



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

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

Public Hearing

Audience publique

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

VOLUME 34

Held at :

Library and Archives Canada
Bambrick Room
395 Wellington Street
Ottawa, Ontario
K1A 0N4

Tuesday, October 15, 2024

Tenue à:

Bibliothèque et Archives Canada
Salle Bambrick
395, rue Wellington
Ottawa, Ontario
K1A 0N4

Le mardi 15 octobre 2024

INTERNATIONAL REPORTING INC.

<https://www.transcription.tc/>

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Yuen Pau Woo

Sikh Coalition

Balpreet Singh

Prabjot Singh

Bloc Québécois

Mathieu Desquilbet

Iranian Canadian Congress

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Ottawa, Ontario

--- L'audience débute le mardi 15 octobre 2024 à 9 h 32

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

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

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

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

The time is 9:32 a.m. Il est 9 h 32.

COMMISSAIRE HOGUE: Alors, bonjour tout le monde. Good morning. Welcome.

Alors, c'est vous, Maître Chaudhury, qui menez l'interrogatoire ce matin?

Me SHANTONA CHAUDHURY: Oui, c'est bien moi.

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/Sous affirmation solennelle:

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

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

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

5 THE REGISTRAR: Thank you.

6 --- MS. KATHERINE ALANA TELFORD, Affirmed/Sous affirmation
7 solennelle:

8 THE REGISTRAR: And finally for Mr. Travers.
9 Could you please state your full name and
10 spell your last name for the record?

11 MR. PATRICK TRAVERS: Patrick Travers, T-r-a-
12 v-e-r-s.

13 --- MR. PATRICK TRAVERS, Affirmed/Sous affirmation
14 solennelle:

15 THE REGISTRAR: Counsel, you may proceed.

16 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR
17 MS. SHANTONA CHAUDHURY:

18 MS. SHANTONA CHAUDHURY: Perfect. Thank you.
19 Witnesses, you've been here before so you
20 know the drill. We're going to start with routine
21 housekeeping. There are three interview examination
22 summaries to enter, so I'm just going to read the document
23 IDs into the record, and for each of them, I'll ask you to
24 confirm that you've reviewed them for accuracy and adopt
25 their contents as part of their evidence.

26 So the first one is WIT 107, which is the PMO
27 Stage 2 Interview Summary. The second is WIT 163, which is
28 the PMO Stage 2 In-Camera Hearing Summary. The third is WIT

1 161, which is the PMO Addendum to the Stage 1 In-Camera
2 Hearing Summary. So, again, for each of those, I'll ask you
3 to confirm that you've read them, they're accurate, and you
4 adopt their contents.

5 **--- EXHIBIT No./PIÈCE No. WIT0000107:**

6 Interview Summary: Katie Telford,
7 Brian Clow, Patrick Travers

8 **--- EXHIBIT No./PIÈCE No. WIT0000107.FR:**

9 Résumé d'entrevue : Cabinet du
10 premier ministre (Katie Telford,
11 Brian Clow et Patrick Travers)

12 **--- EXHIBIT No./PIÈCE No. WIT0000163:**

13 In Camera Examination Summary: Prime
14 Minister's Office Senior Officials

15 **--- EXHIBIT No./PIÈCE No. WIT0000161:**

16 Addendum to In Camera Examination
17 Summary: PMO Staff: Katie Telford,
18 Jeremy Broadhurst, Brian Clow and
19 Patrick Travers

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

21 **MR. BRIAN CLOW:** Yes.

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

23 **MS. KATHERINE TELFORD:** Yes.

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

25 **MR. PATRICK TRAVERS:** Yes.

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

1 --- EXHIBIT No./PIÈCE No. CAN.DOC.000038:

2 Public Inquiry Into Foreign
3 Interference in Federal Electoral
4 Processes and Democratic Institutions
5 - Institutional Report - Prime
6 Minister's Office - Stage 2

7 --- EXHIBIT No./PIÈCE No. CAN.DOC.000039:

8 Enquête publique sur l'ingérence
9 étrangère dans les processus
10 électoraux et les institutions
11 démocratiques à l'échelle fédérale -
12 Rapport Institutionnel - Cabinet du
13 Premier Ministre - Étape 2

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

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

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

26 **MR. PATRICK TRAVERS:** Yes. I'm the Senior
27 Global Affairs Advisor in the Prime Minister's Office. Prior
28 to 2020, I served as a Senior Policy Advisor in the PMO

1 Policy Team starting in January 2016.

2 **MS. SHANTONA CHAUDHURY:** Perfect. Thank you.
3 Ms. Telford?

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

8 **MS. SHANTONA CHAUDHURY:** Both 2019 and 2021?

9 **MS. KATHERINE TELFORD:** Correct.

10 **MS. SHANTONA CHAUDHURY:** Okay. Thank you.
11 Mr. Clow?

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

18 **MS. SHANTONA CHAUDHURY:** Okay. Thank you.
19 Okay. Well, we'll dive right into some of the substance
20 here, starting with something you're quite familiar with,
21 flow of information to the Prime Minister's Office. So here,
22 we know that there've been some changes throughout the period
23 of review of the Commission, so, Ms. Telford, I'll actually
24 ask you to start by going back and reminding us of some of
25 the things that you gave us at Stage 1 of the Commission's
26 proceedings, where you distinguished between different time
27 periods, and I think those were sort of pre-pandemic, how
28 things happened during the pandemic, and post-pandemic. So,

1 again, can you remind us of those and then go on to explain
2 any changes that have happened more recently?

3 **MS. KATHERINE TELFORD:** So starting with pre-
4 pandemic, we received most products to do with intelligence
5 and security in paper. We received weekly and daily briefs
6 or summaries, and the weekly ones were really summaries of
7 what were coming in every day. And then very little raw
8 intelligence was shared unless it was on a very specific
9 situation, and if there was raw intelligence to be shared, it
10 was usually because it was urgent, and on a specific
11 situation, and they would send a CRO or a Client Relations
12 Officer over to bring it to us and show it to us sort of
13 immediately, but that was pretty rare pre-pandemic.

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

28 And then as we came out of the pandemic

1 period, and I would point to sort of post the 2021 election,
2 it became, as it did for so many people during that period,
3 more of a hybrid system, partly because of learnings from
4 that period and partly in the sense that we now had
5 technology we didn't have before. During the pandemic
6 period, all of the -- or many of the senior staff, certainly
7 the ones involved in this space, had access to secure level
8 screens as well as secure level -- or secret level, sorry, I
9 should say, phones, and so that assisted in terms of sharing
10 information, even if it couldn't go all the way to the top-
11 secret level.

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

26 And then post leaks would be sort of the
27 final period where things really became significantly more
28 rigorous, and so almost all information now is shared via a

1 Client Relations Officer. And even over the time period that
2 this Inquiry has been going on and since that leaks period, I
3 would say that the National Security and Intelligence
4 Advisors have put a particular emphasis on how to make the
5 process that much more rigorous, both in terms of tracking
6 the information, who's seeing what when, also being able to
7 share that between us, so that when I'm being briefed, I'm
8 being told the Prime Minister has already seen this document
9 or had questions on this document, or similarly, if he's
10 being briefed, he can be alerted to the fact that one of us
11 had asked for follow up on something that he was reading, so
12 that he could have a sense of where something was already
13 tracking to. And I think that would cover it mostly ---

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

19 **MS. KATHERINE TELFORD:** Correct.

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

26 **MS. KATHERINE TELFORD:** I think an adjustment
27 that's going to continue to get looked at and we continue to
28 talk about between the Clerk of the Privy Council, the

1 National Security and Intelligence Advisor, the Deputy Clerk,
2 myself and some of us is -- and you'd rather lean toward the
3 rigour than not, but that it's become -- it is everything
4 flows through a Client Relations Officer now, which means you
5 need that person in front of you in order to review anything,
6 and if you can't complete a document while they're sitting
7 there because something else arises, you then need to
8 reschedule that and you can't do that later in the day;
9 whereas, previously, if you were working your way through
10 what can sometimes be a significant amount of information, we
11 do have top-secret safes, we do have top-secret cleared
12 assistants who can work with us on maintaining that
13 information, and there may be a way to kind of be able to be
14 a little more flexible on some of those fronts, but that's
15 still something we're trying to work through.

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

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

1 **MS. SHANTONA CHAUDHURY:** Okay.

2 **MS. KATHERINE TELFORD:** And so we might see,
3 if it was something international, names, but if it's
4 Canadians, usually it's -- the names are taken out, and we
5 would have to request, if it's something where we believe
6 knowing the name could be helpful, we would request, and the
7 Client Relations Officer would take that back to the NSIA, to
8 talk to the security agencies about whether that's a name
9 that they can reveal to us or not.

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

12 **MR. PATRICK TRAVERS:** No, I would say my
13 experience is that, generally, the default is the names are
14 not provided, with the exception potentially of foreign
15 individuals, and that can also apply in some cases to Five
16 Eyes as well. So the rule is generally not an identification
17 of individuals.

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

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

3 **MR. PATRICK TRAVERS:** No.

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

6 **MR. PATRICK TRAVERS:** We saw it after NSIRA
7 published its report.

8 **MS. SHANTONA CHAUDHURY:** Okay. And when we
9 discussed this in your interview, in your examination, I
10 believe you were asked whether you should have seen it at the
11 time and your answer was, "Well, that's the NSIA's
12 determination to make".

13 Since then, we've heard evidence from the
14 NSIA at the time, Ms. Thomas, that, in fact, she never made
15 that determination, she never decided where it would go
16 because she never received the updated, sanitized version of
17 that targeting paper.

18 So I just want to confirm, first of all, the
19 source of your information that was conveyed in the interview
20 and examination summary, that it was her determination to
21 make. Do you have any personal knowledge of her having
22 received this or was this from what was written in the NSIRA
23 Report?

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

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

28 **MR. BRIAN CLOW:** Right.

1 **MS. SHANTONA CHAUDHURY:** Okay. The -- one
2 other issue -- one issue that came up in the discussion of
3 the targeting paper, which I want to ask you about, is -- and
4 it's mentioned in the discussion in the NSIRA Report a bit --
5 is whether the activity described in it necessarily
6 constituted foreign interference or something less nefarious,
7 standard diplomatic activity of thinking about which
8 parliamentarians a state could essentially work on for
9 influence.

10 And I'm wondering -- I know this is something
11 we discussed before as well, but if you can give us your
12 perspective, whether it's with respect to the targeting paper
13 specifically or more generally, but on that distinction
14 between what is foreign interference and what is foreign
15 influence.

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

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

22 So for example, I think one of the things
23 we've talked about in the past is -- you know, is a member of
24 Parliament sometimes will be referred to be as being
25 vulnerable to a specific foreign entity or to a consul
26 general or to an ambassador or somebody like that.
27 Vulnerable doesn't necessarily mean that they have done
28 anything. It could just mean that they could become a target

1 or -- of that country or that individual.

2 We also tend to look at, you know, influence
3 versus -- and so they could be being influenced, they could
4 be being interfered with potentially, so should that block
5 them from moving forward, and we will have those discussions
6 and debates all the time.

7 There's kind of a grey zone between influence
8 and interference, where does influence cross into
9 interference, and Global Affairs Canada, for example, and the
10 diplomats within the government community and the Global
11 Affairs kind of community have different experiences and
12 different perspectives as to what is normal activity,
13 diplomatic activity, than what we might see coming out of a
14 CSIS assessment and out of different parts of the security
15 apparatus.

16 And the National Security and Intelligence
17 Advisor is actually put in the position where they can
18 convene those different parties and try to come to a common
19 assessment or at least identify what the different points of
20 views are so that a debate can be held at the senior-most
21 levels and/or presented to the Prime Minister if it's
22 something that's actually going to the Prime Minister.

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

24 **MR. PATRICK TRAVERS:** I agree entirely with
25 that.

26 You know, what I'll add is I think that the
27 National Security Intelligence Advisor put it very well that
28 there is a common working definition of foreign interference.

1 The question then comes how you apply that to a specific set
2 of facts and a specific set of behaviour, particularly
3 recognizing often there is either contingent or incomplete
4 information about what's happening.

5 And so to that degree, we do see, across
6 government, different perspectives on different cases. And
7 to some extent, that's useful as you're trying to understand
8 in the context of intelligence and sometimes imperfect
9 information what may be occurring.

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

14 **MR. BRIAN CLOW:** I would say often not a
15 consensus, and we are frequently faced with situations where
16 we're presented with information that may be characterized in
17 a certain way, characterized as foreign interference, and we
18 officials, others, may look at that and say, well, hold on a
19 second. Is that foreign interference?

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

24 We in Canada -- I talked about my role in
25 Canada-U.S. relations. When we have an election coming up,
26 we do a lot of work assembling information on prominent
27 Americans. That is totally appropriate, totally normal.
28 It's in our advantage. There's nothing wrong with it. Other

1 countries do that to us.

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

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

7 **MS. SHANTONA CHAUDHURY:** Do you think it
8 hampers at all the efficiency of government response, this
9 discussion?

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

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

26 So you need different perspectives, I think,
27 to do that.

28 **MS. SHANTONA CHAUDHURY:** Okay. We're going

1 to move on to talk about another intelligence product that
2 has been mentioned in the Commission's work. This one's
3 called the PCO Special Report. It's another document that
4 was mentioned in the NSIRA Report, among others.

5 So this was a report on PRC foreign
6 interference combined both domestic and foreign intelligence,
7 produced by the Intelligence Assessment Secretariat at PCO.
8 And in early 2022, just to introduce the question, IAS
9 indicated that this should be circulated to senior civil
10 servants and perhaps beyond that.

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

14 **MR. BRIAN CLOW:** Correct.

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

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

19 **MS. SHANTONA CHAUDHURY:** Okay. So my
20 question is, having now seen it, is this the kind of document
21 you would have expected to see, you would have wanted to see?
22 Would having seen it have changed things for you in the
23 spring of 2022?

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

1 A lot of the information in that particular
2 document we were aware of. Not all of it, perhaps not every
3 specific, but the themes, the description, the information
4 about Chinese foreign interference, we were well aware of.
5 So we trust the judgment of officials who chose not to send
6 us that information -- that particular document, I should
7 say.

8 **MS. SHANTONA CHAUDHURY:** Okay. Anything else
9 to add on that, or we'll move on to the next topic.

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

12 And at this point, I'll ask the Court
13 Registrar to please pull up WIT163, which is your *in camera*
14 hearing summary, just to follow along a bit of the discussion
15 as the examination goes along.

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

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

22 Mr. Travers, I see you nodding, so this one's
23 going to you.

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

25 So at the highest level, policymaking as it
26 relates to Cabinet, Ministers take the lead on putting
27 specific proposals for consideration by their colleagues and
28 by cabinet as a whole, and those proposals are consistent

1 with the mandate letters that are provided by the Prime
2 Minister and the overall government agenda.

3 PMO plays a role in this process, working
4 very closely with the Privy Council Office in managing the
5 overall agenda, so sequencing, prioritization of agenda
6 items, and that's because, together with PCO, we have an
7 overarching view of the issues within government of the whole
8 agenda and are able to manage that process moving forward.

9 In practice, that means working not just with
10 PCO, but with our colleagues in Ministers' office and other
11 departments as well as these proposals are brought forward.

12 There are other ways in which policy
13 decisions and policy proposals are brought forward. That can
14 include letters from Ministers, the Prime Minister, or
15 decision notes provided by PCO. Again, we work very closely
16 with our colleagues in the Public Service, and there we would
17 play a role in terms of providing substantive advice for the
18 Prime Minister.

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

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

26 **MR. BRIAN CLOW:** Yeah. There's so much
27 policy making that goes on. A lot of it flows from mandate
28 letters. And after the 2021 election, as noted here, there

1 were over 700 specific commitments in those mandate letters
2 that went out to all Ministers. That is a huge amount of
3 work and activity that needs to be managed, and overseen, and
4 coordinated.

5 In addition to those 700 though, there's a
6 lot that we are reacting to. So there's more policy on top
7 of those 700, and there are proposals that come from
8 Ministers, from caucus, from others that get considered as
9 well. So it's a lot of information flow, it's a lot of
10 material consideration, and we play an air traffic control
11 function.

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

15 **MR. BRIAN CLOW:** Exactly.

16 **MS. SHANTONA CHAUDHURY:** --- and
17 coordinating?

18 **MR. BRIAN CLOW:** Exactly.

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

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

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

26 Summary of a Memorandum to Cabinet -
27 Modernizing Canada's Approach to
28 Addressing Threats from Hostile

Activities by State Actors

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

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

MS. SHANTONA CHAUDHURY: So to situate you a little bit here, witnesses, in Stage 1 of the Commission's proceedings, we heard about two major Cabinet proposals on foreign interference. The first was the 2019 Plan to Protect Canada's Democracy, and then in 2021, the Plan to Protect Canada's Democracy 2.0 essentially, working off the recommendations that were made in the Judd Report.

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

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

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

First, we consulted internally within government, we consulted with stakeholders who might be

1 interested in the contents of what was being considered here.
2 The Foreign Agents Registry was a key part of this proposal.
3 Ultimately, the government launched, from Public Safety,
4 consultations on the Foreign Agents Registry in the spring of
5 2023. Even developing that consultation takes a fair bit of
6 work and time, so the consultation was launched in the spring
7 of 2023. It came -- after that, the Registry was further
8 developed, so it came back to Cabinet in June of 2023 for
9 further consideration. In the fall of 2023, government
10 consulted on other elements of the legislation that
11 eventually was introduced. So amendments to the *CSIS Act*,
12 amendments to the *Security of Information Act*, other
13 amendments, *Criminal Code*. That was consulted at some length
14 in the fall of 2023. And ultimately, all of this was
15 discussed one more time at Cabinet earlier this year before
16 the legislation was introduced. It's a piece of legislation
17 that's a little over 100 pages. It's incredibly detailed.
18 It amends a number of acts, and it affects a lot of things in
19 this country and how security agencies operate.

20 And so we took the time that we felt was
21 needed to get this right and I would say the fact that once
22 we introduced it into Parliament and it moved so quickly
23 shows that we did get it right. We were criticized by some
24 for taking too long to introduce that Bill. We were
25 criticized by others for moving too quickly. And again, I
26 think we did get it right. The Bill has passed and it's now
27 being implemented.

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

1 That's a helpful overview of the timeline.

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

5 **COMMISSIONER HOGUE:** I think Mr. Travers
6 wanted to add something.

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

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

12 So the first sort of part of it here is -- or
13 element that's discussed is endorsement of the principles in
14 the counter-HASA strategy. The second part involves a whole-
15 of-government communications approach. The third part is
16 counter-HASA legislative tools, particularly the *CSIS Act*,
17 the *Criminal Code*, and the *Security of Information Act*. And
18 then the fourth part is new capabilities for the RCMP.

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

22 **MR. PATRICK TRAVERS:** No, absolutely. And it
23 relates to what we laid out within the HASA MC. I just
24 wanted to provide, to Brian's point, a bit of broader context
25 on policy this complex and this sensitive. When we came into
26 government, it was shortly after there had been a broad
27 public debate about the previous government under Prime
28 Minister Harper's efforts to reform national security

1 architecture, C-51. We then moved forward with C-59, which
2 made substantial changes in the national security space,
3 including with respect to increasing oversight.

4 And what we learned through those processes
5 is that first anything that touches to the core of the powers
6 of the national security agencies, the oversight, and frankly
7 the rights of Canadians, is usually sensitive and needs to be
8 taken very carefully, and that because of that, the
9 consultation process with those affected is also hugely
10 important.

11 And so it's important to understand the HASA
12 MC process in light of that experience, and in light of the
13 importance of the policy issues that are being addressed
14 there. And you see this here in terms of the breadth of the
15 legislative amendments, but also the kind of powers that are
16 being provided as we move forward.

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

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

20 **--- EXHIBIT No./PIÈCE No. CAN018005:**

21 [Text Messages of B. Clow]

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

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

28 **MS. SHANTONA CHAUDHURY:** So if we just see

1 what's here at page 1, it starts a discussion on overseas
2 police stations, and I think, Mr. Clow, this is you in this -
3 - sort of the black here? White on black ---

4 **MR. BRIAN CLOW:** Yes.

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

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

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

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

1 were hanging out there. So that's what the first part of the
2 discussion refers to.

3 The second part, Minister Mendicino replies,
4 asks for assistance on the policy response, and at this
5 point, I talked about the timeline earlier, at this point in
6 the process, we were a few months after the HASA MC was
7 considered at Cabinet and we were discussing how to construct
8 the consultation and that's what was happening that fall, so
9 we were doing the work that was needed to be done to get that
10 consultation launched.

11 **MS. SHANTONA CHAUDHURY:** Okay. And I think
12 you said the consultation was then launched in the spring of
13 2023.

14 **MR. BRIAN CLOW:** Right.

15 **MS. SHANTONA CHAUDHURY:** Okay. I think we
16 can take that down now.

17 And I think you've already given us some
18 history on how those consultations unfolded. Is there
19 anything else you want to add on the topic of the
20 consultations and how they were planned and took place before
21 we move on to another topic?

22 No? Okay.

23 The next topic, then, we're going to talk
24 about is a little bit different, unclassified briefings to
25 parliamentarians.

26 So for this one, Registrar, I'll ask you to
27 pull up COM363.

28 And scroll down to paragraph 126.

1 --- EXHIBIT No./PIÈCE No. COM0000363:

2 NSICOP Special Report on Foreign
3 Interference in Canada's Democratic
4 Processes and Institutions

5 **MS. SHANTONA CHAUDHURY:** So what we see here
6 at paragraph 126 of the NSICOP Report is a narration of
7 events having to do with an initiative intended to provide
8 unclassified briefings to parliamentarians that, for various
9 reasons, doesn't appear to have materialized.

10 So it starts with saying in 2018 in the
11 NSICOP's Report on the Prime Minister's visit to India, the
12 committee recommended that members of the House of Commons
13 and Senate should be briefed upon being sworn in and
14 regularly thereafter on foreign interference.

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

21 And then it speaks to the NSIA apparently
22 having revived the initiative in 2022, February 2022. And
23 this time it says there's a memo that ultimately wasn't
24 provided to PMO.

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

27 And we can take that document down before you
28 start, Mr. Clow, and pull up WIT163 again, the discussion

1 starting at paragraph 35.

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

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

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

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

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

19 So the first one is CAN19825. That's the
20 December 2019 memo.

21 **--- EXHIBIT No./PIÈCE No. CAN019825 0001:**

22 Briefing to parliamentarians on
23 foreign interference and extremism in
24 Canada

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

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

28 I should point out, notes like this we did

1 our research ahead of this testimony and previous testimony
2 *in camera*. The Prime Minister receives about 1,000 notes
3 from PCO sent to him every year. I would say 1,000 on
4 average. One year it was 1,200, one year it was a little bit
5 less.

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

9 **MS. SHANTONA CHAUDHURY:** When you say the
10 Prime Minister receives, do you mean PMO received for ---

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

13 **MS. SHANTONA CHAUDHURY:** Understood.

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

20 So this note was being treated like every
21 other note that gets addressed to him.

22 January, February 2020, this note was being
23 considered. We all agreed this briefing should happen, this
24 note should go to the Prime Minister. And it was interrupted
25 by the COVID-19 pandemic.

26 Early March, as we all know, 2020, the whole
27 world changed, the country changed. Parliament itself
28 stopped sitting, so this note was interrupted and it did not

1 go to the Prime Minister.

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

4 **MR. BRIAN CLOW:** Yes. And there was at least
5 one other note at the same time that was paused like this
6 one.

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

10 There it is.

11 **--- EXHIBIT No./PIÈCE No. CAN019435:**

12 National Security Briefings to
13 Parliamentarians

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

17 Mr. Clow, what happened with this one?

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

20 It arrived shortly before Christmas. It was
21 considered in the new year. Policy staff engaged on the
22 topic. Katie and I engaged on the topic.

23 On this one, we all agreed again that this
24 briefing should happen, the note should go to the Prime
25 Minister. We supplemented the advice from PCO with a couple
26 of different things.

27 One, we recommended that in addition to all
28 members of Parliament getting this unclassified briefing, the

1 leader of the Green Party, who at that time did not have a
2 seat in Parliament, should also get the briefing. So we
3 talked about that and we inserted that advice into the note.

4 Attached to this note were draft letters that
5 the Prime Minister was meant to send to Opposition leaders
6 informing them of this effort, so we also, as we often do --
7 any letter from the Prime Minister to an Opposition leader,
8 that is a -- that's going to be something that could become
9 very political, so we looked at that letter and applied our
10 advice there.

11 The note was working its way through the
12 system and, ultimately, this note was interrupted by the 2021
13 election call, and it was not resurfaced after the 2021
14 election.

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

19 Probably going to have to go quite a way down
20 to find those.

21 Okay. In the interests of time, I'm not
22 going to pull all of them up, but some of the discussions
23 that you mentioned are included in documents for the
24 Commission. So we understand there was some discussion in
25 February 2021.

26 And Mr. Travers, that discussion was in the
27 context of a brief -- a potential briefing or a briefing to
28 the PM that was to happen that day.

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

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

5 **MS. SHANTONA CHAUDHURY:** Okay.

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

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

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

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

16 **MR. BRIAN CLOW:** So one important point to
17 emphasize is members of Parliament were getting a lot of
18 information on the topic of foreign interference at the time
19 these two notes were being considered. Minister Blair wrote
20 a letter to every single member of Parliament in December
21 2020 informing members of Parliament of the threats of
22 foreign interference and what the Government of Canada was
23 doing in response. And again, that went to every single
24 member of Parliament.

25 CSIS, as we know, was conducting numerous
26 threat reduction measure meetings. They were meeting
27 directly with dozens and dozens of members of Parliament,
28 including, I think it's important to point out, some of the

1 members of Parliament that have been -- that have appeared at
2 this Commission.

3 Jenny Kwan, Kenny Chiu, Michael Chong all got
4 direct briefings from CSIS around this time. The
5 Conservative Party of Canada, the cleared party
6 representatives, were getting briefings at this time.

7 So I'm sure some will look at this and say
8 members of Parliament got no information because these two
9 notes were interrupted, and it's just not the case. A lot of
10 information was flowing.

11 I would also point out when members of
12 Parliament are sworn in, they get security briefings from the
13 House of Commons from the Sergeant-at-Arms, which covers some
14 of the information that would have been in this unclassified
15 briefing.

16 All of that said, with hindsight, of course,
17 looking back, these notes should have moved faster, they
18 should have got to the Prime Minister. The briefing,
19 everyone would have been better off if the unclassified
20 briefing happened then instead of June 2024. But the absence
21 of this unclassified briefing back in 2019, 2020, I believe
22 it had very limited impact on the overall issue.

23 **MS. SHANTONA CHAUDHURY:** Okay.

24 **MS. KATHERINE TELFORD:** Could I just jump in
25 quickly there? I just -- two quick things. One is if it was
26 seen as something -- I agree with what Mr. Clow just said,
27 but if it was something seen as paramount that had to happen,
28 that there was a sense of urgency behind it across the

1 system, then there are a number of different ways it can be
2 brought to our attention, it can be brought directly to the
3 Prime Minister's attention. And it's not to say it's not
4 important. It has now happened, it will continue to happen,
5 and, you know, I agree with everything Mr. Clow said. But we
6 were having meetings like the one in February, for example,
7 that you referenced to Mr. Travers, where there were so many
8 other elements that were being seen as priority and urgent on
9 this same thematic, on foreign interference, and this was not
10 one of the ones coming forward from the senior-most official
11 saying we've got to push this through tomorrow.

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

27 **MS. SHANTONA CHAUDHURY:** Okay.

28 **MR. BRIAN CLOW:** Could I make one final

1 comment on this? Would it be possible to pull up that 2019
2 note one more time?

3 **MS. SHANTONA CHAUDHURY:** Sure. The doc ID is
4 19435.

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

9 **MS. SHANTONA CHAUDHURY:** Oh, I'm sorry. It's
10 19 ---

11 **MR. BRIAN CLOW:** This one.

12 **MS. SHANTONA CHAUDHURY:** --- 825 ---

13 **MR. BRIAN CLOW:** This is exactly the ---

14 **MS. SHANTONA CHAUDHURY:** No, this is what you
15 were looking for?

16 **MR. BRIAN CLOW:** Yes.

17 **MS. SHANTONA CHAUDHURY:** Okay.

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

1 was very general.

2 MS. SHANTONA CHAUDHURY: Okay.

3 MS. KATHERINE TELFORD: One -- sorry, one
4 last thing as a round, there is a question, and I know we've
5 discussed this in previous encounters is who has the
6 authority to make a decision around such briefings as well.
7 And because I think -- our understanding and looking back
8 too, and probably should have been our first answer at the
9 time when the note came through is this doesn't actually
10 require the Prime Minister to sign off on it. If there is a
11 reason the security agencies want to go to the Sergeant-at-
12 Arms, or go to Parliament, and ensure that certain security
13 measures and briefings are taken, they have the authority to
14 do that. The Prime Minister I'm actually certain, if this
15 question had been put to him, would have encouraged and said
16 what can we do to support because his -- that was his general
17 response to every briefing he got on foreign interference
18 involving members of Parliament would be what can we tell
19 that member of Parliament. Can you do a threat reduction
20 measure? Can you -- is there something else that can be done
21 to communicate with this member this flag that you're raising
22 with me? And so I'm certain he would have encouraged more
23 interaction with parliamentarians rather than less, but it
24 doesn't actually need to go through him is our understanding
25 as well.

26 MS. SHANTONA CHAUDHURY: Okay. Just to go
27 back on that point, we did hear from the CSIS Director that
28 from his vantage point, in order to give these, sort of,

1 broad briefings to Parliament, it's not something CSIS would
2 undertake alone. They would have to work with the Sergeant-
3 at-Arms, the Usher of the Black Rod, I suppose, at the
4 Senate, the Public Safety and then with PCO. And I believe
5 you said that PCO sort of links to PMO, but what you're
6 telling us here is that the PMO itself does not need to be
7 involved in your view?

8 **MR. BRIAN CLOW:** That is our view. And Mr.
9 Vigneault said further, he said here sitting at this table in
10 April, he did not require permission to conduct those
11 briefings. Yes, he -- CSIS absolutely required assistance
12 and needed to work with the House of Commons and other
13 departments in order to do a proper briefing, but it did not
14 require the Prime Minister's written sign off. That said, we
15 did not communicate that in 2019 and 2020 when these notes
16 came in. We processed them, as I described, as every other
17 note was processed. With the benefit of hindsight, we should
18 have said at the time, you don't need the Prime Minister's
19 approval. This should just happen. And in conclusion, that
20 is what happened this year, when NSICOP resurfaced this
21 issue, we all discussed, we looked at each other and said the
22 briefing should happen. Let's just make it happen. Then it
23 happened.

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

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

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

28 **MR. BRIAN CLOW:** It was that -- it was the

1 conversation I just referenced. It was ---

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

4 **MR. BRIAN CLOW:** Exactly. We were not
5 involved.

6 **MS. KATHERINE TELFORD:** --- with the
7 parliamentarians at all.

8 **MS. SHANTONA CHAUDHURY:** Okay. Two quick
9 things before we leave this topic, which has taken a little
10 while, the February 2022 memo that is referenced in the
11 NSICOP Report, is there anything that you can tell us about
12 that? It says in the NSICOP Report that it was never sent.

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

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

19 **--- EXHIBIT No./PIÈCE No. CAN003326:**

20 Letter from Public Safety Minister

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

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

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

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

2 **MS. SHANTONA CHAUDHURY:** Okay. Okay. Moving
3 now to a rather different topic, we can take that document
4 down and pull up WIT 163 again, starting at paragraph 47. So
5 this topic now is the PNGing of Mr. Zhao Wei. And I'll just
6 start introducing this topic by asking you about the
7 intelligence that was circulated in 2021 on the PRC's
8 interest in Michael Chong. So, first of all, when did you
9 first hear allegations that the PRC had some interest in
10 targeting Michael Chong specifically? Did that come to your
11 attention in 2021 or subsequently?

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

14 **MS. SHANTONA CHAUDHURY:** Okay. So the
15 intelligence products that we've been talking about in the
16 Commission that were produced in 2021 were -- never reached
17 you?

18 **MR. BRIAN CLOW:** Correct.

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

23 **MS. KATHERINE TELFORD:** No.

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

28 **--- EXHIBIT No./PIÈCE No. CAN019500:**

1 [Handwritten Notes of B. Clow]

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

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

8 **MS. SHANTONA CHAUDHURY:** --- mistake. It
9 should actually be May 2nd. So this is the day after *The*
10 *Globe and Mail* article appears. And it seems to speak to
11 three separate meetings. So, Mr. Clow, I'll just ask you to
12 start by walking us through what happened that day based on
13 your notes.

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

28 That said, he has testified, and CSIS as

1 well, he was not given specific information in those
2 meetings. They were not able to give him classified
3 information.

4 That discussion happened shortly before the
5 Prime Minister met with Mr. Chong. I believe Mr. Vigneault
6 and Ms. Thomas sat in on that meeting. And my notes there
7 are -- I was not in that meeting, but my very brief notes
8 there reflect what the Prime Minister told us after having
9 met with Mr. Chong. Mr. Chong was asking, "Is the individual
10 in question, Zhao Wei, is he still in the country? Still in
11 Canada?" The Prime Minister said that they're doing their
12 due diligence on whether what was reported in *Globe and Mail*
13 was accurate or not.

14 Mr. Chong said to the Prime Minister, "I
15 suggest to you, Prime Minister, the threshold for expulsion
16 is diplomatic, not criminal," and the Prime Minister then
17 said to Mr. Chong, "You should meet with officials now and
18 get properly briefed on the facts here."

19 That meeting then happened between Ms. Thomas
20 and Mr. Vigneault and Mr. Chong. After that, where you see
21 the note say "2 pm", Mr. Vigneault and Ms. Thomas debriefed
22 the Prime Minister and us on how that discussion with Mr.
23 Chong went.

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

1 **MR. BRIAN CLOW:** So this is me noting what
2 Jody Thomas was relating to us in terms of the main focus of
3 Mr. Chong in that briefing. He was obviously interested in
4 the facts around the issue, who the diplomat was, he was
5 asking what did officials do, "Marta" refers to Marta Morgan,
6 who was the Deputy Minister of Foreign Affairs at the time,
7 discussions around whether the diplomat, the Chinese diplomat
8 should be PNG, that's what you see there, and my notes
9 conclude with Jody reporting to us that she told Mr. Chong
10 that her belief was that it was a bureaucratic -- it was a
11 bureaucratic breakdown, I see I wrote, that the information
12 did not get to the Prime Minister, to the Minister of Public
13 Safety, or us.

14 **MS. SHANTONA CHAUDHURY:** Okay. Scrolling
15 back up to that first page, where it says -- a little less
16 than that, there, where it says Mr. Vigneault has reported to
17 have said:

18 "It was not a direct threat, but it's
19 a concern."

20 What was your understanding at the time of
21 what the nature of this targeting or concern was?

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

26 **MS. SHANTONA CHAUDHURY:** Okay. And given
27 what broke in the news yesterday, where we have a situation
28 of the RCMP having made public statements about the

1 involvement of Indian diplomats having gathered information
2 and done certain things with it in terms of intimidation,
3 harassment, plots to murder, and the other things they
4 reported on yesterday, I just want to confirm -- which
5 resulted in the PNGing of six diplomats, I just want to
6 confirm that that was not your understanding of what the
7 nature of this targeting was of Mr. Chong in 2021?

8 **MR. BRIAN CLOW:** No.

9 **MS. SHANTONA CHAUDHURY:** Okay. So continuing
10 in the chronology, if we pull up the CAN18000?

11 **--- EXHIBIT No./PIÈCE No. CAN018000 R01:**

12 [Handwritten Notes of B. Clow &
13 Meeting Invitation]

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

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

20 Mr. Clow, can you tell us about this part of
21 the conversation?

22 **MR. BRIAN CLOW:** So this meeting was a couple
23 of days before Zhao Wei was PNGed, and this was one of
24 several discussions that happened, sometimes it included the
25 Prime Minister, sometimes not, where we were discussing what
26 to do, how to handle the situation, and ultimately it led to
27 the expulsion of Zhao Wei.

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

1 just go down to the next document then, it's a May 7th
2 meeting, CAN018001.

3 --- EXHIBIT No./PIÈCE No. CAN018001 R01:

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

6 **MS. SHANTONA CHAUDHURY:** So again, this is a
7 discussion. Looks like it's some updates. Discussion of
8 deadlines. And we know that eventually on -- not eventually,
9 the next day, May 8th, the decision was made by the Minister
10 of Foreign Affairs to declare Mr. Zhao Wei PNGed.

11 What was your understanding of why that
12 decision was made?

13 **MR. BRIAN CLOW:** It was -- I believe you've
14 heard testimony from David Morrison, Deputy Minister --
15 current Deputy Minister of Foreign Affairs, and I believe he
16 described it well, that it was not that Zhao Wei was directly
17 involved, necessarily, in information gathering on Michael
18 Chong, but it was due to other things that intelligence
19 showed that that individual had done over time, and that the
20 country of China had done over time in Canada. So all of
21 that amounted to and culminated in the decision to expel that
22 individual.

23 **MR. PATRICK TRAVERS:** Sorry, Shantona, if I
24 can just very briefly, I think it's just important to note
25 that when Deputy Morrison testified, this did come after
26 extensive engagement on a range of different behaviours that
27 we had concerns about with China. So there was a real
28 accumulation of behaviour that we found problematic. So I

1 want to stress just how much had led to this point in terms
2 of Canada expressing through all levels our concern about
3 Chinese behaviour and the different nature of that behaviour,
4 including balloons, foreign interference, the Michaels. So
5 it's important to have that record when you understand this
6 decision.

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

10 **COMMISSIONER HOGUE:** I have one question.
11 Since how long did you have these concerns at the time about
12 various behaviours?

13 **MR. PATRICK TRAVERS:** I mean, I think we've
14 had -- those behaviours were -- I think we've testified to
15 it. On those specific issues, much of the information was in
16 public with respect to our ongoing issues with the Michaels,
17 with respect to the spy balloons, as they were called, and
18 generally I think we've had concerns about Chinese behaviour,
19 as we have testified, over the years. And so all of them had
20 been accumulating and we had not seen a response from China
21 to our diplomatic efforts that we viewed as appropriate at
22 that stage.

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

26 "Vulnerabilities of Political Party Processes
27 to Foreign Interference". So the Commission has heard quite
28 a bit of evidence regarding exactly that. The vulnerability

1 of various party processes, nomination races, leadership
2 races, to foreign interference. And one of the things that
3 the Commissioner will be considering is whether there are
4 ways in which to address some of those.

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

7 So I'll just ask you, first of all, what's
8 your reaction to, first of all, the vulnerabilities having
9 been identified, and possible solutions to these problems in
10 terms of whether increased regulation of political parties is
11 feasible or advisable, or any other things that can be done
12 to ameliorate this space?

13 **MS. KATHERINE TELFORD:** So look, I think
14 it's, as we've seen even over the course of the last number
15 of months, let alone the last number of years prior to this
16 Inquiry, it's an evolving landscape and it is why since we
17 first formed government there has been step, after step,
18 after step that has been taken, and there are more steps that
19 need to be taken. So whether it's, you know, looking at the
20 *Election Modernization Act*, whether it was the Rapid Response
21 Mechanisms, there are so many different pieces -- SITE,
22 Panel, Protocol -- like, there are so many different pieces
23 that have come into play that we're still, I think, and by
24 "we", I don't just mean the government, I mean political
25 parties, I mean Elections Canada, are all still learning
26 from. The 2019 Election was the first time that there was
27 such a SITE Task Force involved and there was a review done
28 of that, and then the 2021 was only the second time, and

1 there was a review done of that, and there were changes made
2 after each of those instances, and then there were changes
3 subsequent to the 2021 campaign in terms of applying those
4 same mechanisms to by-elections now. And so -- and that's
5 just one stream of the work.

6 I think what we've seen in terms of
7 vulnerabilities, and I think there probably are more or
8 different ones even than as has been identified to date, but
9 I think getting into, and this is as much a personal opinion
10 and based on personal experience from once upon a time having
11 been involved in the Party side, which I'm not now, but my
12 observation would be it's a pretty complex space to enter
13 into greater regulation within nominations, for example,
14 which I know has obviously been one of the areas of
15 particular interest during the Inquiry because of some of the
16 issues raised. And I think it's complex because I think
17 different political parties make different choices because of
18 different principles that they stand by on how their
19 political parties should operate, what their primary focus is
20 when it comes to a nomination, when it comes to how they
21 create their membership and their supporter base, and so on.

22 Different parties have different membership
23 fees, or no membership fees in the case of our -- in the case
24 of the Liberal Party. And they have different ages, they
25 have different rules around who can participate in a
26 nomination race or not.

27 So making choices that makes all of that the
28 same for everyone would really upend how political parties

1 operate right now. And I think there are good reasons that
2 the different political parties make these choices. So I
3 just - I have found some of the conversation, not here in
4 this room, but in the broader, kind of, conversation that's
5 been going on around all of this, there's become almost a
6 view that there's some simple answer to how this works. And
7 I'm sure as you've been seeing, there is no one simple
8 answer, at least that I have seen.

9 I'm sure there are things that could maybe be
10 tightened up or strengthened, political parties need to look
11 at that. I think there are best practices that could be
12 shared, more greater information flow. I think cleared party
13 representatives, for example, which every political party
14 should, and needs to have, I think at all times, and that has
15 not been consistent in the last period of time, and those
16 political parties need those cleared -- those clear party
17 representatives so that they can get the information, even if
18 they can't act in the moment.

19 Because more often than not, the information
20 we are given, or a political party is given, they're told you
21 can't do anything with this because you could burn the source
22 or whatever else. And so -- but having that information, it
23 might actually help in terms of putting something together
24 that you might have known about that potential candidate, for
25 example, from other information that you might have at the
26 Party.

27 Different political parties have different
28 processes on how they vet candidates. So they might have had

1 other information, and when they hear that bit of information
2 it kind of puts a puzzle together, and there is a way they
3 can act that wouldn't harm anything. Or maybe it helps them
4 in the future; by knowing that information then, if something
5 else comes up in the future it completes the picture.

6 So having that information, I think is so
7 very important, having that on going dialogue between
8 security agencies and political parties, not only on
9 potential flags on candidates, but also just on anything
10 they're seeing around processes, around cyber which is
11 becoming an increasingly significant issue for political
12 parties, let alone for levels of government and for
13 corporations to deal with. I think that is hugely important.

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

19 And just the last thing I'll say on this is
20 Mr. Broadhurst spoke to this in Stage 1 a fair bit, in terms
21 of the Liberal Party specifically, and the robustness that
22 goes along with the processes involved in the Party. There
23 are many lawyers involved, there are appeals processes, there
24 are complaint processes that can be availed of, and many eyes
25 in terms of scrutineers. You know, it's quite a formalized
26 process that a nomination goes through.

27 And so, I think one first has to identify
28 what the problem is or where the weakness is in order to

1 strengthen it, which I'm not clear on myself at this point.

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

8 **MS. KATHERINE TELFORD:** I think political
9 parties should be doing that on a regular basis, and
10 obviously there are additional layers to things that they now
11 know through this process, and through what they've been
12 learning by having had cleared Party representatives in the
13 last two elections working with officials. So they should
14 absolutely be responding to that, both in the moment and over
15 time, in terms of what that should mean for how they operate.

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

22 So what is -- what are the options that are
23 before you when hypothetically, you receive information about
24 a certain something having gone wrong in the system, a
25 certain candidate, a certain piece of intelligence, what can
26 you do?

27 **MS. KATHERINE TELFORD:** So it really depends
28 on when you're receiving the information and what information

1 you are receiving as to what your option set can look like.
2 From my experience anyways. And I think one of the things
3 that I have certainly heard and have experienced in my own --
4 on my own, is that the earlier you receive this information
5 within a process of vetting candidates, the more
6 straightforward it might be to take some action that isn't
7 revealing in the ways that security agencies would be
8 concerned about.

9 So if -- whereas if the person is already
10 elected, let alone even a nominated candidate, how you
11 respond -- if you receive information you're told you cannot
12 reveal to anyone under any circumstance, and any action you
13 might take could reveal that, and you don't have any other
14 reasons to take actions at that point because they are a
15 confirmed, nominated candidate, or even more complicated, an
16 elected member of Parliament, that's where you know, I think
17 it would be very interesting to seek the guidance of the
18 Commission on this going forward.

19 Because I think that is one of the areas of
20 strain between security agencies and political parties and
21 leaders on this. And leader is an important part of this,
22 because leaders have authorities within -- I believe within
23 all political parties in these areas. And so, the leaders
24 have to be cleared as well so that they can then work with
25 the Party representatives to figure out what to do.

26 And then I think as I said a few moments ago,
27 the information, even if you can't act in that moment, if it
28 is too far down a path, or there is just nothing you can do

1 that wouldn't create a vulnerability from the security agency
2 standpoint, and those are conversations that I would
3 encourage to happen. For that to go back and forth, and for
4 there to be a bit of a push and pull between the Party reps
5 and the security agencies to really figure out is there truly
6 nothing that can be done. And that's something we do
7 regularly when we're going through vetting processes and
8 other things within -- on the government side of things.

9 But if there's nothing that can be done in
10 that moment, the information is still valuable, I believe,
11 for the Party representatives and the leaders to know,
12 because they should want to know what is going on around them
13 and could influence decisions they make going forward. What
14 roles that person maybe should or should not have, or maybe
15 there's reason later to have questions about whether that
16 person should continue to be the nominated candidate, and if
17 you also have this information in your mind that completes a
18 picture in a different way.

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

22 **MS. SHANTONA CHAUDHURY:** Okay. Just going
23 back a bit to -- in terms of what political parties may need
24 in this space, when the political parties were before the
25 Commission, and each of the executive or national directors
26 came and testified, one thing they seemed hungry for was more
27 information. More information about what they can possibly
28 do.

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

5 **MS. KATHERINE TELFORD:** I think the more best
6 practices and information that can be shared, the more
7 expertise that can be brought to this, the more that can be
8 learned by other jurisdictions, though frankly, Canada is a
9 global leader in much of what we're doing in this space at
10 this point and other countries are coming to us to learn at
11 the moment. But I think the more of that, the stronger the
12 whole political system will be for sure.

13 **MS. SHANTONA CHAUDHURY:** Okay.

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

24 **MS. KATHERINE TELFORD:** So this is an area
25 that has changed with the Ministerial Directive. The
26 Ministerial Directive which came from the Minister of Public
27 Safety following the leaks involving Michael Chong. Prior to
28 that, I would say generally if not entirely, but certainly

1 the majority of the time, and it goes back to a question you
2 asked earlier about whether names showed up in intelligence.
3 Names didn't show up in intelligence, and when we would ask
4 to have particularly Canadian names, as I mentioned, and we
5 will sometimes ask, "Can we know who this is to complete the
6 picture?", and the CRO will take that away and discuss it
7 with the NSIA, who will discuss it with the security agency
8 lead to determine whether it's something that makes sense to
9 share.

10 And I would surmise that it was a general
11 reluctance to share -- and understandable, you know, to share
12 Opposition Party names in particular in these cases. Having
13 said that, we now do see more of that because of the
14 Ministerial Directive.

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

16 **MR. BRIAN CLOW:** I would just emphasize one
17 thing Katie said. To me, the single biggest way we can fight
18 foreign interference with the information that exists and is
19 contained within CSIS is finding a way to better inform
20 Opposition Parties and the government, although the
21 government gets way more information -- but inform Opposition
22 Parties of specific intelligence that does exist. And it
23 pertains to all of them, some of their candidates, some of
24 their nomination processes.

25 NSICOP highlighted alleged foreign
26 interference from the Government of India in the Conservative
27 Party leadership race. Getting that information to the
28 decisionmakers in those parties, it has improved, but I think

1 it can further improve.

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

6 **MS. KATHERINE TELFORD:** Having said that,
7 they can't in that particular instance because the leader
8 hasn't got cleared.

9 So I think that is true right up to a point,
10 and then if they wanted to share it now, it becomes
11 incredibly difficult.

12 **MS. SHANTONA CHAUDHURY:** Okay. Speaking of
13 the NSICOP Report, have you read the classified version of
14 that report?

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

16 **MS. KATHERINE TELFORD:** Yes.

17 **MS. SHANTONA CHAUDHURY:** Mr. Travers as well?

18 **MR. PATRICK TRAVERS:** Yes.

19 **MS. SHANTONA CHAUDHURY:** Okay. We've heard
20 some evidence in this proceeding about the NSICOP Report, and
21 CSIS was examined on it insofar as they can be in a public
22 setting because most of that report was based on CSIS
23 information. Two things came out of that that I want to ask
24 you about.

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

1 --- EXHIBIT No./PIÈCE No. WIT0000136:

2 In Camera Examination Summary re:
3 NSICOP Report: David Vigneault,
4 Michelle Tessier, Cherie Henderson,
5 Vanessa Lloyd, Bo Basler

6 **MS. SHANTONA CHAUDHURY:** One of the things
7 they heard back was that the MPs they were speaking to as
8 part of this TRM weren't necessarily sure where the lines
9 were, where the boundaries were and what they should be doing
10 and specifically in their interactions with foreign
11 officials. So that's something that I wanted to ask you.

12 In your experience and having read what
13 you've read about the NSICOP Report and the events reported
14 in it, are those lines clear and do MPs know -- do
15 parliamentarians know enough about where those lines are and
16 what they should and should not be doing?

17 **MR. BRIAN CLOW:** I have a few thoughts on
18 this.

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

1 behaviour or not.

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

9 So yes, it's confusing.

10 **MS. SHANTONA CHAUDHURY:** Okay. Anyone else
11 have anything to add on that before I move on to other
12 questions?

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

21 **MR. BRIAN CLOW:** Absolutely.

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

1 Can you speak to that in the context of your
2 receipt of intelligence and what you do with it when you
3 receive it?

4 **MR. PATRICK TRAVERS:** I'm happy to offer a
5 few reflections.

6 I think -- I mean, I think as anyone who
7 works more regularly in the national security and
8 intelligence space will tell you, intelligence is not
9 evidence. It is information that is collected by a variety
10 of means. It is often imperfect information. It can be --
11 for example, it can be transcripts or overheard conversations
12 of opinions offered by a third-party source. And raw
13 intelligence in particular arrives simply as information.

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

19 This is the regular business of the
20 intelligence community precisely because it deals so often in
21 contingent and imperfect information. And so it's one of the
22 reasons why careful analysis is so important. It's one of
23 the reasons why healthy debate about conclusions and facts is
24 so important. And it's one reason that you have to be very
25 careful not to -- speaking very generally here, you have to
26 be very careful not to draw direct lines where direct lines
27 do not exist. It is contingent information and needs to be
28 understood as what it is.

1 **MS. KATHERINE TELFORD:** I would just add that
2 we take -- and I think I can say this collectively. We take
3 everything we receive from the security agencies extremely
4 seriously and if we see anything of concern in terms of
5 something that we feel needs to be immediately followed up on
6 or that they flag as something we need to follow up on or
7 have concern around an individual, we will stop things in
8 their tracks until we've had that discussion and understand
9 things.

10 So for example, in a vetting process if a
11 flag comes up because of some piece of information that's
12 coming through, we will stop and that person is --
13 unfortunately, potentially, especially if the information
14 turns out to not be the case, we will stop everything in
15 terms of moving that person forward in their role until that
16 gets sorted out. And if it can't get sorted out, they will
17 sometimes get frozen in their role for an indefinite period
18 of time.

19 It's also imperfect information in the sense
20 of you can't, with certainty, know the motivation of a
21 source. And so it's interesting sometimes -- this happens
22 rarely, but sometimes when it's information that you actually
23 know ourselves, our experience, and so when we've seen
24 intelligence, for example, in one instance where I can't
25 obviously get into the details, but where it referenced a
26 meeting happening that we knew with certainty had never
27 happened, and only we could know that.

28 Of course, the analyst that was getting that

1 information together and passing it up through the system
2 wouldn't know whether that meeting did or didn't happen.
3 They just had that intelligence.

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

6 And so what was the motivation of that source
7 if you know that that is not accurate, and it actually led to
8 a really interesting and I think healthy conversation around
9 how it's important to continue to have that intelligence
10 because it tells you something about the source and leads to
11 the creation of a bigger picture.

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

22 **MS. SHANTONA CHAUDHURY:** Ce sont mes
23 questions. Those are my questions.

24 **COMMISSIONER HOGUE:** Merci beaucoup. We'll
25 take the break, 20 minutes' break. So we'll come back at
26 11:15.

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

1 This sitting of the Commission is now in
2 recess until 11:15 a.m. Cette séance de la commission est
3 maintenant suspendue jusqu'à 11h15.

4 --- Upon recessing at 10:53 a.m./

5 --- La séance est suspendue à 10 h 53

6 --- Upon resuming at 11:17 a.m./

7 --- La séance est reprise à 11 h 17

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

10 The sitting of the Foreign Interference
11 Commission is now back in session. Cette séance de la
12 Commission sur l'ingérence étrangère est de retour en
13 session. The time is 11:17 a.m. Il est 11 h 17.

14 --- MR. BRIAN CLOW, Resumed/Sous la même affirmation:

15 --- MS. KATHERINE ALANA TELFORD, Resumed/Sous la même
16 affirmation:

17 --- MR. PATRICK TRAVERS, Resumed/Sous la même affirmation:

18 **COMMISSIONER HOGUE:** Mr. De Luca, welcome
19 back.

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

21 **COMMISSIONER HOGUE:** So you're the first one
22 this morning. Counsel for the Conservative Party. You can
23 go ahead.

24 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR
25 MR. NANDO DE LUCA:

26 **MR. NANDO DE LUCA:** Good morning, panellists.

27 Mr. Clow, in your testimony earlier, you
28 remarked that the Prime Minister receives about 1,000

1 briefing memos a year. Is that correct?

2 **MR. BRIAN CLOW:** That's right.

3 **MR. NANDO DE LUCA:** All right. And am I
4 correct that those memos are meant to be summary in nature so
5 that the Prime Minister gets the essence of the issues
6 involved?

7 **MR. BRIAN CLOW:** No. There's -- I would
8 describe it as two types of notes. There's information notes
9 that go to him. Typically those go straight through to him
10 when received by our office. Sometimes we may apply our own
11 additional information.

12 Decision notes can be incredibly detailed,
13 many, many, many pages. Budget decision notes can be
14 decisions in the billions of dollars. So they're not --
15 they're more than summary in nature.

16 **MR. NANDO DE LUCA:** Okay. I'm trying to get
17 a sense as to the volume of information that's in these
18 memos. Are we talking are they short? Are they long?

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

28 **MR. NANDO DE LUCA:** Okay. A thousand (1,000)

1 memos a year works out to about two and three quarters per
2 day. Would you agree with me that the Prime Minister of
3 Canada should not have any problem reading and digesting
4 three briefing notes a day?

5 **MR. BRIAN CLOW:** I don't agree, because it is
6 a massive oversimplification. These are sometimes huge
7 decisions that, as I said, sometimes can amount to billion-
8 dollar questions. Machinery of government, legislation, the
9 note on the Foreign Agents Registry was itself one note.
10 There's a huge amount of information and considerations in
11 something like that. So these get significantly considered,
12 and sometimes they're the product of hundreds of public
13 servants feeding into it over many months, sometimes years
14 building up to these notes.

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

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

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

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

23 **MS. KATHERINE TELFORD:** Yes.

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

1 "Ms. Telford testified that she was
2 not aware that CSIS was seeking a
3 particular warrant at the time it was
4 sought."

5 Is that a reference to the warrant
6 application that sat on Zita Astravas's desk for 54 days in
7 2021 before being presented to Minister Blair for signature?

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

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

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

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

18 **MS. KATHERINE TELFORD:** --- but it is true
19 generally as well.

20 **MR. NANDO DE LUCA:** What is true generally,
21 sorry?

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

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

1 **MR. FREDERICK SCHUMANN:** We would object to
2 that question.

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

4 **MR. FREDERICK SCHUMANN:** National security
5 grounds.

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

10 Are you aware of any of the individuals who
11 were on the Vanweenan list that accompany that warrant
12 application? That's the next question.

13 Ms. -- separately now, Ms. Telford, were you
14 the campaign director for Liberal Leader Justin Trudeau in
15 2015?

16 **MS. KATHERINE TELFORD:** Yes.

17 **MR. NANDO DE LUCA:** You had overall
18 responsibilities, including staffing the central campaign?

19 **MS. KATHERINE TELFORD:** Yes.

20 **MR. NANDO DE LUCA:** You hired Ms. Zita
21 Astravas from Queen's Park to work on the 2015 Trudeau
22 election?

23 **MS. KATHERINE TELFORD:** Yes.

24 **MR. NANDO DE LUCA:** Okay. And following that
25 campaign, you became Chief of Staff to Justin Trudeau in his
26 capacity as Prime Minister?

27 **MS. KATHERINE TELFORD:** I did.

28 **MR. NANDO DE LUCA:** And you hired Ms.

1 Astravas as the Prime Minister's Director of Issues
2 Management?

3 MS. KATHERINE TELFORD: Yes.

4 MR. NANDO DE LUCA: And did she report
5 directly to you?

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

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

10 MS. KATHERINE TELFORD: Yes.

11 MR. NANDO DE LUCA: Are Ministers in your
12 government able to hire Chief of Staff without approval from
13 the PMO?

14 MS. KATHERINE TELFORD: Yes.

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

18 MS. KATHERINE TELFORD: Sorry, can you repeat
19 that?

20 MR. NANDO DE LUCA: Did the Prime Minister's
21 Office play any role in Ms. Astravas becoming Minister
22 Blair's Chief of Staff?

23 MS. KATHERINE TELFORD: Minister Blair made
24 the decision on his Chief of Staff.

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

28 MS. KATHERINE TELFORD: No, I believe

1 Minister Blair had a point of view on his Chief of Staff.

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

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

8 MR. NANDO DE LUCA: Okay. Whether or not
9 Minister Blair asked you, did you put forward Ms. Astravas as
10 a recommended candidate for Minister Blair?

11 MS. KATHERINE TELFORD: I didn't need to.

12 MR. NANDO DE LUCA: Did anyone in your ---

13 MS. KATHERINE TELFORD: I didn't.

14 MR. NANDO DE LUCA: --- office?

15 MS. KATHERINE TELFORD: No.

16 MR. NANDO DE LUCA: Did anyone in your
17 office, in the PMO's Office put forward Ms. Astravas as a
18 candidate for Minister Blair?

19 MS. KATHERINE TELFORD: I don't believe so.

20 MR. NANDO DE LUCA: Ms. Talford, would you
21 consider Ms. Astravas to be a friend?

22 MS. KATHERINE TELFORD: Yes.

23 MR. NANDO DE LUCA: Mr. Clow, am I correct
24 that before joining the Trudeau Government, you also worked
25 alongside Ms. Astravas for Mr. Michael Ignatieff and Kathleen
26 Wynne?

27 MR. BRIAN CLOW: Yes.

28 MR. NANDO DE LUCA: And would it be correct

1 to say that you had worked with Ms. Astravas for the decade
2 leading up to the 2021 general election?

3 **MR. BRIAN CLOW:** Roughly, roughly speaking,
4 yes.

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

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

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

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

15 My question is this, has anyone in the PMO's
16 Office taken any steps to understand why Minister Blair's
17 office took 54 days, which is six times the ordinary period
18 we heard evidence about, to get this warrant signed?

19 **MS. KATHERINE TELFORD:** I believe you are
20 massively oversimplifying things, once again. And I just
21 want to answer all of your questions by saying, we, none of
22 us in the Prime Minister's Office, are involved in anything
23 to do with warrant processes or to do with warrants, and the
24 Minister, I believe has already spoken to what you are just
25 asking.

26 **MR. NANDO DE LUCA:** Okay. But how about
27 answering my question now. You keep volunteering that
28 information.

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

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

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

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

14 **MR. BRIAN CLOW:** The individuals involved
15 have spoken to this at length. This Commission is looking at
16 that very question. We look forward to the Commission's work
17 and the conclusions.

18 **MR. NANDO DE LUCA:** It's a simple yes or no
19 question. Have you or have you not taken investigations in
20 the PMO's Office to find out ---

21 **MR. BRIAN CLOW:** We do not get involved in
22 warrants.

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

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

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

1 **MR. BRIAN CLOW:** The Commission is doing
2 exactly that work.

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

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

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

9 **COMMISSIONER HOGUE:** I think you can answer
10 the question.

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

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

15 **MS. KATHERINE TELFORD:** This is me trying to
16 answer your question.

17 **MR. NANDO DE LUCA:** Well, I'd like a yes or
18 no.

19 **MS. KATHERINE TELFORD:** I have not discussed
20 this warrant, any warrant, with the Minister. Does that
21 help?

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

27 **MR. NANDO DE LUCA:** Okay. So some sort of
28 inquiry has been undertaken from someone at the PMO's Office

1 as to what happened for 54 days?

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

6 **MR. NANDO DE LUCA:** Okay. And I appreciate
7 that you may not be able to discuss the details, but have the
8 details of your own inquiries at the PMO's Office been shared
9 with the Commission?

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

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

14 **MR. BRIAN CLOW:** She told me exactly what she
15 told the Commission.

16 **MR. NANDO DE LUCA:** Okay. So beyond the
17 discussions that you've had with Zita Astravas, has anyone
18 else in the PMO's Office undertaken an analysis as to why it
19 took 54 days for that warrant application to be placed in
20 front of Minister Blair?

21 **MR. BRIAN CLOW:** No.

22 **MS. KATHERINE TELFORD:** Other than to follow
23 what has been happening here.

24 **MR. NANDO DE LUCA:** Thank you. Those are my
25 questions.

26 **COMMISSIONER HOGUE:** Thank you.

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

28 **COMMISSIONER HOGUE:** Next one is counsel for

1 Erin O'Toole.

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

3 **MR. THOMAS JARMYN:**

4 **MR. THOMAS JARMYN:** Thank you, Commissioner.

5 Panel, my name is Tom Jarmyn, I represent
6 Erin O'Toole.

7 CSIS makes applications to the Federal Court
8 for warrants under section 21 of the *CSIS* Act. Those
9 applications are supported by an affidavit from a CSIS
10 officer. The CSIS officer sets out the material
11 circumstances related to the warrant, and in particular,
12 includes two types of information. One, the name of the
13 target or the subject of the warrant; and two, the names of
14 any individuals whose communications will reasonably be
15 expected to be intercepted or captured as a result of that
16 warrant.

17 At any time has anyone advised you -- and
18 I'll ask you each individually -- of the name of an
19 individual mentioned in a CSIS warrant application under
20 section 21?

21 Mr. Clow?

22 **MR. FREDERICK SCHUMANN:** We object on the
23 grounds of national security.

24 **MR. THOMAS JARMYN:** So it is not an issue of
25 national security. It's a matter of general business
26 process, and I'm not asking about any particular warrant.
27 I'm asking about CSIS warrants in general. They are
28 exceptional, we acknowledge, and I put up on last week, 15 to

1 40 warrants a year. But the issue of the general knowledge
2 of these applicants is relevant to this Commission.

3 **COMMISSIONER HOGUE:** Do you have an objection
4 if the question is general?

5 **MR. BARNEY BRUCKER:** Well, I think
6 Commissioner -- sorry, Barney Brucker, with the AGC. We have
7 provided correspondence to the Commission, which I understand
8 has been made available to all participants, about the
9 grounds for rejecting or objecting to any information about
10 the warrant process, including the subject matter of a
11 warrant, target of a warrant, any operational matters. And
12 with all respect to my friend, this question which he says is
13 general does go to the heart of that and we maintain that
14 objection.

15 **COMMISSIONER HOGUE:** So the question is
16 noted.

17 **MR. THOMAS JARMYN:** Thank you. Those are all
18 my questions.

19 **COMMISSIONER HOGUE:** Thank you. Counsel for
20 Michael Chong.

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

22 **MR. GIB van ERT:**

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

28 **MR. BRIAN CLOW:** That is my understanding,

1 yes.

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

6 **MR. BRIAN CLOW:** Yes.

7 **MR. GIB van ERT:** Mr. Chong, my client, is
8 not confident that the PRC would refrain from acts of
9 intimidation, coercion, possibly including physical violence
10 against his relations in Hong Kong, if PRC thought that doing
11 so might quiet down his critiques of PRC here, or otherwise
12 change his conduct. Do you feel confident that PRC would
13 refrain from such acts against my client's relatives in Hong
14 Kong?

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

19 I -- general question of do I have confidence
20 that China would refrain from physically acting against a
21 Canadian or their family members. I'm trying to think, have
22 we -- I don't know that I would phrase it the same way you
23 have, but the intelligence in this case didn't say it and I
24 hesitate to speculate.

25 **MR. GIB van ERT:** So I do appreciate that the
26 -- well, I haven't seen the full IMU. Perhaps you have. But
27 your evidence is that the intelligence didn't indicate any
28 reported physical threats against the relatives in Hong Kong,

1 so I appreciate that. It's still pretty cold comfort for my
2 client.

3 So let me ask you this way. You accept that
4 the PRC is generally regarded as a repressive regime, don't
5 you?

6 **MR. BRIAN CLOW:** Yes. Yes.

7 **MR. GIB van ERT:** And not a rule of law
8 culture.

9 **MR. BRIAN CLOW:** Yes.

10 **MR. GIB van ERT:** Would you agree?

11 It's not a government that's known for
12 respecting political dissidents. Would you agree with that?

13 **MR. BRIAN CLOW:** Absolutely.

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

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

19 **MR. GIB van ERT:** All right. I suppose what
20 I'm trying to understand is this. We know what the reporting
21 was and we know the limits of the reporting, but you're not
22 here telling the Commissioner that my client is over-reacting
23 to have this concern, are you?

24 **MR. BRIAN CLOW:** No, I'm not, actually. And
25 I'm not trying to minimize what was first reported and then
26 told to us in May of last year, and it's why the Prime
27 Minister ensured Mr. Chong was briefed and had an opportunity
28 to directly talk to officials. And it's also why the

1 Minister, in consultation with the Prime Minister, issued the
2 directive to say any time there's information like this, it
3 should be elevated to the member of Parliament. So we take
4 it very seriously, absolutely.

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

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

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

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

17 I see you nodding.

18 **MR. PATRICK TRAVERS:** That's our
19 understanding, yes.

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

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

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

28 **MR. BRIAN CLOW:** I'd have to defer to CSIS

1 and Global Affairs on that kind of ---

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

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

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

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

18 **MR. PATRICK TRAVERS:** I think it -- I
19 wouldn't disagree, but my understanding is that it has a
20 broad range of remits as an interior Ministry and engaged on
21 public safety issues.

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

24 **MR. PATRICK TRAVERS:** Yes. I agree entirely
25 with that.

26 **MR. GIB van ERT:** Right, right. And so
27 getting back to what I was saying about what CSIS's view is,
28 Sir, Mr. Clow, CSIS told -- well, tried to tell the Minister

1 of Public Safety back in 2021 that it assessed that this was
2 a threat and that it involved the collection of information
3 and distributing it to not the Ministry of Foreign Affairs,
4 the Ministry of State Security, which is a different agency
5 altogether.

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

10 But that was the understanding that you were
11 all operating on on the 2nd of May when you were in that
12 meeting, don't you agree?

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

18 **MR. GIB van ERT:** Yes, I appreciate that.
19 Having no intelligence doesn't mean that
20 thing's not going to happen, but it does mean that we don't
21 have any intelligence saying it's going to happen.

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

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

24 Final question. Mr. Zhao was expelled a week
25 after the leak in *The Globe and Mail*. We've heard Mr.
26 Morrison and again you this morning, explain that, having
27 looked into the matter -- because I gather you didn't even
28 know and the Prime Minister didn't now who Wei Zhao was until

1 reading about him in *The Globe and Mail* that day. But having
2 looked into the matter, Global Affairs, assisted by CSIS,
3 found that, in fact, Wei Zhao and the PRC Consulate generally
4 had been up to a lot of troubling things for some time before
5 the May 2023 leak.

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

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

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

17 **MR. BRIAN CLOW:** Right.

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

19 **MR. BRIAN CLOW:** Because information came to
20 us because of what was published in the newspaper, and it had
21 not come to us before that.

22 **MR. GIB van ERT:** Yes. Right.

23 It's a troubling situation, though, isn't it,
24 Sir, because we know that the Service itself two years
25 earlier had tried several times to inform not the PMO, but
26 the Clerk of the Privy Council, the NSIA, the Public Safety
27 Minister, Deputy Ministers all across town, the CSE -- who,
28 by the way, CSE did get the memo, but a lot of the other

1 people I've mentioned seem not to have. So that information
2 was trying to make its way to senior people in this
3 government and it took a leak, an illegal leak, an injurious
4 leak to Canadian national security in *The Globe and Mail*, to
5 actually get the Prime Minister's attention.

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

9 **MR. BRIAN CLOW:** I agree that leaks shouldn't
10 have happened, but I also agree that we've all learned a lot
11 in the last period of time, and that's exactly what this
12 Commission is looking into, flow of information, lessons that
13 should be learned, actions that should be taken. It's why
14 we're all here.

15 **MR. GIB van ERT:** Thank you very much.
16 That's very helpful.

17 **COMMISSIONER HOGUE:** Thank you.

18 Counsel for Jenny Kwan, Maître Choudhry.

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

20 **MR. SUJIT CHOUDHRY:**

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

24 So I have questions about information flow as
25 well, but they relate to the Liberal Party nomination in Don
26 Valley North.

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

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

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

9 "After the election, the Clerk
10 briefed the Prime Minister, Ms.
11 Telford and Mr. Broadhurst about the
12 intelligence. However, there was
13 very little information available."

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

17 **MS. KATHERINE TELFORD:** Very shortly after.
18 It was during the transition period.

19 **MR. SUJIT CHOUDHRY:** Okay. So after the
20 election results had been -- after the election had been
21 completed. So this would be -- the election was on October -
22 --

23 **MS. KATHERINE TELFORD:** Which one was that?

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

26 **MS. KATHERINE TELFORD:** I was going to say
27 19, but yeah, it could be.

28 **MR. SUJIT CHOUDHRY:** Thereabouts. Okay. So

1 it was sometime in late October then. Okay. Good. Okay.
2 So that's helpful. Thank you. And then when you say at the
3 end:

4 "The PMO expected that officials
5 would keep them informed of any
6 updates."

7 Are you referring here to senior level
8 officials who would normally be the ones to interact with the
9 PMO? So the NSIA, the CSIS Director, and the Clerk, or some
10 combination of them?

11 **MS. KATHERINE TELFORD:** That's who we would
12 usually hear from, yes.

13 **MR. SUJIT CHOUDHRY:** Okay. Good. All right.
14 Thank you.

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

17 **--- EXHIBIT No./PIÈCE No. COM0000364:**

18 NSIRA Report - Review of the
19 dissemination of intelligence on PRC
20 political foreign interference, 2018-
21 2023

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

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

1 "The Prime Minister was not directly
2 briefed by CSIS on intelligence
3 regarding PRC foreign interference
4 associated with the case..."

5 That is the Don Valley North nomination:

6 "...until February of 2021..."

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

8 "...may have indirectly been made aware
9 of the relevant CSIS intelligence."

10 And then here's the key point:

11 "PCO noted that a briefing by PCO to
12 the Prime Minister's Office [...] on
13 'issues related to [Don Valley North]
14 likely took place in late
15 September/early October 2019', but
16 could not provide NSIRA [with] any
17 documentation to this effect."

18 And so I'm just trying to understand how many
19 briefings there were to the PMO. I think your evidence just
20 was -- a minute ago, was that the PCO briefing took place
21 after the election, which seems constitutionally appropriate.

22 And so is this paragraph -- is this briefing
23 in 29 that same briefing as well?

24 **MS. KATHERINE TELFORD:** I am not certain.

25 **MR. SUJIT CHOUDHRY:** You're not certain.

26 Okay.

27 **MS. KATHERINE TELFORD:** Because if it was
28 during the writ period, which late September/early October

1 would suggest, ---

2 MR. SUJIT CHOUDHRY: Right.

3 MS. KATHERINE TELFORD: --- then there were
4 cleared Party representatives ---

5 MR. SUJIT CHOUDHRY: Right.

6 MS. KATHERINE TELFORD: --- that were spoken
7 to.

8 MR. SUJIT CHOUDHRY: Yes, and we have had
9 evidence ---

10 MS. KATHERINE TELFORD: And I was on leave at
11 that ---

12 MR. SUJIT CHOUDHRY: Sorry.

13 MS. KATHERINE TELFORD: --- time, so I was
14 not party to that, so I can't really speak to that time
15 period.

16 MR. SUJIT CHOUDHRY: Okay. Fair enough. And
17 I think under the Caretaker Convention, you probably couldn't
18 have?

19 MS. KATHERINE TELFORD: Yeah.

20 MR. SUJIT CHOUDHRY: Okay. So could we just
21 move up then to paragraph 27?

22 And so just for the record, your answer is
23 you're not entirely sure when that meeting was in paragraph
24 29?

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

27 MR. SUJIT CHOUDHRY: Okay. Fair enough. So
28 now paragraph 27 describes a CSIS intelligence product that

1 was first disseminated on October 1st, 2019, and then pulled
2 back on October 10th, 2019, and it was pulled back -- NSIRA's
3 conclusion is that the report was pulled back by Director
4 Vigneault, but after a conversation with the NSIA, and it
5 says at her request. And so we'll just take that for what it
6 is.

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

13 **MR. FREDERICK SCHUMANN:** I'm sorry, just
14 before the witness's answer, and I'm sorry to interrupt my
15 friend, ---

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

17 **MR. FREDERICK SCHUMANN:** --- but my friend's
18 questions do sort of assume that what is in the NSIRA Report
19 happened, and I think it would be fair to the witnesses and
20 appropriate to first ask them whether they have any knowledge
21 of those things having actually happened.

22 **MR. SUJIT CHOUDHRY:** That's a very reasonable
23 -- that's a reasonable position.

24 And so assuming that what -- the chronology
25 here is correct, and you might take issue with it, but let's
26 assume this is correct, then what I'm trying to understand is
27 the relationship between the issuance and then pulling back
28 of the CSIS Intelligence Assessment of the Don Valley North

1 events and the subsequent briefing you had by the Privy
2 Council Office at the end of October, as you put it. And
3 were you aware at that time that CSIS had issued this report
4 or not?

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

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

15 Okay. If we could scroll down to paragraph
16 30?

17 Then here it references an attempt by the PCO
18 Assistant Secretary of Security and Intelligence, who
19 prepared a Memorandum for the NSIA, recommending that the
20 NSIA brief you, Ms. Telford, on CSIS's assessment of Don
21 Valley North, and it's not clear if that briefing happened.
22 Are you able to tell us if in fact the NSIA did brief you
23 after December 2019 on CSIS's assessment of Don Valley North?

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

1 subject.

2 And, I mean, the main thing I can think of in
3 December 2019 would have been around a flag that came to us
4 around a parliamentary Committee.

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

7 **MS. KATHERINE TELFORD:** Yeah.

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

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

18 **MR. SUJIT CHOUDHRY:** Okay. And then -- thank
19 you.

20 And then so finally, I hope we can take this
21 down and put up Commission 363, which is the NSICOP Report.
22 And if we could go to PDF page 39?

23 And I understand that you've all read this.
24 And so -- and this is, again, the NSICOP's conclusion, and
25 take it for what it is, regarding Don Valley North.

26 And because I'm out of -- I'm short of time,
27 I just want to note for the record that there are a number of
28 very specific allegations or conclusions that NSICOP makes

1 about the nomination in 2019, and it footnotes various CSIS
2 intelligence products, and those conclusions have to do with
3 IDs, and busses, and funding, and coercion, and there's a
4 number of very specific allegations made. And so I'm going
5 to take it you're aware of the content of those allegations
6 here?

7 **MR. BRIAN CLOW:** Yes.

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

9 And so Ms. Telford, did you want to add to
10 that, or?

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

19 **MR. SUJIT CHOUDHRY:** So thank you for that.
20 So my final question is this then. So it's -- in the NSIRA
21 Report, it states that the Prime Minister finally received a
22 briefing about Don Valley North from CSIS on February 9th of
23 2021. And I'm wondering if any of you can comment on whether
24 the Prime Minister was -- whether these specific allegations
25 were disclosed by CSIS to the Prime Minister in that February
26 2021 briefing?

27 **MS. KATHERINE TELFORD:** I'm not sure that we
28 can speak to which intelligence was shared when. I look to

1 others to ---

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

10 **MR. PATRICK TRAVERS:** I am ready to do it.
11 And thank you.

12 As I've previously described, this was
13 essentially an overview of the state of foreign interference
14 in Canada.

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

16 **MR. PATRICK TRAVERS:** And it covered a range
17 of countries, it covered a range of tactics that they use,
18 and I have previously testified that Don Valley North did
19 come up as an example. I can't speak to the specific details
20 and exactly what was raised in raising that example, but it
21 was a portion of a much broader conversation with a broader
22 focus.

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

26 **COMMISSIONER HOGUE:** Final.

27 **MR. SUJIT CHOUDHRY:** --- and so how long was
28 this briefing, if you happen to recall? I'm sure you've been

1 to many. And in that briefing, what proportion of that do
2 you think would have been devoted, to the best of your
3 recollection, to Don Valley North?

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

9 Without -- being careful about what I can say
10 in this setting, I would say that a number of countries were
11 discussed and a number -- within that, a number of the
12 tactics and methods used were discussed, and so this came up
13 as an example. So I would not say it was the majority of the
14 briefing or even a substantial minority. But it was raised.

15 **MR. SUJIT CHOUDHRY:** Okay. Thank you very
16 much for your time.

17 **COMMISSIONER HOGUE:** Thank you.

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

20 Good morning.

21 **MS. EMILY YOUNG:** Good morning, Madam
22 Commissioner.

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

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

27 **COMMISSIONER HOGUE:** No questions. Thank
28 you.

1 I think Maître Sirois for the RCDA, the
2 Russia-Canadian Democratic Alliance.

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

4 MR. GUILLAUME SIROIS:

5 MR. GUILLAUME SIROIS: Yes. Thank you, Madam
6 Commissioner.

7 Can I please ask the Court Reporter to please
8 pull up CAN.DOC38, please?

9 So this is the Institutional Report of the
10 Prime Minister's Office for Stage 2. Do you recognize the
11 document?

12 MR. PATRICK TRAVERS: Yes.

13 MR. GUILLAUME SIROIS: I'd like to walk us
14 through some meetings the Prime Minister had with various
15 leaders or heads of state.

16 It starts at page 5, approximately. Yes.

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

21 "The Prime Minister raised threats to
22 democracy including those arising
23 from technology, social media, and
24 artificial intelligence. He
25 mentioned China and Russia as actors
26 seeking to undermine and destabilize
27 democracies and thus the
28 international order."

1 And that was with the Prime Minister
2 Andersson of Sweden.

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

6 "Leaders reaffirmed their call on
7 Russia to stop its destabilising
8 behaviour and malign activities,
9 including its interference in other
10 countries' democratic systems, and to
11 fulfil its international human rights
12 obligations and commitments."

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

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

17 "The two leaders discussed Russian
18 disinformation and the possibility of
19 diplomatic responses."

20 Right after that:

21 "The Prime Minister raised, [with
22 Senior Minister Lee Hsien Loong of
23 Singapore], the circulation of
24 Russian disinformation in their
25 respective countries [on May 30,
26 2022]."

27 Then there was the G7 Summit again, talking
28 about Russian interference in our democratic systems, and

1 leaders calling to halt the democratic backsliding.

2 We can continue to scroll down. It goes all
3 the way to 2024. There was the G7 Summit in Japan in 2023.
4 And then in 2024, June 2024, there was a telephone call with
5 the President of the European Commission, Ursula von der
6 Leyen. Again:

7 "The Prime Minister mentioned foreign
8 interference by China, Russia, and
9 India in Canadian democratic
10 processes."

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

15 **MR. PATRICK TRAVERS:** Yes, I think we can.
16 And I think it's important to note that upon coming into
17 government after the 2015 election, it was already a
18 significant concern for our allies, and certainly events
19 since, including the invasion of Ukraine, have only
20 exacerbated the concern.

21 **MR. GUILLAUME SIROIS:** And between the 2015
22 election and the invasion of Ukraine, it was an ongoing
23 concern as well?

24 **MR. PATRICK TRAVERS:** I think there was -- it
25 was a concern for allies. There was widespread reporting
26 about interference in other democratic processes and, yes,
27 it's been a concern.

28 **MR. GUILLAUME SIROIS:** And I'm trying to

1 focus on Canada specifically. Was there any evidence of
2 these activities in Canada's democratic processes and
3 institutions specifically?

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

8 **MR. GUILLAUME SIROIS:** Okay. So you cannot
9 provide us with unclassified information other than the
10 topical summary about Russian interference during the last --
11 -

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

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

18 **MR. PATRICK TRAVERS:** Again, I would refer
19 you to the summary.

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

22 **MR. PATRICK TRAVERS:** I will say -- I think I
23 would speak generally to say without being in a position to
24 quantify impact, that Russia's behaviour particularly in --
25 particularly as it has accelerated in recent years, is of
26 great concern. I think I would point you in particular, as a
27 most recent example, to the evidence that's been provided by
28 the United States. We've been clear that we were working

1 with them on Russian attempts through RT, *Russia Today*, to
2 engage in a disinformation process that is intended to affect
3 our -- to affect Western democracies. And so there is great
4 concern, and that has an impact on the information that
5 Canadians receive, particularly through the U.S. media
6 ecosystem.

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

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

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

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

24 **--- EXHIBIT No./PIÈCE No. CAN023184:**

25 2023 Threat Summary Report

26 **MR. GUILLAUME SIROIS:** This is the summary
27 report of CSIS.

28 Can we just scroll up a little bit more just

1 to see the first page? Yes.

2 So this is the 2023 Threat Assessment Summary
3 Report from CSIS.

4 Can we go at page 5, please?

5 There's a mention that -- we can zoom in a
6 little bit more just so that the witnesses can read the
7 document.

8 There's a mention here about:

9 "The Russian Intelligence Services
10 [...] rely[ing] primarily on diplomatic
11 mission-based personnel to carry out
12 intelligence and [foreign
13 interference] activities in Canada."

14 Are you aware of the role of Russian
15 diplomats in carrying out intelligence and foreign
16 interference activities in Canada?

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

21 **MR. GUILLAUME SIROIS:** Okay. I'm going to
22 offer you public information that the Director of MI5, Ken
23 McCallum, stated last week, actually. He said over 750
24 Russian diplomats have been expelled from Europe since Putin
25 invaded, "the great majority of them" spies. This goes well
26 beyond all historical precedents and has put a big dent in
27 the Russian intelligence services' ability to cause damage in
28 the west.

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

3 **MR. PATRICK TRAVERS:** So we -- I can speak to
4 elements of this that are public in the sense that Canada, in
5 previous years, have taken a number of steps, including
6 expelling Russian diplomats. I believe, but would have to
7 check, the most recent was in relation to the poisoning in
8 Salisbury, UK.

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

12 At that time, we were very clear that some of
13 those diplomats were, indeed, engaging in undeclared
14 activities that we found unacceptable.

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

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

23 **MR. PATRICK TRAVERS:** Speaking generally, it
24 is possible to further reduce the presence. The Foreign
25 Minister has spoken of the -- in the current geopolitical
26 context, the imperative that there is some remaining
27 diplomatic engagement with the Russian Federation.

28 Diplomacy is such that you don't only get to

1 engage with your friends. And to be clear, we are deeply
2 opposed to Russia's actions geopolitically, but in a moment
3 when we are dealing with disinformation, we're dealing with
4 their actions in Ukraine, it is important that we're also
5 able to express that directly to the Russian Federation. And
6 it's a part of diplomacy in an uncertain and challenging
7 world.

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

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

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

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

23 I'm all out of time, and I thank you for your
24 answers.

25 **COMMISSIONER HOGUE:** Thank you.

26 Counsel for the Concern Group.

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

28 **MR. NEIL CHANTLER:**

1 **MR. NEIL CHANTLER:** Good morning, panel.
2 Neil Chantler, counsel for the Chinese Canadian Concern
3 Group.

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

8 The PMO provides strategic advice to the PM
9 on a whole range of issues that might concern the Prime
10 Minister, political strategy, communications and so on.
11 You'd agree with that.

12 **MS. KATHERINE TELFORD:** Yes.

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

18 **MS. KATHERINE TELFORD:** Largely.

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

21 **MS. KATHERINE TELFORD:** We definitely come at
22 it from a political lens for many issues, but I would say in
23 this space, and that's why I say "largely" -- in this space,
24 this should be very non-partisan space and we do treat it as
25 such.

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

27 If I can focus all of your attention on a
28 specific period of time, and that's the fall of 2022, I

1 understand you were all in your current positions then;
2 correct?

3 MR. PATRICK TRAVERS: Correct.

4 MR. NEIL CHANTLER: You're all nodding your
5 heads.

6 MR. PATRICK TRAVERS: Correct.

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

12 MS. KATHERINE TELFORD: Yes.

13 MR. BRIAN CLOW: Yes.

14 MR. NEIL CHANTLER: --- all of you?

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

19 MR. PATRICK TRAVERS: I believe that is
20 correct.

21 MR. NEIL CHANTLER: Would you like me to take
22 you to a document to confirm that or are you able to say with
23 confidence that ---

24 MR. PATRICK TRAVERS: I'm happy to look at
25 the document that ---

26 MR. NEIL CHANTLER: Okay. Court Operator,
27 please, CAN.SUM15.

28 --- EXHIBIT No./PIÈCE No. CAN.SUM.000015:

1 People's Republic of China Police
2 Stations

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

6 Briefly, it says:

7 "Also in October 2022, the Prime
8 Minister's Office was briefed on the
9 issue and it was discussed at a
10 Deputy Minister level meeting."

11 Does that accord with your recollection?

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

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

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

28 **MR. PATRICK TRAVERS:** I don't specifically

1 recall when he was first briefed.

2 **MR. NEIL CHANTLER:** Okay. You all understood
3 from your briefing on this issue that the overseas police
4 stations were allegedly hubs of illegal activity that were
5 being conducted by agents or proxies of the Chinese
6 government and they were targeting members of the Chinese
7 diaspora in Canada.

8 **MR. PATRICK TRAVERS:** Yes.

9 **MR. NEIL CHANTLER:** Can you confirm that
10 knowledge ---

11 **MR. PATRICK TRAVERS:** Yes.

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

13 **MR. PATRICK TRAVERS:** Yes.

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

17 It was a very difficult time in our
18 relationship with China, perhaps continuing to today.
19 Allegations of interference in our elections, the Chinese spy
20 balloon, the motion in the House to recognize the Uyghur
21 genocide, the two Michaels had returned only a year prior.

22 Were those relations with China front of mind
23 for you when considering this issue and the advice you were
24 going to provide the Prime Minister?

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

27 My engagement with colleagues in the Public
28 Service was to determine as quickly as possible the nature of

1 the presence in Canada and to have a conversation about how
2 robustly and how quickly we could push back against this
3 presence. The activity's unacceptable.

4 Obviously, relations were tense at the time,
5 but the immediate reaction was to understand the scope of the
6 threat and to understand exactly what could be done to push
7 back against it, recognizing that some of the activity that
8 was taken was also independently taken by law enforcement
9 given the nature of the issue.

10 We were focused on how to address this.

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

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

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

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

20 **MR. PATRICK TRAVERS:** What I'm suggesting is
21 that our focus on this issue was pushing back and then
22 mitigating and eliminating the threat that was posed by the
23 police stations to Canadians.

24 **MR. NEIL CHANTLER:** Was there any
25 communication between your office and the Minister of Public
26 Safety on the appropriate level of priority that should be
27 given to this issue?

28 **MR. PATRICK TRAVERS:** I would say that there

1 was -- as part of our regular work on files of this sort,
2 there were conversations with our colleagues, both within the
3 Public Service and at the Ministerial level, and they
4 themselves, my understanding is, were engaging on this issue,
5 including working with the Department of Public Safety.

6 **MR. NEIL CHANTLER:** What was the essence of
7 those conversations? Was it to prioritize this, was it to
8 tread lightly on the issue? Give us a sense of the nature of
9 those ---

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

12 The essence of the conversations were to
13 fully understand the scope of the issue and to respond using
14 the full range of measures that were available in order to
15 address it.

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

17 **MR. NEIL CHANTLER:** Please.

18 **MS. KATHERINE TELFORD:** I think -- look,
19 whenever we're dealing with any of these number of issues you
20 might point to, you, of course, situate it within a broader
21 context and geopolitical context. Having said that, and I
22 think there's evidence of this in what we saw the Prime
23 Minister and Minister of Public Safety and Minister of Global
24 Affairs do yesterday, and they repeated this multiple times
25 yesterday and I'm sure you'll hear this again, their first
26 priority is the protection of Canadians, and that's what
27 comes in -- that's what kicks into play as a priority if that
28 is ever in question.

1 **MR. NEIL CHANTLER:** Thank you for your
2 information.

3 **COMMISSIONER HOGUE:** Thank you.

4 **MR. NEIL CHANTLER:** Thank you, Madam
5 Commissioner.

6 **COMMISSIONER HOGUE:** Ms. Teich for the Human
7 Rights Coalition.

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

9 **MS. SARAH TEICH:**

10 **MS. SARAH TEICH:** Good morning -- or good
11 afternoon now, isn't it?

12 I don't have many questions for you.

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

16 And this is a list of all engagements at the
17 divisional director level or equivalent, and this IR notes
18 that this question is better directed at other Ministries,
19 including Public Safety and Department of Justice.

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

22 **MR. BRIAN CLOW:** We definitely engage with
23 representatives of diaspora groups quite a bit, actually.

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

25 **MR. BRIAN CLOW:** Everything. Everything you
26 could imagine.

27 **MS. SARAH TEICH:** Does that include
28 transnational repression?

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

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

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

8 **MS. SARAH TEICH:** Okay. Perhaps we can make
9 a note of that question and find out the answer later
10 somehow.

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

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

20 **MS. KATHERINE TELFORD:** Do you mind if I try
21 something here?

22 **MS. SARAH TEICH:** Sure.

23 **MS. KATHERINE TELFORD:** So from a Prime
24 Minister's Office perspective, we have regular and ongoing
25 contact with all kinds of community leaders across the
26 country. You can imagine that there was a fair bit of back
27 and forth yesterday, today in terms of recent public
28 information, but -- on any number of topics, but that ongoing

1 engagement covers all kinds of different issues going on in
2 the country, and that's why I think it would be very hard to
3 try to get to the specifics you're talking about from a Prime
4 Minister's Office perspective, whereas, as the document
5 points to, if Public Safety or, you know, a specific
6 department were consulting on a specific piece of
7 legislation, you'd be able to get a specific record of who
8 discussed what, when.

9 **MS. SARAH TEICH:** Okay. Thank you. That's
10 helpful.

11 All right. I have no further questions.
12 Thanks.

13 **COMMISSIONER HOGUE:** Thank you.

14 Attorney General?

15 **MR. FREDERICK SCHUMANN:** Nothing from the
16 Attorney General. Thank you.

17 **COMMISSIONER HOGUE:** Any questions in re-
18 examination, Maître Chaudhury?

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

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

22 We'll take one hour, 10 minutes -- one hour,
23 20 minutes for lunch, so we'll come back at 1:40.

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

26 This sitting of the Commission is now in
27 recess until 1:40 p.m. Cette séance de la Commission est
28 maintenant suspendue jusqu'à 13 h 40.

1 --- Upon recessing at 12:18 p.m.

2 --- La séance est suspendue à 12 h 18

3 --- Upon resuming at 1:41 p.m./

4 --- L'audience est reprise à 13 h 41

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

7 This sitting of the Foreign Interference
8 Commission is now back in session. Cette séance de la
9 Commission sur l'ingérence étrangère est de retour en
10 session.

11 The time is 1:41 p.m. Il est 13 h 41.

12 **COMMISSAIRE HOGUE:** Bon après-midi.

13 Alors, c'est vous, Maître MacKay, cet après-
14 midi qui menez l'interrogatoire?

15 **Me JEAN-PHILIPPE MacKAY:** En partie, Madame la
16 Commissaire.

17 **COMMISSAIRE HOGUE:** En partie.

18 **Me JEAN-PHILIPPE MacKAY:** Me Dann va prendre
19 le relais éventuellement pendant l'interrogatoire.

20 **COMMISSAIRE HOGUE:** D'accord.

21 Alors, bonjour, Monsieur le Ministre.

22 **L'HON. DOMINIC LeBLANC:** Bonjour, Madame la
23 Commissaire.

24 **COMMISSAIRE HOGUE:** Vous pouvez procéder.

25 **Me JEAN-PHILIPPE MacKAY:** On peut assermenter
26 le témoin, s'il vous plaît?

27 **LE GREFFIER:** OK.

28 Bonjour, Monsieur le Ministre. Pourriez-vous,

1 s'il vous plaît, indiquer votre nom complet et puis épeler
2 votre nom de famille pour la transcription sténographique.

3 **L'HON. DOMINIC LeBLANC:** Absolument. C'est
4 Dominic LeBlanc, avec un « C », puis le nom de famille, c'est
5 L-E-B majuscule – on a déjà eu cette discussion ici
6 auparavant, les Acadiens, c'est avec un « B » majuscule – L-
7 A-N-C.

8 **LE GREFFIER:** Merci beaucoup. Et maintenant
9 pour l'assermentation.

10 **--- L'HON. DOMINIC LeBLANC, Sworn/Assermenté:**

11 **LE GREFFIER:** Parfait. Merci beaucoup.

12 Maître, vous pouvez procéder.

13 **Me JEAN-PHILIPPE MacKAY:** Merci beaucoup.

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

15 **Me JEAN-PHILIPPE MacKAY:**

16 **Me JEAN-PHILIPPE MacKAY:** Bonjour, Monsieur
17 LeBlanc.

18 **L'HON. DOMINIC LeBLANC:** Merci à vous.

19 **Me JEAN-PHILIPPE MacKAY:** On va commencer par
20 mettre en preuve trois documents. Il n'est pas nécessaire de
21 les mettre à l'écran, il a déjà été convenu qu'on fasse la
22 liste des documents afin qu'on puisse les produire en preuve.

23 Donc, le premier document, Madame la
24 Commissaire, c'est le résumé d'entrevue, une entrevue qui a
25 eu lieu le 27 juin 2024, le code du document, c'est WIT103,
26 versions anglaise et française.

27 Le second document, WIT162, versions anglaise
28 et française, c'est le résumé du témoignage à huis clos de

1 Monsieur LeBlanc, témoignage qui a eu lieu cet été.

2 Et finalement, il y a un addendum de
3 l'interrogatoire à huis clos de la phase 1, donc
4 interrogatoire qui avait eu lieu plus tôt dans l'année 2024,
5 et la cote de ce document est WIT124, versions française et
6 anglaise.

7 Donc, Monsieur LeBlanc, vous avez eu
8 l'occasion de réviser les trois documents que je viens de
9 lister avant votre comparution aujourd'hui?

10 **L'HON. DOMINIC LeBLANC:** Oui.

11 **Me JEAN-PHILIPPE MacKAY:** Et avez-vous des
12 corrections ou des ajouts à faire dans les documents?

13 **L'HON. DOMINIC LeBLANC:** Non, du tout, je les
14 accepte comme elles sont écrites.

15 **Me JEAN-PHILIPPE MacKAY:** Parfait. Donc, vous
16 acceptez, comme vous venez de le mentionner, les documents
17 qui vont faire partie de votre preuve devant la Commission.

18 **--- EXHIBIT No./PIÈCE No. WIT0000103.EN:**

19 Interview Summary: The Honourable
20 Dominic LeBlanc

21 **--- EXHIBIT No./PIÈCE No. WIT0000103.FR:**

22 Résumé d'entrevue : l'honorable
23 Dominic LeBlanc

24 **--- EXHIBIT No./PIÈCE No. WIT0000162:**

25 In Camera Examination Summary: The
26 Honourable Dominic LeBlanc

27 **--- EXHIBIT No./PIÈCE No. WIT0000162.FR:**

28 Résumé d'interrogatoire à huis clos :

1 l'honorable Dominic LeBlanc

2 **--- EXHIBIT No./PIÈCE No. WIT0000124:**

3 Addendum to In Camera Examination

4 Summary Minister Dominic LeBlanc

5 **--- EXHIBIT No./PIÈCE No. WIT0000124.FR:**

6 Addendum au résumé d'interrogatoire à

7 huis clos : l'honorable Dominic

8 LeBlanc

9 **Me JEAN-PHILIPPE MacKAY:** Donc, vous avez déjà
10 expliqué votre parcours au sein du Cabinet, je crois que vous
11 l'avez fait deux fois, puisque c'est votre troisième
12 témoignage public devant la Commission. Donc, je vous
13 demanderais simplement de faire un survol des rôles que vous
14 avez occupés au sein du Cabinet depuis 2019.

15 Donc, depuis l'élection générale de 2019
16 jusqu'à ce jour, quel a été votre parcours au sein du Cabinet
17 et les rôles que vous y avez occupés?

18 **L'HON. DOMINIC LeBLANC:** Alors, après
19 l'élection générale de 2019, j'ai été assermenté comme
20 président du Conseil privé de la Reine pour le Canada qui
21 comprenait des responsabilités pour les Institutions
22 démocratiques. Dans... à l'été 2020, le premier ministre avait
23 ajouté des responsabilités pour les Affaires
24 intergouvernementales, mais j'ai conservé la fonction
25 d'Institutions démocratiques. Et ensuite, l'élection de 2021,
26 j'ai conservé la responsabilité pour les Institutions
27 démocratiques, les Affaires intergouvernementales, mais on
28 m'a ajouté la responsabilité pour le ministre de

1 l'Infrastructure et les Collectivités.

2 Et, hélas, à l'été 2023, j'ai perdu la partie
3 Infrastructure/Collectivités et on m'a ajouté le ministre de
4 la Sécurité publique, et tout ce temps-là, et depuis, je
5 conserve la fonction de ministre des Institutions
6 démocratiques et des Affaires intergouvernementales aussi.

7 **Me JEAN-PHILIPPE MacKAY:** Donc, aujourd'hui,
8 les questions que je vais vous poser avant que ma collègue
9 prenne le relais vont concerner principalement les
10 institutions démocratiques, et évidemment, compte tenu de la
11 nature du travail qui a été accompli par le Secrétariat des
12 Institutions démocratiques, il va y avoir un élément de vos
13 rapports avec les provinces et les territoires, et ensuite de
14 ça, ma collègue va enchaîner avec le portefeuille de la
15 Sécurité publique.

16 Donc, brièvement, Monsieur le Ministre,
17 pouvez-vous rappeler quelles sont les responsabilités qui
18 vous reviennent à titre de ministre responsable des
19 Institutions démocratiques?

20 **L'HON. DOMINIC LeBLANC:** C'est surtout une
21 fonction d'élaboration de politiques publiques en ce qui a
22 trait aux élections, la *Loi électorale*. Moi, je suis ministre
23 responsable pour la *Loi électorale*, le redécoupage des
24 circonscriptions, les délimitations électorales. Ça, c'est
25 des fonctions plutôt selon la loi, mais c'est une fonction
26 encadrée dans le Bureau du Conseil privé. Alors, moi, je suis
27 un des ministres qui relève du Conseil privé, et l'unité
28 responsable des institutions démocratiques en grande partie

1 prépare des plans pour renforcer et préparer nos institutions
2 démocratiques. C'est le point de... c'est le lien entre
3 Élections Canada, par exemple, puis le gouvernement du
4 Canada. Mais beaucoup de travail, surtout depuis quelques
5 années, depuis 2018-19, c'est des mesures en place pour
6 protéger les institutions démocratiques, y compris contre
7 l'ingérence étrangère.

8 J'ai aussi été responsable d'amener devant le
9 Parlement des projets de loi pour amender la *Loi électorale*,
10 mais c'est surtout de travailler avec l'unité au Conseil
11 privé. Vous avez eu des témoignages, par exemple de Al
12 Sutherland qui travaille avec moi, mais aussi de participer à
13 travers le pays avec la société civile, avec des groupes à
14 but non lucratif, afin de discuter l'état de la démocratie au
15 Canada, comment encourager les gens à voter, qu'est-ce qu'on
16 peut faire pour inciter la participation électorale, et
17 qu'est-ce qu'on peut faire aussi pour s'assurer, comme je le
18 crois est toujours le cas, que les institutions au Canada
19 sont prêtes pour rencontrer la menace évolutive de
20 l'ingérence étrangère.

21 **Me JEAN-PHILIPPE MacKAY:** Et à ce sujet,
22 pouvez-vous décrire la place ou, en fait, l'évolution de la
23 place prise par l'ingérence étrangère en lien avec vos
24 responsabilités aux Institutions démocratiques?

25 **L'HON. DOMINIC LeBLANC:** La première fois que
26 moi j'ai participé à des conversations sur la question de
27 protéger, de rendre plus résilientes nos institutions
28 démocratiques et la citoyenneté canadienne quant à la menace

1 de l'ingérence étrangère, c'était quand ma collègue à
2 l'époque, en 2018, Karina Gould, qui avait ces fonctions-là,
3 est arrivée à notre Conseil des ministres avec le premier
4 plan pour protéger la démocratie. On a beaucoup parlé de ces
5 évolutions par après, mais c'est la première fois que le
6 gouvernement du Canada a décidé délibérément de mettre sur
7 pied des mécanismes pour contrer, détecter et contrer,
8 répondre à l'ingérence étrangère dans l'espace démocratique.

9 On a aussi convenu de l'importance d'avoir
10 une citoyenneté... des citoyens résilients, je devrais dire, de
11 travailler avec la société civile, des universités, des
12 académiques, précisément pour ajouter des voix dans un
13 contexte de mésinformation et de désinformation, comment
14 s'assurer que les Canadiens aient confiance dans leurs
15 sources d'information, de renseignements.

16 Alors, ça, c'était la première fois qu'un
17 gouvernement fédéral a décidé délibérément de mettre sur pied
18 des mécanismes, et on peut les passer, si vous voulez, mais
19 vous connaissez le Panel de cinq sous-ministres, le Task
20 Force SITE, un mandat aux agences de sécurité. C'était le
21 début d'un effort par après qui nécessairement a évolué selon
22 la menace, la menace qui évolue et qui augmente.

23 On a élaboré avant l'élection de 2021 des
24 changements ou des améliorations, on a renforcé le plan
25 initial de 2018-19. Moi, j'ai travaillé afin... avec mes
26 collègues au Conseil des ministres là-dessus. On a vu, il y a
27 des événements, que ce soit la pandémie, que ce soit
28 l'invasion de la Russie en Ukraine, il y a eu énormément de

1 pressions et de turbulences à l'étranger qui font en sorte
2 que le contexte de désinformation/mésinformation devient
3 encore plus important à contrer, à identifier et contrer. Le
4 Canada, au sein du G7, a pris un rôle avec le Mécanisme
5 rapide au ministre des Affaires étrangères.

6 Alors, c'est vraiment une évolution, une
7 conscientisation de la population canadienne, et moi ,je
8 dirais, ultimement, la décision appuyée par tous les
9 parlementaires de mettre sur pied votre Commission d'enquête,
10 Madame la Commissaire, fait partie, je pense, de mettre une
11 lumière sur la menace d'ingérence étrangère, de s'assurer
12 que, comme on a fait, on a évolué et renforcé au fil du temps
13 basé sur les conseils des experts, que ce soit Jim Judd ou
14 Morris Rosenberg, des rapports du Comité des parlementaires,
15 de l'Agence de révision de la sécurité nationale.

16 Il y a eu énormément de travail et je pense
17 que cette Commission est peut-être la pierre angulaire afin
18 de laisser les Canadiens voir ce qui a été fait dans le passé
19 et de bénéficier de tous les témoignages et la preuve devant
20 vous sur d'autres mesures qu'on peut continuer d'évoluer afin
21 de rencontrer la menace.

22 **Me JEAN-PHILIPPE MacKAY:** Vous avez mentionné
23 plusieurs éléments sur lesquels on va revenir dans le cadre
24 de votre témoignage.

25 Le premier point sur lequel j'aimerais vous
26 entendre, c'est le travail que vous avez fait sur la deuxième
27 version du plan pour protéger la démocratie, et à cette fin-
28 là, on retrouve une synthèse des modifications dans le

1 rapport que vous avez cosigné avec l'ancienne Greffière du
2 Conseil privé.

3 Donc, je demanderais à ce que le document
4 CAN24135 soit affiché à l'écran. Donc, CAN24135.

5 **--- EXHIBIT No./PIÈCE No. CAN024135**

6 Countering an Evolving Threat -
7 Update on Recommendations to Counter
8 Foreign Interference in Canada's
9 Democratic Institutions

10 **Me JEAN-PHILIPPE MacKAY:** Puis on peut aller
11 immédiatement à la page 5.

12 Donc, c'est la version anglaise qui apparaît
13 à l'écran, Madame la Commissaire. On a la version française
14 qui est disponible sur le site de la Commission et également
15 sur le site du gouvernement du Canada.

16 Et on peut descendre un peu plus bas dans la
17 page.

18 **COMMISSAIRE HOGUE:** Voulez-vous juste me
19 rappeler la date du document ou à tout le moins la...

20 **Me JEAN-PHILIPPE MacKAY:** C'est au printemps
21 2023.

22 **COMMISSAIRE HOGUE:** Printemps 2023.

23 **Me JEAN-PHILIPPE MacKAY:** Le ministre peut
24 nous le confirmer la date exacte. Si ma mémoire est bonne, je
25 crois que c'est en... c'est au printemps 2023, mais j'ai pas le
26 mois.

27 **COMMISSAIRE HOGUE:** C'est bon. Juste pour me
28 situer.

1 **Me JEAN-PHILIPPE MacKAY:** Oui.

2 Donc, Monsieur LeBlanc, on voit vers le
3 milieu de la page que la... il y a trois... il y a quatre axes
4 sur lesquels il y a eu des... des améliorations. Donc, on voit
5 que la vision de la menace a changé vis-à-vis... la
6 compréhension ou la vision du gouvernement sur la
7 compréhension de la menace, le leadership centralisé sur les
8 questions de désinformation, et la question de la résilience
9 des institutions et des citoyens.

10 Et plus bas, on voit la synthèse des
11 recommandations de monsieur Judd qui ont été... qui ont été
12 mises en œuvre dans la deuxième version du plan.

13 Et on peut aller à la page suivante pour voir
14 les autres éléments.

15 Donc, pour ce qui est des modifications ou
16 des changements qui ont été apportés au plan, on comprend que
17 c'était vous le ministre responsable. Pouvez-vous nous
18 expliquer essentiellement les raisons pourquoi... vous l'avez
19 déjà mentionné, mais il y a une recommandation qui n'a pas
20 été mise en œuvre concernant l'élargissement du mandat du
21 Panel à la période prélectorale.

22 Donc, dans votre interrogatoire à huis clos,
23 vous avez mentionné deux raisons, j'aimerais ça vous entendre
24 sur les raisons pourquoi cette recommandation-là n'a pas été
25 mise en œuvre.

26 **L'HON. DOMINIC LeBLANC:** Alors, vous parlez de
27 la directive du Conseil des ministres au Panel de cinq sous-
28 ministres présidé par le Greffier du Conseil privé et quatre

1 autres sous-ministres en termes de leurs communications
2 publiquement d'une ingérence. La recommandation était de... de
3 monsieur Judd était de contempler, avoir ça en place avant
4 que le mandat électoral soit émis, avant que la campagne
5 comme telle... que le Parlement soit dissolu et que l'élection
6 commence.

7 Nous avons eu des avis très clairs des
8 juristes que la responsabilité ministérielle, les autorités
9 ministérielles et l'imputabilité du gouvernement avant que le
10 Parlement soit dissolu demeurent en place et qu'ultimement,
11 dans notre système, c'est les ministres qui possèdent
12 certaines autorités selon certaines lois, qui ont la
13 responsabilité. Évidemment, toute une question aussi sensible
14 que ça, ça sera basé sur l'avis, par exemple, du Panel des
15 cinq experts sous-ministres, mais on a pensé délibérément que
16 c'était important de respecter la tradition constitutionnelle
17 de l'imputabilité du gouvernement en fonction, qui est
18 différente dans la période où l'élection est en cours.

19 Mais c'est aussi important... on a reconnu
20 l'importance de, par exemple, permettre au Panel – je connais
21 les acronymes en anglais –, le SITE Task Force, de regarder
22 les élections partielles. Ils l'ont fait, je pense, dans dix
23 élections partielles depuis. On a tout de suite, je pense,
24 accepté aussi, par exemple, la recommandation que le Panel
25 soit au travail et soit très présent afin de préparer son
26 travail avant la date que l'élection soit déclenchée. Vous
27 avez entendu le Greffier et d'autres le décrire, je suis tout
28 à fait rassuré par le travail qu'ils font très régulièrement.

1 Il y a énormément de travail en cours tout de suite.

2 Alors, beaucoup des mesures de préparation,
3 de fournir des renseignements et des avis au ministre
4 responsable se fait comme il se doit, mais c'était seulement
5 l'élément de donner à des fonctionnaires non élus, dans une
6 période où le gouvernement élu est en fonction, on a pensé
7 que c'était important d'être... de restreindre cette autorité,
8 comme la directive du Conseil des ministres a fait pour la
9 période électorale.

10 Mais on a aussi convenu et on continue de
11 discuter. Moi, dans mes conversations avec le Greffier et
12 d'autres, mon sous-ministre, moi, je les encourage d'être
13 plus visibles publiquement, de commencer à et de continuer à
14 faire en sorte que les Canadiens voient leur travail, et que
15 le seul moment qu'il y a une communication ou une
16 conscientisation qu'il y a ce Panel de cinq hauts
17 fonctionnaires très séniors dans le gouvernement du Canada
18 avec des responsabilités dans le domaine soit dans le cas
19 qu'on espère n'arrivera pas d'une ingérence qui rejoint le
20 niveau de leurs communications publiques. Alors, on souhaite
21 qu'ils soient plus présents et plus visibles.

22 Et c'est ça, moi, j'étais à une conférence à
23 Toronto, « Democracy Exchange », le Greffier était là lui-
24 même à une conférence à Toronto pour parler de leurs travaux.
25 Alors, moi, je suis très encouragé, mais j'essaie aussi de
26 les encourager de continuer de démontrer tout leur travail
27 publiquement et pas simplement dans les 35 ou 36 jours d'une
28 période électorale précise.

1 **Me JEAN-PHILIPPE MacKAY:** Et pour ce qui est
2 de l'activation du... le Groupe de travail SITE pour les
3 élections partielles, c'est une décision qui a été annoncée
4 par vous également au printemps, à la fin du printemps 2023
5 pour la surveillance des élections partielles. On comprend
6 que les élections partielles depuis, donc, celles survenues
7 en juin 2023 jusqu'à tout récemment ont été surveillées par
8 le Groupe de travail et la structure qui a été mise en place,
9 on a beaucoup entendu parler du Groupe de sous-ministres sur
10 l'intervention du renseignement, donc DM CIR – DM CIR, en
11 anglais –, pouvez-vous tout simplement nous expliquer cette...
12 on comprend que le Panel n'est pas actif pendant ces périodes
13 où il y a les élections partielles et cette idée de
14 responsabilité ministérielle, c'est celle qui s'applique à
15 ces structures-là, donc pendant les élections partielles s'il
16 y a un problème. Maintenant, vous êtes ministre de la
17 Sécurité publique, s'il y a un problème qui relève de votre
18 mandat, on comprend que ça va atterrir sur votre bureau.
19 C'est ça un peu la mécanique qui est en place.

20 **L'HON. DOMINIC LeBLANC:** Et vous avez raison
21 et ces sous-ministres qui travaillent avec le Groupe de
22 travail SITE sont précisément les sous-ministres qui iront à
23 leurs ministres respectifs avec des conseils ou avec des
24 renseignements, des informations, au cas... au besoin, basé sur
25 le travail, par exemple, que les Services du renseignement
26 font, que le Groupe de travail SITE.

27 Alors, c'est une façon d'avoir, à travers...
28 sur une base horizontale, à travers le gouvernement du

1 Canada, beaucoup, beaucoup de participation de hauts
2 fonctionnaires dans différentes parties du gouvernement du
3 Canada tout en maintenant ultimement... tout en s'assurant que
4 la responsabilité que le sous-ministre de la Sécurité
5 publique ait devant moi ou le directeur du Service de
6 renseignement de sécurité, ces imputabilités demeurent. Mais
7 ce serait important que ces sous-ministres travaillent
8 ensemble afin de préparer s'il est de nécessité, ces avis, à
9 leurs propres ministres. Et c'est aussi une façon d'alimenter
10 le travail ultime du Panel dans la période électorale.

11 Alors, dans mes conversations avec le
12 Greffier, c'est une façon, si vous voulez, de tester la
13 capacité de ces ministères de travailler ensemble, de
14 comprendre le rôle de chaque personne, alors c'est toute une
15 valeur ajoutée pour le travail ultimement dans le contexte
16 électoral qui, selon la directive du Conseil des ministres,
17 et dans les mains du Panel.

18 **Me JEAN-PHILIPPE MacKAY:** Et pourquoi ne pas
19 avoir activé le Groupe de travail avant ce moment dans le
20 temps? Donc, on parle à la fin du printemps 2023, est-ce
21 qu'il y avait... est-ce qu'il y a une raison pourquoi à ce
22 moment-là il était nécessaire d'activer le Groupe de travail?

23 **L'HON. DOMINIC LeBLANC:** Bien, moi, il n'y a
24 pas de doute que l'évolution de la menace a augmenté ou a... il
25 y a eu une évolution de la menace en termes d'ingérence
26 étrangère. Le public canadien au printemps de 2023, c'était
27 le moment que monsieur Johnston faisait son travail, le
28 Parlement était énormément saisi de ces questions-là, et ça,

1 depuis plusieurs mois. Alors, on a pensé que c'était
2 important de rassurer le public canadien que les élections
3 partielles qui allaient débiter et les élections partielles
4 qui ont suivi ont eu le bénéfice de ce regard de ces
5 fonctionnaires-là, de ces agences de sécurité là.

6 Et je pense c'est aussi important de rassurer
7 les Canadiens dans le cas des dix élections partielles depuis
8 ce moment-là. Le groupe de travail, comme les sous-ministres,
9 comme le gouvernement, n'a pas constaté une ingérence
10 étrangère qui aurait affecté le résultat dans ces dix
11 circonscriptions.

12 Alors, une grande partie du travail, je
13 pense, du gouvernement du Canada – mais on peut pas faire ça
14 tout seul, ça nous prend des partenaires, comme j'ai dit il y
15 a quelques moments, de la société civile, d'autres ordres du
16 gouvernement, des académiques –, c'est de rassurer les
17 Canadiens que, oui, il y a des tentatives d'ingérer, on n'est
18 pas le seul pays, on voit ça dans d'autres démocraties, la
19 menace évolue, c'est sûr, au fil des dernières années, mais
20 pendant tout ce temps-là, les élections sont libres et
21 démocratiques, le vote est décidé par les Canadiens, et c'est
22 ça que ces outils nous permettent, j'espère, de dire aux
23 Canadiens sur une base très rassurante.

24 **Me JEAN-PHILIPPE MacKAY:** Et dernier point sur
25 la mise à jour du plan pour protéger la démocratie.

26 On peut descendre un peu.

27 On voit au premier paragraphe, qui apparaît
28 sous les deux puces, la déclaration du Canada sur l'intégrité

1 électorale en ligne. On comprend que vous avez eu pour mandat
2 de renouveler suivant le mémoire au Cabinet du plan 2.0.
3 Vous avez eu le mandat de renouveler cette déclaration avec
4 les plateformes de... les plateformes numériques.

5 Pouvez-vous brièvement nous expliquer quel a
6 été votre rôle et quel est le rôle de cette déclaration en
7 lien avec l'intégrité là des élections en ligne?

8 **L'HON. DOMINIC LeBLANC:** C'était une
9 déclaration volontaire de la part des plateformes
10 numériques... de la part des plateformes numériques, qui a
11 commencé avant l'élection de 2019 et qui a été renouvelée en
12 2021, y compris avec un élargissement des plateformes qui se
13 sont portées garants, si vous voulez, de la déclaration.

14 C'est l'idée de reconnaître que de plus en
15 plus, dans un contexte électoral, ces plateformes ont une
16 responsabilité de disséminer l'information aux électeurs, de
17 transmettre des renseignements que les Canadiens recherchent
18 dans un contexte électoral, mais c'est pas Radio-Canada,
19 c'est pas CTV, c'est pas, souvent, des organismes de
20 journalisme réputés avec des standards, avec une
21 surveillance.

22 Alors, comment utiliser les standards
23 communautaires de ces plateformes-là? Parce que ces
24 plateformes-là, dans leur déclaration de standards
25 communautaires, ne veulent pas participer à circuler de la
26 désinformation, la haine en ligne. Eux autres, ces
27 plateformes-là se sont déclarées très anxieuses sur ces
28 menaces-là et ont des standards eux-mêmes comment gérer leurs

1 plateformes, qui ont de plus en plus d'impact ou de plus en
2 plus de façons, dans un contexte électoral, de rejoindre les
3 Canadiens.

4 Alors, l'idée, c'était d'avoir un mécanisme
5 où c'est pas au gouvernement de censurer, c'est pas au
6 gouvernement de décider quel renseignement est fiable ou non,
7 mais de leur demander d'accepter leur propre responsabilité
8 afin d'enlever du contenu qui est, par exemple, complètement
9 une désinformation, souvent en provenance d'un état hostile
10 de l'étranger.

11 Il y a eu beaucoup d'autres pays qui l'ont
12 fait, j'en ai discuté avec mon vis-à-vis américain, le
13 secrétaire Mayorkas. Tout récemment, à une réunion du G7 des
14 ministres de l'intérieur il y a deux semaines, la ministre
15 britannique m'a parlé de ça. Eux autres viennent de finir
16 une élection générale. Alors, d'autres pays sont aussi
17 impliqués avec ces plateformes-là.

18 Alors, nous avons débuté en 2019, renouvelé
19 en 2021, et même dans ces courtes périodes-là, le nombre de
20 plateformes a augmenté. WeChat, par exemple, est devenu
21 maintenant plus présent dans ces conversations-là. Vous avez
22 entendu Al Sutherland, je sais, du Conseil privé, à ma
23 demande, qui est en train de préparer la prochaine
24 déclaration d'intégrité en ligne et comment toucher d'autres
25 plateformes, même trois ans passés, qui étaient peut-être pas
26 dans le portrait.

27 Mais c'est la conscientisation du public, je
28 pense, qui demeure le plus important facteur. Alors, en même

1 temps, on travaille avec la société civile et d'autres
2 groupes, précisément pour encourager les Canadiens de
3 questionner les renseignements ou les informations qu'on
4 consomme dans un contexte électoral. Il faut faire tout ça
5 en même temps.

6 **Me JEAN-PHILIPPE MacKAY:** Et si on descend un
7 peu plus bas dans la page, on voit que l'unité de protection
8 de la démocratie est mentionnée. On peut descendre encore un
9 peu. Donc, tout juste avant « potential gap », c'est « next
10 steps », donc, on peut monter juste un petit peu, s'il vous
11 plaît.

12 Donc, on voit que l'unité de protection de la
13 démocratie est une unité qui a été créée depuis les dernières
14 élections générales au sein du Secrétariat des institutions
15 démocratiques. Donc, brièvement nous expliquer le rôle, en
16 fait, par rapport à vos fonctions et ce que vous faites dans
17 votre portefeuille des institutions démocratiques, quel est
18 le rôle de cette nouvelle unité?

19 **L'HON. DOMINIC LeBLANC:** Ça a été créé
20 délibérément suite au conseil, par exemple, de Jim Judd,
21 suite à l'élection de 2019. Il y avait une discussion
22 comment s'assurer qu'il y ait, à l'intérieur d'une agence
23 centrale du gouvernement du Canada - le Conseil privé, comme
24 vous le savez, est l'agence centrale au gouvernement fédéral
25 - comment avoir des personnes professionnelles indépendantes
26 qui vont travailler à l'intérieur du Conseil privé
27 précisément pour s'assurer, sur une base horizontale à
28 travers le gouvernement du Canada - que ce soit Patrimoine

1 canadien, que ce soit les agences de surveillance
2 électronique de d'autres ministères, de la Défense nationale,
3 les agences de sécurité publique -, qu'il y ait une façon de
4 s'assurer qu'il y ait une concertation de nos efforts pour
5 protéger la démocratie. Comment avoir des liens avec
6 d'autres pays démocratiques, que ce soit le Groupe des cinq
7 ou le G7. Il y a d'autres... d'autres organismes
8 internationaux qui sont beaucoup impliqués.

9 Alors, c'est vraiment pour créer au centre du
10 gouvernement une expertise et une coordination pour s'assurer
11 qu'un ministère ou un autre ministère soit conscient du
12 besoin à travers le Gouvernement du Canada de renforcer des
13 institutions démocratiques et de répondre si on voit des
14 situations qui nous inquiètent.

15 Je sais que le groupe est très actif. Il
16 participe à des rencontres avec des provinces et des
17 territoires et d'autres organismes du gouvernement fédéral.
18 Alors moi, je suis, même dans deux ans, et avec un petit
19 groupe d'une dizaine de personnes, ils sont très actifs et ça
20 constitue un élément permanent, récurrent, élection après
21 élection, pour les élections partielles. Et ça devient un
22 centre d'expertise. J'espère que d'autres ordres de
23 gouvernement, que ce soit des gouvernements autochtones,
24 provinciaux, municipaux, c'est une façon aussi de partager
25 les meilleures pratiques, de comprendre les meilleures
26 pratiques dans d'autres juridictions pis de les partager à
27 l'intérieur du Canada.

28 **Me JEAN-PHILIPPE MacKAY:** Et sur cette

1 question-là, quel est selon vous le rôle ou le partage des
2 responsabilités en matière de lutte contre l'ingérence
3 étrangère entre le gouvernement fédéral et les autres ordres
4 de gouvernement? Et là, on parle des provinces et des
5 territoires, mais on peut aussi penser à des... les ordres
6 inférieurs dans le cadre des provinces et les ordres
7 municipaux également. Donc selon vous, quel est le rôle...
8 quel est le partage de la responsabilité, mais aussi quel est
9 le rôle du gouvernement fédéral par rapport à ces autres
10 ordres de gouvernement?

11 **L'HON. DOMINIC LeBLANC:** Moi, je pense qu'on
12 devrait être très présent afin de partager des
13 renseignements. Le fait, par exemple, on va peut-être
14 discuter de ça tantôt, mais on a adopté un projet de loi pour
15 contrer l'ingérence étrangère au Parlement au printemps, au
16 mois de juin, qui a donné par exemple au Service de
17 renseignement de sécurité des autorités qu'ils avaient pas
18 avant en termes de partager avec d'autres ordres du
19 gouvernement des renseignements, y compris hautement
20 classifiés. Le premier breffage qu'ils ont fait, c'était
21 avec le Premier ministre de la Colombie-Britannique, suite à
22 l'adoption du projet de loi. Alors ça c'était... ça, c'est une
23 mesure parmi bien d'autres.

24 Mais en ce qui a trait, que ce soit l'unité
25 de la protection de la démocratie ou le Secrétariat des
26 institutions démocratiques au Canada, moi je sais qu'ils sont
27 très présents avec leurs homologues dans les provinces et les
28 territoires afin de partager, que ce soit des guides ou des

1 guides de travail qui ont été préparés, mais aussi de
2 participer à des rencontres.

3 Moi, j'ai trouvé ça tout à fait formidable
4 qu'au mois de juillet, le greffier du Conseil privé, monsieur
5 Hannaford, a rencontré ses homologues de toutes les provinces
6 et les territoires lors de la rencontre du Conseil de la
7 fédération à Halifax. Et monsieur Hannaford s'est déplacé à
8 Halifax pour rencontrer ses vis-à-vis de toutes les provinces
9 et les territoires, et il a abordé la question de protéger la
10 démocratie.

11 C'est vraiment d'offrir... moi, j'ai été
12 ministre des Affaires intergouvernementales, quand même, pour
13 plusieurs années. Il faut pas s'ingérer dans les affaires
14 d'une province. Il faut être tout à fait présent pour
15 partager, offrir des conseils, recevoir leurs conseils aussi,
16 parce qu'eux autres voient dans leur juridiction ces menaces
17 aussi. Moi, j'ai beaucoup de confiance que Élections Canada
18 travaille avec leurs vis-à-vis dans les provinces et les
19 territoires aussi en termes de la mécanique électorale.

20 Mais juste pour vous donner un exemple, moi
21 je m'en vais demain matin à Yellowknife, aux Territoires du
22 Nord-Ouest, pour une rencontre avec mon collègue Arif Virani,
23 avec les ministres de la Justice et de la Sécurité publique
24 des 13 provinces et territoires. Et j'amène avec moi des
25 fonctionnaires, le coordinateur de l'ingérence... de la lutte
26 contre l'ingérence étrangère, Sébastien, sera avec moi
27 précisément pour parler aux ministres - dans ce cas-là, c'est
28 de la Sécurité publique et de la Justice. Mais ça se fait à

1 plusieurs niveaux, constamment.

2 Si on commence au niveau du greffier, où le
3 sous-ministre adjoint Sutherland et les gens qui travaillent
4 avec lui sont énormément présents dans les rencontres avec
5 leurs vis-à-vis provinciaux, mais on est un peu ouvert à
6 offrir, comme j'ai dit, des meilleures pratiques, nos
7 suggestions, partager nos documents de travail, mais eux
8 autres ont une responsabilité aussi à l'intérieur de leur
9 juridiction de prendre des mesures qui s'imposent.

10 **Me JEAN-PHILIPPE MacKAY:** Maintenant, autre
11 sujet, Monsieur le Ministre, lors de la... de votre premier...
12 deuxième témoignage, donc, le dernier témoignage que vous
13 avez fait devant la Commission en avril dernier, vous avez
14 expliqué qu'au moment où vous étiez ministre, en fait avant
15 d'être ministre de la Sécurité publique, de manière générale,
16 vous n'étiez pas un consommateur de renseignements... du
17 renseignement détaillé sur des incidents précis en matière
18 d'ingérence étrangère. Vous parliez d'un... d'une... de
19 breffages plus généraux sur le portrait de la menace ou le
20 paysage de la menace.

21 Et vous avez eu accès à du renseignement plus
22 détaillé en mai 2023. On comprend que c'est dans la foulée
23 des fuites médiatiques. Vous avez reçu des informations plus
24 précises. Et en fait, je vous demanderais d'afficher à
25 l'écran le résumé WIT124, s'il vous plaît.

26 Et donc, vous avez... on vous a posé des
27 questions lors du dernier témoignage sur un breffage précis
28 en mai 2023 avec la greffière du Conseil privé et d'autres

1 ministres. Et dans le cadre de la phase 2 des travaux de la
2 Commission, je vous demanderais simplement de compléter... si
3 on peut descendre un peu au paragraphe 2, en lien avec le
4 renseignement concernant monsieur Chong, ciblage de monsieur
5 Chong par la République populaire de Chine.

6 Donc, on voit au paragraphe 2 - vous pourrez
7 nous confirmer que c'est bien votre preuve - que avant ce
8 moment-là, cette rencontre du mois de mai, vous n'avez jamais
9 eu accès à du renseignement concernant monsieur Chong.
10 C'était nouveau pour vous?

11 **L'HON. DOMINIC LeBLANC:** C'est le cas. Moi,
12 j'ai appris dans les médias que monsieur Chong avait été
13 ciblé sur une base plus précise. Comme j'ai dit, moi,
14 j'étais au courant de l'évolution de la menace. Je parlais
15 souvent avec les fonctionnaires du Conseil privé, qui, eux,
16 parlaient souvent avec le Service de renseignement de
17 sécurité ou d'autres. Il y a une unité précisément sur le
18 renseignement et la sécurité nationale au Conseil privé.

19 Alors, moi, j'avais pleine confiance que dans
20 mes conversations avec eux autres, ils reflétaient le
21 renseignement ou l'accès au Service de renseignement ou des
22 informations importantes pour préparer nos politiques. Mais
23 les détails sur un individu, un parlementaire, un cas en
24 particulier, je n'étais pas au courant de ça, y compris en ce
25 qui a trait à monsieur Chong.

26 **Me JEAN-PHILIPPE MacKAY:** Et si on descend un
27 peu, on voit que lors de l'interrogatoire à huis clos en
28 question, vous avez été interrogé sur des notes manuscrites

1 d'un responsable du Cabinet du Premier ministre - on sait que
2 ce sont les notes de monsieur Clow - en lien avec une
3 question posée lors d'une rencontre à laquelle vous avez
4 participé. Et en fait, c'est une question au sujet de
5 recherches qui auraient été faits au sujet de monsieur Chong.
6 Donc, simplement nous expliquer quelle a été la... quelle était
7 la question que vous avez posée? Qu'est-ce que vous pouvez
8 en dire publiquement?

9 **L'HON. DOMINIC LeBLANC:** Alors, c'était une
10 rencontre présidée par la greffière à l'époque, madame
11 Charette. Et vous avez raison, je crois qu'on était quatre
12 ministres et le conseiller de la sécurité nationale. On
13 était un petit groupe, à la demande du Premier ministre. Et
14 dans cette conversation-là, un agent des services de
15 renseignement de sécurité nous parlait de leur renseignement
16 en ce qui a trait à monsieur Chong. Et un moment donné, il a
17 utilisé le mot que le gouvernement chinois faisait de la
18 « recherche » à propos de monsieur Chong.

19 Moi, je ne suis pas expert dans le langage
20 précis, les mots précis des... du renseignement ou de la
21 police. Moi, la recherche de faire un *Google search* sur
22 quelqu'un est différent que d'aller fouiller dans un contexte
23 beaucoup plus menaçant, d'essayer de rencontrer des personnes
24 proches de cette personne. J'imaginais que faire une
25 recherche sur une personne, il y a quand même un spectre
26 assez important, avec un côté qui est plus menaçant qu'un
27 autre.

28 Alors, moi, j'ai demandé qu'il nous explique

1 qu'est-ce que ça voulait dire, de la recherche... que le
2 gouvernement chinois décidait de faire de la recherche sur
3 une telle personne, ça comprenait quoi? Qu'est-ce que ça a
4 de l'air, cette recherche-là, ce processus de recherche-là.
5 Ça, c'était ma question, parce que je voulais m'assurer que
6 je comprenais qu'est-ce que ça voulait dire.

7 **Me JEAN-PHILIPPE MacKAY:** Et, à la fin du
8 paragraphe, on voit que vous vous êtes rappelé, lors de
9 l'interrogatoire, que l'explication fournie par le SCRS ne
10 correspondait pas à la teneur du débat public ou à ce qui
11 circulait dans les médias au sujet des... au sujet de monsieur
12 Chong. Donc, quel a été votre... sur cet aspect-là, qu'est-ce
13 que vous pouvez nous dire publiquement?

14 **L'HON. DOMINIC LeBLANC:** Je veux faire
15 attention parce que je pense pas que je pourrais donner une
16 explication...

17 **Me JEAN-PHILIPPE MacKAY:** Qui va au-delà de
18 ce qui est ici?

19 **L'HON. DOMINIC LeBLANC:** C'est ça. Le détail
20 de qu'est-ce que l'agent du Service de renseignement a
21 partagé avec le groupe. Mais j'étais surpris, après son
22 explication, quand j'ai constaté quelques rapports ou
23 quelques commentaires publics ou dans les médias publics
24 quant à l'idée de la menace offerte par le gouvernement
25 chinois. Moi, je me suis posé la question, est-ce que
26 c'était tout à fait en lien avec qu'est-ce que j'avais
27 entendu dans cette rencontre-là.

28 **Me JEAN-PHILIPPE MacKAY:** Et dernier point

1 que j'aimerais aborder avec vous dans un autre ordre d'idée -
2 on peut enlever le document de l'écran - c'est les travaux en
3 cours pour la mise à jour du plan pour protéger la
4 démocratie, donc, la version 3.0 du plan. Donc, nous avons
5 abordé cette question-là avec vous lors de nos rencontres
6 antérieures, mais simplement nous expliquer là quelles sont
7 les grandes lignes ou, en fait, quelles sont les... quelles
8 sont... quel est l'état du chantier à l'heure actuelle?

9 **L'HON. DOMINIC LeBLANC:** Il y a beaucoup de
10 travail nécessairement qui est en cours. Moi, je... l'unité au
11 Conseil privé responsable pour les institutions
12 démocratiques, la sous-ministre, et Al Sutherland, et les
13 gens qui travaillent avec eux sont au travail afin d'élaborer
14 des options pour que je puisse aller au Conseil des ministres
15 à un moment donné. Il y a beaucoup de travail en termes de
16 préparation des options de politique.

17 On a travaillé sur le projet de loi qui est
18 présentement devant le Parlement, le projet de loi C-65 pour
19 changer la *Loi électorale*, en partie pour nous aider à
20 contrer l'ingérence étrangère. Alors, on a pris du temps à
21 préparer un projet de loi qui est présentement devant le
22 Parlement. Moi, je pensais que c'était important. Moi, je
23 voudrais pas finaliser le plan 3.0, pour reprendre votre
24 phrase, ou le plan pour l'élection générale qui s'en
25 viennent, avant d'avoir la chance de contempler, d'inclure
26 les recommandations de cette Commission.

27 Comme je l'ai dit il y a quelques moments,
28 c'est un moment très important pour la démocratie au Canada

1 pour aider les Canadiens à comprendre toutes ces questions
2 sur une base non-partisane, basée sur la preuve qui est
3 testée. Et les recommandations de votre Commission seront
4 pour moi essentielles afin d'aller devant mes collègues pour
5 préparer les prochaines étapes.

6 Cependant, je pense que c'est important de
7 dire, moi, j'ai tout à fait confiance que le cas advenant une
8 élection avant le début de l'hiver 2025, toutes les mesures
9 en place sont robustes. Vous avez entendu le greffier, vous
10 avez entendu les représentants des services de renseignement.
11 Alors, moi, j'ai tout à fait confiance que si on a une
12 élection avant que le Conseil des ministres puisse adopter la
13 version 3.0, les mesures qui sont en place, le projet de loi
14 qui a été adopté pour contrer l'ingérence étrangère au mois
15 de juin et simplement le travail de votre Commission afin
16 d'aider les Canadiens, les communautés diasporas à comprendre
17 cette menace, j'ai tout à fait confiance qu'on peut avoir une
18 élection générale nationale en toute sécurité.

19 Cependant, ce sera dommage d'aller au Conseil
20 des ministres pour ajuster, renforcer certaines mesures
21 basées en grande partie sur la preuve qu'on a entendue ici
22 sans avoir le bénéfice de l'analyse de la Commission et les
23 recommandations.

24 **Me JEAN-PHILIPPE MacKAY:** Et dernière
25 question pour vous, on a entendu les fonctionnaires
26 d'Affaires mondiales, on a entendu Madame la Ministre Joly
27 nous mentionner que le Mécanisme de réponse rapide – le MRR,
28 en français; RRM, l'acronyme en anglais –, que ce mécanisme,

1 vous... souhaitait se concentrer sur la situation
2 internationale en matière de désinformation et que la
3 surveillance de l'environnement d'information domestique au
4 Canada en lien avec les élections, c'est quelque chose qui
5 devrait être... c'était le souhait manifesté par les gens
6 d'Affaires mondiales, que cette vocation interne ou
7 domestique du MRR soit transférée ou confiée à une autre
8 entité ou une autre composante du gouvernement.

9 Donc, pour ce qui est du futur, quel est
10 votre perspective sur cette question-là d'avoir une autre
11 entité responsable de la surveillance de l'environnement de
12 l'information domestique?

13 **L'HON. DOMINIC LeBLANC:** Alors, ultimement,
14 c'est une question... la question de machinerie du
15 gouvernement, ça relève du premier ministre. Je comprends que
16 les besoins aux Affaires étrangères de faire le travail comme
17 on s'est convenu avec nos alliés du G7 dans un contexte
18 international doivent être énormes. La pression, les travaux
19 doivent être très, très substantiels. Imaginez-vous le
20 contexte de la guerre en Ukraine tout de suite, parmi bien
21 d'autres conflits dans le monde.

22 Alors, je sais qu'ils sont très occupés,
23 c'est pas un groupe en termes d'équipe de fonctionnaires qui
24 est très imposant en termes de personnes qui travaillent là,
25 alors je reconnais ça. Cependant, moi, je pense qu'ils ont
26 fait un travail important sur le contexte domestique aussi,
27 peut-être en partie à cause de l'expertise qu'ils ont
28 « acquérie » en aidant d'autres alliés du Canada ou en

1 regardant le contexte international.

2 Moi, je suis tout à fait ouvert à voir si,
3 peut-être au Conseil privé, c'est probablement dans l'Unité
4 de protection de la démocratie. Il n'y a pas une manière
5 d'élargir ce mandat-là, mais chaque fois qu'on parle... moi, je
6 suis juste très sensible... ultimement, c'est pas le
7 gouvernement fédéral qui doit être l'arbitre de la vérité
8 dans un contexte politique. Les gouvernements hostiles qui
9 essaient de déstabiliser notre gouvernement ont peut-être
10 eux-mêmes des ministères de la Vérité ou du Renseignement.
11 the Ministry of Truth, on n'a pas ce... on n'est pas... une
12 démocratie moderne veut une discussion robuste en termes
13 d'échanges d'idées, d'opinions politiques. Le gouvernement
14 doit aider dans le contexte international, c'est peut-être
15 une chose, mais il faut être sensible afin de mettre sur
16 pied... il y a des gens qui vont tout de suite aller pointer le
17 doigt puis dire, « Ah ha! Voyez-vous, le gouvernement est en
18 train de censurer, le gouvernement... », alors, il faut être
19 sensible à ça.

20 Je reviens à qu'est-ce que j'ai dit
21 auparavant, c'est pourquoi c'est tellement important de
22 travailler avec les universités, avec la société civile, le
23 travail de votre Commission, d'avoir des voix qui ne sont pas
24 nécessairement partisans ou qui ne sont pas affiliées avec
25 un gouvernement que des personnes vont juger comme étant
26 toujours partisan.

27 Pour moi, la protection de la démocratie ne
28 devra jamais être une question partisane. Tous les acteurs

1 partisans devront souhaiter qu'on ait la démocratie la plus
2 forte au monde, je pense c'est le cas pour la très grande
3 majorité des gens, mais il faut juste être sensible avant
4 d'utiliser... imaginez-vous les critiques potentielles avec une
5 unité dans un ministère qui relève du premier ministre, et il
6 faut... moi, je privilégie des relations, par exemple, avec des
7 diffuseurs publics, un mandat essentiel Radio-Canada/CBC,
8 entre autres, est aussi très important afin de contrer la
9 désinformation, la mésinformation.

10 Alors, il faut faire toutes ces affaires-là
11 en même temps. C'est pas une solution magique de créer une
12 autre unité de fonctionnaires dans une agence centrale du
13 gouvernement. Je comprends qu'aux Affaires étrangères, ils
14 sont très occupés avec l'unité qu'on a mise sur pied, ils
15 font un très bon travail, mais il faut juste réfléchir sur la
16 façon que ça ne devienne pas un piège par accident qui va
17 confirmer qu'est-ce que d'autres acteurs malfaisants vont
18 vouloir véhiculer. Ça, c'est une réflexion personnelle.

19 **Me JEAN-PHILIPPE MacKAY:** Je vous remercie
20 beaucoup, Monsieur le Ministre.

21 Madame la Commissaire, c'est tout pour mes
22 questions. Je vais laisser la pièce à ma collègue, Me Dann.

23 **COMMISSAIRE HOGUE:** Merci.

24 Miss Dann.

25 **L'HON. DOMINIC LeBLANC:** Merci. J'ai encore le
26 rhume, Madame la Commissaire, que j'avais quand je vous ai
27 vue au mois de juillet là. Alors, c'est pas la COVID...

28 **COMMISSAIRE HOGUE:** Ça dure longtemps.

1 L'HON. DOMINIC LeBLANC: ...c'est un rhume, je
2 peux pas me débarrasser du rhume, mais...

3 COMMISSAIRE HOGUE: Ça dure longtemps.

4 L'HON. DOMINIC LeBLANC: ...j'ai été voir mes
5 médecins à Montréal et ils ont un plan. Alors,
6 malheureusement, je ne sais pas... si je reviendrai pas, vous
7 ne saurez pas que je suis tout à fait guéri dans quelques
8 semaines.

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

10 MS. ERIN DANN:

11 MS. ERIN DANN: Good afternoon, Minister.

12 L'HON. DOMINIC LeBLANC: Hi.

13 MS. ERIN DANN: My questions will focus on
14 your time as Minister of Public Safety. I'll ask my
15 questions in English but, of course, please answer in the
16 language of your choosing.

17 The Commissionr has heard evidence that
18 historically within Public Safety there were some issues or
19 inability to fully account for what intelligence and
20 information was received and disseminated to the Minister's
21 office. To the best of your knowledge, have those issues
22 been resolved?

23 L'HON. DOMINIC LeBLANC: My strong impression
24 is that they have been. We've all taken note of those
25 concerns over a number of years.

26 If I think about how intelligence information
27 or security material is shared with me or my senior staff,
28 there's an extraordinarily elaborate, as is totally

1 appropriate, tracking of who's seen what at what time and
2 what locked filing cabinet is a certain document, who took it
3 out. It's a very elaborate and, I think, rigorous system now
4 to track and confirm who has seen what piece of information.

5 **MS. ERIN DANN:** And can you tell us how you
6 generally receive intelligence? Is it through verbal
7 briefings, through written intelligence products, weekly
8 reading binders, all of the above?

9 **L'HON. DOMINIC LeBLANC:** Yeah, I'd start with
10 all of the above.

11 It depends on the particular context. If I'm
12 at home in New Brunswick, there's a secure facility in a
13 police -- RCMP station in Moncton where often on Fridays I'll
14 go on a top secret video link and be able to talk to
15 officials of CSIS or RCMP or the Public Safety Department.

16 There has been a real, I think, effective
17 effort to ensure that the technology allows me and my
18 successors in this job to be able to receive in a safe way
19 this information, so that's one example.

20 When we're in Ottawa during a week when
21 Parliament's sitting or when I'm here, there will be meetings
22 in secure locations at the Public Safety Department,
23 sometimes at the Privy Council Office where officials from
24 CSIS will talk to me about specific issues.

25 And all pieces of intelligence information --
26 and I've learned all this over the last 15 months; I wouldn't
27 have known this a year and a half ago -- are not equal. Some
28 is an interesting analysis done over a period of time on a

1 particular question, a particular trend, a particular
2 country. Some are more pressing in the sense that if there
3 are decisions to be made, approvals to be granted, that has a
4 higher level of urgency.

5 And I have always insisted that the CSIS
6 Director and the Deputy Ministers reach out to me personally,
7 and the Chief of Staff in my office is copied, but I don't
8 want to have filters as between me and those senior officials
9 and I'd much rather they phone me or wake me up on a Friday
10 night with some urgent matter than find out two days later
11 that we missed a window.

12 So it's quite -- it's quite free flowing. In
13 some cases it's informal. It's a text message, "Do you have
14 some time this afternoon to speak on a secure phone?".
15 Sometimes it's more formal where you go into one of these
16 secure locations and there's a more formal briefing.

17 So it's sort of a -- it's a spectrum of
18 different interactions, but I'm quite comfortable that I have
19 access to the information I need to do my job, and I have a
20 lot of confidence in the women and men who work in our
21 department and at CSIS and the RCMP knowing when and what I
22 should be -- what I should see, and I have every confidence
23 that they get it to me with the urgency that is required.

24 **MS. ERIN DANN:** And specifically in relation
25 to warrant applications, you mentioned in your *in camera*
26 evidence that there are rigorous protocols in place to ensure
27 that warrants reach you in a timely manner.

28 Can you describe those protocols or

1 procedures and if you're satisfied with them?

2 **L'HON. DOMINIC LeBLANC:** I am satisfied with
3 them. Again, I've learned this over the last number of
4 months, the warrants that are prepared and ultimately go to
5 the Federal Court of Canada for CSIS, a former Minister of
6 Public Safety told me when I got this job that the warrants
7 are like the Crown Jewels for CSIS because of the sensitivity
8 of the information in the various affidavits and what's
9 contained, but also in the ability for them to do the work
10 that Parliament and Canadians expect them to do.

11 Typically -- and again, not every warrant is
12 the same, in the sense some can be extremely urgent, it can
13 be a developing high-risk situation where there's an urgency
14 for CSIS to have these authorities and they quickly schedule
15 an appearance before the Federal Court. There have been a
16 few of those recently, where you really have the sense that
17 time is of the essence for them to ask the Court for these
18 authorities. In that case, I would get a message from my
19 Chief of Staff saying, "We're going to get a warrant tomorrow
20 that CSIS would like returned by the end of the day. What's
21 your schedule? Where are you?"

22 I often go to CSIS offices, in Edmonton a few
23 weeks ago, in Montreal, Toronto, and Vancouver. If I'm
24 travelling, CSIS has offices in every province with the
25 facilities for me to review and execute these warrants. I've
26 done it on a few occasions if there's an urgency.

27 But typically, we know a warrant is coming,
28 the Department -- the Deputy Minister of Public Safety

1 recommends to me the approval of a warrant, so the first sort
2 of memo on the warrant application is a confirmation,
3 including legal advice from the Department recommending that
4 I would approve it. That back and forth between the Deputy
5 Minister and the National Security staff at the Public Safety
6 Department I'm told can take sometimes six, seven days. It
7 depends again on the nature of the warrant.

8 Once the Deputy Minister signs the
9 recommendation and the warrant comes to my office, to my
10 Minister's Office, it's typically my most senior political
11 staff person, the Chief of Staff, who reads them. I want him
12 to read them so he can also provide advice to me. There's
13 one other very senior person with a lot of experience in
14 these intelligence matters sometimes who looks at them. And
15 they'll tell me right away that, "We have a warrant here."

16 And sometimes CSIS will say, "We'd like this
17 executed by a certain date." So they tell us the urgency.
18 We're governed, to some extent, by their operational
19 requirement.

20 In some cases, these are renewals. So we'll
21 get them some time in advance because CSIS is renewing
22 something that the Court had already approved. I still have
23 to approve the renewal. But you'll see the urgency of that
24 is different than a new warrant or a novel authority, but our
25 practice has been, within, at the most, a couple of days to
26 return them once we get them from the Deputy Minister.

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

28 **L'HON. DOMINIC LeBLANC:** And sometimes it's

1 the same day. Like, I try and turn them around the same day.
2 If I'm in Ottawa and I'm going to sign it, I just -- I know
3 how important it is for them, and I want them to be able to
4 get on with that work.

5 **MS. ERIN DANN:** Understood. Moving on to a
6 separate topic, we've heard evidence from some of your
7 predecessors, Minister Blair, Mr. Mendicino, about a
8 Countering Foreign Interference Strategy, previously known as
9 the Countering-HASA Strategy.

10 Court Operator, could you bring up CAN45923?

11 This is an undated memorandum, Minister,
12 requesting a decision from you by August of 2023 in relation
13 to the public release of the unclassified version of Canada's
14 Foreign Interference Strategy.

15 Now, I understand that you did not actually -
16 - or do I understand correctly that you did not actually
17 receive this memorandum or the attached draft strategy?

18 **L'HON. DOMINIC LeBLANC:** Yeah, I don't have a
19 recollection of seeing that particular document. I saw it in
20 the preparation of this -- for these hearings.

21 **MS. ERIN DANN:** Okay. And were you aware,
22 however, of -- that a Countering Foreign Interference
23 Strategy had been prepared? Did you review any version of it
24 during your time as Public Safety Minister?

25 **--- EXHIBIT NO. CAN045923 0001:**

26 CANADA'S COUNTER-FOREIGN INTERFERENCE
27 STRATEGY

28 **L'HON. DOMINIC LeBLANC:** I remember -- the

1 Government of Canada has a lot of strategies, and there's big
2 S strategies and there's small s strategies. And a public-
3 facing document that would be our capital S strategy would be
4 different than discussing in briefings with officials or my
5 staff our collective governmental strategy to counter foreign
6 interference. Those were ongoing and are active, and you can
7 imagine frequent conversations.

8 I was aware that previous Ministers, there
9 had been some thought of sort of publishing a forward - or
10 publicly available version of a Countering Foreign
11 Interference Strategy. I think in our interview in camera, I
12 talked about events were moving so quickly. So in August
13 2023, I was working with my parliamentary colleagues to
14 finalize what became this very Inquiry.

15 So in terms of a Countering Foreign
16 Interference Strategy in August and September, that was, for
17 me, a much higher priority than reviewing a document that --
18 an unclassified document that would be made public.

19 Canadians have benefited in the last number
20 of months, in my view, an awful lot more from these hearings,
21 and the work, and the Interim Report of this Commission than
22 they would from the Government of Canada putting on a website
23 a strategy.

24 But also, events were quickly overtaking --
25 the problem with a strategy is if we had put that out before
26 Russia invaded Ukraine, if we had put that out before,
27 imagine the Countering Foreign Interference Strategy in light
28 of what the RCMP announced yesterday.

1 So there is such a quickly moving series of
2 events. I thought one of the most important things to work
3 on, and this became, again, part of that exercise, we had
4 made a decision to set up -- to legislate the Foreign
5 Influence Transparency Registry, and we'd also made a
6 decision to, because there was a window, we thought, in
7 Parliament, it turned out to be true, and I'm very grateful
8 for -- to the Opposition Parties for having worked so
9 helpfully with us on that, and members of the Senate, there
10 was a window to make significant changes in strengthening
11 Canada's ability to detect and counter foreign interference,
12 strengthening intelligence legislation, creating new criminal
13 offences, as well as the Foreign Influence Transparency
14 Registry that became Bill C-70.

15 So the consultations around that, there were
16 dozens and dozens of meetings across the country involving
17 diaspora groups and others. We thought that that was a very
18 significant focus, which led ultimately to that legislation
19 being tabled.

20 **MS. ERIN DANN:** Mr. Tupper, your Deputy
21 Minister gave evidence last week and testified that in an
22 ideal world, the Government of Canada would put a strategy on
23 paper and have a more conscious communication strategy with
24 Canadians to explain the nature of the work the government is
25 doing in this area.

26 In your view, is the articulation of a whole-
27 of-government response or approach to countering foreign
28 interference in a written published format, either classified

1 and internal to government, or external to the public, or
2 perhaps both, is that a worthwhile tool for framing the
3 government's approach when specific incidents, as you've just
4 mentioned, arise? Do you see it as a valuable tool going
5 forward?

6 **L'HON. DOMINIC LeBLANC:** So I do. I do
7 accept that. I do also share Mr. Tupper's view as well.
8 That is one element, in terms of the public seeing the work
9 that's being done.

10 I think if we're going to publish a
11 Countering Foreign Interference Strategy, it should, at this
12 point, very much take into account the recommendations of
13 this Commission, because for Canadians this will be a
14 reference point of significant importance, we believe.

15 So the work continues to be done. Canadians'
16 understanding of the issue, if you just think in the last
17 three or four years, this is not a threat that started three
18 or four years ago, but Canadians' understanding, and I don't
19 know how many parliamentary committees I've been called to
20 testify at, and my colleagues from the security agencies, and
21 Privy Council, and Deputy Ministers, there has been a whole-
22 of-government exercise to communicate publicly the work we're
23 doing because it's so important, but a document -- a public-
24 facing document is absolutely value added. It's part of the
25 work. But having the Clerk of the Privy Council on a June
26 morning in Toronto with hundreds of people at a democracy
27 exchange conference speaking -- I spoke at the beginning of
28 the morning and the Clerk stayed for most of the morning, met

1 with the participants and also spoke to the conference.
2 That's a very powerful way to show interested civil society
3 leaders the work the Government of Canada's doing as well.

4 So I'm encouraging constantly my colleagues
5 to do that work, to speak publicly, including CSIS Directors,
6 the RCMP Commissioner and others.

7 **MS. ERIN DANN:** Moving to sharing information
8 with specific individuals and briefings to parliamentarians,
9 I want to ask you first about the sharing of classified
10 information with parliamentarians. We know your predecessor
11 during your predecessor's time as Minister of Public Safety,
12 there was a Ministerial Directive issued that set out the
13 parameters for CSIS to inform parliamentarians of threats to
14 the security of Canada directed at them.

15 I'd like to ask you about the implementation
16 protocol for implementing that Ministerial Directive.

17 Court Operator, could I have CAN21638? And
18 if we could go to page -- apologies. Page 5 of that document
19 towards the bottom. It says "Approval".

20 **--- EXHIBIT No./PIÈCE No. CAN021638 0001:**

21 Implementation of Ministerial
22 Direction to the Canadian Security
23 Intelligence Service on Threats to
24 Parliament and Parliamentarians

25 **MS. ERIN DANN:** Minister, it indicates here
26 that Public Safety and CSIS were seeking your approval of
27 this protocol to provide formal confirmation that you agree
28 with the approach it outlines. Previous witnesses have

1 testified about this protocol for the implementation of the
2 Ministerial directive.

3 Can you tell us what this protocol, what
4 issues or concerns this was aimed at addressing and whether
5 you did, in fact, agree with the approach outlined in the
6 document?

7 **L'HON. DOMINIC LeBLANC:** So you're right, I
8 did -- Public Safety Canada and CSIS were asking me to
9 approve, if you will, the implementation protocol. It was a
10 directive, as you properly noted, that had been issued by a
11 predecessor Minister, but there's sort of a governance piece
12 and an implementation piece that they asked me to approve,
13 which I did. I thought their advice was very appropriate.

14 This is how CSIS will interact with
15 Parliamentarians both in a -- what I hope is an increasingly
16 regular exchange of information and access points. It's
17 certainly something that we would be very well disposed to
18 having CSIS do. But in more specific cases, if there are, as
19 you said, a threat to the security of Canada targeting an
20 individual parliamentarian, CSIS now has all the authorities
21 to interact directly with that parliamentarian. Only in the
22 rarest of cases do they have to seek my approval, and I am
23 very confident that they're doing this work in a very
24 effective way.

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

26 If we could go to page 11 of that document.

27 There was a mention here under "Initiation
28 and Application" that only information on a credible threat

1 to the security of Canada directed at a parliamentarian may
2 be disclosed.

3 Am I correct, Minister, that you are not
4 involved in assessing what amounts to a credible threat or
5 not a credible threat? That's an assessment undertaken by
6 CSIS or the other departments involved in this implementation
7 of the protocol.

8 **L'HON. DOMINIC LeBLANC:** That's correct.
9 That would be a decision taken by the officials of CSIS
10 according to their approvals or their normal course of
11 business, but I would not offer a view in that or be
12 consulted.

13 **MS. ERIN DANN:** And then on page 12 of that
14 document, in point 5 it discusses your role, and you've
15 already indicated for us that your approval is only necessary
16 in particular circumstances where the measure being proposed
17 attracts an elevated risk, if I -- I think is the language
18 that's been used previously. Is that right?

19 **L'HON. DOMINIC LeBLANC:** Yes, it's a higher
20 risk. And I was told that that is actually language that
21 tracks the CSIS legislation.

22 **MS. ERIN DANN:** All right.

23 **L'HON. DOMINIC LeBLANC:** So a threat
24 reduction measure that is, in their judgment, based on their
25 own criteria, attracting a higher risk, that's when they
26 would ask for my approval.

27 **MS. ERIN DANN:** And otherwise, you're
28 informed of all of these instances, but CSIS would not need

1 to get your approval in order to take a particular step in
2 response.

3 **L'HON. DOMINIC LeBLANC:** That's absolutely
4 right. I'm informed sometimes even *post facto* just depending
5 on schedules, but it's interesting because sometimes
6 colleagues will cross the floor of the House of Commons or,
7 if they're on the same side as me, come and sit with me and
8 say, "Oh, I've been asked to talk to CSIS on whatever date",
9 so it's useful for me just to have a sense of who CSIS is
10 talking to. But it's not an approval; it's just for my
11 information.

12 **MS. ERIN DANN:** Unclassified briefings or
13 sharing information that is not classified, we heard some
14 evidence this morning from staff at the Prime Minister's
15 Office about unclassified briefings that were provided to
16 parliamentarians by caucus in June of this year, June 2024.

17 Court Operator, could I have CAN33395?

18 **--- EXHIBIT No./PIÈCE No. CAN033395:**

19 Briefing Parliamentarians on Foreign
20 Interference

21 **MS. ERIN DANN:** Minister, this is a memo,
22 just as it's coming up, addressed to you. It's dated
23 November 7, 2023 requesting your approval for -- approval of
24 material which would be used by national security officials
25 to brief members of the House -- or members of Parliament and
26 their staff on foreign interference.

27 Did you give your approval for these
28 materials, and did you provide any feedback on them? Are you

1 able to explain what steps were taken after you received this
2 memo?

3 **L'HON. DOMINIC LeBLANC:** So yes, I did
4 ultimately approve these materials.

5 That approval -- I thought about this when I
6 re-read this document and was -- and I know that the
7 briefings to parliamentarians is a source of some focus of
8 your work. I think it's important to understand the context.

9 Groups of public servants, particularly in
10 the Public Safety Department, don't usually go around meeting
11 rooms in the West Block of Parliament meeting Opposition
12 caucuses. So for the public servants or Sébastien, the
13 foreign -- Countering Foreign Interference Coordinator, and
14 others, this is, for them, an uncomfortable space or an
15 unusual space. They do these briefings extraordinarily well,
16 but it's not sort of in their normal monthly routine.

17 So they would want me -- because they're
18 going to see parliamentary colleagues of mine, they would
19 want me to approve or be aware of how they plan to do these
20 meetings.

21 So I understand that. I don't think it's a
22 technical -- it's not a technical approval in some legal
23 sense, but they would, because it's an out of their normal
24 routine of business, send it up to me for approval. They
25 could have sent it up to me for information as well, but they
26 sent it up to me for approval.

27 I thought it was -- it's good work. It was
28 well done.

1 The one thing -- I've been in Parliament for
2 24 years. I've been a government backbencher. I've been an
3 Opposition backbencher. I've been an Opposition House
4 leader. I've sat on the Board of Internal Economy of the
5 House of Commons for almost a decade.

6 Parliament is very sensitive, and
7 appropriately so, for historical reasons, around national
8 police, intelligence agencies coming on to the parliamentary
9 precinct and meeting with members of Parliament. There's a
10 history that goes back, I'm sure, hundreds of years where
11 these meetings may not have been as successful as I think
12 these ones were.

13 So I thought it was important -- the
14 Sergeant-at-Arms has a responsibility for the security of
15 parliamentarians, the parliamentary precinct. He attends the
16 Board of Internal Economy meetings where all the represented
17 Parties are there. I used to be a member for, as I say, a
18 long time. He's well respected. Pat McDonnell has
19 relationships with the whips responsible for different
20 caucuses. So I wanted the department to go and see Pat
21 McDonnell as a senior official of the House of Commons
22 administration, show him what they were planning to present
23 to caucuses -- partisan caucuses as part of the briefing, and
24 ask for his advice and his input.

25 My understanding is that he made some
26 suggestions or some edits which we, of course, incorporated.
27 My understanding is they even did a rehearsal with the
28 Sergeant-at-Arms and his staff because his judgment is

1 important and when he would then say to the whip,
2 particularly of an Opposition Party, "I think it's important"
3 or "It would be useful to schedule this meeting", it feels
4 different than senior officials of the government going
5 directly to a partisan caucus.

6 So -- and the same thing is true in terms of
7 the Corporate Security Director of the Senate. So I wanted
8 that extra-parliamentary lens to be applied to it, which it
9 was, and as I say, I think we incorporated some edits, and
10 then those meetings were scheduled based on the caucus
11 schedules of the different parties, and took place I think in
12 June.

13 **MS. ERIN DANN:** And do you have any plans to
14 standardize these types of briefings or to hold them again in
15 the future?

16 **L'HON. DOMINIC LeBLANC:** I would hope so. I
17 intend to ask the Department to re-engage again with the
18 Sergeant-At-Arms, who is sort of the interlocutor who would
19 say to the Whips of each party, or the caucus Chairs, would
20 they like an update, would they like -- MPs often cross the
21 floor to ask me questions about particular things that are in
22 the news. So I plan to have it as a regular recurring thing,
23 but be governed by the desire of opposition party caucuses,
24 or different groups in the Senate, to receive this
25 information. But we're absolutely open for business and
26 think that's part of very much building an effective,
27 defensive, informed posture, and I would hope that
28 parliamentarians would take advantage of our willingness to

1 be very accessible and available.

2 **COMMISSIONER HOGUE:** And for the time being,
3 these briefings are completely optional? There's no
4 obligation to attend any of them?

5 **L'HON. DOMINIC LeBLANC:** That's right.

6 Madame la Commissaire, la façon que l'horaire
7 des caucus est déterminé par les caucus, c'est le *whip* ou le
8 président des groupes parlementaires qui vont décider. Et la
9 façon que les membres du groupe sont demandés d'y aller, moi,
10 je suis pas au courant de ça. J'ai compris qu'il y avait une
11 bonne participation, parce qu'il y a un intérêt élevé, mais
12 ni le sergent d'armes ou surement pas un ministère du
13 gouvernement peut, d'une base obligatoire, forcer les
14 parlementaires d'y aller.

15 Mais on les encourage et j'ai... la bonne
16 nouvelle, c'est que j'ai compris des collègues qui m'en ont
17 parlé après que c'était, pour eux autres, intéressant. Ils
18 ont pu poser des questions à des experts qui sont pas
19 partisans. Et ça, j'espère, leur a renseigné.

20 Et j'ai cru comprendre qu'il y avait un
21 intérêt pour des breffages... des séances de breffage
22 supplémentaires. Et moi, je vais leur offrir aussi, s'ils
23 ont des sujets particuliers, est-ce que c'est la sécurité
24 numérique, est-ce que c'est la sécurité physique des
25 documents, est-ce que certains groupes parlementaires de
26 communautés diasporas sont... se sentent plus visés que
27 d'autres? Moi, je serai tout à fait ouvert à demander aux
28 experts de se rendre disponibles pour leur parler s'ils ont

1 des... s'ils vont nous donner d'avance des sujets où ils
2 souhaitent avoir des renseignements. On sera tout à fait
3 ouvert à faire ça aussi.

4 **MS. ERIN DANN:** Commissioner, I'm almost out
5 of time. I have one other area I wanted to cover, if I could
6 have just a few moments' indulgence?

7 **COMMISSIONER HOGUE:** Sure.

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

9 Minister, the Commission has heard evidence
10 about political party processes, and in particular nomination
11 contests being potentially vulnerable to or a potential
12 opportunity for foreign interference. What steps, if any, do
13 you think the government should take to address this
14 potential foreign interference vector?

15 **L'HON. DOMINIC LeBLANC:** I think it's an
16 important question, and I know the Commission is seized with
17 this question and the advice and the recommendations will be
18 important, I hope, for political parties, and certainly for
19 the government. There's no doubt that nomination races and
20 leadership conventions, leadership races, are often the entry
21 point for people to participate in a democratic process.

22 Different parties have different rules in
23 terms of who is eligible to vote in a nomination contest,
24 what the age limit might be. It's sometimes different than
25 the *Canada Elections Act* for voting in a general election or
26 a by-election.

27 This has evolved over time in different
28 political parties that are private entities and have their

1 own governance structures. They meet in public conventions
2 and debate these very rules. So I have participated in
3 Liberal Party conventions where the rules for nomination
4 contests or leadership contests are debated on the floor of
5 the convention, they're voted in a public and transparent
6 way, and then they're administered by what I think are fairly
7 significant internal structures with appeal mechanisms.
8 Often it's lawyers or others that sit on these different
9 groups that supervise these rules. So there is, I think, a
10 real effort to get real expertise in all of the political
11 parties to ensure that these rules are respected and are
12 robust.

13 The Chief Electoral Officer, I have noted,
14 obviously with interest, some public comments of the Chief
15 Electoral Officer. He has shared, with political parties and
16 me, suggestions himself on ways that there can be greater
17 transparency in the rules around nomination and leadership
18 contests. We're looking, obviously urgently, and in a very,
19 I hope, constructive way, at these suggestions.

20 Parties are accountable to their own members
21 and party leaders have, in the *Elections Act*, the
22 responsibility to certify candidates. So you can have an
23 internal Party process, a nomination, as it's colloquially
24 known, that selects candidate in riding X, but that
25 candidate, he or she is not on the election ballot as an NDP,
26 or Liberal, or Bloc Québécois candidate, or Conservative
27 candidate, without the leader of that Party issuing an
28 attestation that that's the Party candidate.

1 So that is an accountability in the hands of
2 the leader of the Party.

3 We have offered to all security-cleared
4 leaders highly classified briefings in terms of threats that
5 the intelligence agencies are perceiving in the democratic
6 process, including theoretically in nomination processes in
7 all parties. We think it's important for leaders of
8 political parties to have access to that information so they
9 can make decisions to ensure that their parties are in the
10 best possible position.

11 I was given some intelligence information
12 about a potential threat to another political Party and my
13 instructions to CSIS were to work with the National Security
14 Intelligence Advisor and to, as quickly as possible, share
15 that information with the appropriate security cleared person
16 in that Party. I didn't want the Government of Canada to
17 have that information and not ensure that that political
18 Party could take the steps in their judgement that -- qui
19 s'imposaient, or that were appropriate.

20 **MS. ERIN DANN:** Minister, sorry to interrupt.
21 I just want -- we heard some evidence last week from NSIA and
22 senior PCO officials about a process for briefings to
23 Opposition Parties on intelligence relevant to those Parties.
24 Is that the sort of process that you're discussing here?

25 **L'HON. DOMINIC LeBLANC:** That is absolutely
26 part of an ongoing process that we think is important. This
27 was a one-off where the particular information, I thought,
28 was important enough that it should be shared quickly, and it

1 was.

2 Mais juste pour conclure, parce que je sais
3 que je... peut-être je parle trop longtemps, mais...

4 (RIRES/LAUGHTER)

5 L'HON. DOMINIC LeBLANC: You don't have to
6 laugh when I say that. You should say, "No, no, no, please
7 keep going."

8 Mais je sais, par contre, que la question de
9 légiférer ou d'utiliser un instrument comme un projet de loi,
10 où des règlements sous un projet de loi ont été discutés dans
11 le domaine public, je pense qu'il faut être prudent. Moi,
12 j'ai siégé au Parlement, comme j'ai dit tantôt, à plusieurs...
13 dans plusieurs contextes. Dans un gouv... dans un état
14 autoritaire, c'est le parti au pouvoir qui impose des règles
15 sur les affaires internes d'un autre parti politique.

16 Je pense, même dans un contexte de parlement
17 minoritaire, que deux groupes parlementaires se mettent
18 ensemble pour légiférer des affaires internes d'une autre
19 formation politique, contre son gré, il faut être prudent.
20 Il faut être conscient qu'il y a une tradition au Parlement,
21 même avec les règles qui gouvernent la procédure
22 parlementaire de ne pas laisser une majorité... ou, la
23 convention, c'est qu'une majorité change pas les règles qui
24 gouvernent l'opération de la Chambre des communes à lui tout
25 seul.

26 Et je sais que tous les partis politiques
27 sont saisis avec cette importante question et devront être
28 très conscients que de ne pas prendre des mesures qui

1 s'imposent, en termes de confiance publique, selon moi, sera
2 une erreur importante. Mais je pense pas qu'il faut imaginer
3 que c'est une question binaire entre avoir une législation
4 qui gouverne les opérations internes d'un parti politique et
5 rien faire. Alors, moi, je pense qu'on peut faire énormément
6 avant de contempler une solution législative.

7 La transparence, comme monsieur Perrault
8 avait suggéré, ce genre de partage de renseignement, des
9 séances de breffage, moi, je pense qu'on peut faire
10 énormément, et on fait beaucoup. Mais la question de
11 légiférer des règles internes d'une formation politique, je
12 pense, est plus compliquée que peut-être on réalise.

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

14 Commissioner, those are all of my questions.

15 **COMMISSIONER HOGUE:** Thank you.

16 So we'll take a 20-minute break. We'll come
17 back at 3:25.

18 **L'HON. DOMINIC LeBLANC:** Merci.

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

21 This sitting of the Commission is now in
22 recess until 3:25 p.m. Cette séance de la Commission est
23 maintenant suspendue jusqu'à 15 h 25.

24 --- Upon recessing at 3:05 p.m./

25 --- La séance est suspendue à 15 h 05

26 --- Upon resuming at 3:28 p.m./

27 --- La séance est reprise à 15 h 28

28 **THE REGISTRAR:** Order, please. À l'ordre,

1 s'il vous plaît.

2 This sitting of the Foreign Interference
3 Commission is now back in session. Cette séance de la
4 Commission sur l'ingérence étrangère est de retour en
5 session.

6 The time is 3:28 p.m. Il est 15 h 28.

7 **--- L'HON. DOMINIC LeBLANC, Resumed/Sous le même serment:**

8 **COMMISSIONER HOGUE:** So first one is counsel
9 for Jenny Kwan, Mr. Choudhry.

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

11 **MR. SUJIT CHOUDHRY:**

12 **MR. SUJIT CHOUDHRY:** Thank you, Commissioner.
13 Good afternoon, Minister.

14 **L'HON. DOMINIC LeBLANC:** Good afternoon.

15 **MR. SUJIT CHOUDHRY:** So Minister, I'm going
16 to take you to a topic that was not really fully canvassed in
17 the examination by Commission counsel today, which is of
18 great interest to MP Kwan, which is the NSICOP Report. And
19 so I'm going to -- and as you know, you know, one of the key
20 findings in the NSICOP Report is NSICOP's view that there --
21 that some parliamentarians were knowingly, intentionally,
22 wittingly, or semi-wittingly engaging in foreign interference
23 or something along those lines. And what I'm going to ask
24 you some questions about is what we do now in the fact of
25 that, and in the face of some of the evidence we've had here
26 from members of the government.

27 And so what I'd like to do is to begin by
28 taking you to MP Kwan's witness summary, and a portion of it

1 that deals with the NSICOP Report, just so you can see what
2 her evidence was on this issue.

3 And so if I could please ask the Court
4 Reporter to go to WIT78? And it's PDF page 3. And it's
5 paragraph 7.

6 **--- EXHIBIT No./PIÈCE No. WIT0000078.EN:**

7 Interview Summary - Jenny Kwan (Stage
8 2

9 **--- EXHIBIT No./PIÈCE No. WIT0000078.FR:**

10 Résumé de l'entrevue : Jenny Kwan
11 (étape 2)

12 **MR. SUJIT CHOUDHRY:** Okay. And so this is
13 part of MP Kwan's evidence where she talked about the report
14 and its impact. And so I just would like to put to you what
15 she says at paragraph 7. She says:

16 "According to Ms. Kwan, the NSICOP
17 Report has cast a cloud of suspicion
18 on parliamentarians, especially
19 lawmakers of Chinese and Indian
20 heritage..."

21 And I think -- you know, I think we would say
22 they're South Asian heritage.

23 And so:

24 "...as the NSICOP Report identifies the
25 PRC and the Republic of India as the
26 principal perpetrators of foreign
27 interference activities in Canada.
28 She believes this exposes these

1 parliamentarians to significant
2 risks."

3 And then she talks -- she describes an
4 incident where she was called a traitor outside Parliament.
5 And so that's been her experience.

6 And so I might just pause there and ask you
7 for your reaction to that fear or concern that she expresses
8 not just on behalf of herself, but on behalf of other people
9 who look like her, who have that heritage, and the difficulty
10 that she feels that the state of affairs has placed her in
11 because the names haven't been released or there isn't a
12 process going forward now about what to do.

13 **L'HON. DOMINIC LeBLANC:** So I think, first of
14 all, I have a lot of respect for Ms. Kwan. She's a colleague
15 whom I value a great deal. I've had a chance to work with
16 her and get to know her, and I think her work in Parliament
17 is exemplary.

18 You asked sort of two or three questions. I
19 share absolutely her concern. It's not only around the
20 NSICOP Report, but it's the whole discussion of foreign
21 interference, in terms of what it means for members of
22 certain communities.

23 And you're right, the Chinese Canadian
24 community, the South Asian community, those are obviously
25 communities that have been deeply affected by the whole
26 conversation of foreign interference. In some sort of a --
27 in a horrible twist of irony they're themselves targeted by
28 some of these very threat actors.

1 So I share -- I've thought for a long time
2 and talked to colleagues, not only Ms. Kwan but others,
3 around sharing that concern.

4 The second part of your question was around
5 you talked about the release of names, you talked about the
6 NSICOP Report. I have been very clear, and I'll repeat it to
7 you again, that I think it is inappropriate, if not illegal,
8 to release names that the members of NSICOP -- of which I'm
9 not a member; there's a member of her caucus that sits on
10 that committee -- decided to write the report and used the
11 words they chose. I don't think it's particularly helpful to
12 use "witting, unwitting, semi-witting". I think those words,
13 understandably, cast an understandable concern on these
14 parliamentarians. So I accept that.

15 I also thought it was instructive, the
16 testimony before this Commission of Madam Drouin, and others,
17 and that's consistent with what I've seen in terms of the
18 intelligence that I have access to as the Public Safety
19 Minister.

20 It is a gross partisan exaggeration, and I
21 think irresponsible, for people to -- and many have in the
22 public domain, claim that there are traitors sitting in
23 Parliament, and treasonous people. Those are criminal
24 phrases that are not borne out by the evidence and by the
25 work of the police or the security agencies.

26 So I think that's one of the challenges in a
27 very partisan context of trying to have a rational
28 conversation.

1 **MR. SUJIT CHOUDHRY:** Sure. Well, then let me
2 pick upon that, because you've anticipated a couple of the
3 questions I was going to ask you.

4 You've discussed Madam Drouin's testimony and
5 the view she expressed here about the same intelligence that
6 was the basis for NSICOP's conclusion.

7 Minister, I'm sure you must be aware that
8 there was a CSIS panel here two weeks ago that also testified
9 in some detail about some of the allegations that are
10 addressed in the NSICOP Report and they, quite frankly, have
11 taken the position that there might be some mistakes, either
12 factual or disagreements of interpretation, on their part.

13 And so the question is; if that's where we
14 are, does not -- not create a need to clear the air, to have
15 some type of a process that allows -- and a standing process,
16 not one that's driven necessarily by the needs of the moment
17 and these allegations, to resolve or address these
18 conflicting views of what are rather -- I think we would
19 agree are rather serious allegations against
20 parliamentarians? And let me put something specific to you
21 and get your reactions to it.

22 So at paragraphs 8 through 10 of this
23 document -- and Minister, I'm not sure if you have -- and I
24 know you've been quite busy. Have you had time to -- have
25 you had time to -- you probably haven't had time to look at
26 this particular document recently, have you?

27 **L'HON. DOMINIC LeBLANC:** This document?

28 **MR. SUJIT CHOUDHRY:** Yeah.

1 L'HON. DOMINIC LeBLANC: Ms. Kwan's evidence?

2 MR. SUJIT CHOUDHRY: Yeah.

3 L'HON. DOMINIC LeBLANC: No.

4 MR. SUJIT CHOUDHRY: So if you could just
5 take a minute to just refresh your memory, if you could look
6 at paragraphs 8 and 9, and then 10 and 11, I want to pose a
7 question based on this to you.

8 L'HON. DOMINIC LeBLANC: Thanks.

9 (SHORT PAUSE/COURTE PAUSE)

10 L'HON. DOMINIC LeBLANC: Okay.

11 MR. SUJIT CHOUDHRY: Okay.

12 L'HON. DOMINIC LeBLANC: I stopped at 10.

13 MR. SUJIT CHOUDHRY: Okay. Then why don't
14 you just pick up at 11, then? I want to summarize and then
15 pose a question.

16 L'HON. DOMINIC LeBLANC: Okay.

17 MR. SUJIT CHOUDHRY: So in summary, MP Kwan's
18 proposal and idea is to have some type of a process to clear
19 the air, and it has sort of five features to it. One is that
20 it's focused on the House PROC Committee, the RPRD and the
21 Senate or some type of a joint committee. Second is that it
22 would be an in camera process. The third is that there would
23 be procedural fairness for the parliamentarians who might be
24 -- who might face allegations. Fourth, there might be a way,
25 there would be a process that's designed around national
26 security considerations, possibly including security-cleared
27 lawyers or special advocates.

28 And there could be, at the end of this, some

1 type of a report to Parliament about what steps it might take
2 pursuant to its privilege, as you know, to assess members by
3 their conduct and to take what steps it might take,
4 everything from censure, reprimand, up to suspension, or
5 even, as we know, expulsion.

6 And so my question is, isn't this a good
7 starting point for having a standing process, beyond the life
8 of this Commission, to clear the air? Because foreign
9 interference isn't going away. It's quite likely,
10 regrettably, that in the future there might be allegations again
11 against parliamentarians. Shouldn't we have some type of a
12 process like this in place?

13 **L'HON. DOMINIC LeBLANC:** So again, Parliament
14 can -- committees are masters of their own destiny, they're
15 guardians of parliamentary privilege, they are -- or
16 Parliament themselves, the Speaker being principal amongst
17 them.

18 I don't think that this kind of process is
19 particularly instructive for a few reasons. You mentioned
20 parliamentary privilege. Well, the reason the NSICOP was
21 created -- none of this existed before 2015. It was a
22 deliberate commitment that our government made to have
23 parliamentarians from every party, including Ms. Kwan's, able
24 to see all of this sensitive information, participate in
25 reviewing security agencies, not just CSIS.

26 I visited NSICOP's offices. I've met with
27 the committee a number of times. It is a different locale
28 than a procedure on House Affairs committee in a room in the

1 West Block.

2 The NSICOP Committee doesn't benefit from
3 parliamentary privilege precisely so that somebody can't
4 decide to leak in Parliament, to discuss with the protection
5 of privilege in Parliament or a committee, some of this
6 information, which would be very injurious to the national
7 security of the country and to the safety and security of the
8 people who work for national security agencies. So there's a
9 number of concerns.

10 I understand what you're suggesting but I
11 think that the architecture that you're suggesting -- NSICOP
12 was created for a very specific reason. Some people may not
13 have liked the report that they chose to issue. It is their
14 report, and I don't think there's an appeal mechanism or a
15 review of a report. I think that, A, it would be extremely
16 cumbersome. You'd have to probably create it statutorily,
17 not to violate the *Security of Information Act*.

18 I'm just -- when I think of our government's
19 decision to create NSICOP, I worked on that as the House
20 Leader with then-Public Safety Minister Goodale, and the idea
21 that there's some parliamentary committee that can review
22 this, if we're not going to be able to make the names public,
23 you have sort of a hearing before a parliamentary committee.

24 The other thing too I worry about, to be
25 honest, is Parliament has, and recent examples have shown us,
26 an inability not to treat this information in a very partisan
27 way. And I think setting up a structure that necessarily is
28 more partisan than NSICOP might not provide that relief that

1 people are looking for.

2 **MR. SUJIT CHOUDHRY:** So could there be an
3 NSICOP 2.0 whose terms of reference are expanded, and whose
4 procedures are adapted to incorporate some of the elements
5 here that MP Kwan has proposed?

6 **L'HON. DOMINIC LeBLANC:** I'm not going to
7 purport to decide what some future Parliament might do
8 legislatively. You probably have taken note that some
9 parties in the House of Commons currently voted against the
10 original decision to create NSICOP; I think it's worked very
11 well. But I understand what you're looking for, but I don't
12 believe that the architecture or the suggestions as you've
13 enunciated them will necessarily provide a reasonable
14 solution to what you're seeking.

15 I have a lot of confidence in the women and
16 men sitting in the House of Commons. I share the view shared
17 by other senior public servants here, that people serve in
18 Parliament honourably. Some may have lacked judgment in
19 certain contexts, but I think we need to be careful not to
20 also continue to fuel an impression that has been grossly
21 exaggerated since this report of NSICOP was made public.

22 **MR. SUJIT CHOUDHRY:** Okay, Commissioner. I
23 think those are my questions.

24 **COMMISSIONER HOGUE:** Thank you.

25 **MR. SUJIT CHOUDHRY:** Thank you.

26 **COMMISSIONER HOGUE:** Mr. De Luca for the
27 Conservative Party.

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

1 **MR. NANDO DE LUCA:**

2 **MR. NANDO DE LUCA:** Good afternoon, Mr.
3 LeBlanc.

4 **L'HON. DOMINIC LeBLANC:** Good afternoon.

5 **MR. NANDO DE LUCA:** I'd just like to pick up
6 to start some of your comments in your testimony in-chief.
7 You made a comment in respect of the rigorousness of the
8 process in dealing with classified documents when they reach
9 your office or your department. And I'm just paraphrasing
10 here, but I believe you characterized it as, well, exactly
11 that, a rigorous process where information is tracked when
12 it's stored in the -- when it goes in the safe, when it comes
13 out of the safe.

14 I ant to ask you, does the type of
15 information that gets tracked in respect of classified
16 information that gets received, does it include things like
17 dates received, people who've accessed, times of access, when
18 it's put back? Like how detailed is in that information, if
19 you can share some of those details?

20 **L'HON. DOMINIC LeBLANC:** Again, I'm not the
21 one that fills out those particular forms, but I -- from the
22 people that I work with who manage that process, I believe
23 that there's considerable detail in terms of who has access
24 to what particular documents, when they're returned to the
25 department or to CSIS.

26 I'm talking about documents that might be in
27 a secure safe in my office, for example ---

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

1 **L'HON. DOMINIC LeBLANC:** --- and there are
2 public servants that come to retrieve documents and there's a
3 process by which they note that a particular document has
4 been removed from my office and is in the custody of an
5 official or on its way back to CSIS, for example, or ---

6 **MR. NANDO DE LUCA:** Okay. And I've come to
7 understand that more recently -- is it the case that the
8 tracking system, if I may use that phrase, includes more
9 recently the use of barcodes? Are you familiar with that?

10 **L'HON. DOMINIC LeBLANC:** No, I don't scan
11 them myself. I can't speak to that. But I'm sure it's a
12 technical answer that I'd be happy to have somebody get back
13 to you.

14 I don't know the barcodes, if ---

15 **MR. NANDO DE LUCA:** No, I'm not asking if you
16 scan the barcodes. Have you seen barcodes used for that
17 purpose on these types of documents?

18 **L'HON. DOMINIC LeBLANC:** I haven't looked at
19 the documents looking for the barcode. I look at the text of
20 the document.

21 **MR. NANDO DE LUCA:** Sure.

22 **L'HON. DOMINIC LeBLANC:** I haven't noticed
23 the barcodes. But there may very well be. I don't know.

24 **MR. NANDO DE LUCA:** That's fair.

25 In terms of the process that you've just
26 described, does it apply to the receipt of information?

27 You gave some evidence earlier about warrant
28 approvals. Would that type of tracking procedure also apply

1 to the receipt of the application for a warrant approval?

2 L'HON. DOMINIC LeBLANC: My understanding is
3 it would.

4 MR. NANDO DE LUCA: Okay. And just picking
5 up on the warrant approval topic, you mentioned in your
6 comments a former Minister of Public Safety described these
7 warrant applications as the Crown Jewels. Do you recall
8 that?

9 L'HON. DOMINIC LeBLANC: Yes.

10 MR. NANDO DE LUCA: Which Minister were you
11 referring to?

12 L'HON. DOMINIC LeBLANC: It was Ralph
13 Goodale.

14 MR. NANDO DE LUCA: Okay. And you also gave
15 evidence that in your experience in dealing with these
16 warrant applications, if I can characterize it this way,
17 there was about -- from the time that the application was
18 received, there was about a six to seven day, typically,
19 delay at the departmental level in terms of getting approvals
20 or asking for further information. Do I have that timeline
21 correct, more or less?

22 L'HON. DOMINIC LeBLANC: Again, I asked the
23 question of Mr. Tupper because I wanted to understand their
24 process at the department before we might receive these, but
25 again, that question -- I've never been the Deputy Minister
26 of Public Safety. That should be put precisely to officials.

27 I was told that they endeavour within four,
28 five, six days to -- because they have a statutory role to

1 play in terms of recommending to me, and I think that takes
2 place over a few days. Five, six days is what I think was, I
3 remember them telling me, the typical process. But at the
4 departmental level, the Deputy Minister and the officials
5 that work with him.

6 **MR. NANDO DE LUCA:** Okay. And then I think
7 you said once they've given -- I think you described the
8 process is that the Deputy Minister will give a
9 recommendation. Once that -- once it's done at the
10 departmental level, you described a further brief delay. You
11 would be told by your Chief of Staff, I think you indicated,
12 that there was a warrant application to review and you
13 typically describe that process as taking a few days.

14 Can you give us a time? Is it two or three
15 days, four days, more or less? In your experience.

16 **L'HON. DOMINIC LeBLANC:** Sure. And I think I
17 also said that not all warrants are the same.

18 **MR. NANDO DE LUCA:** Sure.

19 **L'HON. DOMINIC LeBLANC:** I also said that
20 some come with a request from the department and CSIS for a
21 specific turnaround time because there's an operational
22 urgency. And I can think of a few rather dramatic ones where
23 every hour would have counted, so that's a different scenario
24 than renewing an authority that may have been in place for a
25 year just to use sort of two ends of a spectrum. But once --
26 these don't come as surprises.

27 My understanding or my experience is, my
28 Chief of Staff would know that there's a warrant application

1 working its way. The department would tell them, "We've
2 received a warrant application. We're preparing the
3 departmental advice. We hope to have it to you by a certain
4 date" or it should come by the end of the week or -- these
5 are the discussions that the department would have with my
6 Chief of Staff. He would mention to me, "I'm told that
7 there's a warrant on its way to us".

8 Once the warrant, as I said, arrives in our
9 office with the formal advice, as is prescribed by law, from
10 the Deputy Minister recommending to me the approval or not of
11 the warrant, we endeavour again -- but I want to be --
12 because some are turned around the same day. If it's a
13 renewal of something and I'm travelling and I can sign it
14 next week when I'm back in Ottawa, it may take six or seven
15 days, but there is no urgency to that one. And that's advice
16 we would get from the department and CSIS.

17 But the typical process, I understand the
18 important that CSIS and the department place on these and I
19 would endeavour to have it returned to them in a few days as
20 a normal course of business.

21 Some are a lot faster and some may take a few
22 more days simply because there's no urgency for me to try and
23 do it at a CSIS office in Vancouver if I'm back in Ottawa the
24 following week.

25 **MR. NANDO DE LUCA:** It's fair to say, though,
26 that your general understanding and expectation is that,
27 given the nature of what it is you're being asked to look at,
28 it's the sooner, the better in terms of ---

1 **L'HON. DOMINIC LeBLANC:** Yes. And I also --
2 because we endeavour to return them to the department and to
3 CSIS as quickly as we can because leaving them in a safe in
4 my office isn't as secure as returning them to the people at
5 CSIS that prepare them, so.

6 **MR. NANDO DE LUCA:** That's fair.

7 In your experience in dealing with these
8 applications, can you think of any instance where it's taken
9 54 days between the time that the application was received at
10 the department level to the time that you signed off on such
11 an application?

12 **L'HON. DOMINIC LeBLANC:** No.

13 **MR. NANDO DE LUCA:** I want to switch
14 subjects, if I may, to pick up on something that we discussed
15 the last time you were here.

16 MP Han Dong is on record as indicating that
17 he'd like to rejoin the Liberal caucus in the House. My
18 question is, have you had any discussions with Mr. Dong about
19 rejoining caucus and, if so, when?

20 **L'HON. DOMINIC LeBLANC:** The one discussion I
21 had with Mr. Dong was in the fall of 2023, so over a year
22 ago, at which time I indicated, as I've said publicly, that
23 we wanted to wait for the final report of this Commission
24 before I would prepare or offer the Prime Minister advice
25 with respect to that. And I have not had a conversation with
26 him subsequent to that.

27 **MR. NANDO DE LUCA:** Okay. And is that -- is
28 waiting for the outcome of this Commission, the final report,

1 the only reason why -- I take it from your answer that the
2 subject hasn't been further considered. Not only have you
3 not discussed it with Mr. Dong, but given the nature of your
4 answer, it hasn't been an ongoing issue unless and until you
5 get a ---

6 L'HON. DOMINIC LeBLANC: No, it hasn't been.
7 I haven't discussed it with the Prime Minister or anybody in
8 his office, either.

9 MR. NANDO DE LUCA: Okay. Thank you.
10 Those are my questions. Thank you very much,
11 Sir.

12 L'HON. DOMINIC LeBLANC: Thank you.

13 COMMISSIONER HOGUE: Thank you.

14 Next one is counsel for Erin O'Toole.

15 Mr. Jarmyn.

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

17 MR. THOMAS JARMYN:

18 MR. THOMAS JARMYN: Thank you, Commissioner.
19 My name's Tom Jarmyn. I represent Erin
20 O'Toole. Thank you, Minister.

21 L'HON. DOMINIC LeBLANC: Thank you.

22 MR. THOMAS JARMYN: My questions are going to
23 be about social media.

24 I understand from your comments earlier on
25 that the government has entered into a voluntary declaration
26 with certain social media companies. Is that correct?

27 L'HON. DOMINIC LeBLANC: We did in -- prior
28 to the 2019 and 2021 election, yes. And officials are

1 exploring with those companies now the next version of that
2 declaration.

3 **MR. THOMAS JARMYN:** And is WeChat going to be
4 one of those companies?

5 **L'HON. DOMINIC LeBLANC:** No decision has been
6 made with respect to that. I think Mr. Sutherland may have
7 mentioned that in his testimony. He, I think, or people
8 working with him, have had some very preliminary
9 conversations, but they will obviously want the advice of the
10 security and intelligence agencies as well. So I think it's
11 far from clear that if there's a renewed version of that
12 online integrity declaration that they would be part of it,
13 but I think Mr. Sutherland, and/or his colleagues have had
14 very preliminary discussions with them.

15 **MR. THOMAS JARMYN:** Those agencies report to
16 you, and I put it to you, Minister, that there's a
17 fundamental difference between WeChat and Facebook or Twitter
18 or LinkedIn. Would you agree with me on that?

19 **L'HON. DOMINIC LeBLANC:** I'm not an expert in
20 these different social media platforms. I've never looked at
21 WeChat once. I know I hear people talk about it, but I'm
22 certainly not an expert to give you opinions on fundamental
23 differences between social media platforms.

24 **MR. THOMAS JARMYN:** And if WeChat is turned
25 out to be a platform that is being used by the Chinese
26 Government to either manufacture disinformation or censor
27 communications among the Chinese diaspora, would you see that
28 as something that makes it fundamentally difficult for them

1 to sign such a declaration?

2 L'HON. DOMINIC LeBLANC: That's a very big
3 hypothetical, but I do know, and I've taken notes, certainly
4 in Mr. O'Toole's case in particular, and others, how that
5 particular platform has been used for mis- and disinformation
6 objectives. But as I say, we haven't made a decision in any
7 way to sign some voluntary declaration with them.

8 And I know Mr. Sutherland, when he spoke to
9 me about it, said he will be very much governed by the advice
10 of the Communications Security Establishment, CSIS, the
11 national security and intelligence community. So I'll wait
12 for that advice, but I haven't -- I think it's even
13 preliminary to think that that advice is being prepared.

14 MR. THOMAS JARMYN: And if I could get the
15 CAN11293 to be brought up, please?

16 --- EXHIBIT No./PIÈCE No. CAN011293:

17 China: Domination of Chinese-Language
18 Media in Canada Poses National
19 Security Threats - IM 30/2023

20 MR. THOMAS JARMYN: And if you could go to
21 page 4, please? And just we'll have a look at that first
22 paragraph.

23 Minister, I just put it to you that the
24 comments with respect to WeChat as facilitating CPC
25 surveillance, repression and influence over overseas Chinese
26 communities is a fundamental characteristic of that platform
27 and prevents them from being a proper participant in any such
28 voluntary declaration. Is that a fair statement?

1 **L'HON. DOMINIC LeBLANC:** I don't judge the
2 fairness of your statements, but I have taken note of this
3 kind of intelligence advice and share the concern that WeChat
4 has been absolutely used by the Government of China in some
5 of these disinformation campaigns in the past.

6 **MR. THOMAS JARMYN:** And if you could look at
7 the comment on the other -- in the right-hand column:

8 "More recently, open source reporting
9 notes a coordinated disinformation
10 campaign on WeChat aimed at
11 dissuading voters from supporting
12 parliamentary candidates with anti-
13 China views in 2021."

14 I put it to you there would have to be a
15 fundamental change in the characteristics of the platform
16 before they could be an appropriate participant in such a
17 voluntary declaration.

18 **L'HON. DOMINIC LeBLANC:** I think that's
19 accurate. That's why, as I say, the idea that we would
20 engage with them like other social media platforms, you
21 mentioned Facebook, Google, Microsoft, other platforms, I do
22 think there is a difference, and a significant difference,
23 and that's why the officials have been, at most, very
24 preliminary in understanding the reach of these particular
25 platforms, but I think there's a lot of work that needs to be
26 done before they could even be contemplated to participate at
27 the same level as the other platforms.

28 **MR. THOMAS JARMYN:** Those are my questions.

1 Thank you, Commissioner.

2 Thank you, Minister.

3 COMMISSIONER HOGUE: Thank you.

4 L'HON. DOMINIC LeBLANC: Thank you.

5 COMMISSIONER HOGUE: Ms. Teich for the Human
6 Rights Coalition.

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

8 MS. SARAH TEICH:

9 MS. SARAH TEICH: Good afternoon, Minister
10 LeBlanc.

11 L'HON. DOMINIC LeBLANC: Hi, good afternoon.

12 MS. SARAH TEICH: I understand that the
13 Public Safety portfolio includes, among other bodies, CBSA,
14 CSIS, and RCMP. And part of CBSA's role is to engage in the
15 removal of individuals deemed inadmissible under the
16 *Immigration and Refugee Protection Act*. Is that right?

17 L'HON. DOMINIC LeBLANC: Yes, I think it is.

18 MS. SARAH TEICH: We know that foreign
19 interference is not, in itself, a ground of inadmissibility,
20 yet foreign interference by a person in Canada may violate
21 the requirements of *IRPA* in a variety of ways. For example,
22 it may involve harassment, and then someone may be removed on
23 grounds of criminality if convicted of criminal harassment.

24 To the best of your knowledge, has CBSA used
25 these existing provisions of the *Immigration and Refugee*
26 *Protection Act* to remove from Canada individuals engaged in
27 foreign interference?

28 L'HON. DOMINIC LeBLANC: So I think CBSA

1 exercises their statutory responsibility under law to remove
2 from Canada persons that are inadmissible. There's a
3 significant volume of people that are removed by CBSA. I
4 don't -- I'm not briefed on every one of those files.

5 Certain files come to me when people are
6 seeking a stay of removal. That would be the one time where
7 I would see a specific file. I have not seen, in the context
8 of my being requested to stay a removal, that circumstance,
9 but I can't speak for the thousands of files that CBSA would
10 handle. I know that they do their work based on their
11 statutory responsibilities and obligations.

12 I have seen, as you noted, some removals that
13 people may ask me to stay that involve criminal convictions,
14 but those would be the kind of cases that I would see. I
15 can't speak to every single removal and what CBSA -- what
16 criteria they're using, but they're obligated by law and the
17 Immigration and Refugee Board is also involved, of course, in
18 this process as well.

19 **MS. SARAH TEICH:** In your capacity as
20 Minister, have you instructed CBSA to use these existing
21 tools to remove from Canada individuals engaged in foreign
22 interference?

23 **MR. GREGORY TZEMENAKIS:** Apologies for the
24 interruption. I'm going to caution the witness not to answer
25 the question as to whether he's given specific instructions
26 to the Agency. That may call for a legal conclusion.

27 **MS. SARAH TEICH:** Okay. I'll just move on.
28 Can we please pull up HRC134?

1 --- EXHIBIT No./PIÈCE No. HRC0000134:

2 Uncovering Foreign Interference in
3 Tigrayan Lives

4 **MS. SARAH TEICH:** Thank you.

5 This is a report written by Joanne Hodges and
6 Makeda Leul. This is a brand-new report dated October 2024.

7 If we can please jump to -- actually, I
8 forgot to note down the section. If we can go to the Table
9 of Contents, I'll tell you exactly where I want you to go.
10 Under 3, it's 3.2. So I'm not exactly sure what page that
11 is, but maybe scroll up, because it's not the appendices.
12 Apologies. And right there. Perfect. Thank you.

13 So this section provides examples of threats
14 received by Tigrayan Canadians. And this story just slightly
15 indented is just one example, and it's illustrative of some
16 of the problems of agencies responses to transnational
17 repression. And I'll just read out some passages here for
18 the record. And this is a story of Kibrom from Edmonton,
19 Alberta. And he details receiving death threats. He says
20 that:

21 "During a protest in Edmonton, my
22 photo was published [...]. The next
23 morning, I found a threatening letter
24 under my door stating 'You will both
25 die like your people soon, wait.' I
26 reported this to the RCMP, who
27 visited my home, took notes, and
28 advised me to protect myself."

1 If you can please scroll down now to the top
2 of page 12? This is the same individual. And later he
3 details that:

4 "...while shopping with my friend's
5 sister at a Superstore, an Eritrean
6 government supporter and her son
7 confronted me. The woman threatened
8 I would be killed soon, and her son
9 attempted to provoke a physical
10 altercation. Witnesses at the scene
11 defended me, and when the police
12 arrived, they decided not to press
13 charges against the woman and her son
14 but advised me to be careful."

15 He goes on to describe the impact, saying:

16 "The RCMP's responses often felt
17 insufficient, and I spent much of my
18 time confined to my home, dealing
19 with both physical pain and the
20 psychological burden of the threats
21 and harassment."

22 As the Minister with responsibility for the
23 RCMP, how do you feel the Agency can improve to better deal
24 with these types of instances?

25 **L'HON. DOMINIC LeBLANC:** So again, I want to
26 be -- this is the first time I've seen this document. I
27 don't have a context at all. These are persons who describe,
28 obviously concerning circumstances, understandably so. But I

1 don't direct the RCMP in their operations, in their police
2 operations. That would be inappropriate. And to comment on
3 how the RCMP deal with a specific case, I'm loath to do that
4 because I don't have all of that information and I don't have
5 the benefit of the RCMP's independence in evaluating these
6 different criminal operations.

7 There are -- and if, as you noted, this was
8 in the City of Edmonton, there is a municipal police force in
9 Edmonton, the Edmonton City Police. I would assume, as
10 again, I'm -- this is just my impression, the police of
11 jurisdiction would have a role to play in these matters as
12 well.

13 I know the RCMP work very hard with persons
14 in diaspora communities to be present, to -- they worry, as
15 the government does, about the protection of these people
16 that are often harassed and intimidated and themselves
17 victims of foreign interference or other acts of hate. This
18 is something that I know the RCMP takes very seriously.

19 The Commissioner talks to me about work he's
20 doing with the Canadian Association of Chiefs of Police
21 around hate crimes, helping smaller police forces understand
22 how to investigate hate crimes. So they're very involved in
23 this space, as they should be, as Canada's national police
24 force, but they work with -- in the case of physical
25 altercations in a Superstore, the Edmonton City Police, I
26 assume, would also be part of that investigative process.

27 So I share the concern that persons from
28 communities like this need to feel safe in Canada. All

1 Canadians, I think, worry about the safety of our fellow
2 citizens. We've seen, sadly, examples in big and small
3 communities across the country that should make us understand
4 the importance of all police forces and intelligence forces
5 working with these very communities to reassure them, but
6 also to get the benefit of their information and their
7 advice. So that's something the RCMP, I know, tries to do
8 across the country, and I encourage them to do that work, but
9 I can't speak to a specific example that I just saw here.

10 **MS. SARAH TEICH:** No, I appreciate that. And
11 I'm not asking you specifically about the facts of this
12 example. This was more so to illustrate some of the
13 sentiments and sort of responses and perceptions of diaspora
14 community members, and I meant this to be mostly sort of a
15 jumping off point to discuss how the RCMP might improve. Do
16 you have any general points on that, how they might improve?

17 **L'HON. DOMINIC LeBLANC:** So I know that
18 they're very much seized with this issue themselves. As I
19 say, the RCMP leadership, Commissioner Duheme, the people
20 that are recruiting cadets.

21 I spent a weekend at Depot in Regina with
22 leadership of the RCMP a few weeks ago. I was -- there was a
23 parade on the parade ground around the Memorial for Fallen
24 Officers, including different troops that are currently at
25 Depot training. There were enormous numbers of racialized
26 Canadians. The face of the RCMP is much different than it
27 would have been a few decades ago. They're recruiting from
28 diverse communities in I think a very encouraging way.

1 There's still more work to do. But when I looked at the
2 parade grounds, the kind of cadets that are currently in
3 training, many of these communities that feel this anxiety
4 will see police officers serving in the RCMP from their
5 communities.

6 They also have a leadership role to play, as
7 I said, nationally, with other police forces. We're worried
8 about the sharp rise in hate speech and hate crimes across
9 the country. Communities after, I imagine, the RCMP
10 announcement yesterday, with respect to India, the Sikh
11 community, will understandably be very concerned. And I know
12 the RCMP are extremely active and present in these
13 communities, but they can always look for better
14 opportunities and more occasions, and I encourage them to do so,
15 but I have every confidence that they understand the
16 importance of that work.

17 **MS. SARAH TEICH:** Okay. Thank you. I see
18 I'm just about out of time, so I'll leave it there. Thank
19 you.

20 **L'HON. DOMINIC LeBLANC:** Thank you.

21 **COMMISSIONER HOGUE:** Thank you.

22 Mr. Chantler for the Concern Group.

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

24 **MR. NEIL CHANTLER:**

25 **MR. NEIL CHANTLER:** Good afternoon, Minister.
26 Neil Chantler. Counsel for the Chinese Canadian Concern
27 Group.

28 **L'HON. DOMINIC LeBLANC:** Good afternoon.

1 **MR. NEIL CHANTLER:** Sir, you became Minister
2 of Public Safety in July 2023? Can ---

3 **L'HON. DOMINIC LeBLANC:** Yes.

4 **MR. NEIL CHANTLER:** --- you confirm? And at
5 the time you assumed your present role, the issue of Chinese
6 foreign interference and transnational repression was very
7 much on the radar of the government already; correct?

8 **L'HON. DOMINIC LeBLANC:** Yes.

9 **MR. NEIL CHANTLER:** And one of the issues on
10 which you would have been briefed early in your mandate would
11 have been the existence of what has been referred to as
12 overseas police stations? Is that correct?

13 **L'HON. DOMINIC LeBLANC:** Briefed early in the
14 mandate. It's been an ongoing discussion with the RCMP and
15 CSIS, but briefed early in my mandate. Transnational
16 repression and the active role of the Chinese Government was
17 certainly the subject of early briefings, but I don't
18 remember the exact moment where these so-called police
19 stations were addressed, but I certainly am happy to confirm
20 that they've talked to me about that, of course.

21 **MR. NEIL CHANTLER:** And in those briefings,
22 you were informed that these stations were being used as
23 bases from which to exert pressure on Chinese nationals who
24 were living in Canada, often through coercive threats and
25 intimidation? This is information you would have received at
26 that time?

27 **L'HON. DOMINIC LeBLANC:** I'm loath to discuss
28 the detailed information that I would have got from the RCMP

1 or intelligence agencies. I've taken note that that has been
2 -- that assertion you made has been in the public domain, but
3 I would be loath to attribute that to RCMP officers in
4 briefings with me.

5 **MR. NEIL CHANTLER:** All right. Are you aware
6 and can you confirm your knowledge that these stations came
7 to light for the first time in September 2022 as a result of
8 an NGO's report, but when you assumed your current office in
9 July 2023, it appears they may still have been operating?

10 **L'HON. DOMINIC LeBLANC:** Again, I didn't know
11 the exact moment where this came -- I took note, like many
12 Canadians, of the public discussion of this in -- you tell me
13 it was in 2022. It certainly came up in Parliament. But I
14 do know from Commissioner Duheme's testimony, and from my
15 conversations with him, that there are active investigations
16 going on in this space. So I'm -- you'll understand I'll be
17 hesitant to -- I'm not aware of the details of those
18 investigations, of course. I have confidence the RCMP will
19 do that work properly. But how many are operating and where,
20 I just -- I'm not sure that I'm in a position to address
21 that.

22 **MR. NEIL CHANTLER:** Did you understand that
23 the operation of these services -- of these stations were
24 still underway at the time you assumed your post? As opposed
25 to a police investigation, were these overseas police
26 stations still carrying out their activities at the time you
27 assumed your post?

28 **L'HON. DOMINIC LeBLANC:** Again, I'm -- that

1 would have been information they would have shared with me in
2 a sensitive communication, internal facility, at a SCIF. I
3 don't know how one -- I'm at a loss to know how publicly I
4 talk about what they tell me about what's operating or what's
5 not, or what their role is in disrupting them. I'm just -- I
6 know the Commissioner of the RCMP was here and those
7 questions, I think, are best put to police officials.

8 **MR. NEIL CHANTLER:** So you're not able to
9 confirm or deny that those stations are operating today?

10 **L'HON. DOMINIC LeBLANC:** I am not able to
11 reveal what might be police operational information in a
12 public hearing.

13 **MR. NEIL CHANTLER:** All right. We've heard
14 from several witnesses at this Inquiry that there's been hope
15 that the legislative amendments brought forward in Bill C-70
16 are going to help deter this kind of activity by the PRC on
17 Canadian soil in the future. Do you have that confidence?
18 And let me ask, perhaps, can you speak to the level of
19 confidence you have that those legislative amendments are
20 going to adequately deter the PRC from this kind of activity
21 when it's already demonstrated to us that it's willing to
22 flagrantly violate Canadian law and sovereignty?

23 **L'HON. DOMINIC LeBLANC:** So I certainly
24 acknowledge the reprehensible nature of this activity. I
25 don't want to diminish for a second the significance of
26 transnational repression and the Government of China seeking
27 to intimidate or threaten Canadians on Canadian soil by using
28 this means or a series of other means. So the Chinese are

1 very active in attempting in many democracies, including
2 Canada, to participate in this transnational repression. I
3 have those conversations with Five Eyes ministerial
4 colleagues often that see similar things in their countries.

5 I thought that the adoption of the countering
6 foreign interference legislation last June will increase
7 significantly the toolkit that police will have in terms of
8 *Criminal Code* offences. My colleague, the Justice Minister,
9 can speak to that perhaps more precisely than I can, but
10 strengthening criminal legislation and giving increased tools
11 to intelligence services precisely to detect and disrupt this
12 activity I think was very important. It was probably the
13 most significant amendments to national security legislation
14 in a couple of decades. The CSIS leadership at the time told
15 me that in the 40 years they've been operating, this was the
16 most significant modernization of their toolkits in a digital
17 age.

18 So I'm very confident that this is an
19 important step in deterring, disrupting, and detecting this
20 kind of unacceptable activity, but I'm also realistic enough
21 to know that hostile state actors like China, but not only
22 China, are évoluer leurs tactiques, they're changing their
23 tactics in a way to avoid detection. So I think we have to
24 have confidence that the police and intelligence agencies, I
25 have this confidence, will also continue to evolve their
26 investigative means to do what they need to do to protect
27 Canadians.

28 **MR. NEIL CHANTLER:** Minister, can you confirm

1 that to date there have no arrests, there have been no
2 charges, and there have been no diplomatic credentials
3 removed in relation to the overseas police stations in this
4 country?

5 **MR. GREGORY TZEMENAKIS:** I'm sorry, Minister,
6 I apologize for interrupting, but the Minister can't confirm
7 that information as a result of ongoing investigations.
8 Thank you.

9 **MR. NEIL CHANTLER:** Well let's -- there
10 certainly aren't any public arrests, charges, or diplomatic
11 responses to the overseas police stations. Can you confirm
12 that?

13 **L'HON. DOMINIC LeBLANC:** Are there secret
14 arrests in Canada?

15 **MR. NEIL CHANTLER:** Well I'm confused myself.
16 So I'm not aware of any, and to the extent that you can
17 answer the question in this forum, are you aware of any?

18 **L'HON. DOMINIC LeBLANC:** I've just been
19 advised by my counsel -- and again, the Commissioner of the
20 RCMP is the one who is best positioned to answer this, and I
21 think I took note of his comments concerning ongoing
22 operations, and I have faith that they'll do their job well,
23 and I wouldn't want to say something in this particular forum
24 that would prejudice their ability to hold those to account
25 that may be doing these reprehensible things.

26 **MR. NEIL CHANTLER:** I want to contrast that
27 fact, if I can -- if we can accept that fact for a moment,
28 with a couple of other cases of foreign interference on

1 Canadian soil, perhaps to seek your comment on them, and how
2 they might be different than the case of overseas police
3 stations.

4 The first is the Wealth One Bank. In April
5 of 2023, as you likely know, the government ordered the
6 bank's founding shareholders to divest their stakes and sever
7 ties with the bank after intelligence surfaced connecting the
8 bank's founders to the Chinese Government.

9 And then we've heard news today, the second
10 example, that the Canadian Government has expelled six Indian
11 diplomats on the basis of intelligence that linked the
12 Government of India to the killing of Hardeep Singh Nijjar.

13 Are you able to comment on why, in those
14 cases, we've had orders to divest, we've had arrests and
15 public statements from the RCMP, and diplomats being
16 expelled, but not in the case of the overseas police stations
17 operated by the Government of China?

18 **L'HON. DOMINIC LeBLANC:** So with respect to
19 Wealth One Bank, I took note of the public comments around
20 that. That is properly the responsibility of my colleague,
21 the Finance Minister, who has a regulatory role, an oversight
22 role, in the banking system. And again, the intelligence
23 information around Wealth One Bank is not something that I
24 could talk about publicly, but the decisions that she took as
25 a regulator are properly her decisions.

26 You said we learned about it yesterday, the
27 decision the government -- my colleague, the Foreign Affairs
28 Minister's decision to expel six Indian diplomats. I don't

1 want to correct you, but to say that -- you left the
2 impression that those six were linked to the murder of Mr.
3 Nijjar, a Canadian citizen, on Canadian soil. I think the
4 RCMP, again I'm going by memory, they spoke more generally of
5 participating in criminal activities. I don't think that the
6 Commissioner linked those six to one particular criminal
7 offence, but a series of criminal offences. I just think ---

8 **MR. NEIL CHANTLER:** Fair enough.

9 **L'HON. DOMINIC LeBLANC:** --- that's important
10 to be precise.

11 **MR. NEIL CHANTLER:** Do you agree that
12 expelling a Chinese diplomat would send a clear message to
13 the CCP that we will not tolerate the government treading on
14 our territorial sovereignty with these overseas police
15 stations?

16 **L'HON. DOMINIC LeBLANC:** So those are
17 decisions that are in the hands of the Foreign Affairs
18 Minister. I don't play a role in the decision to declare a
19 particular diplomat *persona non grata*.

20 I do know that intelligence information is
21 obviously shared with my colleague, the Foreign Affairs
22 Minister. She comes to those decisions herself.

23 My job is to make sure that the intelligence
24 and security services are doing the best they can to
25 investigate according to law this kind of conduct and provide
26 advice to Foreign Affairs.

27 I'm confident they're doing that. And I work
28 with them and see some of the intelligence they collect, and

1 that information is given to the Foreign Affairs Department
2 that then makes those decisions. Madam Joly is the one who
3 makes those decisions.

4 **MR. NEIL CHANTLER:** Thank you, Minister.

5 Thank you, Madam Commissioner.

6 **COMMISSIONER HOGUE:** Thank you.

7 **L'HON. DOMINIC LeBLANC:** Thank you.

8 **COMMISSIONER HOGUE:** Next one is UCC, but I
9 don't see him in the room.

10 **MS. NATALIA RODRIGUEZ:** Commissioner, my
11 understanding -- it's Natalia Rodriguez, Commission counsel.
12 My understanding is Mr. Doody was in court this morning. He
13 has not advised us that he does not plan on coming, but it
14 looks like he may be delayed.

15 **COMMISSIONER HOGUE:** Okay. So next one is
16 Mr. Sirois. So we'll see, maybe he will walk by.

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

18 **Me GUILLAUME SIROIS:**

19 **Me GUILLAUME SIROIS:** Alors, bonjour,
20 ministre LeBlanc.

21 **L'HON. DOMINIC LeBLANC:** Bonjour.

22 **Me GUILLAUME SIROIS:** Bonjour. Donc, je vais
23 commencer par... vous êtes au courant des campagnes de
24 désinformation russes visant les Canadiens depuis les
25 dernières années - on en a parlé au courant de ces audiences
26 - incluant durant les deux dernières élections générales.
27 Est-ce que vous êtes au courant de campagnes de
28 désinformation russes?

1 L'HON. DOMINIC LeBLANC: Oui. Je sais que la
2 Russie est parmi les acteurs les plus présents dans ces
3 campagnes de désinformation. C'est sûr.

4 Me GUILLAUME SIROIS: Pis je pense qu'on a
5 entendu aussi que ces campagnes de désinformation n'étaient
6 pas dirigées vers le résultat lui-même des élections
7 générales, par exemple, mais qu'elle visait plutôt à
8 amplifier le sentiment de mécontentement ou de polarisation
9 au sein de la population canadienne. Est-ce que ça... c'est
10 conforme à votre impression des choses?

11 L'HON. DOMINIC LeBLANC: Oui. Je suis pas
12 expert du tout dans ces détails de campagnes de
13 désinformation, mais d'après ma compréhension, vous avez
14 raison. Souvent, c'est pas un résultat électoral précis,
15 mais c'est de semer la division, la frustration, c'est de
16 décourager les gens de participer, de promouvoir un narratif
17 extrémiste.

18 Et souvent, pis c'est pas uniquement la
19 Russie, mais les États hostiles qui engagent ce genre de
20 comportement ou campagne de mésinformation ou désinformation,
21 c'est précisément pour créer une instabilité, un manque de
22 confiance dans des institutions, dans la démocratie. C'est
23 ça, un objectif en soi-même, souvent, pour ces acteurs
24 néfastes.

25 Me GUILLAUME SIROIS: Et je pense que vous
26 avez fait un communiqué en lien avec l'opération de *Tenet*
27 *Media*. On peut le sortir. C'est RCD44.

28 --- EXHIBIT No./PIÈCE No. RCD0000044:

1 Statement by the Minister of Public
2 Safety, Democratic Institutions and
3 Intergovernmental Affairs on U.S.
4 action regarding Russian influence
5 operations - Canada.ca

6 **Me GUILLAUME SIROIS:** Malheureusement, c'est
7 la version anglaise, mais ça, ça serait un autre exemple de
8 désinformation russe visant à déstabiliser la population
9 canadienne, la démocratie canadienne, entre autres? Je vous
10 demandais la question pour vous, dans le fond, que c'était...

11 **L'HON. DOMINIC LeBLANC:** Oui, je veux juste
12 voir si c'est la déclaration de... c'est ça, de quelques
13 semaines.

14 **Me GUILLAUME SIROIS:** Oui, c'est le 5
15 septembre.

16 **L'HON. DOMINIC LeBLANC:** Absolument. Ça,
17 c'est suite à une collaboration avec nos partenaires
18 américains. Et vous avez raison, la déclaration confirme
19 quelque chose que le Procureur général des États-Unis a aussi
20 adressé. Les services de police au Canada collaborent
21 évidemment beaucoup avec leurs partenaires américains. Et
22 c'est un contexte, un exemple où la cible était des... des
23 citoyens américains était les États-Unis, mais il y avait des
24 éléments canadiens, des acteurs dans ce stratagème qui
25 étaient au Canada. Et on a eu des conséquences ici au
26 Canada.

27 Et j'étais très content que Merrick Garland,
28 le Procureur général des États-Unis, ait pris le temps de

1 m'appeler cette journée-là pour remercier le Canada pour le
2 rôle important que nous avons joué avec les autorités sous le
3 ministère de la Justice des États-Unis afin, précisément,
4 d'identifier et de détecter ce genre de campagne de
5 mésinformation ou de désinformation.

6 Alors, ça confirme, je pense, on a parlé, le
7 secrétaire... ou, le Procureur général et moi, de l'importance
8 de contrer ces campagnes de désinformation. Eux autres sont,
9 comme vous savez très bien, dans un contexte électoral dans
10 les dernières semaines. Et j'ai trouvé ça génial qu'il a
11 pris le temps de m'appeler pour me remercier du travail que
12 le Canada a fait avec les partenaires américains.

13 **Me GUILLAUME SIROIS:** Donc, je veux juste
14 revenir un peu à l'idée d'influencer le résultat d'une
15 élection versus essayer de polariser la société ou de diviser
16 la société, parce que dans votre communiqué ici, on peut voir
17 que vous condamnez avec la plus grande fermeté les tentatives
18 de RT de faire la désinformation ou d'influencer le résultat
19 des élections. Donc, on dirait qu'il y a un peu de confusion
20 tout au long des audiences que d'amplifier la polarisation de
21 la population n'a pas nécessairement d'effet sur les
22 élections. Mais est-ce que, selon vous, une population qui
23 est de plus en plus insatisfaite avec le gouvernement en
24 place, par exemple, est-ce que ça peut avoir des effets sur
25 des élections sur le long terme, par exemple?

26 **L'HON. DOMINIC LeBLANC:** Mais sûrement, vous
27 ne vous attendez pas que je vais confirmer une population pas
28 contente avec le gouvernement actuel en place.

1 **Me GUILLAUME SIROIS:** Non, je...

2 **L'HON. DOMINIC LeBLANC:** La prémisse de votre
3 question, évidemment, je m'objecte farouchement.

4 **Me GUILLAUME SIROIS:** Je suis tout à fait
5 d'accord. La population... j'ai aucun doute que la population
6 est très satisfaite avec le gouvernement actuel, c'est pas du
7 tout là l'idée de ma question. C'est plus quand on... une
8 tentative d'influencer la dissidence et d'encourager la
9 dissidence au sein d'une population peut nécessairement mener
10 à des changements d'intention de vote sur le long terme. Est-
11 ce que vous êtes d'accord avec ça?

12 **L'HON. DOMINIC LeBLANC:** Ben, écoutez,
13 j'écoute qu'est-ce que... je comprends qu'est-ce que vous
14 disiez. Je... comme j'ai dit, moi, je ne suis pas expert dans
15 ces campagnes de désinformation là, mais d'après ce qu'on me
16 décrit, il y a une vaste gamme de raisons pourquoi un État
17 hostile va décider d'entreprendre une campagne de
18 désinformation. La Russie, souvent, c'est à propos, par
19 exemple, du conflit de la guerre en Ukraine, comme j'ai dit
20 tantôt. Souvent, on me dit, on me rapporte que ces campagnes
21 de désinformation là sont un essai ou sont une façon de
22 déstabiliser la confiance publique. On a vu ça beaucoup dans
23 le contexte de la COVID-19 pendant la pandémie.

24 Mais il y a sûrement aussi des gens qui
25 imaginent des campagnes de désinformation pour avancer un
26 résultat électoral précis. Mais comme j'ai dit, moi, j'ai
27 jamais monté une campagne comme ça moi-même et je ne passe
28 pas beaucoup de temps à les regarder, mais je comprends ceux

1 et celles qui surveillent ça puis qui me décrivent un peu
2 qu'est-ce qu'ils observent. C'est une vaste gamme
3 d'objectifs.

4 Le défi pour nous comme gouvernement, c'est...
5 comme on a discuté ça tantôt, c'est de les identifier et de
6 trouver la meilleure façon. C'est pas uniquement le
7 gouvernement qui peut et doit faire ça, mais utiliser des
8 acteurs de la société civile, d'autres experts reconnus et
9 crédibles pour contrer et pour éduquer ou faire comprendre
10 aux consommateurs de cette information-là le risque d'être
11 victimes de ce genre de désinformation là.

12 **Me GUILLAUME SIROIS:** Puis on peut baisser le
13 document, je ne crois plus qu'on en aura de besoin.

14 Mais je ne prétends pas être un expert en
15 désinformation non plus, j'ai pas moi-même mené des campagnes
16 de désinformation, mais je me demande, est-ce qu'il y a eu
17 une analyse de la part du gouvernement sur l'effet sur le
18 long terme, à travers les quelques dernières années où il y a
19 eu de la propagande russe au sein... au Canada? Est-ce qu'il y
20 a une analyse sur l'effet cumulatif que ça peut avoir sur les
21 intentions de vote, par exemple?

22 **L'HON. DOMINIC LeBLANC:** Je sais que à
23 certaines réunions, mais y compris des réunions qui seront
24 sujettes à une confidentialité, soit du Cabinet ou de la
25 Sécurité nationale, on discute le défi de la désinformation
26 et comment le gouvernement doit et pourra contrer, mais moi,
27 je pense pas que... je me sens pas à l'aise puis je me rappelle
28 pas d'un document précis qui donne une analyse de l'impact.

1 Alors, ça existe peut-être, je me rappelle pas de l'avoir vu.

2 Cependant, je participe à des réunions, c'est
3 sûr, avec des collègues ministres souvent à cet égard-là.

4 Juste la ministre de Patrimoine canadien est beaucoup saisie
5 de cette question-là. Elle et moi, on a discuté l'importance
6 d'avoir... qu'on se parle d'un diffuseur public respecté, c'est
7 juste un exemple, et mon ministère est impliqué avec la
8 société civile, mais je me sens pas à l'aise de confirmer un
9 tel document qui existe peut-être ou qui n'existe pas, mais
10 même si je me rappelaiss d'un tel document, je ne suis pas
11 certain que... de divulguer les contenus dans un contexte
12 public sera possible.

13 **Me GUILLAUME SIROIS:** Juste si ça peut aider,
14 il y a une recommandation qui était dans le septième rapport
15 du Comité permanent sur la sécurité nationale et la sécurité
16 publique qui s'appelle, en anglais, « Up to the Task :
17 Strengthening Canada's Security Posture in Relation to
18 Russia », et une des recommandations, c'était justement de
19 mener une étude approfondie de l'impact et de la portée de la
20 désinformation russe et de d'autres États au Canada.

21 Pensez-vous que ça serait une recommandation
22 utile pour mieux adresser ce problème-là?

23 **L'HON. DOMINIC LeBLANC:** C'est une
24 recommandation particulière. Je ne me suis pas penché dessus,
25 mais je sais que la question, puis on a discuté de ça tantôt,
26 encore une fois, la question de comment le gouvernement, avec
27 d'autres acteurs de la société civile, comme j'ai dit, de
28 académiques, des universités, des médias plutôt

1 traditionnels, comment on peut tous ensemble aider des
2 Canadiens à avoir une confiance dans la fiabilité de leurs
3 renseignements, des informations que les Canadiens vont aller
4 consommer est un défi continué que nous discutons souvent.

5 Et moi, j'ai vu plusieurs ébauches ou
6 plusieurs versions de qu'est-ce qu'on peut faire davantage,
7 je pense qu'on a déjà fait beaucoup en termes de...
8 l'Initiative d'un citoyen renseigné, il y a plusieurs
9 mécanismes déjà en place, mais on est toujours à la recherche
10 d'idées pour bonifier ou pour aller d'une façon plus
11 importante afin d'appuyer les Canadiens à détecter cet enjeu-
12 là.

13 **Me GUILLAUME SIROIS:** Si je pouvais me
14 permettre une dernière question, Madame la Commissaire.
15 Merci.

16 **COMMISSAIRE HOGUE:** Une question pour
17 conclure.

18 **Me GUILLAUME SIROIS:** Pour conclure,
19 exactement.

20 En conclusion, le fait que l'opération Tenet
21 Media s'est produit en 2024, donc après quand même plusieurs
22 années que...

23 **L'HON. DOMINIC LeBLANC:** L'opération... pardon?

24 **Me GUILLAUME SIROIS:** De Tenet Media.

25 **L'HON. DOMINIC LeBLANC:** Oui.

26 **Me GUILLAUME SIROIS:** Que ça se soit produit
27 en 2024, en septembre... jusqu'en septembre 2024...

28 **L'HON. DOMINIC LeBLANC:** Oui, oui.

1 **Me GUILLAUME SIROIS:** ...incluant lors de quatre
2 élections partielles montre-t-il que... est-ce que ça, ça
3 montre que le plan de protection pour la démocratie
4 canadienne doit être réexaminé pour mieux répondre à ce type
5 de campagne de désinformation?

6 **L'HON. DOMINIC LeBLANC:** Bien, deux choses.
7 Y'a pas d'indications que les élections partielles ont été
8 affecter le résultat par une campagne de désinformation,
9 comme vous citez, et ça, c'était la conclusion des experts du
10 Groupe de travail SITE, entre autres. Alors, je pense que
11 c'est important de dire que j'ai aucune hésitation dans la
12 confiance des résultats de ces élections partielles. En même
13 temps, comme on a discuté avec vos collègues et avocates de
14 la Commission, on est présentement en train de réfléchir à
15 des mesures supplémentaires qu'on peut ajouter au plan de
16 protection de la démocratie, que moi, je crois encore et
17 rigoureux et peut protéger notre démocratie advenant une
18 élection avant qu'on peut avoir la troisième version. J'ai
19 plein de confiance.

20 Mais je reconnais aussi l'importance ou
21 l'augmentation des campagnes de désinformation, et c'était
22 ça, ma discussion avec Merrick Garland et d'autres.
23 D'ailleurs, à la réunion des ministres de l'Intérieur du G7
24 en Italie il y a deux semaines, c'était précisément un sujet
25 entre les ministres des pays du G7. L'Angleterre vient de
26 conclure une élection, leur expérience était intéressante à
27 partager, comme les États-Unis qui sont présentement
28 évidemment en élection. La France aussi a vécu une élection.

1 Alors, c'était une discussion entre collègues précisément
2 pour qu'est-ce qu'on peut faire ensemble et apprendre l'un de
3 l'autre des mesures accrues qu'on... ou supplémentaires qu'on
4 peut mettre sur pied.

5 **Me GUILLAUME SIROIS:** Parfait. Merci, Monsieur
6 le Ministre.

7 **L'HON. DOMINIC LeBLANC:** Merci.

8 **Me GUILLAUME SIROIS:** Merci, Madame.

9 **COMMISSAIRE HOGUE:** Merci.

10 So I don't see Mr. Doody in the room. It
11 means that he has probably been retained in court.

12 So Procureur general?

13 **L'HON. DOMINIC LeBLANC:** Greg, c'est le
14 dernier avocat, c'est ça?

15 **COMMISSAIRE HOGUE:** C'est le dernier.

16 **L'HON. DOMINIC LeBLANC:** Si l'autre arrive pas
17 de son...

18 **COMMISSAIRE HOGUE:** Si l'autre arrive pas.

19 **L'HON. DOMINIC LeBLANC:** OK.

20 Allez vite, Greg.

21 (RIRES/LAUGHTER)

22 **MR. GREGORY TZEMENAKIS:** No pressure.

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

24 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 L'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 L'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 L'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 **L'HON. DOMINIC LeBLANC:** I think it is. And
13 as I said, my limited experience is all these warrants are
14 not equal, in the sense that some have specific timelines,
15 some 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 **L'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 Merci, Madame la Commissaire.

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 Alors, merci beaucoup.

8 **L'HON. DOMINIC LeBLANC:** Merci à vous, Madame
9 la Commissaire.

10 **COMMISSAIRE HOGUE:** Et je pense que c'était la
11 dernière fois. Merci.

12 **L'HON. DOMINIC LeBLANC:** Ah, mais je ne
13 présume rien, mais je vous remercie pour votre travail si
14 important.

15 **COMMISSIONER HOGUE:** Alors, tomorrow morning
16 at 9:30.

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

19 This sitting of the Foreign Interference
20 Commission is adjourned until tomorrow, the 16th of October
21 2024 at 9:30 a.m. Cette séance de la Commission sur
22 l'ingérence étrangère est suspendue jusqu'à demain le
23 16 octobre 2024 à 9 heures et demie.

24 --- Upon adjourning at 4:39 p.m./

25 --- L'audience est ajournée 16 h 39

26

27

28

C E R T I F I C A T I O N

I, Sandrine Marineau-Lupien, a certified court reporter,
hereby certify the foregoing pages to be an accurate
transcription of my notes/records to the best of my skill and
ability, and I so swear.

Je, Sandrine Marineau-Lupien, une sténographe officielle,
certifie que les pages ci-hautes sont une transcription
conforme de mes notes/enregistrements au meilleur de mes
capacités, et je le jure.



Sandrine Marineau-Lupien