



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

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

Public Hearing

Audience publique

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

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Ottawa, Ontario

--- The hearing begins Tuesday, October 15, 2024 at 9:32 a.m.

THE REGISTRAR: Order, please.

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

The time is 9:32 a.m.

COMMISSIONER HOGUE: Good morning. Welcome.

Maître Chaudhury, you will be leading the interview this morning?

Me SHANTONA CHAUDHURY: [No interpretation].

Shantona Chaudhury for the Commission.

May I ask the witnesses this morning, who are officials from the Prime Minister's Office, be sworn or affirmed?

THE REGISTRAR: All right. So I'll start with Mr. Clow.

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

MR. BRIAN CLOW: (Inaudible - no microphone).

--- MR. BRIAN CLOW, Affirmed:

THE REGISTRAR: Now I'll proceed with Ms. Telford.

Ms. Telford, could you please state your full name and then spell your last name for the record?

MS. KATHERINE TELFORD: Katherine Alana Telford, T-e-l-f-o-r-d.

THE REGISTRAR: Thank you.

1 --- MS. KATHERINE ALANA TELFORD, Affirmed:

2 THE REGISTRAR: And finally for Mr. Travers.

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

5 MR. PATRICK TRAVERS: Patrick Travers, T-r-a-
6 v-e-r-s.

7 --- MR. PATRICK TRAVERS, Affirmed:

8 THE REGISTRAR: Counsel, you may proceed.

9 --- EXAMINATION IN-CHIEF BY MS. SHANTONA CHAUDHURY:

10 MS. SHANTONA CHAUDHURY: Perfect. Thank you.

11 Witnesses, you've been here before so you
12 know the drill. We're going to start with routine
13 housekeeping. There are three interview examination
14 summaries to enter, so I'm just going to read the document
15 IDs into the record, and for each of them, I'll ask you to
16 confirm that you've reviewed them for accuracy and adopt
17 their contents as part of their evidence.

18 So the first one is WIT 107, which is the PMO
19 Stage 2 Interview Summary. The second is WIT 163, which is
20 the PMO Stage 2 In-Camera Hearing Summary. The third is WIT
21 161, which is the PMO Addendum to the Stage 1 In-Camera
22 Hearing Summary. So, again, for each of those, I'll ask you
23 to confirm that you've read them, they're accurate, and you
24 adopt their contents.

25 --- EXHIBIT No. WIT0000107:

26 Interview Summary: Katie Telford,

27 Brian Clow, Patrick Travers

28 --- EXHIBIT No. WIT0000107.FR:

1 Résumé d'entrevue : Cabinet du
2 premier ministre (Katie Telford,
3 Brian Clow et Patrick Travers)

4 **--- EXHIBIT No. WIT0000163:**

5 In Camera Examination Summary: Prime
6 Minister's Office Senior Officials

7 **--- EXHIBIT No. WIT0000161:**

8 Addendum to In Camera Examination
9 Summary: PMO Staff: Katie Telford,
10 Jeremy Broadhurst, Brian Clow and
11 Patrick Travers

12 **MS. SHANTONA CHAUDHURY:** Mr. Clow?

13 **MR. BRIAN CLOW:** Yes.

14 **MS. SHANTONA CHAUDHURY:** Ms. Telford?

15 **MS. KATHERINE TELFORD:** Yes.

16 **MS. SHANTONA CHAUDHURY:** Mr. Travers?

17 **MR. PATRICK TRAVERS:** Yes.

18 **MS. SHANTONA CHAUDHURY:** Thank you. Then the
19 last document is the PMO Institutional Report, CAN.DOC 38 is
20 the English version. CAN.DOC 39 is the French.

21 **--- EXHIBIT No. CAN.DOC.000038:**

22 Public Inquiry Into Foreign
23 Interference in Federal Electoral
24 Processes and Democratic Institutions
25 - Institutional Report - Prime
26 Minister's Office - Stage 2

27 **--- EXHIBIT No. CAN.DOC.000039:**

28 Enquête publique sur l'ingérence

étrangère dans les processus
électoraux et les institutions
démocratiques à l'échelle fédérale -
Rapport Institutionnel - Cabinet du
Premier Ministre - Étape 2

MS. SHANTONA CHAUDHURY: So, Ms. Telford, on behalf of PMO, I'll ask you to confirm that you've reviewed that report, and you're content that it form part of PMO's evidence before the Commission?

MS. KATHERINE TELFORD: Yes.

MS. SHANTONA CHAUDHURY: Perfect. Thank you. And then again, I'll just ask you to -- I know you've been here before and you've done it before, but for everyone's benefit, reintroduce yourselves and explain your current roles and any roles you've held during the Commission's period of review, which is roughly 2018 to the present. Starting at my left, Mr. Travers?

MR. PATRICK TRAVERS: Yes. I'm the Senior Global Affairs Advisor in the Prime Minister's Office. Prior to 2020, I served as a Senior Policy Advisor in the PMO Policy Team starting in January 2016.

MS. SHANTONA CHAUDHURY: Perfect. Thank you. Ms. Telford?

MS. KATHERINE TELFORD: I'm the Chief of Staff to the Prime Minister, and I've been the Chief of Staff throughout the time period you mentioned except for when I've been on unpaid leave during the election periods.

MS. SHANTONA CHAUDHURY: Both 2019 and 2021?

1 **MS. KATHERINE TELFORD:** Correct.

2 **MS. SHANTONA CHAUDHURY:** Okay. Thank you.

3 Mr. Clow?

4 **MR. BRIAN CLOW:** I joined the Prime
5 Minister's Office in 2017, focused solely on Canada/U.S.
6 relations. After the 2019 election, I took on responsibility
7 for issues management and parliamentary affairs, in addition
8 to Canada/U.S. relations, and from 2021 onward, I was -- I
9 have been Deputy Chief of Staff.

10 **MS. SHANTONA CHAUDHURY:** Okay. Thank you.
11 Okay. Well, we'll dive right into some of the substance
12 here, starting with something you're quite familiar with,
13 flow of information to the Prime Minister's Office. So here,
14 we know that there've been some changes throughout the period
15 of review of the Commission, so, Ms. Telford, I'll actually
16 ask you to start by going back and reminding us of some of
17 the things that you gave us at Stage 1 of the Commission's
18 proceedings, where you distinguished between different time
19 periods, and I think those were sort of pre-pandemic, how
20 things happened during the pandemic, and post-pandemic. So,
21 again, can you remind us of those and then go on to explain
22 any changes that have happened more recently?

23 **MS. KATHERINE TELFORD:** So starting with pre-
24 pandemic, we received most products to do with intelligence
25 and security in paper. We received weekly and daily briefs
26 or summaries, and the weekly ones were really summaries of
27 what were coming in every day. And then very little raw
28 intelligence was shared unless it was on a very specific

1 situation, and if there was raw intelligence to be shared, it
2 was usually because it was urgent, and on a specific
3 situation, and they would send a CRO or a Client Relations
4 Officer over to bring it to us and show it to us sort of
5 immediately, but that was pretty rare pre-pandemic.

6 Then during the pandemic, everything changed
7 as it did for everyone. And during the pandemic, we
8 obviously couldn't receive the same amount of information
9 when we were in a lock-down period, but things got
10 coordinated, so that if there was something that was
11 something that the security officials, the senior officials
12 believed we needed to see, either they would coordinate to
13 sometimes, rarely, but they would sometimes come to my home,
14 or I would come into the office, and sometimes they would
15 find ways that they could share it electronically by
16 cleansing it somewhat, so that it could come down a level of
17 classification, but it was a more complicated period in that
18 sense. There were not the daily briefs or the weekly
19 products in the same way being delivered by paper certainly.

20 And then as we came out of the pandemic
21 period, and I would point to sort of post the 2021 election,
22 it became, as it did for so many people during that period,
23 more of a hybrid system, partly because of learnings from
24 that period and partly in the sense that we now had
25 technology we didn't have before. During the pandemic
26 period, all of the -- or many of the senior staff, certainly
27 the ones involved in this space, had access to secure level
28 screens as well as secure level -- or secret level, sorry, I

1 should say, phones, and so that assisted in terms of sharing
2 information, even if it couldn't go all the way to the top-
3 secret level.

4 And so some of that was able to continue for
5 the purposes of aiding information flow following the
6 pandemic. We still have that technology, of course. And
7 then we also got back into the process of sharing paper,
8 though there was a lot more raw intelligence being shared
9 following that period, partly because of events in the world,
10 partly I think because National Security and Intelligence
11 Advisors, which there have been several over the years that I
12 have been in this role, each one has been a bit different in
13 terms of where their focus has been because of events in the
14 world, because of what the priorities, the intelligence
15 priorities were at the time, that they would come to with
16 Cabinet and with the Prime Minister, and then -- and partly
17 due to their styles.

18 And then post leaks would be sort of the
19 final period where things really became significantly more
20 rigorous, and so almost all information now is shared via a
21 Client Relations Officer. And even over the time period that
22 this Inquiry has been going on and since that leaks period, I
23 would say that the National Security and Intelligence
24 Advisors have put a particular emphasis on how to make the
25 process that much more rigorous, both in terms of tracking
26 the information, who's seeing what when, also being able to
27 share that between us, so that when I'm being briefed, I'm
28 being told the Prime Minister has already seen this document

1 or had questions on this document, or similarly, if he's
2 being briefed, he can be alerted to the fact that one of us
3 had asked for follow up on something that he was reading, so
4 that he could have a sense of where something was already
5 tracking to. And I think that would cover it mostly ---

6 **MS. SHANTONA CHAUDHURY:** I think it probably
7 does. So just to go back on a little bit of that, the period
8 -- the pandemic period you had put really from sort of when
9 it hit in March 2020 to around the fall of 2021 when things
10 may have started to start to normalize; is that right?

11 **MS. KATHERINE TELFORD:** Correct.

12 **MS. SHANTONA CHAUDHURY:** Okay. And in terms
13 of the -- you've sort of given us the post-pandemic and the
14 post-leaks period and the increasing rigour you said in both
15 tracking and provision of information. Can you speak to any
16 ongoing challenges that still exist in the system in terms of
17 when you receive information, what you can do with it?

18 **MS. KATHERINE TELFORD:** I think an adjustment
19 that's going to continue to get looked at and we continue to
20 talk about between the Clerk of the Privy Council, the
21 National Security and Intelligence Advisor, the Deputy Clerk,
22 myself and some of us is -- and you'd rather lean toward the
23 rigour than not, but that it's become -- it is everything
24 flows through a Client Relations Officer now, which means you
25 need that person in front of you in order to review anything,
26 and if you can't complete a document while they're sitting
27 there because something else arises, you then need to
28 reschedule that and you can't do that later in the day;

1 whereas, previously, if you were working your way through
2 what can sometimes be a significant amount of information, we
3 do have top-secret safes, we do have top-secret cleared
4 assistants who can work with us on maintaining that
5 information, and there may be a way to kind of be able to be
6 a little more flexible on some of those fronts, but that's
7 still something we're trying to work through.

8 **MS. SHANTONA CHAUDHURY:** Okay. Fair enough.
9 And last question on this, just to give an idea of when
10 information comes to you what it looks like, generally
11 speaking, when you receive intelligence products, and you've
12 told us you're receiving more and more of it as a result of
13 sort of everything that's going on in the world right now, do
14 those intelligence products usually involve the names of the
15 people who are mentioned in these -- in the intelligence or
16 are those sanitized out?

17 **MS. KATHERINE TELFORD:** When they involve --
18 and my colleagues may want to jump in here, since we see --
19 we don't all see the exact -- we don't see all of the same
20 things, the names of Canadians are usually not included.

21 **MS. SHANTONA CHAUDHURY:** Okay.

22 **MS. KATHERINE TELFORD:** And so we might see,
23 if it was something international, names, but if it's
24 Canadians, usually it's -- the names are taken out, and we
25 would have to request, if it's something where we believe
26 knowing the name could be helpful, we would request, and the
27 Client Relations Officer would take that back to the NSIA, to
28 talk to the security agencies about whether that's a name

1 that they can reveal to us or not.

2 **MS. SHANTONA CHAUDHURY:** Understood. Mr.
3 Travers, Mr. Clow, anything to add on that?

4 **MR. PATRICK TRAVERS:** No, I would say my
5 experience is that, generally, the default is the names are
6 not provided, with the exception potentially of foreign
7 individuals, and that can also apply in some cases to Five
8 Eyes as well. So the rule is generally not an identification
9 of individuals.

10 **MS. SHANTONA CHAUDHURY:** Okay. We're going
11 to move on to talk about a couple of specific intelligence
12 products that have come up over the course of the
13 Commission's proceedings. The first one is something that we
14 know as the targeting paper, so in brief, this was a document
15 drafted by a CSIS analyst originally in 2021. It wasn't
16 disseminated anywhere until, like, February 2023, when it was
17 disseminated to a small number of people within the Public
18 Service and then the intention, we know, was to prepare a
19 more -- a sanitized version of that for possible further
20 dissemination.

21 So first question is just to confirm, did you
22 receive a version of the targeting paper in 2023?

23 **MR. PATRICK TRAVERS:** No.

24 **MS. SHANTONA CHAUDHURY:** Okay. But you've
25 now seen the targeting paper. Is that correct?

26 **MR. PATRICK TRAVERS:** We saw it after NSIRA
27 published its report.

28 **MS. SHANTONA CHAUDHURY:** Okay. And when we

1 discussed this in your interview, in your examination, I
2 believe you were asked whether you should have seen it at the
3 time and your answer was, "Well, that's the NSIA's
4 determination to make".

5 Since then, we've heard evidence from the
6 NSIA at the time, Ms. Thomas, that, in fact, she never made
7 that determination, she never decided where it would go
8 because she never received the updated, sanitized version of
9 that targeting paper.

10 So I just want to confirm, first of all, the
11 source of your information that was conveyed in the interview
12 and examination summary, that it was her determination to
13 make. Do you have any personal knowledge of her having
14 received this or was this from what was written in the NSIRA
15 Report?

16 **MR. BRIAN CLOW:** So no, we did not have any
17 knowledge other than the NSIRA Report and what it said.

18 **MS. SHANTONA CHAUDHURY:** Okay. So no reason
19 to dispute Ms. Thomas's recollection?

20 **MR. BRIAN CLOW:** Right.

21 **MS. SHANTONA CHAUDHURY:** Okay. The -- one
22 other issue -- one issue that came up in the discussion of
23 the targeting paper, which I want to ask you about, is -- and
24 it's mentioned in the discussion in the NSIRA Report a bit --
25 is whether the activity described in it necessarily
26 constituted foreign interference or something less nefarious,
27 standard diplomatic activity of thinking about which
28 parliamentarians a state could essentially work on for

1 influence.

2 And I'm wondering -- I know this is something
3 we discussed before as well, but if you can give us your
4 perspective, whether it's with respect to the targeting paper
5 specifically or more generally, but on that distinction
6 between what is foreign interference and what is foreign
7 influence.

8 **MS. KATHERINE TELFORD:** So maybe I'll kick
9 off and then turn to my colleagues.

10 But I think that's -- it's an ongoing
11 discussion and debate depending on what assessment we're
12 looking at. It particularly tends to come up in our domain
13 when it comes to security clearances.

14 So for example, I think one of the things
15 we've talked about in the past is -- you know, is a member of
16 Parliament sometimes will be referred to be as being
17 vulnerable to a specific foreign entity or to a consul
18 general or to an ambassador or somebody like that.
19 Vulnerable doesn't necessarily mean that they have done
20 anything. It could just mean that they could become a target
21 or -- of that country or that individual.

22 We also tend to look at, you know, influence
23 versus -- and so they could be being influenced, they could
24 be being interfered with potentially, so should that block
25 them from moving forward, and we will have those discussions
26 and debates all the time.

27 There's kind of a grey zone between influence
28 and interference, where does influence cross into

1 interference, and Global Affairs Canada, for example, and the
2 diplomats within the government community and the Global
3 Affairs kind of community have different experiences and
4 different perspectives as to what is normal activity,
5 diplomatic activity, than what we might see coming out of a
6 CSIS assessment and out of different parts of the security
7 apparatus.

8 And the National Security and Intelligence
9 Advisor is actually put in the position where they can
10 convene those different parties and try to come to a common
11 assessment or at least identify what the different points of
12 views are so that a debate can be held at the senior-most
13 levels and/or presented to the Prime Minister if it's
14 something that's actually going to the Prime Minister.

15 **MS. SHANTONA CHAUDHURY:** Mr. Travers?

16 **MR. PATRICK TRAVERS:** I agree entirely with
17 that.

18 You know, what I'll add is I think that the
19 National Security Intelligence Advisor put it very well that
20 there is a common working definition of foreign interference.
21 The question then comes how you apply that to a specific set
22 of facts and a specific set of behaviour, particularly
23 recognizing often there is either contingent or incomplete
24 information about what's happening.

25 And so to that degree, we do see, across
26 government, different perspectives on different cases. And
27 to some extent, that's useful as you're trying to understand
28 in the context of intelligence and sometimes imperfect

1 information what may be occurring.

2 **MS. SHANTONA CHAUDHURY:** Okay. So when there
3 are those different perspectives, from your vantage point at
4 PMO do you see them? Are they brought to you, or is there
5 always a consensus before you see it?

6 **MR. BRIAN CLOW:** I would say often not a
7 consensus, and we are frequently faced with situations where
8 we're presented with information that may be characterized in
9 a certain way, characterized as foreign interference, and we
10 officials, others, may look at that and say, well, hold on a
11 second. Is that foreign interference?

12 And you've heard testimony here that I agree
13 with that, you know, in certain instances merely assembling
14 information about a member of Parliament I would not say is,
15 on its own, foreign interference.

16 We in Canada -- I talked about my role in
17 Canada-U.S. relations. When we have an election coming up,
18 we do a lot of work assembling information on prominent
19 Americans. That is totally appropriate, totally normal.
20 It's in our advantage. There's nothing wrong with it. Other
21 countries do that to us.

22 So often, we have this discussion, and it's
23 not just political staff versus officials. Officials are in
24 these discussions as well.

25 These situations are rarely black and white,
26 so we often have to deconstruct them and think it through.

27 **MS. SHANTONA CHAUDHURY:** Do you think it
28 hampers at all the efficiency of government response, this

1 discussion?

2 **MS. KATHERINE TELFORD:** No, I think it's -- I
3 think it's actually a very healthy tension and I think you
4 see it in a number of different subject areas within
5 government where you have different departments who come at
6 things with different views. And in this area, I think it's
7 particularly important when you're talking about the security
8 of the country, when you're talking about individuals and
9 their reputations, their livelihoods, the impact -- what
10 allegations are being made or assertions are being made,
11 especially when it's coming from imperfect information
12 because so often intelligence is imperfect information.

13 It may be coming from a corroborated or an
14 uncorroborated source that has or hasn't been relied upon in
15 the past and it may have some parts that are known to be
16 accurate and parts that aren't. And you've got to put the
17 whole story together.

18 So you need different perspectives, I think,
19 to do that.

20 **MS. SHANTONA CHAUDHURY:** Okay. We're going
21 to move on to talk about another intelligence product that
22 has been mentioned in the Commission's work. This one's
23 called the PCO Special Report. It's another document that
24 was mentioned in the NSIRA Report, among others.

25 So this was a report on PRC foreign
26 interference combined both domestic and foreign intelligence,
27 produced by the Intelligence Assessment Secretariat at PCO.
28 And in early 2022, just to introduce the question, IAS

1 indicated that this should be circulated to senior civil
2 servants and perhaps beyond that.

3 That document, we now know, was never
4 finalized and so just to confirm, again, the PCO Special
5 Report never reached you in 2022.

6 **MR. BRIAN CLOW:** Correct.

7 **MS. SHANTONA CHAUDHURY:** Okay. But I
8 understand you've now seen the PCO Special Report.

9 **MR. BRIAN CLOW:** We saw this report in 2023.
10 It was one that was talked about in the media.

11 **MS. SHANTONA CHAUDHURY:** Okay. So my
12 question is, having now seen it, is this the kind of document
13 you would have expected to see, you would have wanted to see?
14 Would having seen it have changed things for you in the
15 spring of 2022?

16 **MR. BRIAN CLOW:** We have a lot of confidence
17 in the current NSIA and the previous NSIAs to make decisions
18 on what comes to us. There's so much information in the
19 system that they have to exercise their judgment, and we have
20 a lot of confidence in their judgment.

21 A lot of the information in that particular
22 document we were aware of. Not all of it, perhaps not every
23 specific, but the themes, the description, the information
24 about Chinese foreign interference, we were well aware of.
25 So we trust the judgment of officials who chose not to send
26 us that information -- that particular document, I should
27 say.

28 **MS. SHANTONA CHAUDHURY:** Okay. Anything else

1 to add on that, or we'll move on to the next topic.

2 So this one, I'm going to ask you sort of
3 generally to start.

4 And at this point, I'll ask the Court
5 Registrar to please pull up WIT163, which is your in camera
6 hearing summary, just to follow along a bit of the discussion
7 as the examination goes along.

8 So this is at paragraph 21 the discussion
9 starts, the role of PMO here in policy development.

10 So first, generally, I'll ask you to explain
11 what that role is. So in terms of how Ministerial proposals
12 get to Cabinet, the Cabinet agenda, how does PMO work with
13 line departments, with PCO?

14 Mr. Travers, I see you nodding, so this one's
15 going to you.

16 **MR. PATRICK TRAVERS:** Thank you.

17 So at the highest level, policymaking as it
18 relates to Cabinet, Ministers take the lead on putting
19 specific proposals for consideration by their colleagues and
20 by Cabinet as a whole, and those proposals are consistent
21 with the mandate letters that are provided by the Prime
22 Minister and the overall government agenda.

23 PMO plays a role in this process, working
24 very closely with the Privy Council Office in managing the
25 overall agenda, so sequencing, prioritization of agenda
26 items, and that's because, together with PCO, we have an
27 overarching view of the issues within government of the whole
28 agenda and are able to manage that process moving forward.

1 In practice, that means working not just with
2 PCO, but with our colleagues in Ministers' offices and other
3 departments as well as these proposals are brought forward.

4 There are other ways in which policy
5 decisions and policy proposals are brought forward. That can
6 include letters from Ministers, the Prime Minister, or
7 decision notes provided by PCO. Again, we work very closely
8 with our colleagues in the Public Service, and there we would
9 play a role in terms of providing substantive advice for the
10 Prime Minister.

11 As part of this process, it is very common
12 that we engage in fairly wide coordination across government
13 as these proposals are brought forward.

14 **MS. SHANTONA CHAUDHURY:** Okay. Mr. Clow, I
15 believe when we talked about this before, you noted that PMO
16 can play, I think you called it an air traffic control
17 function. Can you explain what you meant by that?

18 **MR. BRIAN CLOW:** Yeah. There's so much
19 policy making that goes on. A lot of it flows from mandate
20 letters. And after the 2021 election, as noted here, there
21 were over 700 specific commitments in those mandate letters
22 that went out to all Ministers. That is a huge amount of
23 work and activity that needs to be managed, and overseen, and
24 coordinated.

25 In addition to those 700 though, there's a
26 lot that we are reacting to. So there's more policy on top
27 of those 700, and there are proposals that come from
28 Ministers, from caucus, from others that get considered as

1 well. So it's a lot of information flow, it's a lot of
2 material consideration, and we play an air traffic control
3 function.

4 **MS. SHANTONA CHAUDHURY:** Okay. Sort of --
5 and that, I suppose, is figuring out what to do when?
6 Prioritizing ---

7 **MR. BRIAN CLOW:** Exactly.

8 **MS. SHANTONA CHAUDHURY:** --- and
9 coordinating?

10 **MR. BRIAN CLOW:** Exactly.

11 **MS. SHANTONA CHAUDHURY:** Okay. So let's
12 bring that home by talking about how the Government's policy
13 response to foreign interference specifically developed.

14 And here I'll ask the Court Registrar to pull
15 up a document called COM.SUM4, which is the summary of the
16 HASA Memorandum to Cabinet.

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

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

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

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

28 **MS. SHANTONA CHAUDHURY:** So to situate you a

1 little bit here, witnesses, in Stage 1 of the Commission's
2 proceedings, we heard about two major Cabinet proposals on
3 foreign interference. The first was the 2019 Plan to Protect
4 Canada's Democracy, and then in 2021, the Plan to Protect
5 Canada's Democracy 2.0 essentially, working off the
6 recommendations that were made in the Judd Report.

7 In Stage 2, what we've heard -- become
8 acquainted with, I would say, the HASA MC. So Memo to
9 Cabinet on Hostile Activities by State Actors. And we know
10 that this was brought to Cabinet in May 2022, ratified in
11 June 2022.

12 So the question I want to ask you here is
13 sort of what happened next? Once this gets to Cabinet and it
14 gets ratified, what's the response?

15 **MR. BRIAN CLOW:** So I'm happy to talk about a
16 bit of the timeline there. So June 2022, this MC gets
17 ratified at Cabinet, and that set off a whole bunch of
18 additional work.

19 First, we consulted internally within
20 government, we consulted with stakeholders who might be
21 interested in the contents of what was being considered here.
22 The Foreign Agents Registry was a key part of this proposal.
23 Ultimately, the government launched, from Public Safety,
24 consultations on the Foreign Agents Registry in the spring of
25 2023. Even developing that consultation takes a fair bit of
26 work and time, so the consultation was launched in the spring
27 of 2023. It came -- after that, the Registry was further
28 developed, so it came back to Cabinet in June of 2023 for

1 further consideration. In the fall of 2023, government
2 consulted on other elements of the legislation that
3 eventually was introduced. So amendments to the *CSIS Act*,
4 amendments to the *Security of Information Act*, other
5 amendments, *Criminal Code*. That was consulted at some length
6 in the fall of 2023. And ultimately, all of this was
7 discussed one more time at Cabinet earlier this year before
8 the legislation was introduced. It's a piece of legislation
9 that's a little over 100 pages. It's incredibly detailed.
10 It amends a number of acts, and it affects a lot of things in
11 this country and how security agencies operate.

12 And so we took the time that we felt was
13 needed to get this right and I would say the fact that once
14 we introduced it into Parliament and it moved so quickly
15 shows that we did get it right. We were criticized by some
16 for taking too long to introduce that Bill. We were
17 criticized by others for moving too quickly. And again, I
18 think we did get it right. The Bill has passed and it's now
19 being implemented.

20 **MS. SHANTONA CHAUDHURY:** Okay. Thank you.
21 That's a helpful overview of the timeline.

22 If I could ask the Registrar to just zoom out
23 a little bit so we can see the four elements here in the HASA
24 MC?

25 **COMMISSIONER HOGUE:** I think Mr. Travers
26 wanted to add something.

27 **MS. SHANTONA CHAUDHURY:** Oh, I saw that.
28 Don't worry. I'm getting to him.

1 But before I ask Mr. Travers to add what he
2 wants to add, I just want to go through what we see here in
3 the HASA MC.

4 So the first sort of part of it here is -- or
5 element that's discussed is endorsement of the principles in
6 the counter-HASA strategy. The second part involves a whole-
7 of-government communications approach. The third part is
8 counter-HASA legislative tools, particularly the *CSIS Act*,
9 the *Criminal Code*, and the *Security of Information Act*. And
10 then the fourth part is new capabilities for the RCMP.

11 Okay. Mr. Travers, I will now ask you,
12 before I move on with my further questions, to add whatever
13 it is you were planning to?

14 **MR. PATRICK TRAVERS:** No, absolutely. And it
15 relates to what we laid out within the HASA MC. I just
16 wanted to provide, to Brian's point, a bit of broader context
17 on policy this complex and this sensitive. When we came into
18 government, it was shortly after there had been a broad
19 public debate about the previous government under Prime
20 Minister Harper's efforts to reform national security
21 architecture, C-51. We then moved forward with C-59, which
22 made substantial changes in the national security space,
23 including with respect to increasing oversight.

24 And what we learned through those processes
25 is that first anything that touches to the core of the powers
26 of the national security agencies, the oversight, and frankly
27 the rights of Canadians, is usually sensitive and needs to be
28 taken very carefully, and that because of that, the

1 consultation process with those affected is also hugely
2 important.

3 And so it's important to understand the HASA
4 MC process in light of that experience, and in light of the
5 importance of the policy issues that are being addressed
6 there. And you see this here in terms of the breadth of the
7 legislative amendments, but also the kind of powers that are
8 being provided as we move forward.

9 **MS. SHANTONA CHAUDHURY:** Okay. Thank you.

10 Staying on the theme of how this all
11 developed, can I ask the Registrar to pull up CAN18005?

12 **--- EXHIBIT No. CAN018005:**

13 [Text Messages of B. Clow]

14 **MS. SHANTONA CHAUDHURY:** So Mr. Clow, this is
15 a text exchange from November 2022, I think it was probably
16 right after the media leaks, between you and the then
17 Minister of Public Safety, Marco Mendicino. Do you recognize
18 this exchange? Okay.

19 **MR. BRIAN CLOW:** Yes, I do.

20 **MS. SHANTONA CHAUDHURY:** So if we just see
21 what's here at page 1, it starts a discussion on overseas
22 police stations, and I think, Mr. Clow, this is you in this -
23 - sort of the black here? White on black ---

24 **MR. BRIAN CLOW:** Yes.

25 **MS. SHANTONA CHAUDHURY:** --- writing? Mr.
26 Clow is saying we need to take a more -- or give a more
27 robust response. It can't be CSIS alone going out there and
28 giving responses.

1 And then if we scroll down to the second
2 page, we'll see Mr. Mendicino's response after "Also: good
3 morning!" which essentially says he agrees, he's relieved to
4 hear you say it, he thinks it's appropriate to take a more
5 robust position publicly, and then asks your help on pushing
6 ahead with policy and investments which he says have been
7 hard for a variety of reasons.

8 So Mr. Clow, can you tell us the context of
9 this discussion? What was going on here?

10 **MR. BRIAN CLOW:** So as you pointed out, this
11 was a few days after Sam Cooper's first story based on leaks,
12 and that first story was explosive. It was about the so-
13 called 11 candidates. And so for a few days in Ottawa, and
14 in the country, there was a huge amount of media attention on
15 this topic. So the first part of the exchange is Minister
16 Mendicino and I discussing how to respond to new questions
17 that were coming in on the topic of foreign interference.
18 And my reference to, "It can't be CSIS alone speaking to
19 this," is because, rightly, CSIS can't say anything. They
20 couldn't speak to specific allegations. So these allegations
21 were hanging out there. So that's what the first part of the
22 discussion refers to.

23 The second part, Minister Mendicino replies,
24 asks for assistance on the policy response, and at this
25 point, I talked about the timeline earlier, at this point in
26 the process, we were a few months after the HASA MC was
27 considered at Cabinet and we were discussing how to construct
28 the consultation and that's what was happening that fall, so

1 we were doing the work that was needed to be done to get that
2 consultation launched.

3 MS. SHANTONA CHAUDHURY: Okay. And I think
4 you said the consultation was then launched in the spring of
5 2023.

6 MR. BRIAN CLOW: Right.

7 MS. SHANTONA CHAUDHURY: Okay. I think we
8 can take that down now.

9 And I think you've already given us some
10 history on how those consultations unfolded. Is there
11 anything else you want to add on the topic of the
12 consultations and how they were planned and took place before
13 we move on to another topic?

14 No? Okay.

15 The next topic, then, we're going to talk
16 about is a little bit different, unclassified briefings to
17 parliamentarians.

18 So for this one, Registrar, I'll ask you to
19 pull up COM363. And scroll down to paragraph 126.

20 **--- EXHIBIT No. COM0000363:**

21 NSICOP Special Report on Foreign
22 Interference in Canada's Democratic
23 Processes and Institutions

24 MS. SHANTONA CHAUDHURY: So what we see here
25 at paragraph 126 of the NSICOP Report is a narration of
26 events having to do with an initiative intended to provide
27 unclassified briefings to parliamentarians that, for various
28 reasons, doesn't appear to have materialized.

1 So it starts with saying in 2018 in the
2 NSICOP's Report on the Prime Minister's visit to India, the
3 committee recommended that members of the House of Commons
4 and Senate should be briefed upon being sworn in and
5 regularly thereafter on foreign interference.

6 That was then repeated in the NSICOP's 2019
7 report and became the subject of a memo from the Clerk of the
8 Privy Council to the Prime Minister which did not receive a
9 formal response from PMO, then speaks about a second memo
10 from the -- or sent to the PMO, this time by the NSIA in
11 December 2020. No reply received.

12 And then it speaks to the NSIA apparently
13 having revived the initiative in 2022, February 2022. And
14 this time it says there's a memo that ultimately wasn't
15 provided to PMO.

16 So with that sort of overview of all of this,
17 Mr. Clow, can you explain what was happening here?

18 And we can take that document down before you
19 start, Mr. Clow, and pull up WIT163 again, the discussion
20 starting at paragraph 35.

21 So Mr. Clow, tell us what happened here.

22 **MR. BRIAN CLOW:** So I'll start where you
23 started, which was the NSICOP Report from the spring. When
24 we received that report in April, I certainly read that
25 paragraph and, quite quickly, a few of us had conversations
26 including with the National Security Intelligence Advisor,
27 Nathalie Drouin. The Prime Minister was involved in a
28 conversation about this.

1 We all agreed this briefing -- this
2 unclassified briefing should happen, and that's what led
3 directly to the briefings happening in June of this year.
4 And we all agreed they should have happened long ago.

5 So I'm happy to go back to the two notes that
6 were referenced that were sent to the Prime Minister's Office
7 in 2019 and 2020.

8 **MS. SHANTONA CHAUDHURY:** Sure. And as you do
9 that, we can pull up the documents themselves, actually.

10 So the first one is CAN19825. That's the
11 December 2019 memo.

12 **--- EXHIBIT No. CAN019825 0001:**

13 Briefing to parliamentarians on
14 foreign interference and extremism in
15 Canada

16 **MS. SHANTONA CHAUDHURY:** Go ahead, Mr. Clow.

17 **MR. BRIAN CLOW:** So this was the first one
18 that was received shortly before Christmas 2019.

19 I should point out, notes like this we did
20 our research ahead of this testimony and previous testimony
21 *in camera*. The Prime Minister receives about 1,000 notes
22 from PCO sent to him every year. I would say 1,000 on
23 average. One year it was 1,200, one year it was a little bit
24 less.

25 So -- and these notes cover every conceivable
26 topic in government and every decision he makes, including
27 budget decisions. So this was one of those thousand.

28 **MS. SHANTONA CHAUDHURY:** When you say the

1 Prime Minister receives, do you mean PMO received for ---

2 **MR. BRIAN CLOW:** PMO receives them, but
3 they're destined for the Prime Minister.

4 **MS. SHANTONA CHAUDHURY:** Understood.

5 **MR. BRIAN CLOW:** Any note that's listed for
6 decision, the process in our office is Prime Minister's
7 Office staff consider that. We apply our own political
8 advice on top of it. Sometimes we consult caucus if
9 necessary, as an example. We may have stakeholder knowledge
10 that could feed into advice that goes to the Prime Minister.

11 So this note was being treated like every
12 other note that gets addressed to him.

13 January, February 2020, this note was being
14 considered. We all agreed this briefing should happen, this
15 note should go to the Prime Minister. And it was interrupted
16 by the COVID-19 pandemic.

17 Early March, as we all know, 2020, the whole
18 world changed, the country changed. Parliament itself
19 stopped sitting, so this note was interrupted and it did not
20 go to the Prime Minister.

21 **MS. SHANTONA CHAUDHURY:** Okay. So it
22 essentially got lost in the shuffle of the pandemic?

23 **MR. BRIAN CLOW:** Yes. And there was at least
24 one other note at the same time that was paused like this
25 one.

26 **MS. SHANTONA CHAUDHURY:** Okay. If we take
27 that one down, then, and pull up the December 2020 memo. So
28 this is CAN19435.

1 There it is.

2 **--- EXHIBIT No. CAN019435:**

3 National Security Briefings to
4 Parliamentarians

5 **MS. SHANTONA CHAUDHURY:** So again, this is
6 now a memo that was destined for the PM from the NSIA sent
7 just before Christmas in 2020.

8 Mr. Clow, what happened with this one?

9 **MR. BRIAN CLOW:** So similar, but different
10 set of facts on this one.

11 It arrived shortly before Christmas. It was
12 considered in the new year. Policy staff engaged on the
13 topic. Katie and I engaged on the topic.

14 On this one, we all agreed again that this
15 briefing should happen, the note should go to the Prime
16 Minister. We supplemented the advice from PCO with a couple
17 of different things.

18 One, we recommended that in addition to all
19 members of Parliament getting this unclassified briefing, the
20 leader of the Green Party, who at that time did not have a
21 seat in Parliament, should also get the briefing. So we
22 talked about that and we inserted that advice into the note.

23 Attached to this note were draft letters that
24 the Prime Minister was meant to send to Opposition leaders
25 informing them of this effort, so we also, as we often do --
26 any letter from the Prime Minister to an Opposition leader,
27 that is a -- that's going to be something that could become
28 very political, so we looked at that letter and applied our

1 advice there.

2 The note was working its way through the
3 system and, ultimately, this note was interrupted by the 2021
4 election call, and it was not resurfaced after the 2021
5 election.

6 **MS. SHANTONA CHAUDHURY:** Okay. So just to
7 show a little bit of what you were talking about, if I can
8 ask the Registrar to just scroll through the document until
9 you see the draft letters to the Opposition Parties.

10 Probably going to have to go quite a way down
11 to find those.

12 Okay. In the interests of time, I'm not
13 going to pull all of them up, but some of the discussions
14 that you mentioned are included in documents for the
15 Commission. So we understand there was some discussion in
16 February 2021.

17 And Mr. Travers, that discussion was in the
18 context of a brief -- a potential briefing or a briefing to
19 the PM that was to happen that day.

20 Do you have a recollection of whether this
21 came up during that briefing on February 9th, 2021?

22 **MR. PATRICK TRAVERS:** I do not recall this
23 specifically coming up in that briefing.

24 **MS. SHANTONA CHAUDHURY:** Okay.

25 **MR. PATRICK TRAVERS:** It was a broad update
26 briefing on foreign interference, and it included countries
27 of concern, their tactics, some examples. And I think I've
28 spoken to that briefing at other stages.

1 **MS. SHANTONA CHAUDHURY:** That's the briefing
2 that you told us about in Stage 1 of the Commission's
3 proceedings. Okay.

4 **MR. BRIAN CLOW:** Could I offer a couple other
5 reflections on this topic?

6 **MS. SHANTONA CHAUDHURY:** Please do.

7 **MR. BRIAN CLOW:** So one important point to
8 emphasize is members of Parliament were getting a lot of
9 information on the topic of foreign interference at the time
10 these two notes were being considered. Minister Blair wrote
11 a letter to every single member of Parliament in December
12 2020 informing members of Parliament of the threats of
13 foreign interference and what the Government of Canada was
14 doing in response. And again, that went to every single
15 member of Parliament.

16 CSIS, as we know, was conducting numerous
17 threat reduction measure meetings. They were meeting
18 directly with dozens and dozens of members of Parliament,
19 including, I think it's important to point out, some of the
20 members of Parliament that have been -- that have appeared at
21 this Commission.

22 Jenny Kwan, Kenny Chiu, Michael Chong all got
23 direct briefings from CSIS around this time. The
24 Conservative Party of Canada, the cleared party
25 representatives, were getting briefings at this time.

26 So I'm sure some will look at this and say
27 members of Parliament got no information because these two
28 notes were interrupted, and it's just not the case. A lot of

1 information was flowing.

2 I would also point out when members of
3 Parliament are sworn in, they get security briefings from the
4 House of Commons from the Sergeant-at-Arms, which covers some
5 of the information that would have been in this unclassified
6 briefing.

7 All of that said, with hindsight, of course,
8 looking back, these notes should have moved faster, they
9 should have got to the Prime Minister. The briefing,
10 everyone would have been better off if the unclassified
11 briefing happened then instead of June 2024. But the absence
12 of this unclassified briefing back in 2019, 2020, I believe
13 it had very limited impact on the overall issue.

14 **MS. SHANTONA CHAUDHURY:** Okay.

15 **MS. KATHERINE TELFORD:** Could I just jump in
16 quickly there? I just -- two quick things. One is if it was
17 seen as something -- I agree with what Mr. Clow just said,
18 but if it was something seen as paramount that had to happen,
19 that there was a sense of urgency behind it across the
20 system, then there are a number of different ways it can be
21 brought to our attention, it can be brought directly to the
22 Prime Minister's attention. And it's not to say it's not
23 important. It has now happened, it will continue to happen,
24 and, you know, I agree with everything Mr. Clow said. But we
25 were having meetings like the one in February, for example,
26 that you referenced to Mr. Travers, where there were so many
27 other elements that were being seen as priority and urgent on
28 this same thematic, on foreign interference, and this was not

1 one of the ones coming forward from the senior-most official
2 saying we've got to push this through tomorrow.

3 So, you know, we all take responsibility on
4 this one, but I think it's worth realizing it's not -- there
5 was not a vacuum of work being done on foreign interference
6 at the time. There was actually a tremendous amount
7 happening at that time, including a number of meetings and
8 briefings and other notes coming through on it, and that's
9 despite the interruption of COVID and everything else. And
10 then there were, and I think the -- you know, whether or not
11 this made a material difference I think is an important
12 question because I have yet to see even retroactively how it
13 might have. It doesn't mean it shouldn't have happened, but
14 given all the other tools -- and then even having seen it
15 happen recently, it's a pretty high-level briefing, and it --
16 I'm not -- I just -- I think it has become something of more
17 emphasis than perhaps it should.

18 **MS. SHANTONA CHAUDHURY:** Okay.

19 **MR. BRIAN CLOW:** Could I make one final
20 comment on this? Would it be possible to pull up that 2019
21 note one more time?

22 **MS. SHANTONA CHAUDHURY:** Sure. The doc ID is
23 19435.

24 **MR. BRIAN CLOW:** And if you scroll, I think
25 it's page 5 out of 6, you'll see a placemat, which spoke to
26 some of the things that were proposed to be briefed. Maybe
27 it's further down. This document seems to have 27 pages.

28 **MS. SHANTONA CHAUDHURY:** Oh, I'm sorry. It's

1 19 ---

2 MR. BRIAN CLOW: This one.

3 MS. SHANTONA CHAUDHURY: --- 825 ---

4 MR. BRIAN CLOW: This is exactly the ---

5 MS. SHANTONA CHAUDHURY: No, this is what you
6 were looking for?

7 MR. BRIAN CLOW: Yes.

8 MS. SHANTONA CHAUDHURY: Okay.

9 MR. BRIAN CLOW: So this placemat was
10 included in that first note that came to the Prime Minister's
11 Office, and it gives you a sense of what the briefing, the
12 unclassified briefing was going to be. It talks about things
13 like protecting yourself from blackmail by foreign diplomats,
14 protecting your personal telephone devices, being aware that
15 it could be hacked. So that's why I say this briefing, while
16 important, has value, it should not be overstated what this
17 briefing was. It was very general information about how to
18 protect yourself against certain FI techniques. It was not
19 specific information. It was not classified information. It
20 was very general.

21 MS. SHANTONA CHAUDHURY: Okay.

22 MS. KATHERINE TELFORD: One -- sorry, one
23 last thing as a round, there is a question, and I know we've
24 discussed this in previous encounters is who has the
25 authority to make a decision around such briefings as well.
26 And because I think -- our understanding and looking back
27 too, and probably should have been our first answer at the
28 time when the note came through is this doesn't actually

1 require the Prime Minister to sign off on it. If there is a
2 reason the security agencies want to go to the Sergeant-at-
3 Arms, or go to Parliament, and ensure that certain security
4 measures and briefings are taken, they have the authority to
5 do that. The Prime Minister I'm actually certain, if this
6 question had been put to him, would have encouraged and said
7 what can we do to support because his -- that was his general
8 response to every briefing he got on foreign interference
9 involving members of Parliament would be what can we tell
10 that member of Parliament. Can you do a threat reduction
11 measure? Can you -- is there something else that can be done
12 to communicate with this member this flag that you're raising
13 with me? And so I'm certain he would have encouraged more
14 interaction with parliamentarians rather than less, but it
15 doesn't actually need to go through him is our understanding
16 as well.

17 **MS. SHANTONA CHAUDHURY:** Okay. Just to go
18 back on that point, we did hear from the CSIS Director that
19 from his vantage point, in order to give these, sort of,
20 broad briefings to Parliament, it's not something CSIS would
21 undertake alone. They would have to work with the Sergeant-
22 at-Arms, the Usher of the Black Rod, I suppose, at the
23 Senate, the Public Safety and then with PCO. And I believe
24 you said that PCO sort of links to PMO, but what you're
25 telling us here is that the PMO itself does not need to be
26 involved in your view?

27 **MR. BRIAN CLOW:** That is our view. And Mr.
28 Vigneault said further, he said here sitting at this table in

1 April, he did not require permission to conduct those
2 briefings. Yes, he -- CSIS absolutely required assistance
3 and needed to work with the House of Commons and other
4 departments in order to do a proper briefing, but it did not
5 require the Prime Minister's written sign-off. That said, we
6 did not communicate that in 2019 and 2020 when these notes
7 came in. We processed them, as I described, as every other
8 note was processed. With the benefit of hindsight, we should
9 have said at the time, you don't need the Prime Minister's
10 approval. This should just happen. And in conclusion, that
11 is what happened this year, when NSICOP resurfaced this
12 issue, we all discussed, we looked at each other and said the
13 briefing should happen. Let's just make it happen. Then it
14 happened.

15 **MS. SHANTONA CHAUDHURY:** Okay. What was
16 PMO's involvement in that, in the June briefings?

17 **MR. BRIAN CLOW:** In this spring?

18 **MS. SHANTONA CHAUDHURY:** That's right.

19 **MR. BRIAN CLOW:** It was that -- it was the
20 conversation I just referenced. It was ---

21 **MS. KATHERINE TELFORD:** But we weren't
22 involved in the briefings themselves ---

23 **MR. BRIAN CLOW:** Exactly. We were not
24 involved.

25 **MS. KATHERINE TELFORD:** --- with the
26 parliamentarians at all.

27 **MS. SHANTONA CHAUDHURY:** Okay. Two quick
28 things before we leave this topic, which has taken a little

1 while, the February 2022 memo that is referenced in the
2 NSICOP Report, is there anything that you can tell us about
3 that? It says in the NSICOP Report that it was never sent.

4 **MR. BRIAN CLOW:** It was never sent. We never
5 heard from PCO in the form of a note after the 2021 election
6 about these unclassified briefings.

7 **MS. SHANTONA CHAUDHURY:** Okay. And then
8 finally, Mr. Clow, I think you referred to this. Can we just
9 pull up CAN003326?

10 **--- EXHIBIT No. CAN003326:**

11 Letter from Public Safety Minister

12 **MS. SHANTONA CHAUDHURY:** You mentioned a
13 letter having been sent by Minister Blair in 2020. I don't
14 think that's been mentioned in the record so far, so if we
15 just scroll down here, sort of scroll through the pages,
16 please? Is this the letter to which you're referring?

17 **MR. BRIAN CLOW:** Yes, it is.

18 **MS. SHANTONA CHAUDHURY:** And this was sent to
19 all parliamentarians at the time?

20 **MR. BRIAN CLOW:** All parliamentarians.

21 **MS. SHANTONA CHAUDHURY:** Okay. Okay. Moving
22 now to a rather different topic, we can take that document
23 down and pull up WIT 163 again, starting at paragraph 47. So
24 this topic now is the PNGing of Mr. Zhao Wei. And I'll just
25 start introducing this topic by asking you about the
26 intelligence that was circulated in 2021 on the PRC's
27 interest in Michael Chong. So, first of all, when did you
28 first hear allegations that the PRC had some interest in

1 targeting Michael Chong specifically? Did that come to your
2 attention in 2021 or subsequently?

3 **MR. BRIAN CLOW:** No, it was from *The Globe*
4 *and Mail* on May 1st, 2023.

5 **MS. SHANTONA CHAUDHURY:** Okay. So the
6 intelligence products that we've been talking about in the
7 Commission that were produced in 2021 were -- never reached
8 you?

9 **MR. BRIAN CLOW:** Correct.

10 **MS. SHANTONA CHAUDHURY:** Okay. And if I ask
11 you about the concept of a CSIS issues management brief, an
12 IMU from CSIS, is that a kind of document, a type of document
13 that you would be used to seeing, used to receiving?

14 **MS. KATHERINE TELFORD:** No.

15 **MS. SHANTONA CHAUDHURY:** No? Okay. So those
16 were not destined for you. Moving then to the sequence of
17 events that started in May 2023, can the Registrar please
18 pull up CAN 19500?

19 **--- EXHIBIT No. CAN019500:**

20 [Handwritten Notes of B. Clow]

21 **MS. SHANTONA CHAUDHURY:** Mr. Clow, you will
22 recognize these as your notes, and let's scroll -- zoom out,
23 so we can see that -- the entirety of that note, please, on -
24 - the first part. Thank you. So this is dated May 7th, but
25 I think we've talked about this already, that's a ---

26 **MR. BRIAN CLOW:** Exactly.

27 **MS. SHANTONA CHAUDHURY:** --- mistake. It
28 should actually be May 2nd. So this is the day after *The*

1 *Globe and Mail* article appears. And it seems to speak to
2 three separate meetings. So, Mr. Clow, I'll just ask you to
3 start by walking us through what happened that day based on
4 your notes.

5 **MR. BRIAN CLOW:** Sure. So this was the day
6 after *The Globe and Mail* story. The Prime Minister was in
7 his office in West Block. So the first third of that -- of
8 my notes speak to the first discussion he had that day on
9 this topic, which was with his officials including Deputy
10 Vigneault, which is represented there as DV. I'm sure we
11 were -- I was there for sure, Katie was there, and we were
12 discussing the facts, what was contained in *The Globe and*
13 *Mail* story. We were going through that. As a part of that,
14 as you see reflected in my notes, Mr. Vigneault informed the
15 Prime Minister that Mr. Chong had received defensive briefs
16 in 2021 and 2022 where he was -- I won't explain what
17 defensive briefs are, I think that's been covered here, but
18 he was met very directly by CSIS.

19 That said, he has testified, and CSIS as
20 well, he was not given specific information in those
21 meetings. They were not able to give him classified
22 information.

23 That discussion happened shortly before the
24 Prime Minister met with Mr. Chong. I believe Mr. Vigneault
25 and Ms. Thomas sat in on that meeting. And my notes there
26 are -- I was not in that meeting, but my very brief notes
27 there reflect what the Prime Minister told us after having
28 met with Mr. Chong. Mr. Chong was asking, "Is the individual

1 in question, Zhao Wei, is he still in the country? Still in
2 Canada?" The Prime Minister said that they're doing their
3 due diligence on whether what was reported in *Globe and Mail*
4 was accurate or not.

5 Mr. Chong said to the Prime Minister, "I
6 suggest to you, Prime Minister, the threshold for expulsion
7 is diplomatic, not criminal," and the Prime Minister then
8 said to Mr. Chong, "You should meet with officials now and
9 get properly briefed on the facts here."

10 That meeting then happened between Ms. Thomas
11 and Mr. Vigneault and Mr. Chong. After that, where you see
12 the note say "2 pm", Mr. Vigneault and Ms. Thomas debriefed
13 the Prime Minister and us on how that discussion with Mr.
14 Chong went.

15 **MS. SHANTONA CHAUDHURY:** Okay. And if we
16 just keep scrolling down the document, you'll see the end of
17 that note. So again, can you walk us through what was
18 happening in this part of the discussion and Ms. Thomas's
19 note at the end?

20 **MR. BRIAN CLOW:** So this is me noting what
21 Jody Thomas was relating to us in terms of the main focus of
22 Mr. Chong in that briefing. He was obviously interested in
23 the facts around the issue, who the diplomat was, he was
24 asking what did officials do, "Marta" refers to Marta Morgan,
25 who was the Deputy Minister of Foreign Affairs at the time,
26 discussions around whether the diplomat, the Chinese diplomat
27 should be PNG, that's what you see there, and my notes
28 conclude with Jody reporting to us that she told Mr. Chong

1 that her belief was that it was a bureaucratic -- it was a
2 bureaucratic breakdown, I see I wrote, that the information
3 did not get to the Prime Minister, to the Minister of Public
4 Safety, or us.

5 **MS. SHANTONA CHAUDHURY:** Okay. Scrolling
6 back up to that first page, where it says -- a little less
7 than that, there, where it says Mr. Vigneault has reported to
8 have said:

9 "It was not a direct threat, but it's
10 a concern."

11 What was your understanding at the time of
12 what the nature of this targeting or concern was?

13 **MR. BRIAN CLOW:** As we got briefed, my
14 recollection is that the information contained in the
15 intelligence report was not a physical threat to Mr. Chong or
16 his family. It was the gathering of information.

17 **MS. SHANTONA CHAUDHURY:** Okay. And given
18 what broke in the news yesterday, where we have a situation
19 of the RCMP having made public statements about the
20 involvement of Indian diplomats having gathered information
21 and done certain things with it in terms of intimidation,
22 harassment, plots to murder, and the other things they
23 reported on yesterday, I just want to confirm -- which
24 resulted in the PNGing of six diplomats, I just want to
25 confirm that that was not your understanding of what the
26 nature of this targeting was of Mr. Chong in 2021?

27 **MR. BRIAN CLOW:** No.

28 **MS. SHANTONA CHAUDHURY:** Okay. So continuing

1 in the chronology, if we pull up the CAN18000?

2 --- EXHIBIT No. CAN018000 R01:

3 [Handwritten Notes of B. Clow &
4 Meeting Invitation]

5 **MS. SHANTONA CHAUDHURY:** A May 6 meeting.
6 And just, again, zoom out so we can see that note.

7 So here at the beginning of that note, it
8 says: "JT spoke..." -- JT would be Jody Thomas -- "spoke to
9 [the] RCMP", and that reports "Chong called" but the "RCMP
10 doesn't have much to say."

11 Mr. Clow, can you tell us about this part of
12 the conversation?

13 **MR. BRIAN CLOW:** So this meeting was a couple
14 of days before Zhao Wei was PNGed, and this was one of
15 several discussions that happened, sometimes it included the
16 Prime Minister, sometimes not, where we were discussing what
17 to do, how to handle the situation, and ultimately it led to
18 the expulsion of Zhao Wei.

19 **MS. SHANTONA CHAUDHURY:** Okay. And if we
20 just go down to the next document then, it's a May 7th
21 meeting, CAN018001.

22 --- EXHIBIT No. CAN018001 R01:

23 [Handwritten Notes of B. Clow &
24 Meeting Invitation]

25 **MS. SHANTONA CHAUDHURY:** So again, this is a
26 discussion. Looks like it's some updates. Discussion of
27 deadlines. And we know that eventually on -- not eventually,
28 the next day, May 8th, the decision was made by the Minister

1 of Foreign Affairs to declare Mr. Zhao Wei PNGed.

2 What was your understanding of why that
3 decision was made?

4 **MR. BRIAN CLOW:** It was -- I believe you've
5 heard testimony from David Morrison, Deputy Minister --
6 current Deputy Minister of Foreign Affairs, and I believe he
7 described it well, that it was not that Zhao Wei was directly
8 involved, necessarily, in information gathering on Michael
9 Chong, but it was due to other things that intelligence
10 showed that that individual had done over time, and that the
11 country of China had done over time in Canada. So all of
12 that amounted to and culminated in the decision to expel that
13 individual.

14 **MR. PATRICK TRAVERS:** Sorry, Shantona, if I
15 can just very briefly, I think it's just important to note
16 that when Deputy Morrison testified, this did come after
17 extensive engagement on a range of different behaviours that
18 we had concerns about with China. So there was a real
19 accumulation of behaviour that we found problematic. So I
20 want to stress just how much had led to this point in terms
21 of Canada expressing through all levels our concern about
22 Chinese behaviour and the different nature of that behaviour,
23 including balloons, foreign interference, the Michaels. So
24 it's important to have that record when you understand this
25 decision.

26 **MS. SHANTONA CHAUDHURY:** Okay. It's a
27 culmination of events then. Understood. That time, I didn't
28 notice that you wanted to say something, so thank you.

1 **COMMISSIONER HOGUE:** I have one question.
2 Since how long did you have these concerns at the time about
3 various behaviours?

4 **MR. PATRICK TRAVERS:** I mean, I think we've
5 had -- those behaviours were -- I think we've testified to
6 it. On those specific issues, much of the information was in
7 public with respect to our ongoing issues with the Michaels,
8 with respect to the spy balloons, as they were called, and
9 generally I think we've had concerns about Chinese behaviour,
10 as we have testified, over the years. And so all of them had
11 been accumulating and we had not seen a response from China
12 to our diplomatic efforts that we viewed as appropriate at
13 that stage.

14 **MS. SHANTONA CHAUDHURY:** Okay. Moving to a
15 completely different topic, if we can pull up 163 again?
16 WIT163. Some discussion at paragraph 29.

17 "Vulnerabilities of Political Party Processes
18 to Foreign Interference". So the Commission has heard quite
19 a bit of evidence regarding exactly that. The vulnerability
20 of various party processes, nomination races, leadership
21 races, to foreign interference. And one of the things that
22 the Commissioner will be considering is whether there are
23 ways in which to address some of those.

24 We also know that Elections Canada is in the
25 process of putting together some suggestions in that regard.

26 So I'll just ask you, first of all, what's
27 your reaction to, first of all, the vulnerabilities having
28 been identified, and possible solutions to these problems in

1 terms of whether increased regulation of political parties is
2 feasible or advisable, or any other things that can be done
3 to ameliorate this space?

4 **MS. KATHERINE TELFORD:** So look, I think
5 it's, as we've seen even over the course of the last number
6 of months, let alone the last number of years prior to this
7 Inquiry, it's an evolving landscape and it is why since we
8 first formed government there has been step, after step,
9 after step that has been taken, and there are more steps that
10 need to be taken. So whether it's, you know, looking at the
11 *Election Modernization Act*, whether it was the Rapid Response
12 Mechanisms, there are so many different pieces -- SITE,
13 Panel, Protocol -- like, there are so many different pieces
14 that have come into play that we're still, I think, and by
15 "we", I don't just mean the government, I mean political
16 parties, I mean Elections Canada, are all still learning
17 from. The 2019 Election was the first time that there was
18 such a SITE Task Force involved and there was a review done
19 of that, and then the 2021 was only the second time, and
20 there was a review done of that, and there were changes made
21 after each of those instances, and then there were changes
22 subsequent to the 2021 campaign in terms of applying those
23 same mechanisms to by-elections now. And so -- and that's
24 just one stream of the work.

25 I think what we've seen in terms of
26 vulnerabilities, and I think there probably are more or
27 different ones even than as has been identified to date, but
28 I think getting into, and this is as much a personal opinion

1 and based on personal experience from once upon a time having
2 been involved in the Party side, which I'm not now, but my
3 observation would be it's a pretty complex space to enter
4 into greater regulation within nominations, for example,
5 which I know has obviously been one of the areas of
6 particular interest during the Inquiry because of some of the
7 issues raised. And I think it's complex because I think
8 different political parties make different choices because of
9 different principles that they stand by on how their
10 political parties should operate, what their primary focus is
11 when it comes to a nomination, when it comes to how they
12 create their membership and their supporter base, and so on.

13 Different parties have different membership
14 fees, or no membership fees in the case of our -- in the case
15 of the Liberal Party. And they have different ages, they
16 have different rules around who can participate in a
17 nomination race or not.

18 So making choices that makes all of that the
19 same for everyone would really upend how political parties
20 operate right now. And I think there are good reasons that
21 the different political parties make these choices. So I
22 just -- I have found some of the conversation, not here in
23 this room, but in the broader, kind of, conversation that's
24 been going on around all of this, there's become almost a
25 view that there's some simple answer to how this works. And
26 I'm sure as you've been seeing, there is no one simple
27 answer, at least that I have seen.

28 I'm sure there are things that could maybe be

1 tightened up or strengthened, political parties need to look
2 at that. I think there are best practices that could be
3 shared, more greater information flow. I think cleared party
4 representatives, for example, which every political party
5 should, and needs to have, I think at all times, and that has
6 not been consistent in the last period of time, and those
7 political parties need those cleared -- those clear party
8 representatives so that they can get the information, even if
9 they can't act in the moment.

10 Because more often than not, the information
11 we are given, or a political party is given, they're told you
12 can't do anything with this because you could burn the source
13 or whatever else. And so -- but having that information, it
14 might actually help in terms of putting something together
15 that you might have known about that potential candidate, for
16 example, from other information that you might have at the
17 Party.

18 Different political parties have different
19 processes on how they vet candidates. So they might have had
20 other information, and when they hear that bit of information
21 it kind of puts a puzzle together, and there is a way they
22 can act that wouldn't harm anything. Or maybe it helps them
23 in the future; by knowing that information then, if something
24 else comes up in the future it completes the picture.

25 So having that information, I think is so
26 very important, having that on going dialogue between
27 security agencies and political parties, not only on
28 potential flags on candidates, but also just on anything

1 they're seeing around processes, around cyber which is
2 becoming an increasingly significant issue for political
3 parties, let alone for levels of government and for
4 corporations to deal with. I think that is hugely important.

5 But I think in terms of trying to come up
6 with common standards across the different political parties
7 when it comes to nominations, it would be very difficult to
8 say the least, and I'm not sure it would be accomplishing or
9 salving for the problems as they have been identified.

10 And just the last thing I'll say on this is
11 Mr. Broadhurst spoke to this in Stage 1 a fair bit, in terms
12 of the Liberal Party specifically, and the robustness that
13 goes along with the processes involved in the Party. There
14 are many lawyers involved, there are appeals processes, there
15 are complaint processes that can be availed of, and many eyes
16 in terms of scrutineers. You know, it's quite a formalized
17 process that a nomination goes through.

18 And so, I think one first has to identify
19 what the problem is or where the weakness is in order to
20 strengthen it, which I'm not clear on myself at this point.

21 **MS. SHANTONA CHAUDHURY:** Okay. And I think
22 we've heard evidence that all of the political parties have
23 similar processes in terms of checks and balances in their
24 own systems. But are we looking at a situation where maybe
25 the political parties need to look inwards and make sure that
26 the processes are working as they should?

27 **MS. KATHERINE TELFORD:** I think political
28 parties should be doing that on a regular basis, and

1 obviously there are additional layers to things that they now
2 know through this process, and through what they've been
3 learning by having had cleared Party representatives in the
4 last two elections working with officials. So they should
5 absolutely be responding to that, both in the moment and over
6 time, in terms of what that should mean for how they operate.

7 **MS. SHANTONA CHAUDHURY:** Okay. You mentioned
8 that when information is received by a political party -- and
9 we know that also in addition to other things, Bill C-70 is
10 intended to ease some of that information sharing, but there
11 are limits to what a political party can do with it, having
12 received that information. Can you speak to that a bit?

13 So what is -- what are the options that are
14 before you when hypothetically, you receive information about
15 a certain something having gone wrong in the system, a
16 certain candidate, a certain piece of intelligence, what can
17 you do?

18 **MS. KATHERINE TELFORD:** So it really depends
19 on when you're receiving the information and what information
20 you are receiving as to what your option set can look like.
21 From my experience anyways. And I think one of the things
22 that I have certainly heard and have experienced in my own --
23 on my own, is that the earlier you receive this information
24 within a process of vetting candidates, the more
25 straightforward it might be to take some action that isn't
26 revealing in the ways that security agencies would be
27 concerned about.

28 So if -- whereas if the person is already

1 elected, let alone even a nominated candidate, how you
2 respond -- if you receive information you're told you cannot
3 reveal to anyone under any circumstance, and any action you
4 might take could reveal that, and you don't have any other
5 reasons to take actions at that point because they are a
6 confirmed, nominated candidate, or even more complicated, an
7 elected member of Parliament, that's where you know, I think
8 it would be very interesting to seek the guidance of the
9 Commission on this going forward.

10 Because I think that is one of the areas of
11 strain between security agencies and political parties and
12 leaders on this. And leader is an important part of this,
13 because leaders have authorities within -- I believe within
14 all political parties in these areas. And so, the leaders
15 have to be cleared as well so that they can then work with
16 the Party representatives to figure out what to do.

17 And then I think as I said a few moments ago,
18 the information, even if you can't act in that moment, if it
19 is too far down a path, or there is just nothing you can do
20 that wouldn't create a vulnerability from the security agency
21 standpoint, and those are conversations that I would
22 encourage to happen. For that to go back and forth, and for
23 there to be a bit of a push and pull between the Party reps
24 and the security agencies to really figure out is there truly
25 nothing that can be done. And that's something we do
26 regularly when we're going through vetting processes and
27 other things within -- on the government side of things.

28 But if there's nothing that can be done in

1 that moment, the information is still valuable, I believe,
2 for the Party representatives and the leaders to know,
3 because they should want to know what is going on around them
4 and could influence decisions they make going forward. What
5 roles that person maybe should or should not have, or maybe
6 there's reason later to have questions about whether that
7 person should continue to be the nominated candidate, and if
8 you also have this information in your mind that completes a
9 picture in a different way.

10 So I think it just can only help a leader to
11 have that information, which is why we encourage all leaders
12 to get their clearance.

13 **MS. SHANTONA CHAUDHURY:** Okay. Just going
14 back a bit to -- in terms of what political parties may need
15 in this space, when the political parties were before the
16 Commission, and each of the executive or national directors
17 came and testified, one thing they seemed hungry for was more
18 information. More information about what they can possibly
19 do.

20 So do you see a space at least where
21 guidelines or best practices could be provided, sort of
22 across the board, for the political parties to take in and
23 use as they see fit?

24 **MS. KATHERINE TELFORD:** I think the more best
25 practices and information that can be shared, the more
26 expertise that can be brought to this, the more that can be
27 learned by other jurisdictions, though frankly, Canada is a
28 global leader in much of what we're doing in this space at

1 this point and other countries are coming to us to learn at
2 the moment. But I think the more of that, the stronger the
3 whole political system will be for sure.

4 **MS. SHANTONA CHAUDHURY:** Okay.

5 Moving to a different topic now then -- or
6 actually, before we leave this, I just want to ask you one
7 thing, and I'll ask it fairly generally. Although, if we can
8 pull up WIT163 around paragraph 72? Obviously as -- in your
9 positions now, you receive a fair amount of intelligence
10 having to do with foreign interference. What happens when
11 that intelligence has to do not with foreign interference
12 within your Party, but potentially foreign interference or
13 allegations thereof, in an Opposition Party? Can you speak
14 to that at all?

15 **MS. KATHERINE TELFORD:** So this is an area
16 that has changed with the Ministerial Directive. The
17 Ministerial Directive which came from the Minister of Public
18 Safety following the leaks involving Michael Chong. Prior to
19 that, I would say generally if not entirely, but certainly
20 the majority of the time, and it goes back to a question you
21 asked earlier about whether names showed up in intelligence.
22 Names didn't show up in intelligence, and when we would ask
23 to have particularly Canadian names, as I mentioned, and we
24 will sometimes ask, "Can we know who this is to complete the
25 picture?", and the CRO will take that away and discuss it
26 with the NSIA, who will discuss it with the security agency
27 lead to determine whether it's something that makes sense to
28 share.

1 And I would surmise that it was a general
2 reluctance to share -- and understandable, you know, to share
3 Opposition Party names in particular in these cases. Having
4 said that, we now do see more of that because of the
5 Ministerial Directive.

6 I don't know if you want to add anything.

7 **MR. BRIAN CLOW:** I would just emphasize one
8 thing Katie said. To me, the single biggest way we can fight
9 foreign interference with the information that exists and is
10 contained within CSIS is finding a way to better inform
11 Opposition Parties and the government, although the
12 government gets way more information -- but inform Opposition
13 Parties of specific intelligence that does exist. And it
14 pertains to all of them, some of their candidates, some of
15 their nomination processes.

16 NSICOP highlighted alleged foreign
17 interference from the Government of India in the Conservative
18 Party leadership race. Getting that information to the
19 decisionmakers in those parties, it has improved, but I think
20 it can further improve.

21 C-70 will help, but I do believe there's a
22 cultural reluctance to share information with political
23 parties that has improved over time. Culture within the
24 institutions, I mean. And that, I think, needs to change.

25 **MS. KATHERINE TELFORD:** Having said that,
26 they can't in that particular instance because the leader
27 hasn't got cleared.

28 So I think that is true right up to a point,

1 and then if they wanted to share it now, it becomes
2 incredibly difficult.

3 MS. SHANTONA CHAUDHURY: Okay. Speaking of
4 the NSICOP Report, have you read the classified version of
5 that report?

6 MR. BRIAN CLOW: Yes.

7 MS. KATHERINE TELFORD: Yes.

8 MS. SHANTONA CHAUDHURY: Mr. Travers as well?

9 MR. PATRICK TRAVERS: Yes.

10 MS. SHANTONA CHAUDHURY: Okay. We've heard
11 some evidence in this proceeding about the NSICOP Report, and
12 CSIS was examined on it insofar as they can be in a public
13 setting because most of that report was based on CSIS
14 information. Two things came out of that that I want to ask
15 you about.

16 One is that in the context -- and there's
17 some discussion of this at I think it's WIT136 around
18 paragraph 12 -- the context of a TRM, a threat reduction
19 measure that CSIS performed.

20 **--- EXHIBIT No. WIT0000136:**

21 In Camera Examination Summary re:
22 NSICOP Report: David Vigneault,
23 Michelle Tessier, Cherie Henderson,
24 Vanessa Lloyd, Bo Basler

25 MS. SHANTONA CHAUDHURY: One of the things
26 they heard back was that the MPs they were speaking to as
27 part of this TRM weren't necessarily sure where the lines
28 were, where the boundaries were and what they should be doing

1 and specifically in their interactions with foreign
2 officials. So that's something that I wanted to ask you.

3 In your experience and having read what
4 you've read about the NSICOP Report and the events reported
5 in it, are those lines clear and do MPs know -- do
6 parliamentarians know enough about where those lines are and
7 what they should and should not be doing?

8 **MR. BRIAN CLOW:** I have a few thoughts on
9 this.

10 One, I don't think you could -- you would
11 find agreement within government on what the line is, and I
12 do believe security agencies, individuals within them,
13 sometimes do view what we would see as normal routine
14 behaviour -- some individuals in security agencies may view
15 that as crossing a line. So even finding agreement what the
16 line is would be challenging within government, so for sure
17 members of Parliament when they are meeting with CSIS and
18 these conversations happen, I'm not at all surprised that
19 there's confusion about what constitutes inappropriate
20 behaviour or not.

21 Further, in these meetings, as we just
22 discussed and has been well covered at this Commission,
23 because CSIS can't and doesn't provide classified
24 information, these meetings can often be so general that the
25 member of Parliament doesn't even know what it is they're --
26 can leave the room not fully knowing what it is they're being
27 warned off of or what they should be nervous about.

28 So yes, it's confusing.

1 **MS. SHANTONA CHAUDHURY:** Okay. Anyone else
2 have anything to add on that before I move on to other
3 questions?

4 Okay. So on the note -- the topic of helping
5 in this space and helping with that confusion, you know,
6 we've heard about a briefing initiative to parliamentarians
7 that we talked about at great length earlier. Is there room
8 for more education, at least, even if that line isn't
9 perfectly clear of helping parliamentarians understand where
10 it may be and what are the -- at least the red flags and the
11 no-nos they should be on the lookout for?

12 **MR. BRIAN CLOW:** Absolutely.

13 **MS. SHANTONA CHAUDHURY:** Okay. And then the
14 last thing I'll ask on this is, something that you -- I know
15 you already talked about at Stage 1 and came up again in the
16 discussion of the NSICOP Report is the nature of intelligence
17 and the need to understand the caveats that are put on it and
18 not to take it for necessarily one piece of intelligence,
19 certainly, or for more than it is.

20 Can you speak to that in the context of your
21 receipt of intelligence and what you do with it when you
22 receive it?

23 **MR. PATRICK TRAVERS:** I'm happy to offer a
24 few reflections.

25 I think -- I mean, I think as anyone who
26 works more regularly in the national security and
27 intelligence space will tell you, intelligence is not
28 evidence. It is information that is collected by a variety

1 of means. It is often imperfect information. It can be --
2 for example, it can be transcripts or overheard conversations
3 of opinions offered by a third-party source. And raw
4 intelligence in particular arrives simply as information.

5 And so we were -- you know, we were, I would
6 say, almost taught on taking these jobs to be very careful to
7 understand the contingency of intelligence. And there is a
8 whole robust system around how reliable a piece of
9 intelligence is. It could be how reliable a source is.

10 This is the regular business of the
11 intelligence community precisely because it deals so often in
12 contingent and imperfect information. And so it's one of the
13 reasons why careful analysis is so important. It's one of
14 the reasons why healthy debate about conclusions and facts is
15 so important. And it's one reason that you have to be very
16 careful not to -- speaking very generally here, you have to
17 be very careful not to draw direct lines where direct lines
18 do not exist. It is contingent information and needs to be
19 understood as what it is.

20 **MS. KATHERINE TELFORD:** I would just add that
21 we take -- and I think I can say this collectively. We take
22 everything we receive from the security agencies extremely
23 seriously and if we see anything of concern in terms of
24 something that we feel needs to be immediately followed up on
25 or that they flag as something we need to follow up on or
26 have concern around an individual, we will stop things in
27 their tracks until we've had that discussion and understand
28 things.

1 So for example, in a vetting process if a
2 flag comes up because of some piece of information that's
3 coming through, we will stop and that person is --
4 unfortunately, potentially, especially if the information
5 turns out to not be the case, we will stop everything in
6 terms of moving that person forward in their role until that
7 gets sorted out. And if it can't get sorted out, they will
8 sometimes get frozen in their role for an indefinite period
9 of time.

10 It's also imperfect information in the sense
11 of you can't, with certainty, know the motivation of a
12 source. And so it's interesting sometimes -- this happens
13 rarely, but sometimes when it's information that you actually
14 know ourselves, our experience, and so when we've seen
15 intelligence, for example, in one instance where I can't
16 obviously get into the details, but where it referenced a
17 meeting happening that we knew with certainty had never
18 happened, and only we could know that.

19 Of course, the analyst that was getting that
20 information together and passing it up through the system
21 wouldn't know whether that meeting did or didn't happen.
22 They just had that intelligence.

23 We could correct that, however, because we
24 happened to be involved in one instance.

25 And so what was the motivation of that source
26 if you know that that is not accurate, and it actually led to
27 a really interesting and I think healthy conversation around
28 how it's important to continue to have that intelligence

1 because it tells you something about the source and leads to
2 the creation of a bigger picture.

3 But it also tells you that you are going to
4 receive information that is -- you know, comes from different
5 motivations and that is not always accurate because, to Mr.
6 Travers's point, it is not evidence, it's not fact that
7 you're reading when you're reading these intel reports. And
8 so you really have to look at a whole lot of different pieces
9 to be able to put it together, a bigger picture, and it's why
10 we also rely so heavily on the senior officials who have an
11 even bigger picture than we do to narrow what it is we need
12 to know, and when.

13 **MS. SHANTONA CHAUDHURY:** [No interpretation].
14 Those are my questions.

15 **COMMISSIONER HOGUE:** [No interpretation].
16 We'll take the break, 20 minutes' break. So we'll come back
17 at 11:15.

18 **THE REGISTRAR:** Order, please.
19 This sitting of the Commission is now in
20 recess until 11:15 a.m.

21 --- Upon recessing at 10:53 a.m.

22 --- Upon resuming at 11:17 a.m.

23 **THE REGISTRAR:** Order please.
24 The sitting of the Foreign Interference
25 Commission is now back in session.

26 The time is 11:17 a.m.

27 **--- MR. BRIAN CLOW, Resumed:**

28 **--- MS. KATHERINE ALANA TELFORD, Resumed:**

1 --- MR. PATRICK TRAVERS, Resumed:

2 COMMISSIONER HOGUE: Mr. De Luca, welcome
3 back.

4 MR. NANDO DE LUCA: Thank you.

5 COMMISSIONER HOGUE: So you're the first one
6 this morning. Counsel for the Conservative Party. You can
7 go ahead.

8 --- CROSS-EXAMINATION BY MR. NANDO DE LUCA:

9 MR. NANDO DE LUCA: Good morning, panellists.
10 Mr. Clow, in your testimony earlier, you
11 remarked that the Prime Minister receives about 1,000
12 briefing memos a year. Is that correct?

13 MR. BRIAN CLOW: That's right.

14 MR. NANDO DE LUCA: All right. And am I
15 correct that those memos are meant to be summary in nature so
16 that the Prime Minister gets the essence of the issues
17 involved?

18 MR. BRIAN CLOW: No. There's -- I would
19 describe it as two types of notes. There's information notes
20 that go to him. Typically those go straight through to him
21 when received by our office. Sometimes we may apply our own
22 additional information.

23 Decision notes can be incredibly detailed,
24 many, many, many pages. Budget decision notes can be
25 decisions in the billions of dollars. So they're not --
26 they're more than summary in nature.

27 MR. NANDO DE LUCA: Okay. I'm trying to get
28 a sense as to the volume of information that's in these

1 memos. Are we talking are they short? Are they long?

2 **MR. BRIAN CLOW:** They -- some of them can be
3 short, but some of them can be quite long. And I would point
4 out even the two we looked at here today about classified --
5 unclassified briefings to members of Parliament, you could
6 imagine, or one might think that could be a short note, but
7 both of those notes, one of them was six pages, another one
8 was 25 pages. That's just about one single briefing to a
9 member of Parliament. You can imagine a budget decision note
10 could be many more pages.

11 **MR. NANDO DE LUCA:** Okay. A thousand (1,000)
12 memos a year works out to about two and three quarters per
13 day. Would you agree with me that the Prime Minister of
14 Canada should not have any problem reading and digesting
15 three briefing notes a day?

16 **MR. BRIAN CLOW:** I don't agree, because it is
17 a massive oversimplification. These are sometimes huge
18 decisions that, as I said, sometimes can amount to billion-
19 dollar questions. Machinery of government, legislation, the
20 note on the Foreign Agents Registry was itself one note.
21 There's a huge amount of information and considerations in
22 something like that. So these get significantly considered,
23 and sometimes they're the product of hundreds of public
24 servants feeding into it over many months, sometimes years
25 building up to these notes.

26 **MR. NANDO DE LUCA:** But he's the Prime
27 Minister. He's expected to read these; isn't he?

28 **MR. BRIAN CLOW:** And he does read them.

1 **MR. NANDO DE LUCA:** Ms. Telford, in your in
2 camera interview summary, I think -- can I have WIT161 pulled
3 up?

4 And if I understood correctly, this is an
5 addendum to your Stage 1 in camera evidence?

6 **MS. KATHERINE TELFORD:** Yes.

7 **MR. NANDO DE LUCA:** Okay. And could I ask
8 you to -- or can I go to paragraph 8? It says, "Ms.
9 Telford..." and this is in respect of what we've called a
10 warrant, it's been described otherwise here too, but you know
11 what I'm referring to? It says:

12 "Ms. Telford testified that she was
13 not aware that CSIS was seeking a
14 particular warrant at the time it was
15 sought."

16 Is that a reference to the warrant
17 application that sat on Zita Astravas's desk for 54 days in
18 2021 before being presented to Minister Blair for signature?

19 **MS. KATHERINE TELFORD:** I'm not sure that I
20 can speak to the particularities of any specific warrant, but
21 I can say that I have never been involved or informed about
22 the seeking of any warrant.

23 **MR. NANDO DE LUCA:** Okay. And with respect
24 to when you gave your evidence at paragraph 8, you had a
25 specific warrant in mind?

26 **MS. KATHERINE TELFORD:** I think that would be
27 fair to say, ---

28 **MR. NANDO DE LUCA:** Okay.

1 **MS. KATHERINE TELFORD:** --- but it is true
2 generally as well.

3 **MR. NANDO DE LUCA:** What is true generally,
4 sorry?

5 **MS. KATHERINE TELFORD:** It is true generally
6 as well, in that I am not involved in the warrant process.

7 **MR. NANDO DE LUCA:** Okay. But I wasn't
8 asking about that. With respect to whatever it is that
9 you're referring to at paragraph 8, are you prepared to -- do
10 you know today who was the individual who was the subject of
11 the warrant?

12 **MR. FREDERICK SCHUMANN:** We would object to
13 that question.

14 **MR. NANDO DE LUCA:** On what grounds?

15 **MR. FREDERICK SCHUMANN:** National security
16 grounds.

17 **MR. NANDO DE LUCA:** Okay. Well I'll put my
18 questions on the record. With respect to the warrant that
19 you're referring to at paragraph 8, are you now aware of the
20 individual who was a subject of the warrant? First question.

21 Are you aware of any of the individuals who
22 were on the Vanweenan list that accompany that warrant
23 application? That's the next question.

24 Ms. -- separately now, Ms. Telford, were you
25 the campaign director for Liberal Leader Justin Trudeau in
26 2015?

27 **MS. KATHERINE TELFORD:** Yes.

28 **MR. NANDO DE LUCA:** You had overall

1 responsibilities, including staffing the central campaign?

2 MS. KATHERINE TELFORD: Yes.

3 MR. NANDO DE LUCA: You hired Ms. Zita
4 Astravas from Queen's Park to work on the 2015 Trudeau
5 election?

6 MS. KATHERINE TELFORD: Yes.

7 MR. NANDO DE LUCA: Okay. And following that
8 campaign, you became Chief of Staff to Justin Trudeau in his
9 capacity as Prime Minister?

10 MS. KATHERINE TELFORD: I did.

11 MR. NANDO DE LUCA: And you hired Ms.
12 Astravas as the Prime Minister's Director of Issues
13 Management?

14 MS. KATHERINE TELFORD: Yes.

15 MR. NANDO DE LUCA: And did she report
16 directly to you?

17 MS. KATHERINE TELFORD: I believe so. There
18 was a Deputy Chief of Staff at the time as well, but yes.

19 MR. NANDO DE LUCA: Okay. And was that the
20 only reporting between you and Ms. Astravas?

21 MS. KATHERINE TELFORD: Yes.

22 MR. NANDO DE LUCA: Are Ministers in your
23 government able to hire Chief of Staff without approval from
24 the PMO?

25 MS. KATHERINE TELFORD: Yes.

26 MR. NANDO DE LUCA: Okay. And did the Prime
27 Minister's Office play any role in Ms. Astravas becoming
28 Minister Blair's Chief of Staff?

1 **MS. KATHERINE TELFORD:** Sorry, can you repeat
2 that?

3 **MR. NANDO DE LUCA:** Did the Prime Minister's
4 Office play any role in Ms. Astravas becoming Minister
5 Blair's Chief of Staff?

6 **MS. KATHERINE TELFORD:** Minister Blair made
7 the decision on his Chief of Staff.

8 **MR. NANDO DE LUCA:** Okay. And so, by that
9 are you suggesting that the PMO didn't put forward a list of
10 candidates including Ms. Astravas?

11 **MS. KATHERINE TELFORD:** No, I believe
12 Minister Blair had a point of view on his Chief of Staff.

13 **MR. NANDO DE LUCA:** Well, that's not what I
14 asked you. Did the PMO's office have any input into Minister
15 Blair's hiring of Ms. Astravas?

16 **MS. KATHERINE TELFORD:** I don't recall if
17 Minister Blair asked me about Ms. Astravas, but I do know he
18 made the decision and it very much his decision.

19 **MR. NANDO DE LUCA:** Okay. Whether or not
20 Minister Blair asked you, did you put forward Ms. Astravas as
21 a recommended candidate for Minister Blair?

22 **MS. KATHERINE TELFORD:** I didn't need to.

23 **MR. NANDO DE LUCA:** Did anyone in your ---

24 **MS. KATHERINE TELFORD:** I didn't.

25 **MR. NANDO DE LUCA:** --- office?

26 **MS. KATHERINE TELFORD:** No.

27 **MR. NANDO DE LUCA:** Did anyone in your
28 office, in the PMO's office put forward Ms. Astravas as a

1 candidate for Minister Blair?

2 **MS. KATHERINE TELFORD:** I don't believe so.

3 **MR. NANDO DE LUCA:** Ms. Talford, would you
4 consider Ms. Astravas to be a friend?

5 **MS. KATHERINE TELFORD:** Yes.

6 **MR. NANDO DE LUCA:** Mr. Clow, am I correct
7 that before joining the Trudeau Government, you also worked
8 alongside Ms. Astravas for Mr. Michael Ignatieff and Kathleen
9 Wynne?

10 **MR. BRIAN CLOW:** Yes.

11 **MR. NANDO DE LUCA:** And would it be correct
12 to say that you had worked with Ms. Astravas for the decade
13 leading up to the 2021 general election?

14 **MR. BRIAN CLOW:** Roughly, roughly speaking,
15 yes.

16 **MR. NANDO DE LUCA:** Okay. And with respect
17 to paragraph 8 in WIT161, I have the same questions for you
18 for the record, Mr. Clow. I understand ---

19 **COMMISSIONER HOGUE:** Questions are noted.

20 **MR. NANDO DE LUCA:** Thank you.

21 An additional question with respect to the
22 warrant that is referred to in paragraph 8. Assuming it's
23 the same warrant that Minister Blair gave extensive evidence
24 about, we heard from him and from others that that warrant
25 sat in his office for approval for roughly 54 days.

26 My question is this, has anyone in the PMO's
27 office taken any steps to understand why Minister Blair's
28 office took 54 days, which is six times the ordinary period

1 we heard evidence about, to get this warrant signed?

2 **MS. KATHERINE TELFORD:** I believe you are
3 massively oversimplifying things, once again. And I just
4 want to answer all of your questions by saying, we, none of
5 us in the Prime Minister's Office, are involved in anything
6 to do with warrant processes or to do with warrants, and the
7 Minister, I believe has already spoken to what you are just
8 asking.

9 **MR. NANDO DE LUCA:** Okay. But how about
10 answering my question now. You keep volunteering that
11 information.

12 Have you taken any steps since you learned
13 about this 54-day delay, either before, or after, or as part
14 of this Inquiry, to figure out why it took 54 days. Because
15 we certainly didn't get any answers from Ms. Astravas or from
16 Minister Blair. So my question is for you three now, sitting
17 on the panel.

18 **MS. KATHERINE TELFORD:** I don't get involved
19 in warrant processes, and I look forward to what the Inquiry
20 has to say about whatever happened and going into the future.

21 **MR. NANDO DE LUCA:** With all due respect, I'm
22 asking if the PMO's office took any steps to do its own
23 investigations as to why it took 54 days?

24 **MS. KATHERINE TELFORD:** I heard you breathe.

25 **MR. BRIAN CLOW:** The individuals involved
26 have spoken to this at length. This Commission is looking at
27 that very question. We look forward to the Commission's work
28 and the conclusions.

1 **MR. NANDO DE LUCA:** It's a simple yes or no
2 question. Have you or have you not taken investigations in
3 the PMO's office to find out ---

4 **MR. BRIAN CLOW:** We do not get involved in
5 warrants.

6 **MR. NANDO DE LUCA:** That's not what I'm
7 asking you though.

8 **MR. BRIAN CLOW:** Well, you are asking it.

9 **MR. NANDO DE LUCA:** We're asking you to --
10 I'm asking you to tell me whether you've done any
11 investigation after the fact as to why it took 54 days.

12 **MR. BRIAN CLOW:** The Commission is doing
13 exactly that work.

14 **MR. NANDO DE LUCA:** But I'm asking you to
15 help the Commission do that work.

16 **MR. BRIAN CLOW:** And we look forward to the
17 Commission's conclusions.

18 **MR. NANDO DE LUCA:** Madam Commissioner, could
19 I get an answer? It's either yes or no.

20 **COMMISSIONER HOGUE:** I think you can answer
21 the question.

22 **MS. KATHERINE TELFORD:** We don't have
23 conversations about warrants, period.

24 **MR. NANDO DE LUCA:** That's not what I'm
25 asking, Ma'am, and I think you understand what I'm asking.

26 **MS. KATHERINE TELFORD:** This is me trying to
27 answer your question.

28 **MR. NANDO DE LUCA:** Well, I'd like a yes or

1 no.

2 **MS. KATHERINE TELFORD:** I have not discussed
3 this warrant, any warrant, with the Minister. Does that
4 help?

5 **MR. BRIAN CLOW:** So I will add one thing,
6 which I believe will be an answer to your question. Yes,
7 when this issue in the last few weeks has become public,
8 we've had conversations and I've spoken to Zita directly, and
9 she told me exactly what she told the Commission.

10 **MR. NANDO DE LUCA:** Okay. So some sort of
11 inquiry has been undertaken from someone at the PMO's office
12 as to what happened for 54 days?

13 **MR. BRIAN CLOW:** When -- particularly when
14 issues become public, and a lot of the issues that are in
15 focus here, yes, we do have our own conversations with each
16 other.

17 **MR. NANDO DE LUCA:** Okay. And I appreciate
18 that you may not be able to discuss the details, but have the
19 details of your own inquiries at the PMO's office been shared
20 with the Commission?

21 **MR. BRIAN CLOW:** It would be overstating to
22 say it's an inquiry. These -- we're sharing it now. I've
23 spoken to Zita Astravas about this.

24 **MR. NANDO DE LUCA:** Right.

25 **MR. BRIAN CLOW:** She told me exactly what she
26 told the Commission.

27 **MR. NANDO DE LUCA:** Okay. So beyond the
28 discussions that you've had with Zita Astravas, has anyone

1 else in the PMO's office undertaken an analysis as to why it
2 took 54 days for that warrant application to be placed in
3 front of Minister Blair?

4 MR. BRIAN CLOW: No.

5 MS. KATHERINE TELFORD: Other than to follow
6 what has been happening here.

7 MR. NANDO DE LUCA: Thank you. Those are my
8 questions.

9 COMMISSIONER HOGUE: Thank you.

10 MR. NANDO DE LUCA: Thank you.

11 COMMISSIONER HOGUE: Next one is counsel for
12 Erin O'Toole.

13 --- CROSS-EXAMINATION BY MR. THOMAS JARMYN:

14 MR. THOMAS JARMYN: Thank you, Commissioner.
15 Panel, my name is Tom Jarmyn, I represent
16 Erin O'Toole.

17 CSIS makes applications to the Federal Court
18 for warrants under section 21 of the *CSIS Act*. Those
19 applications are supported by an affidavit from a CSIS
20 officer. The CSIS officer sets out the material
21 circumstances related to the warrant, and in particular,
22 includes two types of information. One, the name of the
23 target or the subject of the warrant; and two, the names of
24 any individuals whose communications will reasonably be
25 expected to be intercepted or captured as a result of that
26 warrant.

27 At any time has anyone advised you -- and
28 I'll ask you each individually -- of the name of an

1 individual mentioned in a CSIS warrant application under
2 section 21?

3 Mr. Clow?

4 **MR. FREDERICK SCHUMANN:** We object on the
5 grounds of national security.

6 **MR. THOMAS JARMYN:** So it is not an issue of
7 national security. It's a matter of general business
8 process, and I'm not asking about any particular warrant.
9 I'm asking about CSIS warrants in general. They are
10 exceptional, we acknowledge, and I put up on last week, 15 to
11 40 warrants a year. But the issue of the general knowledge
12 of these applicants is relevant to this Commission.

13 **COMMISSIONER HOGUE:** Do you have an objection
14 if the question is general?

15 **MR. BARNEY BRUCKER:** Well, I think
16 Commissioner -- sorry, Barney Brucker, with the AGC. We have
17 provided correspondence to the Commission, which I understand
18 has been made available to all participants, about the
19 grounds for rejecting or objecting to any information about
20 the warrant process, including the subject matter of a
21 warrant, target of a warrant, any operational matters. And
22 with all respect to my friend, this question which he says is
23 general does go to the heart of that and we maintain that
24 objection.

25 **COMMISSIONER HOGUE:** So the question is
26 noted.

27 **MR. THOMAS JARMYN:** Thank you. Those are all
28 my questions.

1 **COMMISSIONER HOGUE:** Thank you. Counsel for
2 Michael Chong.

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

4 **MR. GIB van ERT:** Starting with the issue of
5 the targeting of Michael Chong as reported in *The Globe and*
6 *Mail* in May of 2023, Mr. Clow, you emphasized in your
7 evidence this morning that there was no reported physical
8 threat against Mr. Chong; right?

9 **MR. BRIAN CLOW:** That is my understanding,
10 yes.

11 **MR. GIB van ERT:** You recall though that the
12 IMU from 2021, which I know you didn't see at the time, but
13 you've seen since, indicated PRC's interest in my client's
14 relations in Hong Kong; right?

15 **MR. BRIAN CLOW:** Yes.

16 **MR. GIB van ERT:** Mr. Chong, my client is not
17 confident that the PRC would refrain from acts of
18 intimidation, coercion, possibly including physical violence
19 against his relations in Hong Kong, if PRC thought that doing
20 so might quiet down his critiques of PRC here, or otherwise
21 change his conduct. Do you feel confident that PRC would
22 refrain from such acts against my client's relatives in Hong
23 Kong?

24 **MR. BRIAN CLOW:** So what we were -- in answer
25 to a question, I was relating what we were told about the
26 intelligence. And we were told very directly there was no
27 threat to Mr. Chong's safety or that of his family members.

28 I -- general question of do I have confidence

1 that China would refrain from physically acting against a
2 Canadian or their family members. I'm trying to think, have
3 we -- I don't know that I would phrase it the same way you
4 have, but the intelligence in this case didn't say it and I
5 hesitate to speculate.

6 **MR. GIB van ERT:** So I do appreciate that the
7 -- well, I haven't seen the full IMU. Perhaps you have. But
8 your evidence is that the intelligence didn't indicate any
9 reported physical threats against the relatives in Hong Kong,
10 so I appreciate that. It's still pretty cold comfort for my
11 client.

12 So let me ask you this way; you accept that
13 the PRC is generally regarded as a repressive regime, don't
14 you?

15 **MR. BRIAN CLOW:** Yes. Yes.

16 **MR. GIB van ERT:** And not a rule of law
17 culture.

18 **MR. BRIAN CLOW:** Yes.

19 **MR. GIB van ERT:** Would you agree?
20 It's not a government that's known for
21 respecting political dissidents. Would you agree with that?

22 **MR. BRIAN CLOW:** Absolutely.

23 **MR. GIB van ERT:** And you would, I think,
24 also agree that in Hong Kong in particular PRC has shown acts
25 of squashing political dissent in physically violent ways,
26 among others. Do you agree with that?

27 **MR. BRIAN CLOW:** Yes.

28 **MR. GIB van ERT:** All right. I suppose what

1 I'm trying to understand is this. We know what the reporting
2 was and we know the limits of the reporting, but you're not
3 here telling the Commissioner that my client is over-reacting
4 to have this concern, are you?

5 **MR. BRIAN CLOW:** No, I'm not, actually. And
6 I'm not trying to minimize what was first reported and then
7 told to us in May of last year, and it's why the Prime
8 Minister ensured Mr. Chong was briefed and had an opportunity
9 to directly talk to officials. And it's also why the
10 Minister, in consultation with the Prime Minister, issued the
11 directive to say any time there's information like this, it
12 should be elevated to the member of Parliament. So we take
13 it very seriously, absolutely.

14 **MR. GIB van ERT:** And that briefing you
15 referred to was actually conducted by Mr. Vigneault for the
16 Service as a threat reduction measure. Isn't that right?

17 **MR. BRIAN CLOW:** I'd be going by memory, but
18 I take that to be true.

19 **MR. GIB van ERT:** Well, yes, we've heard that
20 evidence already.

21 And of course, a threat reduction measure,
22 perhaps Mr. Travers is more familiar with this than you are,
23 Mr. Clow, and any of the three of you will do, it's a
24 provision under the *CSIS Act* that allows the Service to take
25 steps to reduce a threat. Isn't that right?

26 I see you nodding.

27 **MR. PATRICK TRAVERS:** That's our
28 understanding, yes.

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

2 Mr. Morrison has since given evidence here
3 that the activities of Wei Zhao, in his view, were not
4 foreign interference. And so my question for you is, if this
5 wasn't foreign interference, why did CSIS regard it as a
6 threat requiring a threat reduction measure?

7 Do you have any answer to that? It's a bit
8 of a puzzle.

9 **MR. BRIAN CLOW:** I'd have to defer to CSIS
10 and Global Affairs on that kind of ---

11 **MR. GIB van ERT:** Well, I think we know what
12 they think because the IMU was quite clear back in 2021. The
13 contemporaneous document that we have identified this as a
14 threat. It said that Mr. Chong and also Mr. Chiu -- I hope
15 we don't forget about in all of this -- were being targeted.
16 The word "threat" was used repeatedly in that document. And
17 in particular, that information that was being collected was
18 being directed to the Ministry of State Security.

19 Mr. Travers, I expect you know what the PRC
20 Ministry of State Security is. You agree with me that that's
21 a foreign espionage agency?

22 **MR. PATRICK TRAVERS:** It is -- it is an
23 entity within the government -- Chinese government that
24 engages on public safety issues and foreign activities.

25 **MR. GIB van ERT:** Sometimes it's called
26 "secret police". Do you agree with that?

27 **MR. PATRICK TRAVERS:** I think it -- I
28 wouldn't disagree, but my understanding is that it has a

1 broad range of remits as an interior Ministry and engaged on
2 public safety issues.

3 **MR. GIB van ERT:** Public safety issues in a
4 repressive regime, as Mr. Clow was just telling us.

5 **MR. PATRICK TRAVERS:** Yes. I agree entirely
6 with that.

7 **MR. GIB van ERT:** Right, right. And so
8 getting back to what I was saying about what CSIS's view is,
9 Sir, Mr. Clow, CSIS told -- well, tried to tell the Minister
10 of Public Safety back in 2021 that it assessed that this was
11 a threat and that it involved the collection of information
12 and distributing it to not the Ministry of Foreign Affairs,
13 the Ministry of State Security, which is a different agency
14 altogether.

15 So what I'm suggesting to you, Sir, is that
16 CSIS did regard this as a threat and that's why it invoked a
17 TRM. Mr. Morrison now comes and says, "Well, I don't see it
18 that way". I suppose that's his prerogative.

19 But that was the understanding that you were
20 all operating on on the 2nd of May when you were in that
21 meeting, don't you agree?

22 **MR. BRIAN CLOW:** I would -- I would generally
23 agree that that is how -- what we were operating under at
24 that time, but we were also told very directly by the head of
25 CSIS that they had no intelligence to -- they had no
26 intelligence that spoke to a direct physical threat.

27 **MR. GIB van ERT:** Yes, I appreciate that.

28 Having no intelligence doesn't mean that

1 thing's not going to happen, but it does mean that we don't
2 have any intelligence saying it's going to happen.

3 **MR. BRIAN CLOW:** That's fair.

4 **MR. GIB van ERT:** Right. All right.

5 Final question. Mr. Zhao was expelled a week
6 after the leak in *The Globe and Mail*. We've heard Mr.
7 Morrison and again you this morning, explain that, having
8 looked into the matter -- because I gather you didn't even
9 know and the Prime Minister didn't now who Wei Zhao was until
10 reading about him in *The Globe and Mail* that day. But having
11 looked into the matter, Global Affairs, assisted by CSIS,
12 found that, in fact, Wei Zhao and the PRC Consulate generally
13 had been up to a lot of troubling things for some time before
14 the May 2023 leak.

15 I put it to you that, had it not been for
16 that leak in *The Globe and Mail*, there's no reason to think
17 that Wei Zhao was going to be PNGed, at least in May 2023.
18 Do you accept that?

19 **MR. BRIAN CLOW:** I would say it's impossible
20 to separate the media coverage from that time period from the
21 actions and decisions of government at that time. Absolutely
22 it impacted the focus and attention on foreign interference.

23 **MR. GIB van ERT:** You were responding to the
24 leak and, of course, informed by other information that you
25 gained about Wei Zhao after the leak.

26 **MR. BRIAN CLOW:** Right.

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

28 **MR. BRIAN CLOW:** Because information came to

1 us because of what was published in the newspaper, and it had
2 not come to us before that.

3 MR. GIB van ERT: Yes. Right.

4 It's a troubling situation, though, isn't it,
5 Sir, because we know that the Service itself two years
6 earlier had tried several times to inform not the PMO, but
7 the Clerk of the Privy Council, the NSIA, the Public Safety
8 Minister, Deputy Ministers all across town, the CSE -- who,
9 by the way, CSE did get the memo, but a lot of the other
10 people I've mentioned seem not to have. So that information
11 was trying to make its way to senior people in this
12 government and it took a leak, an illegal leak, an injurious
13 leak to Canadian national security in *The Globe and Mail*, to
14 actually get the Prime Minister's attention.

15 Do you agree with me, Sir, that that is not
16 the way that we should be having to rely on government
17 employees to inform the centre of things that matter?

18 MR. BRIAN CLOW: I agree that leaks shouldn't
19 have happened, but I also agree that we've all learned a lot
20 in the last period of time, and that's exactly what this
21 Commission is looking into, flow of information, lessons that
22 should be learned, actions that should be taken. It's why
23 we're all here.

24 MR. GIB van ERT: Thank you very much.
25 That's very helpful.

26 COMMISSIONER HOGUE: Thank you.

27 Counsel for Jenny Kwan, Maître Choudhry.

28 --- CROSS-EXAMINATION BY MR. SUJIT CHOUDHRY:

1 **MR. SUJIT CHOUDHRY:** Good morning,
2 Commissioner, good morning, panel. Thank you for coming. I
3 know it's a bit of a busy time.

4 So I have questions about information flow as
5 well, but they relate to the Liberal Party nomination in Don
6 Valley North.

7 And so I hope we could please call up WIT107,
8 go to PDF page 14 and paragraph 49.

9 And Ms. Telford, I think this is for -- these
10 questions are likely mostly for you, I believe, but other
11 panellists should please feel free to join.

12 And so here, Ms. Telford, your evidence is
13 that you reiterated that cleared Liberal Party
14 representatives were briefed about Mr. Dong during the 2019
15 writ period, and we've had evidence about that. And then
16 what I want to focus on is the next sentence, which is:

17 "After the election, the Clerk
18 briefed the Prime Minister, Ms.
19 Telford and Mr. Broadhurst about the
20 intelligence. However, there was
21 very little information available."

22 And so just a question for clarification
23 here. Do you happen to recall when after the election the
24 Clerk briefed you and the Prime Minister and Mr. Broadhurst?

25 **MS. KATHERINE TELFORD:** Very shortly after.
26 It was during the transition period.

27 **MR. SUJIT CHOUDHRY:** Okay. So after the
28 election results had been -- after the election had been

1 completed. So this would be -- the election was on October -
2 --

3 MS. KATHERINE TELFORD: Which one was that?

4 MR. SUJIT CHOUDHRY: It was -- I think it was
5 the 20th, wasn't it, that year?

6 MS. KATHERINE TELFORD: I was going to say
7 19, but yeah, it could be.

8 MR. SUJIT CHOUDHRY: Thereabouts. Okay. So
9 it was sometime in late October then. Okay. Good. Okay.
10 So that's helpful. Thank you. And then when you say at the
11 end:

12 "The PMO expected that officials
13 would keep them informed of any
14 updates."

15 Are you referring here to senior level
16 officials who would normally be the ones to interact with the
17 PMO? So the NSIA, the CSIS Director, and the Clerk, or some
18 combination of them?

19 MS. KATHERINE TELFORD: That's who we would
20 usually hear from, yes.

21 MR. SUJIT CHOUDHRY: Okay. Good. All right.
22 Thank you.

23 Now, could we please call up the NSIRA
24 Report? This is Commission 364.

25 **--- EXHIBIT No. COM0000364:**

26 NSIRA Report - Review of the
27 dissemination of intelligence on PRC
28 political foreign interference, 2018-

1 2023

2 **MR. SUJIT CHOUDHRY:** And if we go to
3 paragraph -- pardon me, to PDF page 17, and paragraph 29?

4 And so here I just want to take you -- we're
5 just trying to put together the different pieces of a
6 chronology here, because they're scattered across a number of
7 different documents. So this paragraph says -- this is again
8 about the Don Valley North nomination, and it says here:

9 "The Prime Minister was not directly
10 briefed by CSIS on intelligence
11 regarding PRC foreign interference
12 associated with the case..."

13 That is the Don Valley North nomination:

14 "...until February of 2021..."

15 But then if you go down, it says the PM:

16 "...may have indirectly been made aware
17 of the relevant CSIS intelligence."

18 And then here's the key point:

19 "PCO noted that a briefing by PCO to
20 the Prime Minister's Office [...] on
21 'issues related to [Don Valley North]
22 likely took place in late
23 September/early October 2019', but
24 could not provide NSIRA [with] any
25 documentation to this effect."

26 And so I'm just trying to understand how many
27 briefings there were to the PMO. I think your evidence just
28 was -- a minute ago was that the PCO briefing took place

1 after the election, which seems constitutionally appropriate.

2 And so is this paragraph -- is this briefing
3 in 29 that same briefing as well?

4 MS. KATHERINE TELFORD: I am not certain.

5 MR. SUJIT CHOUDHRY: You're not certain.

6 Okay.

7 MS. KATHERINE TELFORD: Because if it was
8 during the writ period, which late September/early October
9 would suggest, ---

10 MR. SUJIT CHOUDHRY: Right.

11 MS. KATHERINE TELFORD: --- then there were
12 cleared Party representatives ---

13 MR. SUJIT CHOUDHRY: Right.

14 MS. KATHERINE TELFORD: --- that were spoken
15 to.

16 MR. SUJIT CHOUDHRY: Yes, and we have had
17 evidence ---

18 MS. KATHERINE TELFORD: And I was on leave at
19 that ---

20 MR. SUJIT CHOUDHRY: Sorry.

21 MS. KATHERINE TELFORD: --- time, so I was
22 not party to that, so I can't really speak to that time
23 period.

24 MR. SUJIT CHOUDHRY: Okay. Fair enough. And
25 I think under the Caretaker Convention, you probably couldn't
26 have?

27 MS. KATHERINE TELFORD: Yeah.

28 MR. SUJIT CHOUDHRY: Okay. So could we just

1 move up then to paragraph 27?

2 And so just for the record, your answer is
3 you're not entirely sure when that meeting was in paragraph
4 29?

5 **MS. KATHERINE TELFORD:** Just what's being
6 referenced in terms of the late September/early October.

7 **MR. SUJIT CHOUDHRY:** Okay. Fair enough. So
8 now paragraph 27 describes a CSIS intelligence product that
9 was first disseminated on October 1st, 2019, and then pulled
10 back on October 10th, 2019, and it was pulled back -- NSIRA's
11 conclusion is that the report was pulled back by Director
12 Vigneault, but after a conversation with the NSIA, and it
13 says at her request. And so we'll just take that for what it
14 is.

15 And so what I'm trying to understand is the
16 sequencing of these events relative to the briefing you said
17 took place with you at the end of October. And so I guess at
18 the end of October 2019, after the election, were you aware
19 of this CSIS report in any way? Did you know that it had
20 been issued? Did you know that it had been pulled back?

21 **MR. FREDERICK SCHUMANN:** I'm sorry, just
22 before the witness's answer, and I'm sorry to interrupt my
23 friend, ---

24 **MR. SUJIT CHOUDHRY:** Of course.

25 **MR. FREDERICK SCHUMANN:** --- but my friend's
26 questions do sort of assume that what is in the NSIRA Report
27 happened, and I think it would be fair to the witnesses and
28 appropriate to first ask them whether they have any knowledge

1 of those things having actually happened.

2 **MR. SUJIT CHOUDHRY:** That's a very reasonable
3 -- that's a reasonable position.

4 And so assuming that what -- the chronology
5 here is correct, and you might take issue with it, but let's
6 assume this is correct, then what I'm trying to understand is
7 the relationship between the issuance and then pulling back
8 of the CSIS Intelligence Assessment of the Don Valley North
9 events and the subsequent briefing you had by the Privy
10 Council Office at the end of October, as you put it. And
11 were you aware at that time that CSIS had issued this report
12 or not?

13 **MS. KATHERINE TELFORD:** So I was unaware of
14 any of this until I was briefed immediately following the
15 election, which is after this time period in the note that
16 you're referring to, or the document you're referring to.
17 And at that time, I received a verbal brief from, I believe
18 it was the Clerk, on what had -- on what she had learned
19 during the writ period. But I can't speak to the inner kind
20 of machinations of what was going back and forth between
21 officials during the election period.

22 **MR. SUJIT CHOUDHRY:** I understand.

23 Okay. If we could scroll down to paragraph
24 30?

25 Then here it references an attempt by the PCO
26 Assistant Secretary of Security and Intelligence, who
27 prepared a Memorandum for the NSIA, recommending that the
28 NSIA brief you, Ms. Telford, on CSIS's assessment of Don

1 Valley North, and it's not clear if that briefing happened.
2 Are you able to tell us if in fact the NSIA did brief you
3 after December 2019 on CSIS's assessment of Don Valley North?

4 **MS. KATHERINE TELFORD:** So I can't speak to,
5 again, the internal between a PCO official and another PCO
6 official about them discussing whether or not they should
7 brief me, but I certainly did receive updates, I guess you
8 could call them, over time in various briefings on this
9 subject.

10 And, I mean, the main thing I can think of in
11 December 2019 would have been around a flag that came to us
12 around a parliamentary committee.

13 **MR. SUJIT CHOUDHRY:** Yeah, the Canada-China
14 Committee. I recall that in your evidence.

15 **MS. KATHERINE TELFORD:** Yeah.

16 **MR. SUJIT CHOUDHRY:** But did you receive -- I
17 guess what I'm wondering is, is that it seems that there was
18 an attempt within the Privy Council Office, or at least at
19 some place, to have the NSIA brief you regarding CSIS's
20 assessment of the Don Valley North nomination, and I'm
21 wondering if that briefing ever happened?

22 **MS. KATHERINE TELFORD:** I don't believe we've
23 had any record of that, but I would need to go back and look
24 at our -- the log of meetings that was provided to the
25 Commission. But I don't have any recollection of that.

26 **MR. SUJIT CHOUDHRY:** Okay. And then -- thank
27 you.

28 And then so finally, I hope we can take this

1 down and put up Commission 363, which is the NSICOP Report.

2 And if we could go to PDF page 39?

3 And I understand that you've all read this.

4 And so -- and this is, again, the NSICOP's conclusion, and
5 take it for what it is, regarding Don Valley North.

6 And because I'm out of -- I'm short of time,
7 I just want to note for the record that there are a number of
8 very specific allegations or conclusions that NSICOP makes
9 about the nomination in 2019, and it footnotes various CSIS
10 intelligence products, and those conclusions have to do with
11 IDs, and busses, and funding, and coercion, and there's a
12 number of very specific allegations made. And so I'm going
13 to take it you're aware of the content of those allegations
14 here?

15 **MR. BRIAN CLOW:** Yes.

16 **MR. SUJIT CHOUDHRY:** Thank you, Mr. Clow.

17 And so Ms. Telford, did you want to add to
18 that, or?

19 **MS. KATHERINE TELFORD:** Yes, I mean, we are -
20 - we can't get into which intelligence we did and didn't see,
21 but we have been briefed on sort of -- on this file over
22 time. And the only thing I would just add is that we did
23 have, and you've heard -- I think you've heard people speak
24 to this already at the Inquiry, that there are -- and
25 actually, you also heard from Broadhurst on this in Stage 1,
26 that there are some concerns around some of this information.

27 **MR. SUJIT CHOUDHRY:** So thank you for that.
28 So my final question is this then. So it's -- in the NSIRA

1 Report, it states that the Prime Minister finally received a
2 briefing about Don Valley North from CSIS on February 9th of
3 2021. And I'm wondering if any of you can comment on whether
4 the Prime Minister was -- whether these specific allegations
5 were disclosed by CSIS to the Prime Minister in that February
6 2021 briefing?

7 **MS. KATHERINE TELFORD:** I'm not sure that we
8 can speak to which intelligence was shared when. I look to
9 others to ---

10 **MR. FREDERICK SCHUMANN:** So maybe I can try
11 to assist. This is a briefing on February 9th, 2021 that I
12 think my friend is referring to, and that Mr. Travers has
13 already described that in public evidence, described that
14 briefing and what part, if any, Don Valley North played in
15 it. So perhaps he can just repeat that. Maybe he can be
16 shown that part of his transcript. But I think he's probably
17 ready to do it.

18 **MR. PATRICK TRAVERS:** I am ready to do it.
19 And thank you.

20 As I've previously described, this was
21 essentially an overview of the state of foreign interference
22 in Canada.

23 **MR. SUJIT CHOUDHRY:** I see. I see.

24 **MR. PATRICK TRAVERS:** And it covered a range
25 of countries, it covered a range of tactics that they use,
26 and I have previously testified that Don Valley North did
27 come up as an example. I can't speak to the specific details
28 and exactly what was raised in raising that example, but it

1 was a portion of a much broader conversation with a broader
2 focus.

3 **MR. SUJIT CHOUDHRY:** Okay. I see. I hadn't
4 made that connection, and that's actually quite helpful. And
5 so in this one final thing, ---

6 **COMMISSIONER HOGUE:** Final.

7 **MR. SUJIT CHOUDHRY:** --- and so how long was
8 this briefing, if you happen to recall? I'm sure you've been
9 to many. And in that briefing, what proportion of that do
10 you think would have been devoted, to the best of your
11 recollection, to Don Valley North?

12 **MR. PATRICK TRAVERS:** So my recollection is I
13 believe the briefing was scheduled for about an hour. I
14 wouldn't be able to tell you how much longer it may or may
15 not have run, but I don't think it was much beyond that
16 period if it did.

17 Without -- being careful about what I can say
18 in this setting, I would say that a number of countries were
19 discussed and a number -- within that, a number of the
20 tactics and methods used were discussed, and so this came up
21 as an example. So I would not say it was the majority of the
22 briefing or even a substantial minority. But it was raised.

23 **MR. SUJIT CHOUDHRY:** Okay. Thank you very
24 much for your time.

25 **COMMISSIONER HOGUE:** Thank you.

26 Counsel for Han Dong? I think she's on the
27 screen? Am I right? Yes.

28 Good morning.

1 **MS. EMILY YOUNG:** Good morning, Madam
2 Commissioner.

3 **COMMISSIONER HOGUE:** Do you hear us?

4 **MS. EMILY YOUNG:** Yes, I can hear you. My
5 apologies for the delay. We have no questions for these
6 witnesses. Thank you very much.

7 **COMMISSIONER HOGUE:** No questions. Thank
8 you.

9 I think Maître Sirois for the RCDA, the
10 Russia-Canadian Democratic Alliance.

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

12 **MR. GUILLAUME SIROIS:** Yes. Thank you, Madam
13 Commissioner.

14 Can I please ask the Court Reporter to please
15 pull up CAN.DOC38, please?

16 So this is the Institutional Report of the
17 Prime Minister's Office for Stage 2. Do you recognize the
18 document?

19 **MR. PATRICK TRAVERS:** Yes.

20 **MR. GUILLAUME SIROIS:** I'd like to walk us
21 through some meetings the Prime Minister had with various
22 leaders or heads of state.

23 It starts at page 5, approximately. Yes.

24 So there -- and I'll address specifically
25 Russian interference in our democratic processes. We see at
26 a meeting on the 1st -- on January 19, 2021, -- if we can
27 scroll down a little bit? Yes.

28 "The Prime Minister raised threats to

1 democracy including those arising
2 from technology, social media, and
3 artificial intelligence. He
4 mentioned China and Russia as actors
5 seeking to undermine and destabilize
6 democracies and thus the
7 international order."

8 And that was with the Prime Minister
9 Andersson of Sweden.

10 We can scroll down to page 6, please. There
11 was a meeting as well that was the G7 Summit in Carbis Bay in
12 the U.K. in June 2021, where:

13 "Leaders reaffirmed their call on
14 Russia to stop its destabilising
15 behaviour and malign activities,
16 including its interference in other
17 countries' democratic systems, and to
18 fulfil its international human rights
19 obligations and commitments."

20 I'll scroll down again, please, to page 7.

21 So on April 4th, there was a telephone call
22 with the Prime Minister of Australia, Scott Morrison, and it
23 says, in 2022, it says:

24 "The two leaders discussed Russian
25 disinformation and the possibility of
26 diplomatic responses."

27 Right after that:

28 "The Prime Minister raised, [with

1 Senior Minister Lee Hsien Loong of
2 Singapore], the circulation of
3 Russian disinformation in their
4 respective countries [on May 30,
5 2022]."

6 Then there was the G7 Summit again, talking
7 about Russian interference in our democratic systems, and
8 leaders calling to halt the democratic backsliding.

9 We can continue to scroll down. It goes all
10 the way to 2024. There was the G7 Summit in Japan in 2023.
11 And then in 2024, June 2024, there was a telephone call with
12 the President of the European Commission, Ursula von der
13 Leyen. Again:

14 "The Prime Minister mentioned foreign
15 interference by China, Russia, and
16 India in Canadian democratic
17 processes."

18 So I'm sorry to walk you through this
19 chronology, but can we say that Russian interference in
20 Canada's democratic processes is a significant concern for
21 the Prime Minister?

22 **MR. PATRICK TRAVERS:** Yes, I think we can.
23 And I think it's important to note that upon coming into
24 government after the 2015 election, it was already a
25 significant concern for our allies, and certainly events
26 since, including the invasion of Ukraine, have only
27 exacerbated the concern.

28 **MR. GUILLAUME SIROIS:** And between the 2015

1 election and the invasion of Ukraine, it was an ongoing
2 concern as well?

3 **MR. PATRICK TRAVERS:** I think there was -- it
4 was a concern for allies. There was widespread reporting
5 about interference in other democratic processes and, yes,
6 it's been a concern.

7 **MR. GUILLAUME SIROIS:** And I'm trying to
8 focus on Canada specifically. Was there any evidence of
9 these activities in Canada's democratic processes and
10 institutions specifically?

11 **MR. PATRICK TRAVERS:** I think we can speak
12 more broadly about concern about disinformation on Russia's
13 activities, otherwise I would refer you to the topical
14 summary that's been provided.

15 **MR. GUILLAUME SIROIS:** Okay. So you cannot
16 provide us with unclassified information other than the
17 topical summary about Russian interference during the last --
18 -

19 **MR. PATRICK TRAVERS:** In this setting, I
20 would be comfortable referring to the conclusions that are
21 provided in that unclassified report.

22 **MR. GUILLAUME SIROIS:** Okay. Can you provide
23 information about when has Russia -- since when has Russia
24 been engaged in foreign interference activities in Canada?

25 **MR. PATRICK TRAVERS:** Again, I would refer
26 you to the summary.

27 **MR. GUILLAUME SIROIS:** Can you talk about the
28 impact of Russian interference on Canadians?

1 **MR. PATRICK TRAVERS:** I will say -- I think I
2 would speak generally to say without being in a position to
3 quantify impact, that Russia's behaviour particularly in --
4 particularly as it has accelerated in recent years, is of
5 great concern. I think I would point you in particular, as a
6 most recent example, to the evidence that's been provided by
7 the United States. We've been clear that we were working
8 with them on Russian attempts through RT, *Russia Today*, to
9 engage in a disinformation process that is intended to affect
10 our -- to affect Western democracies. And so there is great
11 concern, and that has an impact on the information that
12 Canadians receive, particularly through the U.S. media
13 ecosystem.

14 **MR. GUILLAUME SIROIS:** And in the PMO's
15 opinion, what was the intent behind this disinformation
16 campaign you just mentioned? The Tenet Media operation?

17 **MR. PATRICK TRAVERS:** I think generally
18 speaking, and -- I think generally speaking, Russia has an
19 interest in undermining and destabilizing democracies,
20 Canada, but our like-minded allies as well, as part of its
21 broader attempt to achieve its geopolitical gains --
22 geopolitical aims, and that's particularly true in light of
23 its illegal, unjustifiable invasion of Ukraine and the strong
24 resistance and opposition that has been expressed by Canada
25 and the actions taken by Canada and our partners.

26 So it is an attempt to undermine our
27 societies and our democracy, because they see us as pushing
28 back on their unacceptable and illegal behaviour.

1 **MR. GUILLAUME SIROIS:** Thank you. And I'd
2 like to pull CAN23184, please.

3 **--- EXHIBIT No. CAN023184:**

4 2023 Threat Summary Report

5 **MR. GUILLAUME SIROIS:** This is the summary
6 report of CSIS.

7 Can we just scroll up a little bit more just
8 to see the first page? Yes.

9 So this is the 2023 Threat Assessment Summary
10 Report from CSIS.

11 Can we go at page 5, please?

12 There's a mention that -- we can zoom in a
13 little bit more just so that the witnesses can read the
14 document.

15 There's a mention here about:

16 "The Russian Intelligence Services
17 [...] rely[ing] primarily on diplomatic
18 mission-based personnel to carry out
19 intelligence and [foreign
20 interference] activities in Canada."

21 Are you aware of the role of Russian
22 diplomats in carrying out intelligence and foreign
23 interference activities in Canada?

24 **MR. PATRICK TRAVERS:** Given this setting, and
25 I want to be very careful about respect for intelligence, I'm
26 not sure that I can offer independent information beyond the
27 document that's raised.

28 **MR. GUILLAUME SIROIS:** Okay. I'm going to

1 offer you public information that the Director of MI5, Ken
2 McCallum, stated last week, actually. He said over 750
3 Russian diplomats have been expelled from Europe since Putin
4 invaded, "the great majority of them" spies. This goes well
5 beyond all historical precedents and has put a big dent in
6 the Russian intelligence services' ability to cause damage in
7 the west.

8 My question is, why has we -- why have we not
9 expelled a single Russian diplomat since 2018?

10 **MR. PATRICK TRAVERS:** So we -- I can speak to
11 elements of this that are public in the sense that Canada, in
12 previous years, have taken a number of steps, including
13 expelling Russian diplomats. I believe, but would have to
14 check, the most recent was in relation to the poisoning in
15 Salisbury, UK.

16 And at that point, we had actually gone
17 further than many of our partners in terms of reducing the
18 diplomatic presence of the Russian Federation in Canada.

19 At that time, we were very clear that some of
20 those diplomats were, indeed, engaging in undeclared
21 activities that we found unacceptable.

22 I believe the Foreign Minister has since
23 spoken to this, that we have -- having taken that series of
24 measures, we are now -- in face of retaliation as well, both
25 presences are down to a minimal diplomatic presence.

26 **MR. GUILLAUME SIROIS:** And there's no way to
27 further reduce the diplomatic presence of Russian conducting
28 intelligence and foreign interference activities in Canada

1 further.

2 **MR. PATRICK TRAVERS:** Speaking generally, it
3 is possible to further reduce the presence. The Foreign
4 Minister has spoken of the -- in the current geopolitical
5 context, the imperative that there is some remaining
6 diplomatic engagement with the Russian Federation.

7 Diplomacy is such that you don't only get to
8 engage with your friends. And to be clear, we are deeply
9 opposed to Russia's actions geopolitically, but in a moment
10 when we are dealing with disinformation, we're dealing with
11 their actions in Ukraine, it is important that we're also
12 able to express that directly to the Russian Federation. And
13 it's a part of diplomacy in an uncertain and challenging
14 world.

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

16 When you talk about engagement, and this will
17 be my last question, is it surprising to you to learn that
18 our -- we haven't had a meeting with the Russian Embassy
19 about the Tenet Media operation that targeted our democracy
20 as early as September of this year?

21 **MR. PATRICK TRAVERS:** I'm not sure I can
22 speak to those specific details. I would say that we have
23 been very public, including in a public statement issued by a
24 Minister, about our strong opposition to the behaviour that
25 we've seen from the Russian Federation. I think there is
26 absolutely no lack of clarity in Moscow or in the Russian
27 Embassy in Ottawa about our beliefs about any of their
28 behaviours, which are wholly unacceptable.

1 **MR. GUILLAUME SIROIS:** Thank you.
2 I'm all out of time, and I thank you for your
3 answers.

4 **COMMISSIONER HOGUE:** Thank you.
5 Counsel for the Concern Group.

6 **--- CROSS-EXAMINATION BY MR. NEIL CHANTLER:**

7 **MR. NEIL CHANTLER:** Good morning, panel.
8 Neil Chantler, counsel for the Chinese Canadian Concern
9 Group.

10 Ms. Telford, perhaps for you, I'd like to
11 start just to clarify the PMO's role with respect to advising
12 the Prime Minister and how that might differ from other
13 advice that the Prime Minister receives.

14 The PMO provides strategic advice to the PM
15 on a whole range of issues that might concern the Prime
16 Minister, political strategy, communications and so on.
17 You'd agree with that.

18 **MS. KATHERINE TELFORD:** Yes.

19 **MR. NEIL CHANTLER:** And while the Prime
20 Minister also receives advice from other non-partisan sources
21 like the Privy Council Office, government departments, am I
22 correct in suggesting that the PMO is somewhat uniquely
23 focused on the political implications of the PM's decisions?

24 **MS. KATHERINE TELFORD:** Largely.

25 **MR. NEIL CHANTLER:** You take a bit of a
26 partisan role in providing your advice.

27 **MS. KATHERINE TELFORD:** We definitely come at
28 it from a political lens for many issues, but I would say in

1 this space, and that's why I say "largely" -- in this space,
2 this should be very non-partisan space and we do treat it as
3 such.

4 **MR. NEIL CHANTLER:** I understand.

5 If I can focus all of your attention on a
6 specific period of time, and that's the fall of 2022, I
7 understand you were all in your current positions then;
8 correct?

9 **MR. PATRICK TRAVERS:** Correct.

10 **MR. NEIL CHANTLER:** You're all nodding your
11 heads.

12 **MR. PATRICK TRAVERS:** Correct.

13 **MR. NEIL CHANTLER:** Around that time in
14 September 2022, a Spanish NGO released a report that brought
15 to light the existence of what have been called overseas
16 police stations being operated by the Communist Party of
17 China in this country. You're familiar with the issue ---

18 **MS. KATHERINE TELFORD:** Yes.

19 **MR. BRIAN CLOW:** Yes.

20 **MR. NEIL CHANTLER:** --- all of you?

21 Yes. And we've heard in this Inquiry, and
22 there's a document I can take you to if necessary, that the
23 PMO was first briefed on this issue in October 2022. Can you
24 confirm that? Does that accord with your recollection?

25 **MR. PATRICK TRAVERS:** I believe that is
26 correct.

27 **MR. NEIL CHANTLER:** Would you like me to take
28 you to a document to confirm that or are you able to say with

1 confidence that ---

2 **MR. PATRICK TRAVERS:** I'm happy to look at
3 the document that ---

4 **MR. NEIL CHANTLER:** Okay. Court Operator,
5 please, CAN.SUM15.

6 **--- EXHIBIT No. CAN.SUM.000015:**

7 People's Republic of China Police
8 Stations

9 **MR. NEIL CHANTLER:** This is a CSIS summary of
10 intelligence on the People's Republic of China police
11 stations. And if we scroll down to paragraph 4, please.

12 Briefly, it says:

13 "Also in October 2022, the Prime
14 Minister's Office was briefed on the
15 issue and it was discussed at a
16 Deputy Minister level meeting."

17 Does that accord with your recollection?

18 **MR. PATRICK TRAVERS:** So perhaps I can
19 provide some context here, if it's helpful.

20 One, I'm not sure that I can personally speak
21 to a Deputy Minister level meeting, as those typically don't
22 involve Prime Minister's Office. I was engaged on this file.
23 The NGO report certainly caught our attention, as it did --
24 as it did, rightly so, concern communities and the media.
25 And at that point, we started asking questions about the
26 findings in the report, what was known to the National
27 Security Establishment in Canada, and then began a process of
28 conversations, as is part of our regular work, to understand

1 exactly the presence in Canada and to begin to push back and
2 express our displeasure and demand that this activity stop.

3 **MR. NEIL CHANTLER:** Mister Travers, can you
4 tell me if you recall when the Prime Minister was first
5 briefed on the issue?

6 **MR. PATRICK TRAVERS:** I don't specifically
7 recall when he was first briefed.

8 **MR. NEIL CHANTLER:** Okay. You all understood
9 from your briefing on this issue that the overseas police
10 stations were allegedly hubs of illegal activity that were
11 being conducted by agents or proxies of the Chinese
12 government and they were targeting members of the Chinese
13 diaspora in Canada.

14 **MR. PATRICK TRAVERS:** Yes.

15 **MR. NEIL CHANTLER:** Can you confirm that
16 knowledge ---

17 **MR. PATRICK TRAVERS:** Yes.

18 **MR. NEIL CHANTLER:** --- generally? Yes?

19 **MR. PATRICK TRAVERS:** Yes.

20 **MR. NEIL CHANTLER:** And was there a concern
21 in your office that Canada's response to the issue might
22 upset what was already a delicate relationship with China?

23 It was a very difficult time in our
24 relationship with China, perhaps continuing to today.
25 Allegations of interference in our elections, the Chinese spy
26 balloon, the motion in the House to recognize the Uyghur
27 genocide, the two Michaels had returned only a year prior.

28 Were those relations with China front of mind

1 for you when considering this issue and the advice you were
2 going to provide the Prime Minister?

3 **MR. PATRICK TRAVERS:** I'm happy to speak to
4 my approach at the time and my views, which remain the same.

5 My engagement with colleagues in the Public
6 Service was to determine as quickly as possible the nature of
7 the presence in Canada and to have a conversation about how
8 robustly and how quickly we could push back against this
9 presence. The activity's unacceptable.

10 Obviously, relations were tense at the time,
11 but the immediate reaction was to understand the scope of the
12 threat and to understand exactly what could be done to push
13 back against it, recognizing that some of the activity that
14 was taken was also independently taken by law enforcement
15 given the nature of the issue.

16 We were focused on how to address this.

17 **MR. NEIL CHANTLER:** And it was a relevant
18 consideration for you how our response to the issue might
19 affect our relationship with China.

20 **MR. PATRICK TRAVERS:** That's -- forgive me.
21 To be more clear, that's not what I said.

22 I said that relations were tense at the time,
23 but that we were focused on addressing the issue.

24 **MR. NEIL CHANTLER:** Are you suggesting that
25 you would not have taken that into consideration?

26 **MR. PATRICK TRAVERS:** What I'm suggesting is
27 that our focus on this issue was pushing back and then
28 mitigating and eliminating the threat that was posed by the

1 police stations to Canadians.

2 **MR. NEIL CHANTLER:** Was there any
3 communication between your office and the Minister of Public
4 Safety on the appropriate level of priority that should be
5 given to this issue?

6 **MR. PATRICK TRAVERS:** I would say that there
7 was -- as part of our regular work on files of this sort,
8 there were conversations with our colleagues, both within the
9 Public Service and at the Ministerial level, and they
10 themselves, my understanding is, were engaging on this issue,
11 including working with the Department of Public Safety.

12 **MR. NEIL CHANTLER:** What was the essence of
13 those conversations? Was it to prioritize this, was it to
14 tread lightly on the issue? Give us a sense of the nature of
15 those ---

16 **MR. PATRICK TRAVERS:** Not remotely to tread
17 lightly. I will again try to be as clear as I can.

18 The essence of the conversations were to
19 fully understand the scope of the issue and to respond using
20 the full range of measures that were available in order to
21 address it.

22 **MS. KATHERINE TELFORD:** If I could just add.

23 **MR. NEIL CHANTLER:** Please.

24 **MS. KATHERINE TELFORD:** I think -- look,
25 whenever we're dealing with any of these number of issues you
26 might point to, you, of course, situate it within a broader
27 context and geopolitical context. Having said that, and I
28 think there's evidence of this in what we saw the Prime

1 Minister and Minister of Public Safety and Minister of Global
2 Affairs do yesterday, and they repeated this multiple times
3 yesterday and I'm sure you'll hear this again, their first
4 priority is the protection of Canadians, and that's what
5 comes in -- that's what kicks into play as a priority if that
6 is ever in question.

7 MR. NEIL CHANTLER: Thank you for your
8 information.

9 COMMISSIONER HOGUE: Thank you.

10 MR. NEIL CHANTLER: Thank you, Madam
11 Commissioner.

12 COMMISSIONER HOGUE: Ms. Teich for the Human
13 Rights Coalition.

14 --- CROSS-EXAMINATION BY MS. SARAH TEICH:

15 MS. SARAH TEICH: Good morning -- or good
16 afternoon now, isn't it?

17 I don't have many questions for you.

18 Can we please pull up CAN.DOC38? This is the
19 Institutional Report. And if we can please scroll down to
20 page 13, I just have a question about Question 9.

21 And this is a list of all engagements at the
22 divisional director level or equivalent, and this IR notes
23 that this question is better directed at other Ministries,
24 including Public Safety and Department of Justice.

25 To be clear, does this mean that the PMO does
26 not engage with representatives of diaspora groups?

27 MR. BRIAN CLOW: We definitely engage with
28 representatives of diaspora groups quite a bit, actually.

1 **MS. SARAH TEICH:** Okay. On what topics?

2 **MR. BRIAN CLOW:** Everything. Everything you
3 could imagine.

4 **MS. SARAH TEICH:** Does that include
5 transnational repression?

6 **MR. BRIAN CLOW:** I'm confident, particularly
7 in the last few years, that topic would come up in those
8 conversations.

9 **MS. SARAH TEICH:** Okay. How frequently does
10 the PMO engage with diaspora groups on that issue?

11 **MR. BRIAN CLOW:** I wouldn't be able to list
12 that or speak to that.

13 **MS. SARAH TEICH:** Okay. Perhaps we can make
14 a note of that question and find out the answer later
15 somehow.

16 **COMMISSIONER HOGUE:** I think that will
17 require a lot of work, I imagine. I'm not sure it's useful
18 at this point to do that, so excepting if you're telling me
19 why you need this information.

20 **MS. SARAH TEICH:** I mean, it would be useful
21 to understand the regularity of these sorts of engagements so
22 we can evaluate how best to improve engagements with diaspora
23 groups but, you know, I appreciate that you don't have these
24 answers now.

25 **MS. KATHERINE TELFORD:** Do you mind if I try
26 something here?

27 **MS. SARAH TEICH:** Sure.

28 **MS. KATHERINE TELFORD:** So from a Prime

1 Minister's Office perspective, we have regular and ongoing
2 contact with all kinds of community leaders across the
3 country. You can imagine that there was a fair bit of back
4 and forth yesterday, today in terms of recent public
5 information, but -- on any number of topics, but that ongoing
6 engagement covers all kinds of different issues going on in
7 the country, and that's why I think it would be very hard to
8 try to get to the specifics you're talking about from a Prime
9 Minister's Office perspective, whereas, as the document
10 points to, if Public Safety or, you know, a specific
11 department were consulting on a specific piece of
12 legislation, you'd be able to get a specific record of who
13 discussed what, when.

14 **MS. SARAH TEICH:** Okay. Thank you. That's
15 helpful.

16 All right. I have no further questions.
17 Thanks.

18 **COMMISSIONER HOGUE:** Thank you.
19 Attorney General?

20 **MR. FREDERICK SCHUMANN:** Nothing from the
21 Attorney General. Thank you.

22 **COMMISSIONER HOGUE:** Any questions in re-
23 examination, Maître Chaudhury?

24 **MS. SHANTONA CHAUDHURY:** None. Thank you.

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

27 We'll take one hour, 10 minutes -- one hour,
28 20 minutes for lunch, so we'll come back at 1:40.

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

2 This sitting of the Commission is now in
3 recess until 1:40 p.m.

4 --- Upon recessing at 12:18 p.m.

5 --- Upon resuming at 1:41 p.m.

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

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

9 The time is 1:41 p.m.

10 **COMMISSIONER HOGUE:** [No interpretation].
11 ...MacKay, you will be taking care of the
12 examination?

13 **MR. JEAN-PHILIPPE MacKAY:** Yes.

14 **COMMISSIONER HOGUE:** [No interpretation].

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

17 **COMMISSIONER HOGUE:** [No interpretation].

18 So good morning, Minister.

19 **HON. DOMINIC LeBLANC:** Good morning, Madam
20 Commissioner.

21 **COMMISSIONER HOGUE:** [No interpretation]..

22 **MR. JEAN-PHILIPPE MacKAY:** So we can swear in
23 the witness.

24 **THE REGISTRAR:** Okay.

25 So Minister, could you please give your
26 complete name and spell your family name for the record?

27 **HON. DOMINIC LeBLANC:** Yes, it's Dominic,
28 with a "C" LeBlanc, L-e-B -- we already had that discussion

1 here earlier; Acadians spell it with a capital "B" -- l-a-n-
2 c.

3 **THE REGISTRAR:** Perfect, thank you. And now
4 for the swearing in.

5 --- HON. DOMINIC LeBLANC, Sworn:

6 **THE REGISTRAR:** Thank you.

7 [No interpretation].

8 **MR. JEAN-PHILIPPE MacKAY:** [No
9 interpretation].

10 --- EXAMINATION IN-CHIEF BY MR. JEAN-PHILIPPE MacKAY:

11 **MR. JEAN-PHILIPPE MacKAY:** Good morning, Mr.
12 LeBlanc.

13 **HON. DOMINIC LeBLANC:** [No interpretation].

14 **MR. JEAN-PHILIPPE MacKAY:** So we will start
15 by putting into evidence three documents. We don't need to
16 put them on the screen; it was already agreed that we would
17 make a list of these documents, and so we can use them as
18 evidence.

19 The first one, Madam Commissioner, is the
20 summary of the interview that took place on June 27, 2024,
21 WIT103, in English, and the French version as well.

22 The second document, WIT162, French and
23 English version, is the summary of the in camera testimony
24 that was given this summary. And finally, there's an
25 addendum to the in camera examination of Phase 1 that took
26 earlier, and the code number is WIT124, both French and
27 English versions.

28 So Mr. LeBlanc, you've had the opportunity to

1 review the three documents that I've just mentioned before
2 coming here today?

3 HON. DOMINIC LeBLANC: Yes.

4 MR. JEAN-PHILIPPE MacKAY: Do you have any
5 corrections or additions?

6 HON. DOMINIC LeBLANC: No, I accept them as
7 written.

8 MR. JEAN-PHILIPPE MacKAY: So you accept
9 these documents. They will be part of your evidence before
10 the Commission.

11 --- EXHIBIT No. WIT0000103.EN:

12 Interview Summary: The Honourable
13 Dominic LeBlanc

14 --- EXHIBIT No. WIT0000103.FR:

15 Résumé d'entrevue : l'honorable
16 Dominic LeBlanc

17 --- EXHIBIT No. WIT0000162:

18 In Camera Examination Summary: The
19 Honourable Dominic LeBlanc

20 --- EXHIBIT No. WIT0000162.FR:

21 Résumé d'interrogatoire à huis clos :
22 l'honorable Dominic LeBlanc

23 --- EXHIBIT No. WIT0000124:

24 Addendum to In Camera Examination
25 Summary Minister Dominic LeBlanc

26 --- EXHIBIT No. WIT0000124.FR:

27 Addendum au résumé d'interrogatoire à
28 huis clos : l'honorable Dominic

1 LeBlanc

2 **MR. JEAN-PHILIPPE MacKAY:** So you've already
3 explained your journey in the Cabinet; I think you've done it
4 twice because this is your third time you appear before the
5 Commission. But I would like you to just tell us what
6 functions you have held since the General Election of 2019.

7 **HON. DOMINIC LeBLANC:** So after the 2019
8 General Election, I was sworn in as President of the Queen's
9 Privy Council for Canada, which included responsibilities for
10 Democratic Institutions. In the summer of 2020, the Prime
11 Minister had added some responsibilities for
12 Intergovernmental Affairs, but I kept the function of
13 responsible for Democratic Institutions. And then at the
14 2021 election, I kept the responsibility for Democratic
15 Institutions, Intergovernmental Affairs, and also I was given
16 the responsibility of Minister of Infrastructure and
17 Communities. And then in summer 2023, I lost the
18 Infrastructure and Communities part, and I was give the
19 responsibility for Public Safety.

20 And since then, I have still been responsible
21 for Democratic Institutions and Intergovernmental Affairs.

22 **MR. JEAN-PHILIPPE MacKAY:** So the questions
23 I'll be asking you today, before my colleague takes over,
24 will primarily concern Democratic Institutions, and given the
25 nature of the work that was done by the Secretariat for
26 Democratic Institutions, there will be a link to your work
27 with provinces and territories. And then my colleague will
28 come and talk about Public Safety.

1 So briefly, can you remind us what the
2 responsibilities are as Minister of Democratic Institutions?

3 **HON. DOMINIC LeBLANC:** It's specially a
4 function of developing public policy as it's related to
5 elections, to the Canada Elections Act; I'm responsible for
6 that Act. The electoral map, the boundaries of the ridings,
7 that is according to the Act, but it's a function that's
8 within the Privy Council. I'm one of the Ministers in the
9 Privy Council and the unit responsible for Democratic
10 Institutions prepares plans to strengthen and prepare our
11 Democratic Institutions. It's the relationship between
12 Elections Canada and the Canadian government, but a lot of
13 work has been done, especially since the last few years since
14 2018, 2019, are measures put in place in order to protect
15 Democratic Institutions, including against foreign
16 interference.

17 I've also been responsible for presenting
18 Parliament Bills to amend the *Canada Elections Act*. But it's
19 especially about working with the unit in the Privy Council;
20 you heard Al Sutherland, who works with me, testify. But
21 also to participate throughout the country with civil
22 society, with non-profit organizations in order to discuss
23 democracy in Canada, to encourage people to vote. What can
24 we do to increase electoral participation, and also what can
25 we do to ensure that institutions in Canada are ready to deal
26 with the increasing threat of foreign interference.

27 **MR. JEAN-PHILIPPE MacKAY:** And can you
28 describe the change of the presence of foreign interference

1 in relation to your responsibilities and Democratic
2 Institutions?

3 **HON. DOMINIC LeBLANC:** The first time I
4 participated in conversations on the issue of protecting our
5 Democratic Institutions, making them more resilient and
6 making the Canadian population more resilient in the face of
7 foreign interference, it's when my colleague, Karina Gould,
8 who had these functions, came to the Cabinet with the first
9 plan to protect democracy. That was the first time that the
10 Canadian government had deliberately decided to put in place
11 mechanisms to counter, to detect, to respond to foreign
12 interference in the democratic space.

13 We also agreed on the importance of having
14 resilient citizens, of working with civil society, with
15 universities, with researchers with a view to adding more
16 voices in the context of misinformation and disinformation;
17 how to ensure that Canadians can trust in their sources of
18 information.

19 And that was the first time that the Canadian
20 government deliberately decided to create mechanisms; so you
21 probably know the Panel of Five, the Prime Minister [sic],
22 the Task Force SITE. It was the beginning of an effort that
23 continued to evolve after that, according to the threat; the
24 threat that changes and that is increasing. We developed,
25 before the 2021 election some improvements. We strengthened
26 the initial plan that went from 2018, 2019. I worked with my
27 colleagues in Cabinet on this. There were events, be it the
28 pandemic or the invasion of Ukraine by Russia. There were

1 many pressures; there was a lot of turbulence abroad which
2 meant that the context of disinformation and misinformation
3 became more and more important to counter, to identify and
4 counter. So Canada, within the G7, adopted a role with the
5 Rapid Response Mechanism at GAC.

6 So it was an evolution. It was making the
7 Canadian population more aware. And I would say, finally,
8 the decision, supported by all parliamentarians, to create
9 your Commission of Inquiry, Madam Commissioner, that's a part
10 of shedding light on the threat of foreign interference to
11 ensure that what we've done is to strengthen and evolve over
12 time, thanks to the advice of experts like Jim Judd and Mark
13 [sic] Rosenberg, the report of the Parliamentarians Committee
14 to the Public Safety agencies. There's been a lot of work.
15 I think this Commission was the important gathering to get
16 Canadians to know what had been done, and how we'd change in
17 order to counter the threat.

18 **MR. JEAN-PHILIPPE MacKAY:** You've mentioned
19 several points in what you said. The first thing I'd like to
20 hear about is the work that you did in the second version of
21 the plan to protect democracy. And there we can see a
22 synthesis of the amendments in the report that you cosigned
23 with the former Privy Council Clerk.

24 So I would ask if CAN25135 [sic] could be put
25 up on the screen, and we could immediately go to page 5.
26 It's the English version that we have on the screen, but we
27 do have the French version available on the Commission site
28 and the Canadian government site.

1 --- EXHIBIT No. CAN024135:

2 Countering an Evolving Threat -
3 Update on Recommendations to Counter
4 Foreign Interference in Canada's
5 Democratic Institutions

6 COMMISSIONER HOGUE: Could you just remind me
7 of the date of this document?

8 MR. JEAN-PHILIPPE MacKAY: It was in spring
9 2023.

10 COMMISSIONER HOGUE: [No interpretation].

11 MR. JEAN-PHILIPPE MacKAY: The Minister could
12 confirm the exact date. If memory serves me I think it was
13 spring 2023, but I don't have the exact month.

14 COMMISSIONER HOGUE: No, that's fine. I just
15 needed to orient myself.

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

18 So Mr. LeBlanc, you can see in the middle of
19 the page that there are four axes to which improvement was
20 made. We can see that the vision of the threat changed. The
21 understanding of the government about the threat centralized
22 leadership in terms of information and the issue of
23 resilience of institutions and citizens. And then below we
24 can see the recommendations made by Mr. Judd, which were
25 implemented in the second version of the plan. And we could
26 go to the following page to see the other recommendations.

27 So in terms of the amendments made to the
28 plan, we see that you were the Minister responsible. Can you

1 explain why? You've already said why, but there's one
2 recommendation that was not implemented in terms of the
3 broadening of the mandate to the pre-electoral period. So
4 you gave two reasons in your examination. I'd like to know
5 why this recommendation was not implemented.

6 **HON. DOMINIC LeBLANC:** So you're talking
7 about the Cabinet Directive to the Panel of Five DMs presided
8 by the Privy Council Office. So four other Deputy Minister
9 in terms of their public communications about an
10 interference. Mr. Judd's recommendation was to contemplate
11 having this in place before the writ be declared, before
12 Parliament was dissolved and the election started.

13 We received very clear opinions from jurists
14 that the ministerial responsibility, the ministerial
15 authority, the ministerial powers, and the accountability of
16 the government before the dissolution of Parliament remained
17 in place. And in our system, the Ministers have certain
18 powers under certain laws, they are responsible, and
19 obviously for an issue as sensitive as this, would be based
20 on the advice of the panel of the five expert Deputy
21 Ministers. But we deliberately thought that it was important
22 to respect the constitutional tradition of the accountability
23 of the government in function, which is different when the
24 election period begins. But we also recognize the importance
25 of allowing the panel, the SITE Task Force to look at by-
26 elections. I think they did it in 10 by-elections since
27 then. I think we immediately accepted the recommendation to
28 the effect that the panel be at work and be very present in

1 order to prepare its work before the writ is dropped. You
2 heard the Clerk and others say that I'm very reassured by the
3 work that they do very regularly. There's a huge amount of
4 work that is happening now.

5 So a lot of work or preparation to give
6 information and advice to the Ministers is being done but it
7 was just the idea of giving non-elected officials -- when the
8 government that's been elected is in power, we thought it was
9 important to limit that authority, as the Cabinet Directive
10 did to the electoral period. But we also agreed, and we
11 continue to discuss in my discussions with the Clerk and the
12 other Deputy Ministers. I encourage them to be more visible
13 in public and to continue to ensure that Canadians can see
14 their work and that the only time when there is
15 communication, when there's awareness that this Panel of Five
16 senior officials in the government, who have responsibility
17 in the field, would not just happen in the case of an act of
18 foreign interference that comes to their level of public
19 communications. We hope -- we wish for them to be more
20 visible.

21 I was at a conference in Toronto, Democracy
22 Exchange, the Clerk is there himself to speak about their
23 work. So I'm very encouraged, but I also try to encourage
24 them to continue to show the work they're doing publicly and
25 not only in the 35 or 36 periods of an electoral period.

26 **MR. JEAN-PHILIPPE MacKAY:** And in terms of
27 the activation of the SITE Task Force for by-elections, that
28 was a decision that you announced at the end of spring 2023

1 for monitoring by-elections. We understand that by-elections
2 since then, so that was since June 2023 until now, were
3 monitored by the Task Force, and the structure that was put
4 in place, we heard a lot about the Deputy Ministers group in
5 terms of intelligence, the DM CIR in English. We know that
6 the panel is not active during those periods when there are
7 by-elections, and the ministerial activities that apply. So
8 during by-laws [sic] if there is a problem -- now you're
9 Minister of Public Safety, if there's a problem related to
10 your mandate it will be on your desk.

11 **HON. DOMINIC LeBLANC:** You're right, these
12 Deputy Ministers who work with the SITE Task Force are the
13 Deputy Ministers who would go to their respective Ministers
14 with advice, with information, with intelligence on an as-
15 needed basis, based on the work that the intelligence groups
16 give them. So it's a way to have, through a horizontal
17 basis, and Canadian government, a lot of participation by
18 senior officials in various parts of the Canadian government,
19 while making sure that the responsibility which the Minister
20 of Public Safety has, or the Minister related to intelligence
21 still has accountability. But these Deputy Ministers work
22 together in order to prepare, if needed, this advice to their
23 Ministers.

24 And it's also a way of feeding into the work
25 of the Panel during an election period. In my conversations
26 with the Clerk it is a way of testing the ability of the
27 departments to work together, to understand the role of each
28 player, so it's all value-added for the final stages of the

1 work to be done during an election period.

2 **MR. JEAN-PHILIPPE MacKAY:** Why did you not
3 activate the Task Force before that point in time? We're
4 talking about the end of the spring of 2023. Was there a
5 reason why at that time it was necessary to activate the Task
6 Force, the Working Group?

7 **HON. DOMINIC LeBLANC:** There is no doubt that
8 the evolution of the threat increased. There was an
9 evolution of the threat of foreign interference. Canadians,
10 in the spring of 2023, saw Mr. Johnston doing his work,
11 Parliament was much taken up by these issues and it had been
12 the case for several months already. So we deemed that it
13 was important to reassure Canadians the by-elections that
14 were going to take place and that followed had the benefit of
15 the involvement of these security officials, and I think it
16 was important to reassure Canadians at the time, and since
17 then; the Working Group, the Deputy Ministers, the government
18 saw that there was political interference that could have a
19 bearing on the results in some ridings, and I think a good
20 portion of the work of the Government of Canada. But we
21 can't do this work alone; it requires partners, as I stated a
22 few minutes ago. Civil society, other levels of government,
23 academics, et cetera, they all have a role to play in
24 reassuring Canadians, in telling them that, yes, there are
25 attempts at political interference. We're not the only
26 country in this situation. We see this in other democracies
27 if the threat is evolving, evolves over the course of time.
28 But during all of that time, the elections are free and

1 democratic, and Canadians decide for whom to vote and these
2 tools, I do hope, allow us to tell Canadians that they should
3 feel reassured.

4 **MR. JEAN-PHILIPPE MacKAY:** A final point with
5 regard to the plan to protect democracy.

6 Might we scroll down?

7 We see in the first paragraph a statement
8 made by Canada with regard to the integrity of online voting.
9 Your mandate was to renew the 2.0 plan based on Cabinet's
10 decision. So you renewed this with digital platforms. Might
11 you briefly explain to us what your role was, and what is the
12 role of this statement tying in with the integrity of online
13 voting?

14 **HON. DOMINIC LeBLANC:** It was a voluntary
15 statement on the part of digital platforms. This began
16 before the 2019 elections and this was renewed in 2021, and
17 there was also a broadening of the platforms that signed on
18 to this declaration.

19 The idea was to recognize that more and more,
20 in an electoral context, these platforms have a
21 responsibility, that of providing information to voters, of
22 relaying information that Canadians are seeking out in an
23 electoral context, but it's not Radio-Canada, it's not CTV,
24 it's not necessarily mainstream outlets. So how should we
25 use these platforms and their standards? They put out
26 statements regarding their statements; they don't want to
27 distribute, circulate disinformation online, hate et cetera.
28 These platforms declare that they were very worried, very

1 concerned by these risks of political interference, and they
2 are aware of the fact that they have a growing impact in
3 their dealings with Canadians. So the idea was to have a
4 mechanism. It's not up to the government to censor, to
5 decide what information is reliable or not. Rather, the idea
6 was to ask these platforms to accept their own
7 responsibilities in order that they remove content that would
8 be clearly disinformation provided by a hostile foreign
9 state. An awful lot of other countries did this. I
10 discussed this with Majorca, my American counterpart at a
11 recent G7 meeting. At another meeting two weeks ago, I
12 discussed this with the British Minister; they just held
13 general elections in the UK. So other countries are also
14 involved with these platforms.

15 We started this work in 2019. We renewed it
16 in 2021, and even over that short period of time the number
17 of platforms increased. WeChat, for example, is more present
18 in these conversations. You heard Al Sutherland from Privy
19 Council; at my request he is preparing the next integrity
20 declaration for online activity.

21 And three years ago the situation might have
22 been slightly different, but I think it's the level of
23 awareness of Canadians that is the most important factor. At
24 the same time we're working with civil society and other
25 groups to encourage Canadians to question the information
26 that they consume. And on an electoral context all this must
27 be done at the same time.

28 **MR. JEAN-PHILIPPE MacKAY:** If we scroll down

1 further we see that there's mention of the protection of
2 democracy, potential gaps, next steps.

3 If we can scroll down further, we see that a
4 special unit was created after the last General Elections
5 within the Secretariate for Democratic Institutions, this
6 protecting democracy unit. So might you explain to us what
7 the role of this new unit is?

8 **HON. DOMINIC LeBLANC:** This was created
9 following upon the advice of Jim Judd after the elections of
10 2019. We wanted to ensure that within a central agency of
11 the Government of Canada, Privy Council, Privy Council Office
12 is that structure. So the idea was to have independent
13 players working within Privy Council in order to ensure, on a
14 horizontal basis, throughout the Canadian government, be it
15 Canadian Heritage, be it electronic surveillance units for
16 National Defence, Public Safety, et cetera, the idea of it
17 was to have a way, horizontally, to ensure that there was a
18 concerted effort to protect democracy. We wanted to
19 establish ties with other democratic countries as well, be it
20 the Five Eyes or the G7, other international organizations
21 that are deeply involved.

22 So it was an effort to consolidate expertise
23 within the Canadian government in order that everyone be
24 aware of the needs throughout the Government of Canada. We
25 wanted to be able to respond to worrisome situations. I know
26 that this group is very active. It participates in meetings
27 with provinces and territories, and other organizations of
28 the federal government. In the space of two years, with a

1 small group of people, we've seen them become very active,
2 and this is a standing, recurring element election after
3 election, for by-elections as well. This unit is becoming a
4 centre of expertise, and I'm hoping that other levels of
5 government, Aboriginal governments, provincial, municipal
6 governments, well, I'm hoping that this unit will help us
7 share best practices with other jurisdictions, and share all
8 of this information throughout Canada.

9 **MR. JEAN-PHILIPPE MacKAY:** In your view, what
10 is the role or the sharing of responsibilities between the
11 federal government and other levels of government, provinces,
12 territories, but also other intervenors, municipal
13 governments within provinces, et cetera? In your view, what
14 is their role with regard to the sharing of responsibilities,
15 and that's the role of the Canadian government vis-à-vis
16 these other levels?

17 **HON. DOMINIC LeBLANC:** I believe we must be
18 very present so as to be able to share information. We might
19 discuss this later on, but we adopted a Bill to counter
20 foreign interference in the spring, in June, and this gave
21 our CSIS authorities new tools to allow them to share
22 information with other levels of government, including highly
23 classified information. The first exchange was with the
24 Premier of BC after the passage of the Bill. So this is one
25 measure amongst many others.

26 But be it the Protecting Democracy Unit or
27 the Secretariat for Democratic Institutions in Canada, I know
28 that they're very present with their counterparts in the

1 provinces and territories so as to be able to share, be it
2 guides, work plans, or the participation in meetings. I
3 found it wonderful that in July the Privy Council Clerk, Mr.
4 Hannaford, met with his counterparts in all the provinces and
5 territories during the Council of the Federation Meeting in
6 Halifax.

7 Mr. Hannaford went to Halifax to meet with
8 his counterparts from all of the provinces and territories,
9 and he dealt with the issue of protecting democracy. The
10 idea is truly to offer assistance. I was Minister of
11 Intergovernmental Affairs for several years. We mustn't
12 interfere in the workings of a province; we must be there to
13 share, offer advice, receive advice in turn, because in these
14 other jurisdictions these players see these threats as well.
15 I am confident in knowing that Elections Canada is working
16 with its counterparts in the provinces and territories as
17 well with regard to the electoral mechanics.

18 Just to give you an example, tomorrow morning
19 I'm going to Yellowknife in the Northwest Territories to meet
20 a Arif Virani. We'll be meeting with the Ministers of
21 Justice and Public Safety of the 13 provinces and
22 territories, and I'll be bringing with me officials, the
23 coordinator in the fight against political interference,
24 Sébastien. He'll be with me for these discussions with the
25 Ministers of Justice and Public Safety and Security. But
26 this work is done at several levels on an ongoing basis,
27 starting with the Clerk or Sutherland, the Assistant Deputy
28 Minister, and his team. They're very present in these

1 meetings with their counterparts in the provinces and
2 territories. But we're open, as I was saying, to share best
3 practices, share suggestions, share working documents. But
4 they too have a responsibility in their jurisdiction to take
5 the necessary measures.

6 **MR. JEAN-PHILIPPE MacKAY:** Another issue now,
7 Mr. Minister. During your second appearance, so the last
8 time you appeared before the Commission last April, you
9 explained that at the time, before becoming Minister of
10 Public Security, Safety, you weren't a consumer of detailed
11 information on precise issues relating to political
12 interference. You talked about more general briefings on
13 this situation overall, and you had access to more detailed
14 information in May 2023; this came after the leaks from the
15 media, you received more precise information.

16 And I would ask you to put up on the screen
17 the summary, it's WIT124, please.

18 And so you were asked during the last
19 evidence on a specific briefing in May 2023 with the Privy
20 Council Clerk and other Ministers.

21 And so I'm wondering if we could scroll down
22 to paragraph 2, related to Mr. Chong being targeted by the
23 PRC.

24 Could you confirm that this is your evidence,
25 that before that meeting in May, you never had access to any
26 intelligence about Mr. Chong; that was something new for you?

27 **HON. DOMINIC LeBLANC:** That is the case. I
28 learned in the media that Mr. Chong had been targeted. More

1 specifically, as I said, I was aware of the evolution of the
2 threat. I spoke with the officials of the Privy Council, who
3 were often discussing with CSIS and others. There is a unit
4 on intelligence and national security at PCO, so I trusted
5 that the -- in our conversation they would reflect the
6 intelligence or the access to intelligence, they would
7 reflect important information for preparing our policies.
8 But details about one person, one parliamentarian in one
9 particular case, I was not aware of that, including what was
10 on the topic of Mr. Chong.

11 **MR. JEAN-PHILIPPE MacKAY:** And if we go down
12 further, we can see that during the in camera questioning,
13 you were asked about some notes of someone responsible for
14 the Prime Minister's Office related to a question that was
15 asked during a meeting in which he took part, which included
16 allegations of foreign interference. What can you say
17 publicly?

18 **HON. DOMINIC LeBLANC:** It was a meeting
19 chaired by Ms. Charette, the Clerk at the time. And you're
20 right, there were four Ministers, and we were a small group.
21 We also had the advisor on national security. And there an
22 agent of the intelligence on national security talked to us
23 about their intelligence about Mr. Chong. And at one point,
24 they said that the Chinese government was doing research
25 about Mr. Chong.

26 I'm not an expert in the specific terminology
27 of intelligence or of the police, and for me research, so
28 doing a Google search on someone, is different from going to

1 work in a much more threatening context to try and meet the
2 people who were close to this person. I imagine that
3 carrying out research on someone can be a wide range of
4 things, with an aspect that might be more threatening than
5 other. So I was asking them to explain what that meant, to
6 carry out research; that the Chinese government had decided
7 to carry out research about a certain person. What does that
8 include? What does that research process include? That was
9 my question because I wanted to make sure that I understood
10 what that meant.

11 **MR. JEAN-PHILIPPE MacKAY:** At the end of the
12 paragraph we can see you remembered during that examination
13 that the information given by CSIS did not correspond to what
14 was circulating in the media about Mr. Chong. So about that
15 particular aspect, what can you tell us publicly?

16 **HON. DOMINIC LeBLANC:** I have to be careful
17 because I don't think that I could give an explanation that
18 goes beyond ---

19 **MR. JEAN-PHILIPPE MacKAY:** [No
20 interpretation].

21 **HON. DOMINIC LeBLANC:** --- that details about
22 what the intelligence officer shared with the group, but I
23 was surprised after his *explication* or her *explication*.

24 When I looked at some comments in the public
25 media concerning the idea of the threat represented by the
26 Chinese government, so I was wondering if that was related to
27 what I'd heard there.

28 **MR. JEAN-PHILIPPE MacKAY:** And another thing

1 I'd like to ask you about, is the work in course for the
2 updating for the plan to protect democracy, version 3 of this
3 plan. We broached this issue with you during our former
4 meeting, so could you tell us what are the primary aspects;
5 what's the situation of work at this point?

6 **HON. DOMINIC LeBLANC:** There's a lot of work
7 that's happening now. So the unit responsible for Democratic
8 Institutions, the Deputy Minister and Al Sutherland, and the
9 people who work with them are working in order to develop
10 options so that I can go to Cabinet at one point. There's a
11 lot of work being done for preparing various policy options.
12 We worked on the Bill that's presently in Parliament, C-65,
13 to amend the *Elections Act* in order to help us -- well,
14 partly in order to help us counter foreign interference. So
15 we prepared a Bill that's being examined by Parliament.

16 I wouldn't want to finalize Plan 3.0 for the
17 coming elections before having a chance to look at and
18 include the recommendations of this Commission. As I said
19 earlier, it's a very important moment for democracy in Canada
20 to help Canadians understand all these issues on a non-
21 partisan basis, based on evidence that's been tested and the
22 recommendations of your Commission will be essential, to my
23 mind, so that I can go before my colleagues to prepare the
24 next steps.

25 However, I think it's important to say that I
26 have total confidence that say there were an election before
27 the beginning of winter 2025, that all measures that are in
28 place are solid. You heard the Clerk, you heard

1 representatives of the intelligence services, I have complete
2 confidence that if there's an election before Cabinet can
3 adopt version 3.0 that the measures in place, the Bill that
4 was adopted to counter foreign interference in June, and the
5 work of your Commission in order to help Canadians and
6 diaspora communities to understand this, I have total
7 confidence that we can have elections that would be carried
8 out in total safety. But for this we could strengthen some
9 measures. We couldn't do that without having the
10 recommendations of the Commission.

11 **MR. JEAN-PHILIPPE MacKAY:** So we've heard the
12 officials from Global Affairs, we heard Minister Joly tell us
13 that the Rapid Response Mechanism, the RRM in English, that
14 this mechanism is a group that you hope would focus on the
15 international situation in terms of disinformation, and that
16 the domestic surveillance of disinformation and
17 misinformation of Canada during elections, hoped that that
18 responsibility, that internal responsibility of RRM be
19 interested into another entity, another part of the
20 government. So in terms of future, what is your point of
21 view on that possibility of having another entity that would
22 be responsible for misinformation, disinformation at the
23 domestic level?

24 **HON. DOMINIC LeBLANC:** Well, it's a question
25 of government machinery, and that is the purview of the Prime
26 Minister. I understand that the need at Global Affairs to do
27 the work, as we agreed with our allies in the G7, in an
28 international context, must be huge. The amount of pressure,

1 the amount of work is huge. Imagine the context of the war
2 in Ukraine, amongst many other conflicts in the world.

3 So I know they're very busy. They're not a
4 group that's very large, in terms of the number of people
5 working there. I acknowledge that; however, I think they've
6 done major work on the domestic context as well, maybe in
7 part because of the expertise that they acquired in helping
8 other allies of Canada, or in observing the international
9 context. So I'm completely open to see if maybe at Privy
10 Council, it would probably be in the Protecting Democracy
11 Unit; maybe that mandate could be expanded.

12 But every time that we speak, I know that in
13 the end it's not the federal government that must be the
14 arbiter of truth in a political context. Hostile governments
15 that are trying to destabilize our government probably have
16 ministries of truth and information. We're not that kind of
17 a country. A modern democracy wants solid discussions and
18 exchange of ideas, of political ideas, and the government
19 must do work. Well, it's maybe one thing in the
20 international context but we have to be careful. Some people
21 immediately point the finger and say, "You see, the
22 government is starting to censor things." You have to be
23 aware of that.

24 I'm coming back to what I said earlier, which
25 is why this is so important to work with universities, with
26 civil society, also to have your Commission doing this work,
27 to hear voices that aren't necessarily partisan or that
28 aren't affiliated with a government that people will judge as

1 being always partisan.

2 For me, the protection of democracy should
3 never be a partisan issue. All the partisan actors must wish
4 for us to have the strongest democracy in the world, and I
5 think that's the case for the great majority of people. But
6 we have to be very careful before using -- imagine the
7 eventual criticisms if it's in a department that reports to
8 the Prime Minister. So I think with the public broadcasters,
9 the essential mandate is very important. With CBC/Radio-
10 Canada, they also do work to counter misinformation,
11 disinformation.

12 It's not a magic solution to create another
13 unit of officials in a central agency of the government. I
14 understand that they're very busy at Global Affairs with the
15 unit that was created; they do excellent work. But we would
16 have to think carefully so that it doesn't accidentally
17 become a trap that will confirm what some malign actors want
18 to confirm.

19 **MR. JEAN-PHILIPPE MacKAY:** Thank you,
20 Minister.

21 Madam Commissioner, that's all for my
22 questions. I'll leave the place to my colleague.

23 **COMMISSIONER HOGUE:** [No interpretation].
24 Miss Dann.

25 **HON. DOMINIC LeBLANC:** [No interpretation] I
26 still have a cold that I had when I saw you in July. So it's
27 not COVID, ---

28 **COMMISSIONER HOGUE:** [No interpretation]

1 **HON. DOMINIC LeBLANC:** --- but it's a cold; I
2 can't seem to get rid of it.

3 **COMMISSIONER HOGUE:** [No interpretation].

4 **HON. DOMINIC LeBLANC:** I did go see my -- my
5 doctor's in Montreal and they have a plan, but -- so I don't
6 know, I hope to be cured in a few weeks.

7 **--- EXAMINATION IN-CHIEF BY MS. ERIN DANN:**

8 **MS. ERIN DANN:** Good afternoon, Minister.

9 **HON. DOMINIC LeBLANC:** Hi.

10 **MS. ERIN DANN:** My questions will focus on
11 your time as Minister of Public Safety. I'll ask my
12 questions in English but, of course, please answer in the
13 language of your choosing.

14 The Commission has heard evidence that
15 historically within Public Safety there were some issues or
16 inability to fully account for what intelligence and
17 information was received and disseminated to the Minister's
18 office. To the best of your knowledge, have those issues
19 been resolved?

20 **HON. DOMINIC LeBLANC:** My strong impression
21 is that they have been. We've all taken note of those
22 concerns over a number of years.

23 If I think about how intelligence information
24 or security material is shared with me or my senior staff,
25 there's an extraordinarily elaborate, as is totally
26 appropriate, tracking of who's seen what at what time and
27 what locked filing cabinet is a certain document, who took it
28 out. It's a very elaborate and, I think, rigorous system now

1 to track and confirm who has seen what piece of information.

2 **MS. ERIN DANN:** And can you tell us how you
3 generally receive intelligence? Is it through verbal
4 briefings, through written intelligence products, weekly
5 reading binders, all of the above?

6 **HON. DOMINIC LeBLANC:** Yeah, I'd start with
7 all of the above.

8 It depends on the particular context. If I'm
9 at home in New Brunswick, there's a secure facility in a
10 police -- RCMP station in Moncton where often on Fridays I'll
11 go on a top secret video link and be able to talk to
12 officials of CSIS or RCMP or the Public Safety Department.

13 There has been a real, I think, effective
14 effort to ensure that the technology allows me and my
15 successors in this job to be able to receive in a safe way
16 this information, so that's one example.

17 When we're in Ottawa during a week when
18 Parliament's sitting or when I'm here, there will be meetings
19 in secure locations at the Public Safety Department,
20 sometimes at the Privy Council Office where officials from
21 CSIS will talk to me about specific issues.

22 And all pieces of intelligence information --
23 and I've learned all this over the last 15 months; I wouldn't
24 have known this a year and a half ago -- are not equal. Some
25 is an interesting analysis done over a period of time on a
26 particular question, a particular trend, a particular
27 country. Some are more pressing in the sense that if there
28 are decisions to be made, approvals to be granted, that has a

1 higher level of urgency.

2 And I have always insisted that the CSIS
3 Director and the Deputy Ministers reach out to me personally,
4 and the Chief of Staff in my office is copied, but I don't
5 want to have filters as between me and those senior officials
6 and I'd much rather they phone me or wake me up on a Friday
7 night with some urgent matter than find out two days later
8 that we missed a window.

9 So it's quite -- it's quite free flowing. In
10 some cases it's informal. It's a text message, "Do you have
11 some time this afternoon to speak on a secure phone?".
12 Sometimes it's more formal where you go into one of these
13 secure locations and there's a more formal briefing.

14 So it's sort of a -- it's a spectrum of
15 different interactions, but I'm quite comfortable that I have
16 access to the information I need to do my job, and I have a
17 lot of confidence in the women and men who work in our
18 department and at CSIS and the RCMP knowing when and what I
19 should be -- what I should see, and I have every confidence
20 that they get it to me with the urgency that is required.

21 **MS. ERIN DANN:** And specifically in relation
22 to warrant applications, you mentioned in your in camera
23 evidence that there are rigorous protocols in place to ensure
24 that warrants reach you in a timely manner.

25 Can you describe those protocols or
26 procedures and if you're satisfied with them?

27 **HON. DOMINIC LeBLANC:** I am satisfied with
28 them. Again, I've learned this over the last number of

1 months, the warrants that are prepared and ultimately go to
2 the Federal Court of Canada for CSIS, a former Minister of
3 Public Safety told me when I got this job that the warrants
4 are like the Crown Jewels for CSIS because of the sensitivity
5 of the information in the various affidavits and what's
6 contained, but also in the ability for them to do the work
7 that Parliament and Canadians expect them to do.

8 Typically -- and again, not every warrant is
9 the same, in the sense some can be extremely urgent, it can
10 be a developing high-risk situation where there's an urgency
11 for CSIS to have these authorities and they quickly schedule
12 an appearance before the Federal Court. There have been a
13 few of those recently, where you really have the sense that
14 time is of the essence for them to ask the Court for these
15 authorities. In that case, I would get a message from my
16 Chief of Staff saying, "We're going to get a warrant tomorrow
17 that CSIS would like returned by the end of the day. What's
18 your schedule? Where are you?"

19 I often go to CSIS offices, in Edmonton a few
20 weeks ago, in Montreal, Toronto, and Vancouver. If I'm
21 travelling, CSIS has offices in every province with the
22 facilities for me to review and execute these warrants. I've
23 done it on a few occasions if there's an urgency.

24 But typically, we know a warrant is coming,
25 the Department -- the Deputy Minister of Public Safety
26 recommends to me the approval of a warrant, so the first sort
27 of memo on the warrant application is a confirmation,
28 including legal advice, from the Department recommending that

1 I would approve it. That back and forth between the Deputy
2 Minister and the National Security staff at the Public Safety
3 Department I'm told can take sometimes six, seven days. It
4 depends again on the nature of the warrant.

5 Once the Deputy Minister signs the
6 recommendation and the warrant comes to my office, to my
7 Minister's Office, it's typically my most senior political
8 staff person, the Chief of Staff, who reads them. I want him
9 to read them so he can also provide advice to me. There's
10 one other very senior person with a lot of experience in
11 these intelligence matters sometimes who looks at them. And
12 they'll tell me right away that, "We have a warrant here."

13 And sometimes CSIS will say, "We'd like this
14 executed by a certain date." So they tell us the urgency.
15 We're governed, to some extent, by their operational
16 requirement.

17 In some cases, these are renewals. So we'll
18 get them some time in advance because CSIS is renewing
19 something that the Court had already approved. I still have
20 to approve the renewal. But you'll see the urgency of that
21 is different than a new warrant or a novel authority, but our
22 practice has been, within, at the most, a couple of days to
23 return them once we get them from the Deputy Minister.

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

25 **HON. DOMINIC LeBLANC:** And sometimes it's the
26 same day. Like, I try and turn them around the same day. If
27 I'm in Ottawa and I'm going to sign it, I just -- I know how
28 important it is for them, and I want them to be able to get

1 on with that work.

2 MS. ERIN DANN: Understood. Moving on to a
3 separate topic, we've heard evidence from some of your
4 predecessors, Minister Blair, Mr. Mendicino, about a
5 Countering Foreign Interference Strategy, previously known as
6 the Countering-HASA Strategy.

7 Court Operator, could you bring up CAN45923?

8 This is an undated memorandum, Minister,
9 requesting a decision from you by August of 2023 in relation
10 to the public release of the unclassified version of Canada's
11 Foreign Interference Strategy.

12 Now, I understand that you did not actually -
13 - or do I understand correctly that you did not actually
14 receive this memorandum or the attached draft strategy?

15 HON. DOMINIC LeBLANC: Yeah, I don't have a
16 recollection of seeing that particular document. I saw it in
17 the preparation of this -- for these hearings.

18 MS. ERIN DANN: Okay. And were you aware,
19 however, of -- that a Countering Foreign Interference
20 Strategy had been prepared? Did you review any version of it
21 during your time as Public Safety Minister?

22 --- EXHIBIT NO. CAN045923 0001:

23 CANADA'S COUNTER-FOREIGN INTERFERENCE
24 STRATEGY

25 HON. DOMINIC LeBLANC: I remember -- the
26 Government of Canada has a lot of strategies, and there's big
27 S strategies and there's small s strategies. And a public-
28 facing document that would be our capital S strategy would be

1 different than discussing in briefings with officials or my
2 staff our collective governmental strategy to counter foreign
3 interference. Those were ongoing and are active, and you can
4 imagine frequent conversations.

5 I was aware that previous Ministers, there
6 had been some thought of sort of publishing a forward -- or
7 publicly available version of a Countering Foreign
8 Interference Strategy. I think in our interview *in camera*, I
9 talked about events were moving so quickly. So in August
10 2023, I was working with my parliamentary colleagues to
11 finalize what became this very Inquiry.

12 So in terms of a Countering Foreign
13 Interference Strategy in August and September, that was, for
14 me, a much higher priority than reviewing a document that --
15 an unclassified document that would be made public.

16 Canadians have benefited in the last number
17 of months, in my view, an awful lot more from these hearings,
18 and the work, and the Interim Report of this Commission than
19 they would from the Government of Canada putting on a website
20 a strategy.

21 But also, events were quickly overtaking --
22 the problem with a strategy is if we had put that out before
23 Russia invaded Ukraine, if we had put that out before,
24 imagine the Countering Foreign Interference Strategy in light
25 of what the RCMP announced yesterday.

26 So there is such a quickly moving series of
27 events. I thought one of the most important things to work
28 on, and this became, again, part of that exercise, we had

1 made a decision to set up -- to legislate the Foreign
2 Influence Transparency Registry, and we'd also made a
3 decision to, because there was a window, we thought, in
4 Parliament, it turned out to be true, and I'm very grateful
5 for -- to the Opposition Parties for having worked so
6 helpfully with us on that, and members of the Senate, there
7 was a window to make significant changes in strengthening
8 Canada's ability to detect and counter foreign interference,
9 strengthening intelligence legislation, creating new criminal
10 offences, as well as the Foreign Influence Transparency
11 Registry that became Bill C-70.

12 So the consultations around that, there were
13 dozens and dozens of meetings across the country involving
14 diaspora groups and others. We thought that that was a very
15 significant focus, which led ultimately to that legislation
16 being tabled.

17 **MS. ERIN DANN:** Mr. Tupper, your Deputy
18 Minister gave evidence last week and testified that in an
19 ideal world, the Government of Canada would put a strategy on
20 paper and have a more conscious communication strategy with
21 Canadians to explain the nature of the work the government is
22 doing in this area.

23 In your view, is the articulation of a whole-
24 of-government response or approach to countering foreign
25 interference in a written published format, either classified
26 and internal to government, or external to the public, or
27 perhaps both, is that a worthwhile tool for framing the
28 government's approach when specific incidents, as you've just

1 mentioned, arise? Do you see it as a valuable tool going
2 forward?

3 **HON. DOMINIC LeBLANC:** So I do. I do accept
4 that. I do also share Mr. Tupper's view as well. That is
5 one element, in terms of the public seeing the work that's
6 being done.

7 I think if we're going to publish a
8 Countering Foreign Interference Strategy, it should, at this
9 point, very much take into account the recommendations of
10 this Commission, because for Canadians this will be a
11 reference point of significant importance, we believe.

12 So the work continues to be done. Canadians'
13 understanding of the issue, if you just think in the last
14 three or four years, this is not a threat that started three
15 or four years ago, but Canadians' understanding, and I don't
16 know how many parliamentary committees I've been called to
17 testify at, and my colleagues from the security agencies, and
18 Privy Council, and Deputy Ministers, there has been a whole-
19 of-government exercise to communicate publicly the work we're
20 doing because it's so important, but a document -- a public-
21 facing document is absolutely value added. It's part of the
22 work. But having the Clerk of the Privy Council on a June
23 morning in Toronto with hundreds of people at a democracy
24 exchange conference speaking -- I spoke at the beginning of
25 the morning and the Clerk stayed for most of the morning, met
26 with the participants and also spoke to the conference.
27 That's a very powerful way to show interested civil society
28 leaders the work the Government of Canada's doing as well.

So I'm encouraging constantly my colleagues to do that work, to speak publicly, including CSIS Directors, the RCMP Commissioner and others.

MS. ERIN DANN: Moving to sharing information with specific individuals and briefings to parliamentarians, I want to ask you first about the sharing of classified information with parliamentarians. We know your predecessor during your predecessor's time as Minister of Public Safety, there was a Ministerial Directive issued that set out the parameters for CSIS to inform parliamentarians of threats to the security of Canada directed at them.

I'd like to ask you about the implementation protocol for implementing that Ministerial Directive.

Court Operator, could I have CAN21638? And if we could go to page -- apologies. Page 5 of that document towards the bottom. It says "Approval".

--- EXHIBIT No. CAN021638 0001:

Implementation of Ministerial
Direction to the Canadian Security
Intelligence Service on Threats to
Parliament and Parliamentarians

MS. ERIN DANN: Minister, it indicates here that Public Safety and CSIS were seeking your approval of this protocol to provide formal confirmation that you agree with the approach it outlines. Previous witnesses have testified about this protocol for the implementation of the Ministerial Directive.

Can you tell us what this protocol, what

1 issues or concerns this was aimed at addressing and whether
2 you did, in fact, agree with the approach outlined in the
3 document?

4 **HON. DOMINIC LeBLANC:** So you're right, I did
5 -- Public Safety Canada and CSIS were asking me to approve,
6 if you will, the implementation protocol. It was a
7 directive, as you properly noted, that had been issued by a
8 predecessor Minister, but there's sort of a governance piece
9 and an implementation piece that they asked me to approve,
10 which I did. I thought their advice was very appropriate.

11 This is how CSIS will interact with
12 Parliamentarians both in a -- what I hope is an increasingly
13 regular exchange of information and access points. It's
14 certainly something that we would be very well disposed to
15 having CSIS do. But in more specific cases, if there are, as
16 you said, a threat to the security of Canada targeting an
17 individual parliamentarian, CSIS now has all the authorities
18 to interact directly with that parliamentarian. Only in the
19 rarest of cases do they have to seek my approval, and I am
20 very confident that they're doing this work in a very
21 effective way.

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

23 If we could go to page 11 of that document.

24 There was a mention here under "Initiation
25 and Application" that only information on a credible threat
26 to the security of Canada directed at a parliamentarian may
27 be disclosed.

28 Am I correct, Minister, that you are not

1 involved in assessing what amounts to a credible threat or
2 not a credible threat? That's an assessment undertaken by
3 CSIS or the other departments involved in this implementation
4 of the protocol.

5 **HON. DOMINIC LeBLANC:** That's correct. That
6 would be a decision taken by the officials of CSIS according
7 to their approvals or their normal course of business, but I
8 would not offer a view in that or be consulted.

9 **MS. ERIN DANN:** And then on page 12 of that
10 document, in point 5 it discusses your role, and you've
11 already indicated for us that your approval is only necessary
12 in particular circumstances where the measure being proposed
13 attracts an elevated risk, if I -- I think is the language
14 that's been used previously. Is that right?

15 **HON. DOMINIC LeBLANC:** Yes, it's a higher
16 risk. And I was told that that is actually language that
17 tracks the CSIS legislation.

18 **MS. ERIN DANN:** All right.

19 **HON. DOMINIC LeBLANC:** So a threat reduction
20 measure that is, in their judgment, based on their own
21 criteria, attracting a higher risk, that's when they would
22 ask for my approval.

23 **MS. ERIN DANN:** And otherwise, you're
24 informed of all of these instances, but CSIS would not need
25 to get your approval in order to take a particular step in
26 response.

27 **HON. DOMINIC LeBLANC:** That's absolutely
28 right. I'm informed sometimes even *post facto* just depending

1 on schedules, but it's interesting because sometimes
2 colleagues will cross the floor of the House of Commons or,
3 if they're on the same side as me, come and sit with me and
4 say, "Oh, I've been asked to talk to CSIS on whatever date",
5 so it's useful for me just to have a sense of who CSIS is
6 talking to. But it's not an approval; it's just for my
7 information.

8 **MS. ERIN DANN:** Unclassified briefings or
9 sharing information that is not classified, we heard some
10 evidence this morning from staff at the Prime Minister's
11 Office about unclassified briefings that were provided to
12 parliamentarians by caucus in June of this year, June 2024.

13 Court Operator, could I have CAN33395?

14 **--- EXHIBIT No. CAN033395:**

15 Briefing Parliamentarians on Foreign
16 Interference

17 **MS. ERIN DANN:** Minister, this is a memo,
18 just as it's coming up, addressed to you. It's dated
19 November 7, 2023 requesting your approval for -- approval of
20 material which would be used by national security officials
21 to brief members of the House -- or members of Parliament and
22 their staff on foreign interference.

23 Did you give your approval for these
24 materials, and did you provide any feedback on them? Are you
25 able to explain what steps were taken after you received this
26 memo?

27 **HON. DOMINIC LeBLANC:** So yes, I did
28 ultimately approve these materials.

1 That approval -- I thought about this when I
2 re-read this document and was -- and I know that the
3 briefings to parliamentarians is a source of some focus of
4 your work. I think it's important to understand the context.

5 Groups of public servants, particularly in
6 the Public Safety Department, don't usually go around meeting
7 rooms in the West Block of Parliament meeting Opposition
8 caucuses. So for the public servants or Sébastien, the
9 foreign -- Countering Foreign Interference Coordinator, and
10 others, this is, for them, an uncomfortable space or an
11 unusual space. They do these briefings extraordinarily well,
12 but it's not sort of in their normal monthly routine.

13 So they would want me -- because they're
14 going to see parliamentary colleagues of mine, they would
15 want me to approve or be aware of how they plan to do these
16 meetings.

17 So I understand that. I don't think it's a
18 technical -- it's not a technical approval in some legal
19 sense, but they would, because it's an out of their normal
20 routine of business, send it up to me for approval. They
21 could have sent it up to me for information as well, but they
22 sent it up to me for approval.

23 I thought it was -- it's good work. It was
24 well done.

25 The one thing -- I've been in Parliament for
26 24 years. I've been a government backbencher. I've been an
27 Opposition backbencher. I've been an Opposition House
28 leader. I've sat on the Board of Internal Economy of the

1 House of Commons for almost a decade.

2 Parliament is very sensitive, and
3 appropriately so, for historical reasons, around national
4 police, intelligence agencies coming on to the parliamentary
5 precinct and meeting with members of Parliament. There's a
6 history that goes back, I'm sure, hundreds of years where
7 these meetings may not have been as successful as I think
8 these ones were.

9 So I thought it was important -- the
10 Sergeant-at-Arms has a responsibility for the security of
11 parliamentarians, the parliamentary precinct. He attends the
12 Board of Internal Economy meetings where all the represented
13 Parties are there. I used to be a member for, as I say, a
14 long time. He's well respected. Pat McDonell has
15 relationships with the whips responsible for different
16 caucuses. So I wanted the department to go and see Pat
17 McDonell as a senior official of the House of Commons
18 administration, show him what they were planning to present
19 to caucuses -- partisan caucuses as part of the briefing, and
20 ask for his advice and his input.

21 My understanding is that he made some
22 suggestions or some edits which we, of course, incorporated.
23 My understanding is they even did a rehearsal with the
24 Sergeant-at-Arms and his staff because his judgment is
25 important and when he would then say to the whip,
26 particularly of an Opposition Party, "I think it's important"
27 or "It would be useful to schedule this meeting", it feels
28 different than senior officials of the government going

1 directly to a partisan caucus.

2 So -- and the same thing is true in terms of
3 the Corporate Security Director of the Senate. So I wanted
4 that extra-parliamentary lens to be applied to it, which it
5 was, and as I say, I think we incorporated some edits, and
6 then those meetings were scheduled based on the caucus
7 schedules of the different parties, and took place I think in
8 June.

9 **MS. ERIN DANN:** And do you have any plans to
10 standardize these types of briefings or to hold them again in
11 the future?

12 **HON. DOMINIC LeBLANC:** I would hope so. I
13 intend to ask the Department to re-engage again with the
14 Sergeant-At-Arms, who is sort of the interlocutor who would
15 say to the Whips of each party, or the caucus Chairs, would
16 they like an update, would they like -- MPs often cross the
17 floor to ask me questions about particular things that are in
18 the news. So I plan to have it as a regular recurring thing,
19 but be governed by the desire of Opposition Party caucuses,
20 or different groups in the Senate, to receive this
21 information. But we're absolutely open for business and
22 think that's part of very much building an effective,
23 defensive, informed posture, and I would hope that
24 parliamentarians would take advantage of our willingness to
25 be very accessible and available.

26 **COMMISSIONER HOGUE:** And for the time being,
27 these briefings are completely optional? There's no
28 obligation to attend any of them?

1 **HON. DOMINIC LeBLANC:** That's right.

2 Madam Commissioner, the way in which the
3 caucus schedule is determined by the caucuses, it's the Whip
4 or the president of the parliamentarians' groups who decide.
5 And the way that -- how groups are asked to go I don't know.
6 I have understood that there's been a good participation
7 because there's much interest in this. But the Sergeant-at
8 Arms or department of -- the government can't force the
9 parliamentarians to go, but they're encouraged to go.

10 And the good news, I understood from
11 colleagues who spoke to me afterwards, that it was
12 interesting for them. They were able to ask questions of
13 non-partisan experts, and I hope that's informed them. And I
14 was led to understand that there was an interest for having
15 additional briefing sessions. And I will also offer to them
16 if they have specific topics they want to be discussed; is it
17 digital security, is it physical security of documents?
18 Maybe some parliamentarian groups from diaspora communities
19 might feel more targeted than others. I would be completely
20 open to asking the experts to make themselves available to
21 talk to them, if they would give us specific topics about
22 which they want to be informed.

23 **MS. ERIN DANN:** Commissioner, I'm almost out
24 of time. I have one other area I wanted to cover, if I could
25 have just a few moments' indulgence?

26 **COMMISSIONER HOGUE:** Sure.

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

28 Minister, the Commission has heard evidence

1 about political party processes, and in particular nomination
2 contests being potentially vulnerable to or a potential
3 opportunity for foreign interference. What steps, if any, do
4 you think the government should take to address this
5 potential foreign interference vector?

6 **HON. DOMINIC LeBLANC:** I think it's an
7 important question, and I know the Commission is seized with
8 this question and the advice and the recommendations will be
9 important, I hope, for political parties, and certainly for
10 the government. There's no doubt that nomination races and
11 leadership conventions, leadership races, are often the entry
12 point for people to participate in a democratic process.

13 Different parties have different rules in
14 terms of who is eligible to vote in a nomination contest,
15 what the age limit might be. It's sometimes different than
16 the *Canada Elections Act* for voting in a general election or
17 a by-election.

18 This has evolved over time in different
19 political parties that are private entities and have their
20 own governance structures. They meet in public conventions
21 and debate these very rules. So I have participated in
22 Liberal Party conventions where the rules for nomination
23 contests or leadership contests are debated on the floor of
24 the convention, they're voted in a public and transparent
25 way, and then they're administered by what I think are fairly
26 significant internal structures with appeal mechanisms.
27 Often it's lawyers or others that sit on these different
28 groups that supervise these rules. So there is, I think, a

1 real effort to get real expertise in all of the political
2 parties to ensure that these rules are respected and are
3 robust.

4 The Chief Electoral Officer, I have noted,
5 obviously with interest, some public comments of the Chief
6 Electoral Officer. He has shared, with political parties and
7 me, suggestions himself on ways that there can be greater
8 transparency in the rules around nomination and leadership
9 contests. We're looking, obviously urgently, and in a very,
10 I hope, constructive way, at these suggestions.

11 Parties are accountable to their own members
12 and party leaders have, in the *Elections Act*, the
13 responsibility to certify candidates. So you can have an
14 internal Party process, a nomination, as it's colloquially
15 known, that selects candidate in riding X, but that
16 candidate, he or she is not on the election ballot as an NDP,
17 or Liberal, or Bloc Québécois candidate, or Conservative
18 candidate, without the leader of that Party issuing an
19 attestation that that's the Party candidate.

20 So that is an accountability in the hands of
21 the leader of the Party.

22 We have offered to all security-cleared
23 leaders highly classified briefings in terms of threats that
24 the intelligence agencies are perceiving in the democratic
25 process, including theoretically in nomination processes in
26 all parties. We think it's important for leaders of
27 political parties to have access to that information so they
28 can make decisions to ensure that their parties are in the

1 best possible position.

2 I was given some intelligence information
3 about a potential threat to another political Party and my
4 instructions to CSIS were to work with the National Security
5 Intelligence Advisor and to, as quickly as possible, share
6 that information with the appropriate security cleared person
7 in that Party. I didn't want the Government of Canada to
8 have that information and not ensure that that political
9 Party could take the steps in their judgement that [no
10 interpretation], or that were appropriate.

11 **MS. ERIN DANN:** Minister, sorry to interrupt.
12 I just want -- we heard some evidence last week from NSIA and
13 senior PCO officials about a process for briefings to
14 Opposition Parties on intelligence relevant to those Parties.
15 Is that the sort of process that you're discussing here?

16 **HON. DOMINIC LeBLANC:** That is absolutely
17 part of an ongoing process that we think is important. This
18 was a one-off where the particular information, I thought,
19 was important enough that it should be shared quickly, and it
20 was.

21 ...conclude because I know I've been speaking
22 at length here.

23 **(LAUGHTER)**

24 **HON. DOMINIC LeBLANC:** You don't have to
25 laugh when I say that. You should say, "No, no, no, please
26 keep going."

27 But I do know, however, that the matter of
28 legislating or using an instrument like a Bill or regulations

1 following the adoption of a Bill, these issues were discussed
2 in a public arena, and I believe we have to be careful. I've
3 sat in Parliament in various contexts, as I stated earlier.
4 In an authoritarian state it's the Party in power that
5 imposes rules upon the internal affairs of another political
6 Party or Parties. Even in the context of a minority
7 Parliament, I believe that two parliamentary groups can agree
8 to legislate internal affairs of another Party against its
9 will, well, that's a tricky situation. There's a tradition
10 in Parliament, even with the rules governing parliamentary
11 procedure the convention is that a majority doesn't change
12 the rules governing the operation of the House of Commons
13 alone.

14 And I know that all political Parties are
15 faced with this important question. They must be very aware
16 that they shouldn't be taking measures that threaten the
17 trust of the public. That would be a grave error, in my
18 mind. But it's a binary issue, unless you have legislation
19 that governs the internal operations of a political Party,
20 and do nothing. I believe we could do an awful lot before
21 envisaging a legislative solution, transparency, as Mr.
22 Perrault suggested, sharing of information, briefings. I
23 think we can do an awful lot, and we are doing a lot, but the
24 issue of legislating the internal workings of a political
25 Party is something that's more complex than people might
26 realize.

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

28 Commissioner, those are all of my questions.

1 COMMISSIONER HOGUE: Thank you.

2 So we'll take a 20-minute break. We'll come
3 back at 3:25.

4 HON. DOMINIC LeBLANC: [No interpretation].

5 THE REGISTRAR: Order, please.

6 This sitting of the Commission is now in
7 recess until 3:25 p.m.

8 --- Upon recessing at 3:05 p.m.

9 --- Upon resuming at 3:28 p.m.

10 THE REGISTRAR: Order, please.

11 This sitting of the Foreign Interference
12 Commission is now back in session.

13 The time is 3:28 p.m.

14 --- HON. DOMINIC LeBLANC, Resumed:

15 COMMISSIONER HOGUE: So first one is counsel
16 for Jenny Kwan, Mr. Choudhry.

17 --- CROSS-EXAMINATION BY MR. SUJIT CHOUDHRY:

18 MR. SUJIT CHOUDHRY: Thank you, Commissioner.
19 Good afternoon, Minister.

20 HON. DOMINIC LeBLANC: Good afternoon.

21 MR. SUJIT CHOUDHRY: So Minister, I'm going
22 to take you to a topic that was not really fully canvassed in
23 the examination by Commission counsel today, which is of
24 great interest to MP Kwan, which is the NSICOP Report. And
25 so I'm going to -- and as you know, you know, one of the key
26 findings in the NSICOP Report is NSICOP's view that there --
27 that some parliamentarians were knowingly, intentionally,
28 wittingly, or semi-wittingly engaging in foreign interference

1 or something along those lines. And what I'm going to ask
2 you some questions about is what we do now in the face of
3 that, and in the face of some of the evidence we've had here
4 from members of the government.

5 And so what I'd like to do is to begin by
6 taking you to MP Kwan's witness summary, and a portion of it
7 that deals with the NSICOP Report, just so you can see what
8 her evidence was on this issue.

9 And so if I could please ask the Court
10 Reporter to go to WIT78? And it's PDF page 3. And it's
11 paragraph 7.

12 **--- EXHIBIT No. WIT0000078.EN:**

13 Interview Summary - Jenny Kwan (Stage
14 2

15 **--- EXHIBIT No. WIT0000078.FR:**

16 Résumé de l'entrevue : Jenny Kwan
17 (étape 2)

18 **MR. SUJIT CHOUDHRY:** Okay. And so this is
19 part of MP Kwan's evidence where she talked about the report
20 and its impact. And so I just would like to put to you what
21 she says at paragraph 7. She says:

22 "According to Ms. Kwan, the NSICOP
23 report has cast a cloud of suspicion
24 on parliamentarians, especially
25 lawmakers of Chinese and Indian
26 heritage..."

27 And I think -- you know, I think we would say
28 they're South Asian heritage.

1 And so:

2 "...as the NSICOP Report identifies the
3 PRC and the Republic of India as the
4 principal perpetrators of foreign
5 interference activities in Canada.
6 She believes this exposes these
7 parliamentarians to significant
8 risks."

9 And then she talks -- she describes an
10 incident where she was called a traitor outside Parliament.
11 And so that's been her experience.

12 And so I might just pause there and ask you
13 for your reaction to that fear or concern that she expresses
14 not just on behalf of herself, but on behalf of other people
15 who look like her, who have that heritage, and the difficulty
16 that she feels that the state of affairs has placed her in
17 because the names haven't been released or there isn't a
18 process going forward now about what to do.

19 **HON. DOMINIC LeBLANC:** So I think, first of
20 all, I have a lot of respect for Ms. Kwan. She's a colleague
21 whom I value a great deal. I've had a chance to work with
22 her and get to know her, and I think her work in Parliament
23 is exemplary.

24 You asked sort of two or three questions. I
25 share absolutely her concern. It's not only around the
26 NSICOP Report, but it's the whole discussion of foreign
27 interference, in terms of what it means for members of
28 certain communities.

1 And you're right, the Chinese Canadian
2 community, the South Asian community, those are obviously
3 communities that have been deeply affected by the whole
4 conversation of foreign interference. In some sort of a --
5 in a horrible twist of irony they're themselves targeted by
6 some of these very threat actors.

7 So I share -- I've thought for a long time
8 and talked to colleagues, not only Ms. Kwan but others,
9 around sharing that concern.

10 The second part of your question was around
11 you talked about the release of names, you talked about the
12 NSICOP Report. I have been very clear, and I'll repeat it to
13 you again, that I think it is inappropriate, if not illegal,
14 to release names that the members of NSICOP -- of which I'm
15 not a member; there's a member of her caucus that sits on
16 that committee -- decided to write the report and used the
17 words they chose. I don't think it's particularly helpful to
18 use "witting, unwitting, semi-witting". I think those words,
19 understandably, cast an understandable concern on these
20 parliamentarians. So I accept that.

21 I also thought it was instructive, the
22 testimony before this Commission of Madam Drouin, and others,
23 and that's consistent with what I've seen in terms of the
24 intelligence that I have access to as the Public Safety
25 Minister.

26 It is a gross partisan exaggeration, and I
27 think irresponsible, for people to -- and many have in the
28 public domain, claim that there are traitors sitting in

1 Parliament, and treasonous people. Those are criminal
2 phrases that are not borne out by the evidence and by the
3 work of the police or the security agencies.

4 So I think that's one of the challenges in a
5 very partisan context of trying to have a rational
6 conversation.

7 **MR. SUJIT CHOUDHRY:** Sure. Well, then let me
8 pick upon that, because you've anticipated a couple of the
9 questions I was going to ask you.

10 You've discussed Madam Drouin's testimony and
11 the view she expressed here about the same intelligence that
12 was the basis for NSICOP's conclusion.

13 Minister, I'm sure you must be aware that
14 there was a CSIS panel here two weeks ago that also testified
15 in some detail about some of the allegations that are
16 addressed in the NSICOP Report and they, quite frankly, have
17 taken the position that there might be some mistakes, either
18 factual or disagreements of interpretation, on their part.

19 And so the question is; if that's where we
20 are, does not -- not create a need to clear the air, to have
21 some type of a process that allows -- and a standing process,
22 not one that's driven necessarily by the needs of the moment
23 and these allegations, to resolve or address these
24 conflicting views of what are rather -- I think we would
25 agree are rather serious allegations against
26 parliamentarians? And let me put something specific to you
27 and get your reactions to it.

28 So at paragraphs 8 through 10 of this

1 document -- and Minister, I'm not sure if you have -- and I
2 know you've been quite busy. Have you had time to -- have
3 you had time to -- you probably haven't had time to look at
4 this particular document recently, have you?

5 HON. DOMINIC LeBLANC: This document?

6 MR. SUJIT CHOUDHRY: Yeah.

7 HON. DOMINIC LeBLANC: Ms. Kwan's evidence?

8 MR. SUJIT CHOUDHRY: Yeah.

9 HON. DOMINIC LeBLANC: No.

10 MR. SUJIT CHOUDHRY: So if you could just
11 take a minute to just refresh your memory, if you could look
12 at paragraphs 8 and 9, and then 10 and 11, I want to pose a
13 question based on this to you.

14 HON. DOMINIC LeBLANC: Thanks.

15 (SHORT PAUSE)

16 HON. DOMINIC LeBLANC: Okay.

17 MR. SUJIT CHOUDHRY: Okay.

18 HON. DOMINIC LeBLANC: I stopped at 10.

19 MR. SUJIT CHOUDHRY: Okay. Then why don't
20 you just pick up at 11, then? I want to summarize and then
21 pose a question.

22 HON. DOMINIC LeBLANC: Okay.

23 MR. SUJIT CHOUDHRY: So in summary, MP Kwan's
24 proposal and idea is to have some type of a process to clear
25 the air, and it has sort of five features to it. One is that
26 it's focused on the House PROC Committee, the RPRD and the
27 Senate or some type of a joint committee. Second is that it
28 would be an in camera process. The third is that there would

1 be procedural fairness for the parliamentarians who might be
2 -- who might face allegations. Fourth, there might be a way,
3 there would be a process that's designed around national
4 security considerations, possibly including security-cleared
5 lawyers or special advocates.

6 And there could be, at the end of this, some
7 type of a report to Parliament about what steps it might take
8 pursuant to its privilege, as you know, to assess members by
9 their conduct and to take what steps it might take,
10 everything from censure, reprimand, up to suspension, or
11 even, as we know, expulsion.

12 And so my question is, isn't this a good
13 starting point for having a standing process, beyond the life
14 of this Commission, to clear the air? Because foreign
15 interference isn't going away. It's quite likely,
16 regrettably, that in the future there might allegations again
17 against parliamentarians. Shouldn't we have some type of a
18 process like this in place?

19 **HON. DOMINIC LeBLANC:** So again, Parliament
20 can -- committees are masters of their own destiny, they're
21 guardians of parliamentary privilege, they are -- or
22 Parliament themselves, the Speaker being principal amongst
23 them.

24 I don't think that this kind of process is
25 particularly instructive for a few reasons. You mentioned
26 parliamentary privilege. Well, the reason the NSICOP was
27 created -- none of this existed before 2015. It was a
28 deliberate commitment that our government made to have

1 parliamentarians from every party, including Ms. Kwan's, able
2 to see all of this sensitive information, participate in
3 reviewing security agencies, not just CSIS.

4 I visited NSICOP's offices. I've met with
5 the committee a number of times. It is a different locale
6 than a procedure on House Affairs committee in a room in the
7 West Block.

8 The NSICOP Committee doesn't benefit from
9 parliamentary privilege precisely so that somebody can't
10 decide to leak in Parliament, to discuss with the protection
11 of privilege in Parliament or a committee, some of this
12 information, which would be very injurious to the national
13 security of the country and to the safety and security of the
14 people who work for national security agencies. So there's a
15 number of concerns.

16 I understand what you're suggesting but I
17 think that the architecture that you're suggesting -- NSICOP
18 was created for a very specific reason. Some people may not
19 have liked the report that they chose to issue. It is their
20 report, and I don't think there's an appeal mechanism or a
21 review of a report. I think that, A, it would be extremely
22 cumbersome. You'd have to probably create it statutorily,
23 not to violate the *Security of Information Act*.

24 I'm just -- when I think of our government's
25 decision to create NSICOP, I worked on that as the House
26 Leader with then-Public Safety Minister Goodale, and the idea
27 that there's some parliamentary committee that can review
28 this, if we're not going to be able to make the names public,

1 you have sort of a hearing before a parliamentary committee.

2 The other thing too I worry about, to be
3 honest, is Parliament has, and recent examples have shown us,
4 an inability not to treat this information in a very partisan
5 way. And I think setting up a structure that necessarily is
6 more partisan than NSICOP might not provide that relief that
7 people are looking for.

8 **MR. SUJIT CHOUDHRY:** So could there be an
9 NSICOP 2.0 whose terms of reference are expanded, and whose
10 procedures are adapted to incorporate some of the elements
11 here that MP Kwan has proposed?

12 **HON. DOMINIC LeBLANC:** I'm not going to
13 purport to decide what some future Parliament might do
14 legislatively. You probably have taken note that some
15 parties in the House of Commons currently voted against the
16 original decision to create NSICOP; I think it's worked very
17 well. But I understand what you're looking for, but I don't
18 believe that the architecture or the suggestions as you've
19 enunciated them will necessarily provide a reasonable
20 solution to what you're seeking.

21 I have a lot of confidence in the women and
22 men sitting in the House of Commons. I share the view shared
23 by other senior public servants here, that people serve in
24 Parliament honourably. Some may have lacked judgment in
25 certain contexts, but I think we need to be careful not to
26 also continue to fuel an impression that has been grossly
27 exaggerated since this report of NSICOP was made public.

28 **MR. SUJIT CHOUDHRY:** Okay, Commissioner. I

1 think those are my questions.

2 COMMISSIONER HOGUE: Thank you.

3 MR. SUJIT CHOUDHRY: Thank you.

4 COMMISSIONER HOGUE: Mr. De Luca for the
5 Conservative Party.

6 --- CROSS-EXAMINATION BY MR. NANDO DE LUCA:

7 MR. NANDO DE LUCA: Good afternoon, Mr.
8 LeBlanc.

9 HON. DOMINIC LeBLANC: Good afternoon.

10 MR. NANDO DE LUCA: I'd just like to pick up
11 to start some of your comments in your testimony in-chief.
12 You made a comment in respect of the rigorousness of the
13 process in dealing with classified documents when they reach
14 your office or your department. And I'm just paraphrasing
15 here, but I believe you characterized it as, well, exactly
16 that, a rigorous process where information is tracked when
17 it's stored in the -- when it goes in the safe, when it comes
18 out of the safe.

19 I ant to ask you, does the type of
20 information that gets tracked in respect of classified
21 information that gets received, does it include things like
22 dates received, people who've accessed, times of access, when
23 it's put back? Like how detailed is in that information, if
24 you can share some of those details?

25 HON. DOMINIC LeBLANC: Again, I'm not the one
26 that fills out those particular forms, but I -- from the
27 people that I work with who manage that process, I believe
28 that there's considerable detail in terms of who has access

1 to what particular documents, when they're returned to the
2 department or to CSIS.

3 I'm talking about documents that might be in
4 a secure safe in my office, for example ---

5 **MR. NANDO DE LUCA:** Right.

6 **HON. DOMINIC LeBLANC:** --- and there are
7 public servants that come to retrieve documents and there's a
8 process by which they note that a particular document has
9 been removed from my office and is in the custody of an
10 official or on its way back to CSIS, for example, or ---

11 **MR. NANDO DE LUCA:** Okay. And I've come to
12 understand that more recently -- is it the case that the
13 tracking system, if I may use that phrase, includes more
14 recently the use of barcodes? Are you familiar with that?

15 **HON. DOMINIC LeBLANC:** No, I don't scan them
16 myself. I can't speak to that. But I'm sure it's a
17 technical answer that I'd be happy to have somebody get back
18 to you.

19 I don't know the barcodes, if ---

20 **MR. NANDO DE LUCA:** No, I'm not asking if you
21 scan the barcodes. Have you seen barcodes used for that
22 purpose on these types of documents?

23 **HON. DOMINIC LeBLANC:** I haven't looked at
24 the documents looking for the barcode. I look at the text of
25 the document.

26 **MR. NANDO DE LUCA:** Sure.

27 **HON. DOMINIC LeBLANC:** I haven't noticed the
28 barcodes. But there may very well be. I don't know.

1 **MR. NANDO DE LUCA:** That's fair.

2 In terms of the process that you've just
3 described, does it apply to the receipt of information?

4 You gave some evidence earlier about warrant
5 approvals. Would that type of tracking procedure also apply
6 to the receipt of the application for a warrant approval?

7 **HON. DOMINIC LeBLANC:** My understanding is it
8 would.

9 **MR. NANDO DE LUCA:** Okay. And just picking
10 up on the warrant approval topic, you mentioned in your
11 comments a former Minister of Public Safety described these
12 warrant applications as the Crown Jewels. Do you recall
13 that?

14 **HON. DOMINIC LeBLANC:** Yes.

15 **MR. NANDO DE LUCA:** Which Minister were you
16 referring to?

17 **HON. DOMINIC LeBLANC:** It was Ralph Goodale.

18 **MR. NANDO DE LUCA:** Okay. And you also gave
19 evidence that in your experience in dealing with these
20 warrant applications, if I can characterize it this way,
21 there was about -- from the time that the application was
22 received, there was about a six to seven day, typically,
23 delay at the departmental level in terms of getting approvals
24 or asking for further information. Do I have that timeline
25 correct, more or less?

26 **HON. DOMINIC LeBLANC:** Again, I asked the
27 question of Mr. Tupper because I wanted to understand their
28 process at the department before we might receive these, but

1 again, that question -- I've never been the Deputy Minister
2 of Public Safety. That should be put precisely to officials.

3 I was told that they endeavour within four,
4 five, six days to -- because they have a statutory role to
5 play in terms of recommending to me, and I think that takes
6 place over a few days. Five, six days is what I think was, I
7 remember them telling me, the typical process. But at the
8 departmental level, the Deputy Minister and the officials
9 that work with him.

10 **MR. NANDO DE LUCA:** Okay. And then I think
11 you said once they've given -- I think you described the
12 process is that the Deputy Minister will give a
13 recommendation. Once that -- once it's done at the
14 departmental level, you described a further brief delay. You
15 would be told by your Chief of Staff, I think you indicated,
16 that there was a warrant application to review and you
17 typically describe that process as taking a few days.

18 Can you give us a time? Is it two or three
19 days, four days, more or less? In your experience.

20 **HON. DOMINIC LeBLANC:** Sure. And I think I
21 also said that not all warrants are the same.

22 **MR. NANDO DE LUCA:** Sure.

23 **HON. DOMINIC LeBLANC:** I also said that some
24 come with a request from the department and CSIS for a
25 specific turnaround time because there's an operational
26 urgency. And I can think of a few rather dramatic ones where
27 every hour would have counted, so that's a different scenario
28 than renewing an authority that may have been in place for a

1 year just to use sort of two ends of a spectrum. But once --
2 these don't come as surprises.

3 My understanding or my experience is, my
4 Chief of Staff would know that there's a warrant application
5 working its way. The department would tell them, "We've
6 received a warrant application. We're preparing the
7 departmental advice. We hope to have it to you by a certain
8 date" or it should come by the end of the week or -- these
9 are the discussions that the department would have with my
10 Chief of Staff. He would mention to me, "I'm told that
11 there's a warrant on its way to us".

12 Once the warrant, as I said, arrives in our
13 office with the formal advice, as is prescribed by law, from
14 the Deputy Minister recommending to me the approval or not of
15 the warrant, we endeavour again -- but I want to be --
16 because some are turned around the same day. If it's a
17 renewal of something and I'm travelling and I can sign it
18 next week when I'm back in Ottawa, it may take six or seven
19 days, but there is no urgency to that one. And that's advice
20 we would get from the department and CSIS.

21 But the typical process, I understand the
22 important that CSIS and the department place on these and I
23 would endeavour to have it returned to them in a few days as
24 a normal course of business.

25 Some are a lot faster and some may take a few
26 more days simply because there's no urgency for me to try and
27 do it at a CSIS office in Vancouver if I'm back in Ottawa the
28 following week.

1 **MR. NANDO DE LUCA:** It's fair to say, though,
2 that your general understanding and expectation is that,
3 given the nature of what it is you're being asked to look at,
4 it's the sooner, the better in terms of ---

5 **HON. DOMINIC LeBLANC:** Yes. And I also --
6 because we endeavour to return them to the department and to
7 CSIS as quickly as we can because leaving them in a safe in
8 my office isn't as secure as returning them to the people at
9 CSIS that prepare them, so.

10 **MR. NANDO DE LUCA:** That's fair.
11 In your experience in dealing with these
12 applications, can you think of any instance where it's taken
13 54 days between the time that the application was received at
14 the department level to the time that you signed off on such
15 an application?

16 **HON. DOMINIC LeBLANC:** No.

17 **MR. NANDO DE LUCA:** I want to switch
18 subjects, if I may, to pick up on something that we discussed
19 the last time you were here.

20 MP Han Dong is on record as indicating that
21 he'd like to rejoin the Liberal caucus in the House. My
22 question is, have you had any discussions with Mr. Dong about
23 rejoining caucus and, if so, when?

24 **HON. DOMINIC LeBLANC:** The one discussion I
25 had with Mr. Dong was in the fall of 2023, so over a year
26 ago, at which time I indicated, as I've said publicly, that
27 we wanted to wait for the final report of this Commission
28 before I would prepare or offer the Prime Minister advice

1 with respect to that. And I have not had a conversation with
2 him subsequent to that.

3 **MR. NANDO DE LUCA:** Okay. And is that -- is
4 waiting for the outcome of this Commission, the final report,
5 the only reason why -- I take it from your answer that the
6 subject hasn't been further considered. Not only have you
7 not discussed it with Mr. Dong, but given the nature of your
8 answer, it hasn't been an ongoing issue unless and until you
9 get a ---

10 **HON. DOMINIC LeBLANC:** No, it hasn't been. I
11 haven't discussed it with the Prime Minister or anybody in
12 his office, either.

13 **MR. NANDO DE LUCA:** Okay. Thank you.
14 Those are my questions. Thank you very much,
15 Sir.

16 **HON. DOMINIC LeBLANC:** Thank you.

17 **COMMISSIONER HOGUE:** Thank you.

18 Next one is counsel for Erin O'Toole.

19 Mr. Jarmyn.

20 **--- CROSS-EXAMINATION BY MR. THOMAS JARMYN:**

21 **MR. THOMAS JARMYN:** Thank you, Commissioner.
22 My name's Tom Jarmyn. I represent Erin
23 O'Toole. Thank you, Minister.

24 **HON. DOMINIC LeBLANC:** Thank you.

25 **MR. THOMAS JARMYN:** My questions are going to
26 be about social media.

27 I understand from your comments earlier on
28 that the government has entered into a voluntary declaration

1 with certain social media companies. Is that correct?

2 **HON. DOMINIC LeBLANC:** We did in -- prior to
3 the 2019 and 2021 election, yes. And officials are exploring
4 with those companies now the next version of that
5 declaration.

6 **MR. THOMAS JARMYN:** And is WeChat going to be
7 one of those companies?

8 **HON. DOMINIC LeBLANC:** No decision has been
9 made with respect to that. I think Mr. Sutherland may have
10 mentioned that in his testimony. He, I think, or people
11 working with him, have had some very preliminary
12 conversations, but they will obviously want the advice of the
13 security and intelligence agencies as well. So I think it's
14 far from clear that if there's a renewed version of that
15 online integrity declaration that they would be part of it,
16 but I think Mr. Sutherland, and/or his colleagues have had
17 very preliminary discussions with them.

18 **MR. THOMAS JARMYN:** Those agencies report to
19 you, and I put it to you, Minister, that there's a
20 fundamental difference between WeChat and Facebook or Twitter
21 or LinkedIn. Would you agree with me on that?

22 **HON. DOMINIC LeBLANC:** I'm not an expert in
23 these different social media platforms. I've never looked at
24 WeChat once. I know I hear people talk about it, but I'm
25 certainly not an expert to give you opinions on fundamental
26 differences between social media platforms.

27 **MR. THOMAS JARMYN:** And if WeChat is turned
28 out to be a platform that is being used by the Chinese

1 Government to either manufacture disinformation or censor
2 communications among the Chinese diaspora, would you see that
3 as something that makes it fundamentally difficult for them
4 to sign such a declaration?

5 **HON. DOMINIC LeBLANC:** That's a very big
6 hypothetical, but I do know, and I've taken notes, certainly
7 in Mr. O'Toole's case in particular, and others, how that
8 particular platform has been used for mis- and disinformation
9 objectives. But as I say, we haven't made a decision in any
10 way to sign some voluntary declaration with them.

11 And I know Mr. Sutherland, when he spoke to
12 me about it, said he will be very much governed by the advice
13 of the Communications Security Establishment, CSIS, the
14 national security and intelligence community. So I'll wait
15 for that advice, but I haven't -- I think it's even
16 preliminary to think that that advice is being prepared.

17 **MR. THOMAS JARMYN:** And if I could get the
18 CAN11293 to be brought up, please?

19 **--- EXHIBIT No. CAN011293:**

20 China: Domination of Chinese-Language
21 Media in Canada Poses National
22 Security Threats - IM 30/2023

23 **MR. THOMAS JARMYN:** And if you could go to
24 page 4, please? And just we'll have a look at that first
25 paragraph.

26 Minister, I just put it to you that the
27 comments with respect to WeChat as facilitating CPC
28 surveillance, repression and influence over overseas Chinese

1 communities is a fundamental characteristic of that platform
2 and prevents them from being a proper participant in any such
3 voluntary declaration. Is that a fair statement?

4 **HON. DOMINIC LeBLANC:** I don't judge the
5 fairness of your statements, but I have taken note of this
6 kind of intelligence advice and share the concern that WeChat
7 has been absolutely used by the Government of China in some
8 of these disinformation campaigns in the past.

9 **MR. THOMAS JARMYN:** And if you could look at
10 the comment on the other -- in the right-hand column:

11 "More recently, open source reporting
12 notes a coordinated disinformation
13 campaign on WeChat aimed at
14 dissuading voters from supporting
15 parliamentary candidates with anti-
16 China views in 2021."

17 I put it to you there would have to be a
18 fundamental change in the characteristics of the platform
19 before they could be an appropriate participant in such a
20 voluntary declaration.

21 **HON. DOMINIC LeBLANC:** I think that's
22 accurate. That's why, as I say, the idea that we would
23 engage with them like other social media platforms, you
24 mentioned Facebook, Google, Microsoft, other platforms, I do
25 think there is a difference, and a significant difference,
26 and that's why the officials have been, at most, very
27 preliminary in understanding the reach of these particular
28 platforms, but I think there's a lot of work that needs to be

1 done before they could even be contemplated to participate at
2 the same level as the other platforms.

3 MR. THOMAS JARMYN: Those are my questions.
4 Thank you, Commissioner.

5 Thank you, Minister.

6 COMMISSIONER HOGUE: Thank you.

7 HON. DOMINIC LeBLANC: Thank you.

8 COMMISSIONER HOGUE: Ms. Teich for the Human
9 Rights Coalition.

10 --- CROSS-EXAMINATION BY MS. SARAH TEICH:

11 MS. SARAH TEICH: Good afternoon, Minister
12 LeBlanc.

13 HON. DOMINIC LeBLANC: Hi, good afternoon.

14 MS. SARAH TEICH: I understand that the
15 Public Safety portfolio includes, among other bodies, CBSA,
16 CSIS, and RCMP. And part of CBSA's role is to engage in the
17 removal of individuals deemed inadmissible under the
18 *Immigration and Refugee Protection Act*. Is that right?

19 HON. DOMINIC LeBLANC: Yes, I think it is.

20 MS. SARAH TEICH: We know that foreign
21 interference is not, in itself, a ground of inadmissibility,
22 yet foreign interference by a person in Canada may violate
23 the requirements of *IRPA* in a variety of ways. For example,
24 it may involve harassment, and then someone may be removed on
25 grounds of criminality if convicted of criminal harassment.

26 To the best of your knowledge, has CBSA used
27 these existing provisions of the *Immigration and Refugee*
28 *Protection Act* to remove from Canada individuals engaged in

1 foreign interference?

2 **HON. DOMINIC LeBLANC:** So I think CBSA
3 exercises their statutory responsibility under law to remove
4 from Canada persons that are inadmissible. There's a
5 significant volume of people that are removed by CBSA. I
6 don't -- I'm not briefed on every one of those files.

7 Certain files come to me when people are
8 seeking a stay of removal. That would be the one time where
9 I would see a specific file. I have not seen, in the context
10 of my being requested to stay a removal, that circumstance,
11 but I can't speak for the thousands of files that CBSA would
12 handle. I know that they do their work based on their
13 statutory responsibilities and obligations.

14 I have seen, as you noted, some removals that
15 people may ask me to stay that involve criminal convictions,
16 but those would be the kind of cases that I would see. I
17 can't speak to every single removal and what CBSA -- what
18 criteria they're using, but they're obligated by law and the
19 Immigration and Refugee Board is also involved, of course, in
20 this process as well.

21 **MS. SARAH TEICH:** In your capacity as
22 Minister, have you instructed CBSA to use these existing
23 tools to remove from Canada individuals engaged in foreign
24 interference?

25 **MR. GREGORY TZEMENAKIS:** Apologies for the
26 interruption. I'm going to caution the witness not to answer
27 the question as to whether he's given specific instructions
28 to the Agency. That may call for a legal conclusion.

MS. SARAH TEICH: Okay. I'll just move on.

Can we please pull up HRC134?

--- EXHIBIT No. HRC0000134:

Uncovering Foreign Interference in Tigrayan Lives

MS. SARAH TEICH: Thank you.

This is a report written by Joanne Hodges and Makeda Leul. This is a brand-new report dated October 2024.

If we can please jump to -- actually, I forgot to note down the section. If we can go to the Table of Contents, I'll tell you exactly where I want you to go. Under 3, it's 3.2. So I'm not exactly sure what page that is, but maybe scroll up, because it's not the appendices. Apologies. And right there. Perfect. Thank you.

So this section provides examples of threats received by Tigrayan Canadians. And this story just slightly indented is just one example, and it's illustrative of some of the problems of agencies responses to transnational repression. And I'll just read out some passages here for the record. And this is a story of Kibrom from Edmonton, Alberta. And he details receiving death threats. He says that:

"During a protest in Edmonton, my photo was published [...]. The next morning, I found a threatening letter under my door stating 'You will both die like your people soon, wait.' I reported this to the RCMP, who

1 visited my home, took notes, and
2 advised me to protect myself."

3 If you can please scroll down now to the top
4 of page 12? This is the same individual. And later he
5 details that:

6 "...while shopping with my friend's
7 sister at a Superstore, an Eritrean
8 government supporter and her son
9 confronted me. The woman threatened
10 I would be killed soon, and her son
11 attempted to provoke a physical
12 altercation. Witnesses at the scene
13 defended me, and when the police
14 arrived, they decided not to press
15 charges against the woman and her son
16 but advised me to be careful."

17 He goes on to describe the impact, saying:

18 "The RCMP's responses often felt
19 insufficient, and I spent much of my
20 time confined to my home, dealing
21 with both physical pain and the
22 psychological burden of the threats
23 and harassment."

24 As the Minister with responsibility for the
25 RCMP, how do you feel the Agency can improve to better deal
26 with these types of instances?

27 **HON. DOMINIC LeBLANC:** So again, I want to be
28 -- this is the first time I've seen this document. I don't

1 have a context at all. These are persons who describe,
2 obviously concerning circumstances, understandably so. But I
3 don't direct the RCMP in their operations, in their police
4 operations. That would be inappropriate. And to comment on
5 how the RCMP deal with a specific case, I'm loath to do that
6 because I don't have all of that information and I don't have
7 the benefit of the RCMP's independence in evaluating these
8 different criminal operations.

9 There are -- and if, as you noted, this was
10 in the City of Edmonton, there is a municipal police force in
11 Edmonton, the Edmonton City Police. I would assume, as
12 again, I'm -- this is just my impression, the police of
13 jurisdiction would have a role to play in these matters as
14 well.

15 I know the RCMP work very hard with persons
16 in diaspora communities to be present, to -- they worry, as
17 the government does, about the protection of these people
18 that are often harassed and intimidated and themselves
19 victims of foreign interference or other acts of hate. This
20 is something that I know the RCMP takes very seriously.

21 The Commissioner talks to me about work he's
22 doing with the Canadian Association of Chiefs of Police
23 around hate crimes, helping smaller police forces understand
24 how to investigate hate crimes. So they're very involved in
25 this space, as they should be, as Canada's national police
26 force, but they work with -- in the case of physical
27 altercations in a Superstore, the Edmonton City Police, I
28 assume, would also be part of that investigative process.

1 So I share the concern that persons from
2 communities like this need to feel safe in Canada. All
3 Canadians, I think, worry about the safety of our fellow
4 citizens. We've seen, sadly, examples in big and small
5 communities across the country that should make us understand
6 the importance of all police forces and intelligence forces
7 working with these very communities to reassure them, but
8 also to get the benefit of their information and their
9 advice. So that's something the RCMP, I know, tries to do
10 across the country, and I encourage them to do that work, but
11 I can't speak to a specific example that I just saw here.

12 **MS. SARAH TEICH:** No, I appreciate that. And
13 I'm not asking you specifically about the facts of this
14 example. This was more so to illustrate some of the
15 sentiments and sort of responses and perceptions of diaspora
16 community members, and I meant this to be mostly sort of a
17 jumping off point to discuss how the RCMP might improve. Do
18 you have any general points on that, how they might improve?

19 **HON. DOMINIC LeBLANC:** So I know that they're
20 very much seized with this issue themselves. As I say, the
21 RCMP leadership, Commissioner Duheme, the people that are
22 recruiting cadets.

23 I spent a weekend at Depot in Regina with
24 leadership of the RCMP a few weeks ago. I was -- there was a
25 parade on the parade ground around the Memorial for Fallen
26 Officers, including different troops that are currently at
27 Depot training. There were enormous numbers of racialized
28 Canadians. The face of the RCMP is much different than it

1 would have been a few decades ago. They're recruiting from
2 diverse communities in I think a very encouraging way.
3 There's still more work to do. But when I looked at the
4 parade grounds, the kind of cadets that are currently in
5 training, many of these communities that feel this anxiety
6 will see police officers serving in the RCMP from their
7 communities.

8 They also have a leadership role to play, as
9 I said, nationally, with other police forces. We're worried
10 about the sharp rise in hate speech and hate crimes across
11 the country. Communities after, I imagine, the RCMP
12 announcement yesterday, with respect to India, the Sikh
13 community, will understandably be very concerned. And I know
14 the RCMP are extremely active and present in these
15 communities, but they can always look for better
16 opportunities and more occasions, and I encourage them do so,
17 but I have every confidence that they understand the
18 importance of that work.

19 **MS. SARAH TEICH:** Okay. Thank you. I see
20 I'm just about out of time, so I'll leave it there. Thank
21 you.

22 **HON. DOMINIC LeBLANC:** Thank you.

23 **COMMISSIONER HOGUE:** Thank you.

24 Mr. Chantler for the Concern Group.

25 **--- CROSS-EXAMINATION BY MR. NEIL CHANTLER:**

26 **MR. NEIL CHANTLER:** Good afternoon, Minister.
27 Neil Chantler. Counsel for the Chinese Canadian Concern
28 Group.

1 **HON. DOMINIC LeBLANC:** Good afternoon.

2 **MR. NEIL CHANTLER:** Sir, you became Minister
3 of Public Safety in July 2023? Can ---

4 **HON. DOMINIC LeBLANC:** Yes.

5 **MR. NEIL CHANTLER:** --- you confirm? And at
6 the time you assumed your present role, the issue of Chinese
7 foreign interference and transnational repression was very
8 much on the radar of the government already; correct?

9 **HON. DOMINIC LeBLANC:** Yes.

10 **MR. NEIL CHANTLER:** And one of the issues on
11 which you would have been briefed early in your mandate would
12 have been the existence of what has been referred to as
13 overseas police stations? Is that correct?

14 **HON. DOMINIC LeBLANC:** Briefed early in the
15 mandate. It's been an ongoing discussion with the RCMP and
16 CSIS, but briefed early in my mandate. Transnational
17 repression and the active role of the Chinese Government was
18 certainly the subject of early briefings, but I don't
19 remember the exact moment where these so-called police
20 stations were addressed, but I certainly am happy to confirm
21 that they've talked to me about that, of course.

22 **MR. NEIL CHANTLER:** And in those briefings,
23 you were informed that these stations were being used as
24 bases from which to exert pressure on Chinese nationals who
25 were living in Canada, often through coercive threats and
26 intimidation? This is information you would have received at
27 that time?

28 **HON. DOMINIC LeBLANC:** I'm loath to discuss

1 the detailed information that I would have got from the RCMP
2 or intelligence agencies. I've taken note that that has been
3 -- that assertion you made has been in the public domain, but
4 I would be loath to attribute that to RCMP officers in
5 briefings with me.

6 **MR. NEIL CHANTLER:** All right. Are you aware
7 and can you confirm your knowledge that these stations came
8 to light for the first time in September 2022 as a result of
9 an NGO's report, but when you assumed your current office in
10 July 2023, it appears they may still have been operating?

11 **HON. DOMINIC LeBLANC:** Again, I didn't know
12 the exact moment where this came -- I took note, like many
13 Canadians, of the public discussion of this in -- you tell me
14 it was in 2022. It certainly came up in Parliament. But I
15 do know from Commissioner Duheme's testimony, and from my
16 conversations with him, that there are active investigations
17 going on in this space. So I'm -- you'll understand I'll be
18 hesitant to -- I'm not aware of the details of those
19 investigations, of course. I have confidence the RCMP will
20 do that work properly. But how many are operating and where,
21 I just -- I'm not sure that I'm in a position to address
22 that.

23 **MR. NEIL CHANTLER:** Did you understand that
24 the operation of these services -- of these stations were
25 still underway at the time you assumed your post? As opposed
26 to a police investigation, were these overseas police
27 stations still carrying out their activities at the time you
28 assumed your post?

1 **HON. DOMINIC LeBLANC:** Again, I'm -- that
2 would have been information they would have shared with me in
3 a sensitive communication, internal facility, at a SCIF. I
4 don't know how one -- I'm at a loss to know how publicly I
5 talk about what they tell me about what's operating or what's
6 not, or what their role is in disrupting them. I'm just -- I
7 know the Commissioner of the RCMP was here and those
8 questions, I think, are best put to police officials.

9 **MR. NEIL CHANTLER:** So you're not able to
10 confirm or deny that those stations are operating today?

11 **HON. DOMINIC LeBLANC:** I am not able to
12 reveal what might be police operational information in a
13 public hearing.

14 **MR. NEIL CHANTLER:** All right. We've heard
15 from several witnesses at this Inquiry that there's been hope
16 that the legislative amendments brought forward in Bill C-70
17 are going to help deter this kind of activity by the PRC on
18 Canadian soil in the future. Do you have that confidence?
19 And let me ask, perhaps, can you speak to the level of
20 confidence you have that those legislative amendments are
21 going to adequately deter the PRC from this kind of activity
22 when it's already demonstrated to us that it's willing to
23 flagrantly violate Canadian law and sovereignty?

24 **HON. DOMINIC LeBLANC:** So I certainly
25 acknowledge the reprehensible nature of this activity. I
26 don't want to diminish for a second the significance of
27 transnational repression and the Government of China seeking
28 to intimidate or threaten Canadians on Canadian soil by using

1 this means or a series of other means. So the Chinese are
2 very active in attempting in many democracies, including
3 Canada, to participate in this transnational repression. I
4 have those conversations with Five Eyes ministerial
5 colleagues often that see similar things in their countries.

6 I thought that the adoption of the countering
7 foreign interference legislation last June will increase
8 significantly the toolkit that police will have in terms of
9 *Criminal Code* offences. My colleague, the Justice Minister,
10 can speak to that perhaps more precisely than I can, but
11 strengthening criminal legislation and giving increased tools
12 to intelligence services precisely to detect and disrupt this
13 activity I think was very important. It was probably the
14 most significant amendments to national security legislation
15 in a couple of decades. The CSIS leadership at the time told
16 me that in the 40 years they've been operating, this was the
17 most significant modernization of their toolkits in a digital
18 age.

19 So I'm very confident that this is an
20 important step in deterring, disrupting, and detecting this
21 kind of unacceptable activity, but I'm also realistic enough
22 to know that hostile state actors like China, but not only
23 China, are [no interpretation], they're changing their
24 tactics in a way to avoid detection. So I think we have to
25 have confidence that the police and intelligence agencies, I
26 have this confidence, will also continue to evolve their
27 investigative means to do what they need to do to protect
28 Canadians.

1 **MR. NEIL CHANTLER:** Minister, can you confirm
2 that to date there have no arrests, there have been no
3 charges, and there have been no diplomatic credentials
4 removed in relation to the overseas police stations in this
5 country?

6 **MR. GREGORY TZEMENAKIS:** I'm sorry, Minister,
7 I apologize for interrupting, but the Minister can't confirm
8 that information as a result of ongoing investigations.
9 Thank you.

10 **MR. NEIL CHANTLER:** Well let's -- there
11 certainly aren't any public arrests, charges, or diplomatic
12 responses to the overseas police stations. Can you confirm
13 that?

14 **HON. DOMINIC LeBLANC:** Are there secret
15 arrests in Canada?

16 **MR. NEIL CHANTLER:** Well I'm confused myself.
17 So I'm not aware of any, and to the extent that you can
18 answer the question in this forum, are you aware of any?

19 **HON. DOMINIC LeBLANC:** I've just been advised
20 by my counsel -- and again, the Commissioner of the RCMP is
21 the one who is best positioned to answer this, and I think I
22 took note of his comments concerning ongoing operations, and
23 I have faith that they'll do their job well, and I wouldn't
24 want to say something in this particular forum that would
25 prejudice their ability to hold those to account that may be
26 doing these reprehensible things.

27 **MR. NEIL CHANTLER:** I want to contrast that
28 fact, if I can -- if we can accept that fact for a moment,

1 with a couple of other cases of foreign interference on
2 Canadian soil, perhaps to seek your comment on them, and how
3 they might be different than the case of overseas police
4 stations.

5 The first is the Wealth One Bank. In April
6 of 2023, as you likely know, the government ordered the
7 bank's founding shareholders to divest their stakes and sever
8 ties with the bank after intelligence surfaced connecting the
9 bank's founders to the Chinese Government.

10 And then we've heard news today, the second
11 example, that the Canadian Government has expelled six Indian
12 diplomats on the basis of intelligence that linked the
13 Government of India to the killing of Hardeep Singh Nijjar.

14 Are you able to comment on why, in those
15 cases, we've had orders to divest, we've had arrests and
16 public statements from the RCMP, and diplomats being
17 expelled, but not in the case of the overseas police stations
18 operated by the Government of China?

19 **HON. DOMINIC LeBLANC:** So with respect to
20 Wealth One Bank, I took note of the public comments around
21 that. That is properly the responsibility of my colleague,
22 the Finance Minister, who has a regulatory role, an oversight
23 role, in the banking system. And again, the intelligence
24 information around Wealth One Bank is not something that I
25 could talk about publicly, but the decisions that she took as
26 a regulator are properly her decisions.

27 You said we learned about it yesterday, the
28 decision the government -- my colleague, the Foreign Affairs

1 Minister's decision to expel six Indian diplomats. I don't
2 want to correct you, but to say that -- you left the
3 impression that those six were linked to the murder of Mr.
4 Nijjar, a Canadian citizen, on Canadian soil. I think the
5 RCMP, again I'm going by memory, they spoke more generally of
6 participating in criminal activities. I don't think that the
7 Commissioner linked those six to one particular criminal
8 offence, but a series of criminal offences. I just think ---

9 MR. NEIL CHANTLER: Fair enough.

10 HON. DOMINIC LeBLANC: --- that's important
11 to be precise.

12 MR. NEIL CHANTLER: Do you agree that
13 expelling a Chinese diplomat would send a clear message to
14 the CCP that we will not tolerate the government treading on
15 our territorial sovereignty with these overseas police
16 stations?

17 HON. DOMINIC LeBLANC: So those are decisions
18 that are in the hands of the Foreign Affairs Minister. I
19 don't play a role in the decision to declare a particular
20 diplomat *persona non grata*.

21 I do know that intelligence information is
22 obviously shared with my colleague, the Foreign Affairs
23 Minister. She comes to those decisions herself.

24 My job is to make sure that the intelligence
25 and security services are doing the best they can to
26 investigate according to law this kind of conduct and provide
27 advice to Foreign Affairs.

28 I'm confident they're doing that. And I work

1 with them and see some of the intelligence they collect, and
2 that information is given to the Foreign Affairs Department
3 that then makes those decisions. Madam Joly is the one who
4 makes those decisions.

5 **MR. NEIL CHANTLER:** Thank you, Minister.

6 Thank you, Madam Commissioner.

7 **COMMISSIONER HOGUE:** Thank you.

8 **HON. DOMINIC LeBLANC:** Thank you.

9 **COMMISSIONER HOGUE:** Next one is UCC, but I
10 don't see him in the room.

11 **MS. NATALIA RODRIGUEZ:** Commissioner, my
12 understanding -- it's Natalia Rodriguez, Commission counsel.
13 My understanding is Mr. Doody was in court this morning. He
14 has not advised us that he does not plan on coming, but it
15 looks like he may be delayed.

16 **COMMISSIONER HOGUE:** Okay. So next one is
17 Mr. Sirois. So we'll see, maybe he will walk by.

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

19 **MR. GUILLAUME SIROIS:** Good morning, Mr.
20 LeBlanc.

21 **HON. DOMINIC LeBLANC:** Hello.

22 **MR. GUILLAUME SIROIS:** So you're aware of the
23 Russian disinformation campaigns targeting Canadians over the
24 past few years. We talked about that during these hearings,
25 including during the last two General Elections. Are you
26 aware of the campaigns of Russian disinformation?

27 **HON. DOMINIC LeBLANC:** Yes, I know that
28 Russia is one of the most present actors in these campaigns

1 of disinformation.

2 **MR. GUILLAUME SIROIS:** And I think we've
3 heard that these disinformation campaigns were not targeted
4 towards receiving a certain result in the elections, but they
5 wanted to increase the sentiment of discontent and the
6 polarization of the Canadian population. Is that how you
7 understand the situation?

8 **HON. DOMINIC LeBLANC:** Yes. I'm not at all
9 an expert in these disinformation campaigns but according to
10 what I understand, you're right. Often it's not a specific
11 election result they're looking for but it's really just to
12 sow discord and frustration; to discourage people from taking
13 part in the elections; to promote an extremist narrative.
14 And often it's not just Russia but hostile states who are
15 involved in this kind of behaviour, or disinformation and
16 misinformation campaigns, do it to create instability, a lack
17 of confidence in institutions in democracy. That's often a
18 goal in itself for these nefarious actors.

19 **MR. GUILLAUME SIROIS:** And I think you did
20 issue a communiqué in relation to *Tenet Media* that we could
21 put up. It's document RCD44.

22 **--- EXHIBIT No. RCD0000044:**

23 Statement by the Minister of Public
24 Safety, Democratic Institutions and
25 Intergovernmental Affairs on U.S.
26 action regarding Russian influence
27 operations - Canada.ca

28 **MR. GUILLAUME SIROIS:** It's another example

1 of Russian disinformation seeking to destabilize Canadian
2 democracy; I'm asking you the question.

3 **HON. DOMINIC LeBLANC:** I'm just looking to
4 see if that is the statement from a few weeks ago.

5 **MR. GUILLAUME SIROIS:** It was September 5th.

6 **HON. DOMINIC LeBLANC:** So that's following a
7 collaboration with our American partners, and you're right,
8 the statement confirms something that the American Attorney
9 General also addressed. The police services in Canada
10 obviously collaborate closely with their American
11 counterparts, and it's an example where the target were US
12 citizens, but there were Canadian actors in this stratagem
13 that were in Canada, and we had consequences here in Canada.

14 And I was very happy that Merrick Garland,
15 the Attorney General of the US, took the time to call me on
16 that day to thank Canada for the important role that we
17 played with the authorities under the US Justice Department
18 in order specifically to identify and detect this type of
19 disinformation and misinformation campaign. So that
20 confirms, so the Attorney General of the US and I discussed
21 the importance of countering these disinformation campaigns.
22 They are now in an electoral context, and so I took it -- I
23 thought it was very good that he called me to thank me for
24 the work that Canada is doing with the American partner.

25 **MR. GUILLAUME SIROIS:** I'd like to come back
26 to the idea of influencing the result of election and
27 polarizing or sowing discord in society. In this statement
28 you can see that you commend [sic] firmly the last attempts

1 by RT to spread disinformation and influence election
2 outcomes. So it seems that there's been a confusion that
3 amplifying polarization but not have an effect on elections.
4 But in your opinion, would a population that's more and more
5 dissatisfied with the government in place mean that this can
6 have an effect on elections on the long term?

7 **HON. DOMINIC LeBLANC:** Well, you don't think
8 that I would confirm that a population not happy with the
9 government in place.

10 **MR. GUILLAUME SIROIS:** [No interpretation].

11 **HON. DOMINIC LeBLANC:** [No interpretation].

12 **MR. GUILLAUME SIROIS:** [No interpretation].

13 That wasn't really the point of my question. It's when
14 there's an attempt at influencing dissidents within a
15 population, it can lead to changes in voting intentions over
16 time. Would you agree with that?

17 **HON. DOMINIC LeBLANC:** Yes, I understand what
18 you're saying. As I said, I'm not an expert in
19 disinformation campaigns, but from what has been described to
20 me, there's a huge array of decisions as to why a foreign
21 state might decide to undertake a disinformation campaign.
22 Russian -- for Russia it's often because of the war in
23 Ukraine. And as I said earlier, I'm told that these
24 disinformation campaigns are an attempt to destabilize public
25 confidence or trust. We saw that a lot during the COVID
26 pandemic, but there are also people who spread disinformation
27 in order to promote a specific electoral result. But as I
28 said, I don't spend a lot of time looking at this, but I

1 understand that people who do observe this, and they describe
2 what they observe, there can be many, many different
3 objectives, and the challenge for us as the government, and
4 we discussed that earlier, is to identify these, to find the
5 best way to counter it. It's not necessarily the government
6 who can and must do it, but to use actors from civil society
7 and other credible known experts to counter this, to educate
8 people, to let the consumers of this information understand
9 what risk is of being a victim of this type of
10 disinformation.

11 **MR. GUILLAUME SIROIS:** We can remove the
12 document. I don't think we'll need it anymore.

13 I don't pretend to be an expert in
14 disinformation myself, I didn't lead disinformation
15 campaigns, but was there analysis carried out by the
16 government on what's happened over the past few years where
17 there's been Russian propaganda in Canada, analysis of the
18 effect it might have on voting intentions?

19 **HON. DOMINIC LeBLANC:** I know that at certain
20 meetings, including meetings that are either under Cabinet
21 confidence or national security confidentiality, we discuss a
22 bunch of disinformation and how the government must, and
23 will, be able to counter it. But I don't feel comfortable,
24 and I don't remember seeing a specific document that analyzes
25 the impact. So it may exist, but I don't remember having
26 seen one. But I do take part in meetings with my Minister
27 colleagues often on the topic. The Minister of Canadian
28 Heritage is very much occupied by this issue, and we

1 discussed the importance of having trusted public
2 broadcasters. My department is involved with civil society,
3 but I don't feel comfortable in confirming the existence, or
4 not, of such a document. And even if I remembered such a
5 document, I wouldn't -- I don't feel that disclosing the
6 contents in a public context would be possible.

7 **MR. GUILLAUME SIROIS:** There was a
8 recommendation from the Standing Committee on Security, "Up
9 to the Task: Strengthening Canada's Security in Relation to
10 Russia," and one of them was -- one of the goals was to
11 understand the effect of propaganda and disinformation in
12 Canada. Do you think that would be a good goal in
13 understanding this issue?

14 **HON. DOMINIC LeBLANC:** I didn't -- don't
15 remember looking at this document in detail, but we did
16 discuss the issue of how the government, along with other
17 civil society actors, researchers at universities, the more
18 or less traditional media, how altogether we can help
19 Canadians to trust the reliability of the information that
20 they will be consuming, and that that is a continuous
21 challenge that we discuss often. And I've seen several
22 projects or versions of what we could do more of. I think
23 we've already done a lot in terms of the Informed Citizens
24 Initiative; there's several mechanisms in place, but we're
25 still looking for ideas to improve or to go further in order
26 to support Canadians in understanding and detecting this.

27 **MR. GUILLAUME SIROIS:** [No interpretation].

28 **COMMISSIONER HOGUE:** [No interpretation].

1 **MR. GUILLAUME SIROIS:** It's time to conclude.

2 So in conclusion, the fact that the *Tenet*

3 *Media* operation happened in 2024, ---

4 **HON. DOMINIC LeBLANC:** Which one?

5 **MR. GUILLAUME SIROIS:** *Tenet Media* ---

6 **HON. DOMINIC LeBLANC:** [No interpretation].

7 **MR. GUILLAUME SIROIS:** --- operation that

8 happened in September 2024, ---

9 **HON. DOMINIC LeBLANC:** [No interpretation].

10 **MR. GUILLAUME SIROIS:** --- up to then,
11 including four by-elections, so does that mean that the plan
12 for Canadian democracy has to be reorganized to better
13 respond to this kind of disinformation campaign?

14 **HON. DOMINIC LeBLANC:** Two things; there's no
15 indication that the by-elections were affected, that the
16 result was affected, by a disinformation campaign as you've
17 said. That was the conclusion of the experts of the SITE
18 Task Force, among others. So it's important to say that I
19 have no hesitation in feeling that those by-law [sic] results
20 were not -- were influenced. As you said, we are thinking
21 about supplementary measures that we can aid, in terms of
22 protecting democracy, which I think is rigorous and can
23 protect our democracy. If an election happens before we have
24 the third version, I have confidence in being able to carry
25 out elections. But I had a discussion of disinformation with
26 Merrick Garland and others at the G7 meeting of Interior
27 Ministers in Italy. That was a topic of discussion between
28 the Ministers of the G7. England has just gone through

1 elections. Their experience was interesting to hear. Same
2 thing with what's happened in the US, that's in an electoral
3 period. And France had elections as well. So it was a
4 discussion amongst colleagues about what we can do together
5 and learning from each other about additional measures that
6 we could implement.

7 MR. GUILLAUME SIROIS: Thank you.

8 HON. DOMINIC LeBLANC: [No interpretation].

9 MR. GUILLAUME SIROIS: [No interpretation].

10 COMMISSIONER HOGUE: [No interpretation].

11 So I don't see Mr. Doody in the room. It
12 means that he has probably been retained in court.

13 So Procureur general?

14 HON. DOMINIC LeBLANC: Greg, [No
15 interpretation].

16 COMMISSIONER HOGUE: [No interpretation].

17 HON. DOMINIC LeBLANC: For the next one,
18 doesn't come back.

19 COMMISSIONER HOGUE: Yes, indeed.

20 HON. DOMINIC LeBLANC: Okay.

21 So make it fast.

22 (LAUGHTER)

23 MR. GREGORY TZEMENAKIS: No pressure.

24 --- CROSS-EXAMINATION BY MR. GREGORY TZEMENAKIS:

25 MR. GREGORY TZEMENAKIS: Good afternoon,
26 Minister. For the record, my name is Gregory Tzemenakis,
27 counsel for the Government of Canada.

28 Minister, you were asked by counsel for the

1 CPC as to whether or not you knew of any instance where the
2 approval of a warrant took 54 days. Do you recall that
3 discussion?

4 **HON. DOMINIC LeBLANC:** Yes.

5 **MR. GREGORY TZEMENAKIS:** And, Minister, do
6 you agree that timelines might be impacted by societal or
7 world circumstances, such as a pandemic, in the approval
8 process or the time it takes to approve a warrant?

9 **HON. DOMINIC LeBLANC:** Yes, the whole
10 government -- when COVID hit, I saw the entire Government of
11 Canada searching for ways to safely continue the continuity
12 of government operations, including Cabinet committees and
13 secure context.

14 Yeah, there was a significant adjustment
15 period in those early months, the first year of the pandemic,
16 as the government sought mechanisms that heretofore hadn't
17 been thought necessary to continue the continuity of
18 business.

19 **MR. GREGORY TZEMENAKIS:** And do you agree,
20 Minister, that timelines could also be impacted by
21 geopolitical events or other urgencies that might face a
22 Minister of Public Safety at that point in time, whatever
23 they might be?

24 **HON. DOMINIC LeBLANC:** Yes, but I also
25 recognize the importance for a Public Safety Minister to
26 handle expeditiously those -- the warrants that come to us
27 from CSIS. So they can perhaps both be true, the importance
28 of processing those in an appropriate timeframe, and the

1 turbulence of different geopolitical events.

2 **MR. GREGORY TZEMENAKIS:** And just -- maybe
3 just to close this out, because we've heard some evidence
4 about this, do you agree that care must be taken to evaluate
5 the timelines associated with a particular warrant against
6 the circumstances that are occurring in the world and in the
7 government at the same time as that warrant is being
8 approved? Meaning to simply say today that it might take X-
9 number of days may not be reflective of the time that was
10 required to deal with a particular warrant at a particular
11 point in time? Is that a fair statement?

12 **HON. DOMINIC LeBLANC:** I think it is. And as
13 I said, my limited experience is all these warrants are not
14 equal, in the sense that some have specific timelines, some
15 have a less urgent identification from CSIS itself.

16 So I think the context of the particular
17 warrant, if that's what you were asking, is absolutely
18 germane.

19 **MR. GREGORY TZEMENAKIS:** Thank you. I'm
20 going to move to a different topic.

21 You testified in previous testimony about the
22 need to build resiliency in Canadians and in democratic
23 institutions. We've heard evidence on the different roles
24 the different participants can and should play. Can you
25 briefly comment on what you mean when you said in your
26 evidence of the need for a whole-of-society approach?

27 **HON. DOMINIC LeBLANC:** I think the whole of
28 society is the right phrase in this context. Because as

1 we've attempted to, collectively as a country -- and I would
2 argue as Western democracies -- understand the nature and
3 scope of foreign interference in democratic institutions is
4 obviously the context of this particular Commission.

5 I think many democracies, including Canada,
6 have understood that the government alone cannot be the
7 insurance policy that all Canadians, I think understandably,
8 hope we have in terms of the resilience -- resiliency and the
9 integrity of our electoral systems. Political parties have a
10 role to play. Political leaders have a role to play.

11 Our government has tried, as previous
12 governments have not, to share information with political
13 parties, to help them build their own resiliency, to security
14 clear leaders so they can see amongst the most sensitive
15 intelligence documents and take the steps that they think are
16 important, within the management of their own caucuses and
17 political parties, to continue to benefit from the confidence
18 of Canadians.

19 Academics, research networks, the Digital
20 Research Network with the University of Toronto and McGill,
21 and about 10 other partners, has done phenomenal work in
22 terms of helping Canadians understand and build better
23 citizen resiliency. A small program at Heritage Canada, the
24 Digital Citizens Initiative, started off very modestly. We
25 renewed the funding. It allows civil society organizations
26 -- who in some cases are more credible than elected
27 Ministers, who people will look at necessarily as partisan
28 figures -- help Canadians understand and build resiliency and

1 have confidence in democratic institutions.

2 So I do think it's a whole-of-society
3 approach. I think this Commission will play an absolutely
4 instrumental role in helping Canadians understand the nature,
5 the scale, the scope of foreign interference and help our
6 government and future governments build even stronger
7 resiliency or better instruments to reassure Canadians.

8 That being said, I am absolutely convinced,
9 and if you look at the 2019 and 2021 elections, and the
10 interim report of this Commission, and the work of the most
11 senior public servants in the government, I think we have to
12 have complete confidence, total confidence in the integrity
13 of those election results. I think Canadians do, and justly
14 so, but I think we all need to continue to ask ourselves
15 collectively what are the instruments that we can put in
16 place to ensure that as the threat evolves, and as the threat
17 actors change their tactics, governments and their partners
18 across the whole of society, to use your phrase, have the
19 best instruments to detect, disrupt, and deter this kind of
20 behaviour.

21 So I have a lot of confidence in that work,
22 but I think that there are sort of seminal moments in the
23 conversation; this Commission is one of them, the passing of
24 legislation in Parliament last June would have been another.
25 There have been a few significant steps that reassure me that
26 we can have a non-partisan constructive conversation about
27 institutions more important than partisan politics.

28 **MR. GREGORY TZEMENAKIS:** Thank you, Minister.

1 [No interpretation].

2 COMMISSIONER HOGUE: Thank you. Not too

3 fast.

4 Any question in re-examination?

5 MS. ERIN DANN: No, thank you, Commissioner.

6 COMMISSIONER HOGUE: Thank you.

7 [No interpretation].

8 HON. DOMINIC LeBLANC: Commissioner.

9 COMMISSIONER HOGUE: I think this was the
10 last time.

11 HON. DOMINIC LeBLANC: I can't presume of
12 this, but thank you very much for your work.

13 COMMISSIONER HOGUE: So tomorrow morning at
14 9:30.

15 THE REGISTRAR: Order, please.

16 This sitting of the Foreign Interference
17 Commission is adjourned until tomorrow, the 16th of October
18 2024 at 9:30 a.m.

19 --- Upon adjourning at 4:39 p.m.

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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-hauts sont une transcription
conforme de mes notes/enregistrements au meilleur de mes
capacités, et je le jure.



Sandrine Marineau-Lupien