and  
19 the email exchange, but that you did not participate actively  
20 in the specific discussions. Can you explain why you didn't  
21 participate actively. Was this related to some of what  
22 you're talking about? That maybe it wasn't driving how you  
23 broadly viewed briefings should be conducted? Was there  
24 another reason that you can share with us?

25                    **MR. SHAWN TUPPER:** I suspect it was largely  
26 because many of those exchanges were focused on the  
27 operational aspect, for which I don't have a responsibility.

28                    **MS. MANI KAKKAR:** Okay. In terms of this

1      particular issue, I've covered off the questions that I had  
2      and I'd like to move on to paragraph 56, which talks about  
3      WeChat.

4                      So here at the very last sentence, there's  
5      mention of being informed about and having a better  
6      understanding of how WeChat is used as a tool in PRC foreign  
7      interference. I wanted to ask first, what is your  
8      understanding of how WeChat is used as a part of PRC foreign  
9      interference?

10                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well, so the  
11      tool itself, I mean WeChat is sort of under the control of  
12      the Chinese state by the very fact that it lives in -- under  
13      Chinese legislation. What we have noticed is that, you know,  
14      there's obviously certain topics that you are not allowed to  
15      discuss on WeChat. And so, the flow of information and the  
16      way discourse and narratives are, you know, cured, aligns  
17      with the -- aligns with the interest of the PRC.

18                    And also that the channels by which  
19      information is distributed is through, I would say groups and  
20      -- I wouldn't say influencers, but key individuals who have  
21      managed newsgroups, and I would say almost newsletters, and  
22      then that they have a clear incentive not to -- to propagate  
23      messages that are aligned with the PRC, and not to share any  
24      information that would be perceived as contrary to the  
25      interests of the PRC. So and that's kind of an ecosystem  
26      that is very, I would say, in terms of news sharing, WeChat  
27      is much bigger than this, but in terms of the sharing of news  
28      and information, I would say that's quite aligned and is a

1      useful tool for the PRC.

2                    **MS. MANI KAKKAR:** I appreciate that  
3      explanation. And so, in a way, you've highlighted how it can  
4      be used in this public way of disseminating news amongst  
5      larger groups of users, but at its very core it's also an app  
6      that allows folks to have private chats amongst themselves.  
7      And so, in that way, does WeChat pose a unique challenge to  
8      the monitoring and response to mis- and disinformation?

9                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** The very  
10     fact that there are private conversations makes it much more  
11     difficult to monitor, but that's true also for WhatsApp and,  
12     you know, Discord, and Telegram. So it's not unique. So  
13     there's a -- I would say there's a unique national security  
14     challenge associated with these spaces.

15                   Then again, we have to counterbalance with,  
16     you know, the right of citizens to exchange information and  
17     have conversations within themselves. But yes, the very, you  
18     know, it makes monitoring much more difficult.

19                   **MS. MANI KAKKAR:** And have you thought of  
20     tools or ways that you can address this difficulty or  
21     overcome this challenge?

22                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So the  
23     policy conversation is taking place right now, so I will not  
24     be -- I will not discuss that here.

25                   **MS. MANI KAKKAR:** I appreciate that.

26                   In the following paragraph you talk about a  
27     government operations centre and its unique position perhaps  
28     to do some of this monitoring into mis- and disinformation.

1      Could you elaborate on what role you see the government  
2      operations centre playing?

3                    **MR. SHAWN TUPPER:**    So again, a conversation  
4      around policy choices that the government has, and as we  
5      haven't yet discussed that with the government it's hard to  
6      discuss that here. But I think the function of the  
7      government operations centre is a coordinating function. It  
8      is a centre for us that has great connections across the  
9      country with provincial jurisdictions, and it has an ability  
10     to monitor activities that are ongoing in communities and  
11     using open-source information.

12                   And so there is some potential, and as I said  
13     earlier in my testimony, within the context of trying to  
14     understand the balance of being able to see what is going on  
15     in Canadian communities while protecting our democratic  
16     values, that we don't want to be seen as just monitoring  
17     Canadians. But in the context of IMVE and whatnot, there is  
18     value to having a sense of things, and issues as they track  
19     through -- through open-source media. And so, it is one of  
20     the tools we have within the federal government that has some  
21     capacity to contribute to that.

22                   **MS. MANI KAKKAR:**    I appreciate the  
23     clarification and the limitations of you to be able to speak  
24     to this when it's actively being discussed.

25                   I'd like to move to a last set of questions  
26     that I have with respect to, sort of, the expanded scope of  
27     what's defined in Bill C-70 as governmental processes, which  
28     now includes sub national and political party processes. You

1      also testify that you've made unclassified briefings  
2      available at the provincial level as well. I wanted to ask  
3      if you agree individually, or as a panel, that FI activity is  
4      not confined to the federal level by any means?

5                    **MS. TRICIA GEDDES:** Yes, I would agree with  
6      that statement. It is not confined.

7                    **MR. SHAWN TUPPER:** I think we all would.  
8      Indeed.

9                    **MS. MANI KAKKAR:** And as such, to you agree  
10     that the federal government has a comparative advantage as  
11     well, when it comes to intelligence and resources when  
12     compared to provincial governments, municipal governments,  
13     band councils?

14                   **MS. TRICIA GEDDES:** I'm not sure I would  
15     characterize it a comparative advantage. I would say  
16     obviously, the federal government has specific  
17     accountabilities in national security, and consequently has  
18     the agencies and the departments that are set up to be able  
19     to deliver on that mandate.

20                   But your point is quite right in terms of us,  
21     and I think I have spoken to it earlier in my testimony. Our  
22     ability now to be able to take that intelligence and the  
23     information that we glean through those national security  
24     agencies, and ensure that people across the country, whether  
25     it's in other orders of government, whether it's businesses,  
26     whether it's research institutions, or whether it's  
27     communities, have the information that they need in order to  
28     be able to best protect themselves.



1                    I think that's really important, and I think  
2                    this has been a relatively recent shift that we've moved away  
3                    from national security and intelligence only being, sort of,  
4                    corely located in terms of protecting the federal government.  
5                    It used to be about military institutions. It used to be  
6                    about, you know, those types of national security issues at  
7                    the national level. It has now become quite a bit -- well,  
8                    apparent to all of us that we need to be able to share this  
9                    information much more broadly.

10                   **MS. MANI KAKKAR:** So is it fair to say then,  
11                   as your department addresses the issue of FI, as you look at  
12                   policy, you're taking it from an approach that looks at all  
13                   of Canada at all levels?

14                   **MS. TRICIA GEDDES:** Very much.

15                   **MS. MANI KAKKAR:** Those are all my questions.  
16                   Thank you.

17                   **COMMISSIONER HOGUE:** Thank you.

18                   Mr. Chantler for the Concern Group.

19                   **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

20                   **MR. NEIL CHANTLER:**

21                   **MR. NEIL CHANTLER:** Good afternoon. Neil  
22                   Chantler, for the Chinese Canadian Concern Group.

23                   I'm going to start with some questions for  
24                   you, panel, about the overseas police stations. We've heard  
25                   a lot about these.

26                   Could I ask each of you just a brief question  
27                   of when you first learned about the existence of these  
28                   overseas police stations in Canada and how that information

1      came to you? And perhaps, what role you were in at the time?  
2      For reference, I can remind you that it was September 2022  
3      that the Safeguard Defenders report came out. I know you  
4      were all either very new, or just about to be in your current  
5      roles.

6                    **MS. TRICIA GEDDES:** Well, I can start by  
7      saying September 2022, I was named Associate in June of 2022,  
8      and I would say that shortly after that report was released  
9      was when I found out. So it was in this current capacity.

10                  **MR. NEIL CHANTLER:** And in what -- how did  
11      you receive that information?

12                  **MS. TRICIA GEDDES:** We would have had  
13      briefings within our department. I'm quite confident that it  
14      was the National Security branch that would have brought this  
15      first to my attention.

16                  **MR. NEIL CHANTLER:** And Mr. Tupper?

17                  **MR. SHAWN TUPPER:** So it was already an  
18      active conversation within the national security community.  
19      So when I arrived in October 2022 it was already an active  
20      conversation. So it would have been part of the briefings  
21      that I received being introduced into the department and the  
22      portfolio. And so again, it would have been part of the  
23      briefings that were delivered to me from that part of the  
24      department, the National Security part of the department.

25                  **MR. NEIL CHANTLER:** Okay. Mr. ---

26                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Same. When  
27      I arrived in June '22, and I don't remember precisely how I  
28      got the information, but I remember it was when the sort of,

1      one department, I can't remember which one, said you know,  
2      have you seen this? And then we looked at the report, read  
3      the report, and understood the issue.

4                    **MR. NEIL CHANTLER:** And for any of you, what  
5      was your reaction to this information, both the fact of the  
6      operation of these police stations in Canada and the manner  
7      of discovery, the fact that we learned about these from an  
8      NGO's report?

9                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** I would say  
10     I was quite -- I was quite -- I would say pleased in many  
11     ways that an NGO had the capacity to create that  
12     transparency. And to have this amazing capability of looking  
13     at the world and finding evidence of the activities that --  
14     the problematic activities of a foreign state, and to produce  
15     a report that would have a global impact like this. So in a  
16     sense, I think that's a very positive state. It doesn't  
17     necessarily mean that the government needs to always be the  
18     one that finds this or the -- that civil society has tools to  
19     defend itself.

20                   So on the nature of the activities  
21     themselves, we, you know, collectively, I think, all thought  
22     that this was problematic and needed a response.

23                   **MS. TRICIA GEDDES:** Maybe I would just add on  
24     the nature of the activities, I spent eight years at CSIS  
25     before joining Public Safety, and I think that the  
26     understanding of foreign interference and the impacts of  
27     Chinese foreign interference in Canada was understood. And  
28     so those types of activities, the specificity of the manner

1      in which those activities were carried out and the types of  
2      community settings that they were being carried out, I would  
3      not say it was surprising, I think, but I would say it was  
4      consistent with some of the concerns that were emerging in  
5      terms of Chinese foreign interference in Canada.

6                    **MR. NEIL CHANTLER:**    Thank you.

7                    Madam Commissioner, I'd like to seek leave to  
8      introduce a document that was only added to the system this  
9      morning, but I have had a discussion with Commission counsel  
10     and it is available.    It's ---

11                   **COMMISSIONER HOGUE:**    That's fine.

12                   **MR. NEIL CHANTLER:**    --- an Interim Report of  
13     the Special Committee on the Canada People's Republic of  
14     China Relationship.    It's document CCC260, please.

15     **--- EXHIBIT No./PIÈCE No. CCC0000260:**

16                   The Chinese Communist Party's

17                   Overseas Police Service Stations

18                   **MR. NEIL CHANTLER:**    And I'm only going to ask  
19     a couple of very brief questions to the panel about this  
20     document.    I put it to you because I believe, Mr. Aubertin-  
21     Giguère and Ms. Geddes, you were witnesses before this  
22     subcommittee.    Do you recall?

23                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    The CSEN?  
24     Yes, I was.

25                   **MR. NEIL CHANTLER:**    And if we turn to PDF  
26     page 19, we see your names under the list of witnesses.

27                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    Correct.

28                   **MR. NEIL CHANTLER:**    And so I presume you gave

1      information to the subcommittee about your knowledge and  
2      expertise in relation to PRC's overseas police stations in  
3      Canada. And this report provides a lot of information about  
4      those police stations.

5                      And at page 21, PDF page 21, calls upon the  
6      government for a response.

7                      Now, I understand there has been a response.  
8      Mr. Hardie, the Chair of this committee, has received a  
9      letter from the Canadian government. And my question for you  
10     simply is, has that response landed on your desks?

11                     **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** We -- my  
12     understanding is that our branch, National Security branch,  
13     led the response or coordinated the response to this  
14     committee, if I recall correctly, and I was part of the  
15     conversation.

16                     **MR. NEIL CHANTLER:** All right. I'm going to  
17     move to the document WIT144. Again, this is your *in camera*  
18     examination summary you were taken to earlier today.

19                     At page 17, paragraph 64, this is where you  
20     begin the discussion of issues related to Chinese overseas  
21     police stations. And you were referred, Mr. Aubertin-  
22     Giguère, to a memo that included a comment about the  
23     challenges of fully leveraging the government's toolkit.

24                     There it is, paragraph 64.

25                     In responding to OPS, or overseas police  
26     stations. And you were asked whether these would be  
27     addressed by Bill C-70.

28                     In the next paragraph, 65, you say that Bill

1      C-70 will not eliminate these issues completely.

2                    I'm going to come back to that with a  
3      question for you, but first, at paragraph 66, over the page,  
4      Mr. Tupper states that the OPS were a transformational issue  
5      -- you were taken to that earlier -- for the department. And  
6      you go on to describe that:

7                    "While the previous approach was to  
8                    rely on police to conduct  
9                    investigations and lay charges, here  
10                  the RCMP took a different approach.  
11                  The OPS situation demonstrated the  
12                  value in looking to tools beyond  
13                  arrests and prosecutions."

14                  Do you know why that approach was taken by  
15      the RCMP, and did that -- did Public Safety have any  
16      involvement in that decision?

17                  **MR. SHAWN TUPPER:** So again, I think kind of  
18      referring back to my earlier testimony today, the complexity  
19      of that situation given -- we called them police stations but  
20      they weren't really police stations. They were oftentimes  
21      community centres and they had different kinds of activity  
22      engaged in them. And as I say, oftentimes the individuals in  
23      the centres were Canadians. And so it just created that  
24      complexity of environment that we had to kind of look at the  
25      toolkit.

26                  So we were involved in a discussion.  
27      Obviously, the RCMP have their independence in terms of their  
28      operational decisions and their operational matters. How

1      they chose to engage at the community level, how they chose  
2      to present themselves at the community level was entirely  
3      their decision.

4                      I think, though, the collective discussion  
5      among the security institutions was that reality and that  
6      understanding that sometimes disruption to the activity is as  
7      valuable as getting to an investigation and an arrest and a  
8      prosecution. And in this instance, we saw quite readily just  
9      the simple act of being disruptive, establishing the 1-800  
10     line, putting up the posters, being present in the community  
11     seemed to shift the activity and it helped. It had, I think,  
12     a positive effect in terms of curbing the activities that we  
13     were concerned about.

14                    **MR. NEIL CHANTLER:** The document says in the  
15     middle of paragraph 66:

16                              "This response contributed to the  
17                              police stations shutting down their  
18                              operations."

19                    And I take it that's attributed to you, that  
20     comment.

21                    My question is, do you go -- sorry, is how do  
22     you know that these operations resulted in the police  
23     stations being shut down?

24                    **MR. SHAWN TUPPER:** Through intelligence that  
25     we received that I'm not at liberty to talk about  
26     specifically here.

27                    **MR. NEIL CHANTLER:** Are you able to tell us  
28     when you believe those police stations were shut down?

1                    **MR. SHAWN TUPPER:** I should be clear that in  
2 the NGO report they had identified five centres of operation,  
3 and at the time early on, we were focused on those areas of  
4 activity that we were aware of. We have subsequently learned  
5 that, indeed, there were other activities in the country. So  
6 my reference at that time was specific to the five community  
7 centres or the five activities that we were aware of.

8                    My recollection is that the impact was quite  
9 quick and that we saw a reduction in the activities and,  
10 indeed, we understand that they ceased fairly quickly once we  
11 started shedding light on what was going on and the RCMP were  
12 able to do the community engagement that they had pursued.

13                   **MR. NEIL CHANTLER:** When was that? How long  
14 after they came to light?

15                   **MR. SHAWN TUPPER:** I don't have a specific  
16 recollection of how fast that was.

17                   **MR. NEIL CHANTLER:** Months later, years  
18 later?

19                   **MR. SHAWN TUPPER:** Oh, no. I would say  
20 months.

21                   **MR. NEIL CHANTLER:** Okay. I'll move on to  
22 the next document, please, Court Operator, CAN44228\_001.

23                   This is also a document you saw earlier,  
24 DMCIR meeting from October 12th, 2023. These questions are  
25 for Ms. Geddes.

26                   I believe, Ms. Geddes, you were at this  
27 meeting ---

28                   **MS. TRICIA GEDDES:** I was.



1                    **MR. NEIL CHANTLER:** --- you confirmed earlier  
2 today. And you were asked to present an update.

3                    And down the page, please. A little further.  
4 There we go.

5                    That second-last paragraph there, where it  
6 says, "The note seeks" -- or sorry, "The note seeks to  
7 provide an update on our understanding". I'm looking for it  
8 in the paragraph there.

9                    Scroll down a bit further, please.

10                  **MS. TRICIA GEDDES:** It's just at the -- if it  
11 is this, it's right at the ---

12                  **MR. NEIL CHANTLER:** Oh, there it is. Thank  
13 you very much.

14                    "The note seeks to provide an update  
15 on our understanding and assessment  
16 of PRC OPS, but gaps remain on how to  
17 respond."

18                    We'll come back to that.

19                    The next paragraph, the second sentence:

20                    "PS highlighted some lessons learned  
21 from this tasking, including the  
22 timeliness of a response and  
23 challenges with coordinating multiple  
24 threat issues."

25                    You talked about the challenges of the  
26 multiple threat issues. Perhaps you can speak to the  
27 timeliness of the response.

28                    What was the concern there?

1                    **MS. TRICIA GEDDES:** So the timeliness of the  
2 response, actually, it was referring to the DM committee that  
3 wanted to have a conversation about this, had tasks out and  
4 analysis and assessment, and it had taken some time for us to  
5 be able to bring that assessment into the committee. That  
6 doesn't mean the assessment wasn't ready earlier.

7                    So unfortunately, this is a bit of  
8 bureaucratic speak that that's what we're talking about in  
9 that instance, is that it took a little longer to be able to  
10 bring the overall assessment and our understanding of the  
11 issue to that particular DM committee.

12                   **MR. NEIL CHANTLER:** And what were those gaps  
13 remaining on how to respond to the police stations, and can  
14 you elaborate on the lessons learned by this situation?

15                   **MS. TRICIA GEDDES:** I think that there's two  
16 issues here. I won't be able to comment on the gaps issue.  
17 That would probably relate to national security issues that  
18 we wouldn't want to transmit. But what I can say on the  
19 lessons learned from this tasking, again, I'm referring to  
20 how do we -- the Foreign Interference Coordinator being  
21 relatively new in the role and the department being  
22 relatively new in the coordination effort, how do we learn  
23 the most efficient and effective way to be able to undertake  
24 that coordination, what aspects of that coordination were  
25 most beneficial for the deputy committee, were we undertaking  
26 an understanding of what the threat was, of the effectiveness  
27 of the response options.

28                   So that's what I'm talking about when we talk

1      about -- well, that's what the minute taker was talking  
2      about, on the lessons learned. How do we ensure that we're  
3      able to bring in to the Deputy community the results of the  
4      Foreign Interference Coordinator's work in the most effective  
5      and timely fashion.

6                    **MR. NEIL CHANTLER:** How do you believe the  
7      police response to the overseas police stations will be  
8      different post-Bill C-70.

9                    **MS. TRICIA GEDDES:** I'll let Séb talk about  
10     that.

11                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So Bill C-70  
12     criminalizes behaviour associated with transnational  
13     repression, you know, and it will help law enforcement to be,  
14     you know, I would say to sort of to address, you know, cases  
15     like this.

16                   Though I must say that the -- there's always  
17     a gray zone that these -- in cases like this. So the new  
18     legislation, for example, says that anyone who uses  
19     intimidation, threats, or violence on behalf or for the  
20     benefit of a foreign state, you know, would -- that's a  
21     criminal offence. You don't have to prove now that there's  
22     harm to Canadian interests. So you've now changed the  
23     threshold. And that's consistent with the lessons learned  
24     from transnational repression.

25                   We still need victims to come forward and to  
26     be able to talk to law enforcement for one.

27                   And secondly, also more generally on the  
28     police stations, the key issue is not the activities that

1      were performed, but rather the very fact that these -- it  
2      provides, I would say, a place for a foreign state, you know,  
3      the PRC, to potentially do these things. So it doesn't  
4      necessarily translate it into direct action, but the concern  
5      here was that you have kind of a structure that could be used  
6      to perform these transnational repression activities or the  
7      problematic FI activities that were about to be conducted --  
8      that could have happened.

9                      So that's what we mean by this.

10                     And I think also to clarify on the other  
11      question, the minute we learned about the safeguard defender,  
12      in the days after, there was a coordination meeting led by  
13      Public Safety and we quickly came to an understanding of the  
14      problem, you know, sort of sharing of information,  
15      deconflicting of information, we also came to some  
16      conclusions on what is the best course of action, and we  
17      acted on it.

18                     I think here in the DMCIR conversation, it's  
19      more about one time has elapsed and DMCIR wanted to have kind  
20      of a summary of actions many months after the fact. It took  
21      a bit more time to bring that paper. The response was ready,  
22      but it's just conflicting, you know, agenda items, and that's  
23      what this is a reflection of.

24                     **MR. NEIL CHANTLER:** Thank you.

25                     Madam Commissioner, may I have the indulgence  
26      of a couple of minutes to ask about one issue that hasn't  
27      been raised?

28                     **COMMISSIONER HOGUE:** Yes.

1                    **MR. NEIL CHANTLER:** To the panel, later in  
2 these minutes, and the document can come down, Director  
3 Vigneault refers to this as a game of wack-a-mole, and Mr.  
4 Tupper, I believe earlier today you called it a game of cat  
5 and mouse. And there's a concern that when you maybe  
6 affectively shut down these stations, the activity will  
7 continue somewhere else.

8                    And I expect the panel will confirm awareness  
9 of the existence of what are called Hong Kong Economic Trade  
10 Offices. These exist around the world and allegedly there's  
11 an office -- allegedly there is an office operating in  
12 Toronto.

13                   These offices have come under increasing  
14 international scrutiny, both because of events in Hong Kong  
15 and because of their role as bases for foreign interference  
16 activity. The manager of the Hong Kong Economic Trade Office  
17 in London, England was recently charged with spying, and the  
18 U.S. has taken steps to remove the office's status and  
19 privileges in that country, yet the office in Toronto remains  
20 operational.

21                   Is the panel aware that members of the  
22 Chinese diaspora have brought forward concerns about the  
23 activities of the Hong Kong economic trade office in Canada?  
24 And what can the panel provide to the Commission about the --  
25 this office and whether it is another potential threat to the  
26 country, in terms of foreign interference, and specifically  
27 to the Chinese diaspora?

28                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah, we've

1      been made aware of the concerns of members of the Chinese  
2      communities and advocacy groups. I think this is a question  
3      that concerns the *Vienna Convention* and would be best  
4      answered by GAC, Global Affairs Canada.

5                    **MR. NEIL CHANTLER:** Very well. Anybody have  
6      anything else to offer?

7                    **MR. SHAWN TUPPER:** No.

8                    **MR. NEIL CHANTLER:** Thank you.

9                    **COMMISSIONER HOGUE:** Thank you.

10                   **Mr. Lim for Erin O'Toole.**

11      **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

12      **MR. PRESTON LIM:**

13                   **MR. PRESTON LIM:** Hi, my name is Preston Lim,  
14      and first off, thank you so much for your time and for  
15      spending the afternoon with us. I have four disparate  
16      questions and they're going to build on some of the themes  
17      that you've all already touched on.

18                   So first off, building on what my friend, Ms.  
19      Kakkar was speaking to you about, the topic of WeChat, I  
20      think this is probably best answered by you, Mr. Tupper, but  
21      up until this point, what measures has Public Safety Canada  
22      taken to counter and prevent the spread of disinformation on  
23      WeChat, if any?

24                   **MR. SHAWN TUPPER:** Actually, it's best, I  
25      think, answered by my friend here.

26                   **MR. PRESTON LIM:** Absolutely. Please.

27                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** So the  
28      monitoring of social media space to find cases of, you know,

1        targeted inauthentic behaviour by a foreign state is the  
2        responsibility of the RRM. So it's really their  
3        responsibility. It's not within our mandate.

4                    We do, as part of the members of the national  
5        security community, understand, you know, the security  
6        challenges that some aspects of WeChat may represent, and  
7        we've been discussing it, but that's essentially it.

8                    **MR. PRESTON LIM:** Okay. Great. And then  
9        sticking with this theme of the RRM, and we talked earlier  
10       about the monitoring, the domestic monitoring of media in  
11       response to some of these very severe threats. Mr. Tupper,  
12       you mentioned earlier in your testimony some tools that  
13       Public Safety Canada has that it could use, you know, if  
14       Public Safety Canada were hypothetically tasked with RRM-like  
15       responsibilities. Could you maybe expand on some of the  
16       tools that do exist within the Department that would be  
17       relevant?

18                   **MR. SHAWN TUPPER:** So not all the tools exist  
19       within the Department, but they may be tools that the  
20       Department seeks to use. For instance, there are private  
21       sector agencies that do media monitoring. So we have,  
22       through procurement, through contracting, the ability to kind  
23       of engage with others who can provide us with information.  
24       And indeed, that may be a quick response to some of the  
25       things that we want to do in the future.

26                   I've already referenced, both through my  
27       national security team, but also work that our Government  
28       Operation Centre has the capacity to do, and it would be very

1        similar to what we might contract out if the government so  
2        chooses to give us that direction, and that would be simply  
3        to monitor open-source information and be able to report on  
4        it, and to analyze it. So looking for trends that we may be  
5        seeing through open-source information that might inform and  
6        help us anticipate activities that are ongoing.

7                    Work that the Canada Centre and my department  
8        does with respect to understanding the growing domestic  
9        threats through extremist philosophy and ideology, those are  
10       areas of work again that I think the Department has started  
11       to build its capacity to understand the nature of those  
12       threats that are growing domestically.

13                   I think this is something that we haven't  
14       really talked about today, but that evolution of how we  
15       understand the threats to Canada, and indeed in some of the  
16       initial work that my department was put in place to do, early  
17       work that was pursued by CSIS, had very much an external  
18       focus. It was the view that the greatest threats to Canada  
19       came from outside of Canada.

20                   In recent years, we have had, I think, a  
21       growing appreciation of those threats that arise within our  
22       domestic context. And so our ability to fine-tune some of  
23       the tools that we have within government, and particularly  
24       within my department, to understand what is going on in our  
25       communities, why are people, Canadians, choosing violence as  
26       their form of political expression? Those are things that we  
27       need to attend to and that we need to put more focus on.

28                   **MR. PRESTON LIM:** That's very helpful. And



1      we have heard quite a bit about RRM, the setup, and some of  
2      the challenges that RRM labours under. In your professional  
3      opinion, would it make sense for Public Safety Canada to take  
4      on maybe the lion's share or a good chunk of RRM's current  
5      mandate?

6                    **MR. SHAWN TUPPER:** I think Public Safety is  
7      capable of taking that on. I think if you think about it as  
8      a coin, RRM has an external-facing sort of function we need  
9      to define, and that is part of the policy discussion that is  
10     going on and advice that ultimately will be given to the  
11     government. We need to define what the internal-facing, the  
12     domestic-facing sort of posture for that work is. They have  
13     to align; I think that's one critical part of the discussion  
14     is to make sure that whatever is designed to do that  
15     monitoring in Canada has to align with and be able to benefit  
16     from that interaction with the RRM at Global Affairs.

17                   **MR. PRESTON LIM:** Great. Switching now to a  
18     different topic entirely, we've heard a lot about the SITE  
19     Task Force, its operations, the -- kind of its makeup. And  
20     this is a question for anybody on the panel, but would it be  
21     a good idea perhaps to make the SITE Task Force a permanent  
22     enterprise, given the fact that foreign interference occurs  
23     on a 24/7 365 days a week basis?

24                   **MR. SHAWN TUPPER:** So the SITE Task Force is  
25     a relatively new construct within the federal system. It's  
26     part of the response that was developed by the democratic  
27     institutions' folks at PCO. I think that is has an election  
28     focus.

1                    I think we have seen over the last two  
2      elections an evolution in our thinking and an evolution in  
3      terms of understanding the threats that we may confront in  
4      Canada. That is in part informed by what the experience of  
5      other countries have been in the last six or seven years, in  
6      terms of running their own elections.

7                    I think the advice that indeed we are  
8      preparing to give government in this vein, again, is  
9      something that I can't speak to openly here, but I think for  
10     us, and I think for the government, everybody is keenly aware  
11     that as elections arrive in Canada we want to make sure we're  
12     doing our utmost, and that we can continue to assure  
13     Canadians that they have every confidence that our elections  
14     are free and fair; that they are not interfered with.

15                   It isn't to say that people don't try, or  
16     nations or bad actors don't try to interfere with our  
17     elections, but I think we can say honestly that Canadians  
18     should that the confidence in our past elections that they  
19     were free and fair and they were without interference that  
20     had an overt impact on the outcome. And our ambition would  
21     be to give the government advice as to how we can continue to  
22     build that toolkit to ensure that continues in the future.

23                   **MR. PRESTON LIM:** That's great.

24                   And my last question, you've already talked  
25     extensively about the community centres or as they were  
26     reported in the media, the overseas police stations. Now, we  
27     heard unsworn testimony on October the 2<sup>nd</sup> from a Chinese  
28     Canadian community member in Montreal who heavily criticized

1      the RCMP for its investigation of two of these community  
2      centres. And I wanted to ask from a Public safety Canada  
3      perspective, and to the extent that you do feel comfortable  
4      talking about the RCMP's operations, are you proud of the  
5      department's performance during those operations?

6                    **MS. TRICIA GEDDES:** Maybe I could just  
7      comment? I don't want to speak to the RCMP operations, ---

8                    **MR. PRESTON LIM:** Yeah.

9                    **MS. TRICIA GEDDES:** --- but I maybe want to  
10     underline some of the comments I've made previously, and as  
11     have we all, which is about the importance of trust and  
12     relationship building. And I know this is a huge priority  
13     for the RCMP, that their ability to be able to have very  
14     effective community liaison members and to be able to have  
15     the trust of the community is absolutely essential to them  
16     being able to carry this out.

17                    So I think they are highly conscious of the  
18     fact that that's an essential component of their response,  
19     and I have trust in the leadership of the RCMP to be able to  
20     continue to do this work. I think they probably learned a  
21     lot in how they have managed those cases, and I genuinely  
22     believe that they are wholeheartedly committed to ensuring  
23     that they're very responsive to the concerns of the  
24     communities.

25                    **MR. PRESTON LIM:** Great. I appreciate that  
26     answer.

27                    That's all I have, Madam Commissioner.

28                    **COMMISSIONER HOGUE:** Thank you.

1                    Mr. Matas for Human Rights Coalition.

2      **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

3      **MR. DAVID MATAS:**

4                    **MR. DAVID MATAS:** Yes, I wanted to ask some  
5      questions about the Canada Border Services Agency, which I  
6      understand is an agency within the ministry but not directly  
7      run by the department.

8                    When it comes to foreign interference, it can  
9      be conducted by four different types of actors; foreigners  
10     overseas, Canadians, foreigners in Canada that are parts of  
11     embassies and consulates, and foreigners in Canada that are  
12     not parts of embassies and consulates.

13                   For foreigners in Canada engaged in foreign  
14     interference who are not part of embassies and consulates,  
15     one tool we have in dealing with that foreign interference is  
16     removal procedures through Canada Border Service Agency. And  
17     I wanted to ask you the extent to which that manner of  
18     dealing with foreign interference has been considered as a  
19     strategy for dealing with foreign interference.

20                   **MR. SHAWN TUPPER:** Do you want to tackle  
21     that?

22                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well -- so  
23     the *Immigration and Refugee Protection Act*, IRPA, is the tool  
24     by which, you know, the IRCC, the Department of Immigration,  
25     can grant status to someone in Canada, and they're vetting  
26     individuals who want to, you know, come to Canada, and  
27     they're vetting for National Security Risks, section 34, and  
28     are working very closely with CSIS and partners and -- and

1      CBSA to vet individuals against known information and then  
2      any risk indicators. So that's the first layer.

3              Once you have individuals who are in Canada  
4      that have no status, if information comes about that they are  
5      conducting activities that are inconsistent with, you know,  
6      the -- sort of their status, then it's the CBSA's  
7      responsibility to take that on, and they're doing it.

8              And so -- but once someone is a Canadian  
9      citizen, it's very different. One thing that is a  
10     possibility is that if someone, you know, provided misleading  
11     information on their application then that case could be  
12     reviewed. There's, you know, obviously a fair process to get  
13     there through the Immigration and Refugee Board.

14             So there are layers, I would say, of controls  
15     of which Immigration, CSIS, CBSA are part of the continuum.

16             **MR. DAVID MATAS:** You say they're doing it.  
17     Do you have any information about the extent to which they're  
18     doing it?

19             **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** No, I can't  
20     speak about the specific cases, but I can say that it's  
21     definitely -- you know, their core activity. You know, the  
22     enforcement branch of the CBSA is actively working to, you  
23     know, address cases of non-compliance with IRPA, and section  
24     34 of National Security Risks are always considered very  
25     high, I would say, in their list of priorities.

26             **MR. SHAWN TUPPER:** I think, just to be really  
27     clear, while we can't comment on operational matters at CBSA,  
28     what we can say is CBSA is absolutely a longstanding member

1      of the national security community. They participate in the  
2      deputy committees, they are part of the discussion, they are  
3      part of my portfolio.

4                      And so I convene portfolio heads regularly to  
5      have conversations about critical public policy, issues that  
6      we share as a portfolio. And so they are certainly part of  
7      that discussion. They certainly have a high degree of  
8      awareness of the challenges of this work around foreign  
9      interference, and I would presume that gets translated into  
10     their operational procedures.

11                    **MR. DAVID MATAS:** I'm wondering whether it  
12     might be useful -- I appreciate you cannot talk about  
13     individual cases, and I'm not asking about individual cases,  
14     but I wonder if it might be useful simply to have some sort  
15     of overview.

16                    I mean, CBSA does produce statistics in some  
17     areas, and I wonder if it would be useful to have statistics  
18     in this area, to the extent to which the removals or the  
19     removal initiatives are related to foreign interference.

20                    **MR. SHAWN TUPPER:** That is something worth  
21     considering. I'll take that away.

22                    Certainly data, evidence-based, right? I  
23     think that's a critical component of any of the work that we  
24     do in terms of making sure advice we give is relevant to the  
25     reality that we see on the ground. So collecting evidence in  
26     that area may well be worthwhile.

27                    **MR. DAVID MATAS:** Well, Madam Justice, when I  
28     hear a witness say that something I said is worth

considering, perhaps I'd better stop.

(LAUGHTER/RIRES)

**COMMISSIONER HOGUE:** I think it's pretty unspeaking.

**MR. DAVID MATAS:** Thank you.

**COMMISSIONER HOGUE:** Thank you.

Mr. van Ert for Michael Chong.

MR. GIB van ERT: That's going to be a tough act to follow, Commissioner.

--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

MR. GIB van ERT:

**MR. GIB van ERT:** I'll ask the Court Operator to put WIT144 and go to paragraph 17.

Just a couple questions firstly for you, Mr. Tupper. Paragraph 17 you say -- you're explaining the warrant process here and you say once you receive:

"...the warrant application package, [you try] to ensure it is processed and sent to the Minister's Office within 48 hours. The package is presented to the Minister for review in a secure facility. There is relatively little wait-time in this process, because warrants can impact CSIS operations and so [Public Safety] needs to advance the warrant application promptly."

Now, I appreciate you're speaking generally

here and things can happen, and life can frustrate our various plans, but let me ask you this. Just I'd like you to expand on this a little bit for the benefit of the Commissioner. And I'll start by asking you this. My understanding is that generally when a warrant begins life, it is because CSIS has assessed that there are reasonable grounds to believe that a warrant is needed in order to investigate some threat to the security of Canada, and so once CSIS comes to that conclusion, any delay in obtaining the warrant that it feels that it needs it potentially prejudicial, not in every case, it's going to depend on the circumstances, but potentially prejudicial. Do you agree with that?

**MR. SHAWN TUPPER:** Warrants are developed for different reasons. It may be as a result of a new line of work, it may be a renewal, or it may be in response to a specific incident where urgency is required. So there are different drivers in terms of that spectrum of timeliness. And so you're right, I was talking in generalities, but I think it's worth noting that we would look at a warrant that is about a renewal, where we already have background and information, that would be treated differently, ---

MR. GIB van ERT: Right.

MR. SHAWN TUPPER: --- than a warrant that is about a new line of work, and then indeed a warrant that is in response to a critical incident that is under investigation.

So we are driven by slightly different



1        things, and indeed we would act accordingly.

2                    **MR. GIB van ERT:**    So I take your point about  
3        renewals. Let's set those aside because that's a slightly  
4        different situation. But if it's not a renewal, what I'm  
5        imaging is this, and again, circumstances are going to vary  
6        from warrant to warrant, I do appreciate that, but if the  
7        Service has assessed that it needs some sort of intercept,  
8        whether it's searching someone's office, or their home, or  
9        getting into their emails, or whatever it may be, in order to  
10       investigate what they perceive to be a threat to the security  
11       of Canada, the -- in principle, the sooner they can achieve  
12       that intercept and investigate that threat risk, the safer we  
13       all are? Would you agree with that?

14                   **MR. SHAWN TUPPER:**    I think that's a general  
15       principle that we operate on, yes.

16                   **MR. GIB van ERT:**    Thank you. Yes. And so am  
17       I right to understand that when CSIS has come to that  
18       assessment, even before submitting warrant applications to  
19       your department, they will reach out to your department and  
20       say, "We want you to know that we have something we're  
21       working on and we hope to get it to you before too long"?

22                   **MR. SHAWN TUPPER:**    Correct.

23                   **MR. GIB van ERT:**    Right. Okay. And so they  
24       try to prepare the way in order to facilitate you doing your  
25       part as quickly as reasonably possible?

26                   **MR. SHAWN TUPPER:**    Correct.

27                   **MR. GIB van ERT:**    Is that right? Okay.  
28       Thank you. Thank you very much.

1                    And then going to paragraph 18, please?

2                    For Ms. Geddes, I have to ask, any relation  
3 to Gary Geddes, the poet?

4                    **MS. TRICIA GEDDES:** No, I'm not,  
5 unfortunately. I wish I was.

6                    **MR. GIB van ERT:** Oh, that's very  
7 disappointing. Anyway, back to work.

8                    **MR. SHAWN TUPPER:** She's poetic in her  
9 writing, ---

10                   **MS. TRICIA GEDDES:** I am.

11                   **MR. SHAWN TUPPER:** --- I must say.

12                   **MR. GIB van ERT:** Oh, well that's very  
13 encouraging to hear. I'm pleased about that at least.

14                   Ms. Geddes, you've said here that the  
15 Departmental Liaison Officer usually provides the package,  
16 the warrant application package, to the Minister's Chief of  
17 Staff for transmission to the Minister. So I -- what I  
18 understand by that, and I think I heard this this morning as  
19 well, but I'm going to go belt and suspenders on this, once  
20 the Department has done its work, it hands the materials not  
21 to the Minister personally, but to the Minister's Office. Is  
22 that fair?

23                   **MS. TRICIA GEDDES:** Yes, and I think that's  
24 for purposes generally of logistic simplicity. So the  
25 Minister's Office is there and present all day every day.

26                   **MR. GIB van ERT:** Right.

27                   **MS. TRICIA GEDDES:** The Minister obviously  
28 has other accountabilities. So we rely on the staff, both

1      our Departmental Liaison Officer, who serves the Minister's  
2      Office, and the Minister's Office themselves, to be able to  
3      ensure that that is handed to the Minister for signature.

4                    **MR. GIB van ERT:** Right. But once you've  
5      conferred it to the Minister's Office, you rely on the Chief  
6      of Staff or whoever it is responsible in the Minister's  
7      Office to actually bring it to the attention of the Minister?

8                    **MS. TRICIA GEDDES:** Yes.

9                    **MR. GIB van ERT:** Those are my questions.  
10     Thank you very much.

11                   **COMMISSIONER HOGUE:** Thank you.  
12                   Attorney General?

13                   **MR. MATTHEW JOHNSON:** I apologize, Madam  
14      Commissioner. I was expecting one other party to cross-  
15      examine.

16                   **COMMISSIONER HOGUE:** Yes, but decided not to  
17      ask any questions.

18      **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

19      **MR. MATTHEW JOHNSON:**

20                   **MR. MATTHEW JOHNSON:** Fair enough. Then I  
21      missed that, and I apologize.

22                   For the record, good afternoon. My name is  
23      Matthew Johnson. I'm counsel for the Attorney General of  
24      Canada.

25                   I think in terms of what I intend to do here  
26      is to start with a few areas just where we can clarify a  
27      couple of issues that you've testified to earlier, and then I  
28      think I'm going to take a step back and ask a few more

1      general questions at that point.

2                    So first, I think I would like to turn to a  
3      discussion that you engaged in earlier with my friend,  
4      Commission counsel, about the new tracking system for  
5      intelligence within Public Safety, and you referred to  
6      individuals who are designated within the system to handle  
7      information and talked about there being a new group.

8                    I'm wondering if you can talk a little bit  
9      more detail, because I think I heard you, you mentioned  
10     something about CSIS resources, but I don't think it was  
11     quite clear what it was that -- or what resources you had  
12     obtained from CSIS and I think that would be useful for the  
13     Commissioner to hear.

14                   **MR. SHAWN TUPPER:**    You explain it better than  
15     I, so.

16                   **MS. TRICIA GEDDES:**    Sure.    So previously,  
17     there was a Client Relations Officer who managed most of the  
18     intelligence dissemination within our department, and that  
19     was a Communications Security Establishment Officer.

20                   In recent years, one of the new improvements  
21     that we have made is to have a CSIS liaison officer who  
22     supports our smallish group of individuals, but who are  
23     dedicated fully to ensuring that the intelligence that we  
24     need to see is managed by a very small group of employees for  
25     the senior leadership, so for Shawn and I, a couple of other  
26     senior ADMs, and the Minister and his Office, to ensure that  
27     we're able to see what it is that we need to see.

28                   The huge benefit that we have seen in the

1      CSIS liaison, and this is no discredit to the CSIS CROs who  
2      preceded them, but CSIS obviously is very highly attuned to  
3      the types of intelligence needs that our department, Public  
4      Safety, and that the Minister of Public Safety needs to be  
5      able to see. So they manage the interface with the actual  
6      mechanics, so to go into the systems themselves and ensure  
7      that the intelligence that we need to see is provided to us  
8      in a very timely fashion.

9                      So part of it is that they get to know us and  
10     our intelligence and information needs, and we are able to  
11     curate, with their assistance, "Here are the types of issues  
12     that we're following. Here's the information that we need  
13     brought to us." But additionally, because they work so  
14     closely with all the other departments in town who are  
15     receiving that type of intelligence, they're also able to  
16     ensure that if the National Security Advisor is seeing a  
17     particular piece of intelligence that she thinks is germane  
18     and is important for us to see, that that cross-block is  
19     done. So they're able to work in a team environment with the  
20     rest of the national security community and ensure that we're  
21     all seeing the same intelligence at the right time.

22                     But as I say, they're also able to adapt a  
23     bit to the policy needs, the issues that we're tracking, to  
24     ensure that we're getting the most relevant information that  
25     we need in a very timely basis.

26                     **MR. MATTHEW JOHNSON:** And just to be clear,  
27     the CSIS liaison officer, are they giving you just CSIS  
28     information? Or is it a broader set of intelligence?

1                    **MS. TRICIA GEDDES:** No, thank you for  
2                    correcting that. It is a broader set of intelligence. So  
3                    they continue to produce for us the CSIS Signals Intelligence  
4                    that we need and information that comes out of the  
5                    Intelligence Assessment Secretariat at PCO. So all sources  
6                    of intelligence. Five Eyes intelligence is another place  
7                    that we get it. So it's a pretty broad range.

8                    I know we've talked a lot about volume. And  
9                    one of the reasons why I think this liaison officer is so  
10                  important is that they're able to help us manage the enormous  
11                  volume of intelligence and ensure that we are getting the  
12                  most relevant information.

13                  **MR. MATTHEW JOHNSON:** Thank you. Next issue  
14                  I want to turn to is about resources and what -- and the  
15                  resources available to your office, Mr. Aubertin-Giguère.

16                  My -- again, my friend, Commission counsel,  
17                  took you to the budget that was received in 2023. There was  
18                  a discussion about you then received the funding in 2024, you  
19                  talked about your staffing in 2024. I think it's important  
20                  to ask you, what was the staff available to you? Because I  
21                  know, Mr. Tupper, you talked about risk managing resources.  
22                  What does that mean in practice? What was your resource  
23                  complement in terms of what you could draw on to advance the  
24                  work of the Office of the CFI Coordinator at that time?

25                  **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Well, the  
26                  CFI team was led by a director and there was also one or two  
27                  managers, depending on -- and then senior analysts. So a  
28                  total of about seven to eight depending on, you know, the ebb

1      and flow, of individuals who were performing full-time tasks  
2      around countering foreign interference. And that covers  
3      anything from creating the *FITAA* consultation, the MC around  
4      C-70, the consultation process, the engagement sessions, some  
5      of the policy work, so quite an -- it was a very, very busy  
6      team. But I would say it's seven to eight people that were  
7      risk managing internally within the branch to do full-time  
8      CFI activities.

9                    **MR. MATTHEW JOHNSON:** And just maybe, Mr.  
10      Tupper, I'll have you confirm, when you mention "risk  
11      management", that means even though you didn't have an  
12      established budget, you were still able to move resources  
13      around to ensure that the work that needed to be done was  
14      able to be done. Is that fair to say?

15                   **MR. SHAWN TUPPER:** Absolutely. It's like  
16      everybody does. You pinch here and pinch there and you pull  
17      together what you have until you get the funding that is --  
18      you presume is coming your way and then you're able to kind  
19      of reallocate back.

20                   **MR. MATTHEW JOHNSON:** And you mentioned  
21      that's quite common in government, that that's part of the  
22      process that ---

23                   **MR. SHAWN TUPPER:** Very common.

24                   **MR. MATTHEW JOHNSON:** And then, Mr. Aubertin-  
25      Giguère, I'll just confirm, you had those resources and I  
26      think in the summer you've talked about that when you  
27      required further resources, you talked about being able to  
28      pull in a couple of employees who worked on engagement and,

1      at other times, worked -- had policy analysts who were able  
2      to come in and assist you with C-70. Was that part of that  
3      risk management process that when you need more resources  
4      that they were available to you when needed?

5                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah,  
6      exactly.

7                    So C-70 was a major goal for the department  
8      and we were able to surge resources. The team handled the  
9      consultation process, which was quite heavy on logistics.  
10     Another team helped to -- also with the drafting process of  
11     the MC. So we were able to pull about six to eight more  
12     resources for that specific moment in time.

13                   **MR. MATTHEW JOHNSON:** Okay. And Mr. Tupper,  
14     I want to clarify something that Madam Commissioner may -- it  
15     may not have necessarily been clear, but you and Mr.  
16     Aubertin-Giguère were both taken to the Terms of Reference of  
17     the National Counter Foreign Interference Coordinator, was  
18     how it's framed in the documents. And you were asked about  
19     those Terms of Reference.

20                   I just want to confirm, those Terms of  
21     Reference are not final; correct? You haven't formally  
22     approved those.

23                   **MR. SHAWN TUPPER:** That's correct.

24                   **MR. MATTHEW JOHNSON:** But even though they  
25     are still draft and not final, as far as you're concerned the  
26     office is acting consistently with those Terms of Reference.  
27     Is that fair?

28                   **MR. SHAWN TUPPER:** Again, they are created in



1      a context, and until we have clarity about the governance  
2      structure that will be put in place across government, I'm  
3      kind of holding off finalizing our determination to kind of  
4      make sure that we are aligned properly with that overall  
5      governance. So indeed, we've started to conduct ourselves  
6      accordingly, but we may have to adjust depending on exactly  
7      how we land in terms of that governance structure.

8                    **MR. MATTHEW JOHNSON:**    Perfect.

9                    The next area I just want to go to briefly is  
10      about consultations. And you mentioned -- and you were asked  
11      about consultations around Bill C-70.

12                   And I think, Mr. Aubertin-Giguère, you  
13      mentioned that there was extensive consultations, but I don't  
14      think you specified exactly what that meant. I'm wondering  
15      if you can give a bit more information about what you mean  
16      when you talk about those consultations and how extensive  
17      those were at the time.

18                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    Well, as I  
19      said earlier, there were two rounds of consultations. On  
20      both occasions, we had hybrid consultations, so a policy  
21      paper that was made public on our website, we'd send an AI  
22      tool to get comments from the Canadian public and provide  
23      regular sort of updates.

24                   We also held quite a high number of  
25      roundtables with stakeholders and talked about, you know, the  
26      legal community, academic community, different ethnocultural  
27      groups, advocacy groups. We talked to provincial and  
28      territorial partners, with Indigenous governments.

1                    So yeah, I don't have the specifics of the  
2 numbers. We're talking about dozens and dozens of  
3 consultation sessions.

4                    **MR. MATTHEW JOHNSON:** Perfect. And just to  
5 confirm, you mentioned that you consulted with ethnocultural  
6 groups like diaspora groups, community groups. That was a  
7 fairly important part of the consultation process. Would you  
8 agree with that?

9                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah, that's  
10 right.

11                   **MR. MATTHEW JOHNSON:** Okay. I want to move  
12 to you had mentioned -- I'm not sure in which examination,  
13 but you mentioned that -- you were taken to briefings of  
14 parliamentarians unclassified and you were asked about a  
15 briefing that you had given to a provincial legislature, MLAs  
16 in a provincial legislature, and you didn't specify which  
17 one. And I think it's useful to be clear and to be  
18 transparent about that.

19                   I think you're able to tell us which province  
20 that was. Are you ---

21                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yes, of  
22 course. British Columbia.

23                   **MR. MATTHEW JOHNSON:** British Columbia.

24                   And part of that is British Columbia had an  
25 election coming up?

26                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:** Yeah, and  
27 that's probably most likely why they responded so quickly,  
28 but I can't really say. That would be speculation on my

1        part.

2                    They were just very responsive and we could  
3        organize the briefing in very short delays.

4                    **MR. MATTHEW JOHNSON:**    Okay. And the offer is  
5        on the table for any other provinces and territories that  
6        want to do the same. You're ---

7                    **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    Yeah.

8                    **MR. MATTHEW JOHNSON:**    --- prepared and  
9        willing to do that.

10                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    That's  
11        correct.

12                   **MR. MATTHEW JOHNSON:**    And taking a step back  
13        considering both briefings to provincial legislatures,  
14        briefings to members of Parliament, how does ensuring that  
15        Canadian legislators have a baseline understanding of the  
16        foreign interference threat that they face contribute to  
17        their resilience? Because -- what is the benefit of what  
18        you're doing and why are you doing it? Can you talk a little  
19        bit about that?

20                   **MR. SÉBASTIEN AUBERTIN-GIGUÈRE:**    Well,  
21        knowledge is the best tool to defend yourself against foreign  
22        interference, so in the case of parliamentarians, they are  
23        prime targets because of the very nature of their activities  
24        and the fact that they are close to individuals of, you know,  
25        high status and they have sometimes privileged information  
26        about Canadian policy and can influence Canadian policy. So  
27        they need to be made aware of where the main threat actors,  
28        what do the threat actors want from them, how to recognize

1        certain patterns, understand the methodologies that are being  
2        used by the threat actors and then have some basic tools on  
3        how to interact and how to -- with the public, how to handle  
4        information and also how to have a sort of -- we call it a  
5        bit more best cyber hygiene, making sure that their digital  
6        sort of life is -- respects certain conditions to protect  
7        themselves.

8                    So this is all, you know, basic advice that I  
9        think every Parliamentarian should have so that they're  
10       better able to defend themselves against the threat. It's  
11       not foolproof, but it's -- it goes a long way.

12                   **MR. MATTHEW JOHNSON:**    Perfect.    Thank you.

13                   Mr. Tupper, I want to ask you just a few  
14       final questions given my time remaining. One of the things  
15       that you discussed during, I think, both the interview and  
16       the *in camera* hearing, and it's in your summary, is given  
17       that public safety is sort of the centre of policy expertise  
18       and has the mandate for national security, you were sort of  
19       asked about -- you know, C-70 was a major step and Public  
20       Safety obviously played a crucial role in that. But you were  
21       sort of asked about next steps and you made some comments  
22       about sort of the policy process and what's important to have  
23       happen once a major piece of legislation like this goes in.

24                   Could you talk a little bit about sort of the  
25       need to almost let it breathe, if I can put it that way? Can  
26       you comment on that?

27                   **MR. SHAWN TUPPER:**    I think I put it that way.

28                   **MR. MATTHEW JOHNSON:**    You may have.

1                    **MR. SHAWN TUPPER:** I think at times if you  
2 focus on the entirety of the challenge, it can freeze you in  
3 place so you don't act because you don't know what to do to  
4 address every single thing. I think as well understanding  
5 the impacts of what you put in place -- so for instance, we  
6 were talking about the police stations and the RCMP and the  
7 actions that they took which we felt were effective, but  
8 perhaps, we understand now, may have had some unintended  
9 consequences, just as an example. And so making sure that as  
10 you put tools in place that you let them operate, that you  
11 work with them and understand them and their impact, it  
12 better informs you on the next steps to take.

13                    And so I just think it's really important  
14 that we don't collapse under the weight of trying to do  
15 everything at once but, rather, we put in place a strategy  
16 that allows us to understand the steps to be taken, the tools  
17 that we have and how they interact with other things, and  
18 that best informs us of what the remaining gaps are and how  
19 we should fill them.

20                    **MR. MATTHEW JOHNSON:** So you put something in  
21 place, you wait to see how it works and then you evaluate  
22 what your next steps are based on that.

23                    **MR. SHAWN TUPPER:** Indeed.

24                    **MR. MATTHEW JOHNSON:** Okay. The last  
25 question I'm going to put to you, Deputy Tupper, is --  
26 because I think to take kind of a step back, and I think what  
27 we've heard today is one of the important developments in the  
28 last, I would say, 18 months, 24 months has been the creation

1      of the position of Counter FI Coordinator and Mr. Aubertin-  
2      Giguère.

3                      So I'm wondering if you can take a bit of a  
4      step back and talk about how that fits into the broader  
5      Government of Canada effort to deter, detect, and counter FI?

6                      **MR. SHAWN TUPPER:** Well, again, I think in  
7      some of the other lines of questioning that we confronted is  
8      that need to ensure that we are not operating in silos, that  
9      we are not operating in isolation; that that policy frames  
10     that are put in place understand, again, the context in which  
11     they're being put.

12                     And so I think that one of the critical  
13     elements and the critical benefits of having somebody who is  
14     a coordinator, somebody who can cast their eye more broadly  
15     on some of the interrelated parts is a pretty important  
16     outcome of our dialogue and our discussion. The ability for  
17     us to have a team of people whose job it is to engage across  
18     government to ensure that we have a whole-of-government  
19     response in looking at these issues, and who can tie  
20     together, not just what government is doing but what other  
21     orders of government are doing, what a civil society is  
22     doing, those are fairly important elements, I think, of this  
23     work.

24                     And so it is, I think, a major achievement  
25     that we now can say we are building that centre of expertise,  
26     that capacity to ensure that we see the links, the crosswalks  
27     across all of the activity in government, and that we have  
28     some degree of assurance that it is coordinated, and it works

1      together in a cohesive way.

2                    **MR. MATTHEW JOHNSON:**    Perfect.    Thank you,  
3      Deputy.

4                    Thank you, Madam Commissioner.    Those are my  
5      questions.

6                    **COMMISSIONER HOGUE:**    Thank you.

7                    Ms. Dann, Ms. Lazare, do you have any  
8      questions in the re-examination?

9                    **MS. ERIN DANN:**    No, thank you.

10                   **COMMISSIONER HOGUE:**    So thank you.    The day  
11      is over.    So thank you for your time and sharing with us all  
12      your experience and views on foreign interference.

13                   **MR. SHAWN TUPPER:**    It was a pleasure.

14                   **COMMISSIONER HOGUE:**    We will resume tomorrow  
15      morning at -- it's 9:30.    It will be a long day, but we start  
16      at 9:30.

17                   **THE REGISTRAR:**    Order, please.    À l'ordre,  
18      s'il vous plaît.

19                   This sitting of the Foreign Interference  
20      Commission is adjourned until tomorrow, the 9<sup>th</sup> of October  
21      2024 at 9:30 a.m.    Cette séance de la Commission sur  
22      l'ingérence étrangère est suspendue jusqu'à demain le 9  
23      octobre 2024 à 9 h 30.

24      --- Upon adjourning at 4:50 p.m./

25      --- L'audience est ajournée 16 h 50

26

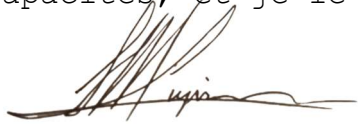
27

28

**C E R T I F I C A T I O N**

I, Sandrine Marineau-Lupien, a certified court reporter,  
hereby certify the foregoing pages to be an accurate  
transcription of my notes/records to the best of my skill and  
ability, and I so swear.

Je, Sandrine Marineau-Lupien, une sténographe officielle,  
certifie que les pages ci-hautes sont une transcription  
conforme de mes notes/enregistrements au meilleur de mes  
capacités, et je le jure.



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Sandrine Marineau-Lupien