



**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 35

ENGLISH INTERPRETATION

Held at :

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

Wednesday, October 16, 2024

Tenue à:

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

Le mercredi 16 octobre 2024

INTERNATIONAL REPORTING INC.

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

(800)899-0006

II Appearances / Comparutions

Commission Lead Counsel	Shantona Chaudhury
Commission Counsel	Gordon Cameron Erin Dann Matthew Ferguson Hubert Forget Leila Ghahhary Benjamin Herrera Howard Krongold Hannah Lazare Jean-Philippe MacKay Kate McGrann Emily McBain-Ashfield Hamza Mohamadhossen Lynda Morgan Siobhan Morris Annie-Claude Poirier Gabriel Poliquin Natalia Rodriguez Guillaume Rondeau Nicolas Saint-Amour Daniel Sheppard Maia Tsurumi
Commission Research Council	Geneviève Cartier Nomi Claire Lazar Lori Turnbull Leah West
Commission Senior Policy Advisors	Paul Cavalluzzo Danielle Côté

III

Appearances / Comparutions

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

IV Appearances / Comparutions

Jenny Kwan

Sujit Choudhry
Mani Kakkar

Churchill Society

Malliha Wilson

The Pillar Society

Daniel Stanton

Democracy Watch

Wade Poziomka
Nick Papageorge

Canada's NDP

Lucy Watson

Conservative Party of Canada

Nando De Luca

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

Neil Chantler
David Wheaton

Erin O'Toole

Thomas W. Jarmyn
Preston Lim

Senator Yuen Pau Woo

Yuen Pau Woo

Sikh Coalition

Balpreet Singh
Prabjot Singh

Bloc Québécois

Mathieu Desquilbet

Iranian Canadian Congress

Dimitri Lascaris

V
Table of Content / Table des matières

	PAGE
RT. HON. JUSTIN TRUDEAU, Sworn/Assermenté	1
Examination in-Chief by/Interrogatoire en-chef par Ms. Shantona Chaudhury	2
Cross-Examination by/Contre-interrogatoire par Mr. Prabjot Singh	88
Cross-Examination by/Contre-interrogatoire par Mr. Gib van Ert	97
Cross-Examination by/Contre-interrogatoire par Mr. Thomas Jarmyn	113
Cross-Examination by/Contre-interrogatoire par Mr. Sujit Choudhry	120
Cross-Examination by/Contre-interrogatoire par Mr. Nando De Luca	131
Cross-Examination by/Contre-interrogatoire par Ms. Sarah Teich	144
Cross-Examination by/Contre-interrogatoire par Mr. Jon Doody	150
Cross-Examination by/Contre-interrogatoire par Mr. Guillaume Sirois	156
Cross-Examination by/Contre-interrogatoire par Mr. Neil Chantler	163
Cross-Examination by/Contre-interrogatoire par Mr. Frederick Schumann	170

VI

Exhibit List / Liste des pièces

No.	DESCRIPTION	PAGE
WIT0000106.EN	Interview Summary: The Right Honourable Justin Trudeau	2
WIT0000106.FR	Résumé d'entrevue : Le très honorable Justin Trudeau	2
WIT0000164	In Camera Examination Summary: The Right Honourable Justin Trudeau, Prime Minister of Canada	2
WIT0000160.EN	Addendum to In Camera Examination Summary: Prime Minister Justin Trudeau	3
WIT0000160.001.FR	Addenda au résumé d'interrogatoire à huis clos : le premier ministre Justin Trudeau	3
COM0000363	NSICOP Special Report on Foreign Interference in Canada's Democratic Processes and Institutions	17
CAN030999_0001	DM FI (Justice, RCMP, GAC, PS, CSIS, PCO NSIA)	21
COM.SUM0000004.EN	Summary of a Memorandum to Cabinet – Modernizing Canada's Approach to Addressing Threats from Hostile Activities by State Actors	32
CAN044456_0001	Reply to Premier Pillai - Ensuring the future success of the Canada-India relationship and sharing secure intelligence with Premiers	39
CAN.SUM.000017	PRC Interest in Michael Chong	44
CAN047007_0001	Transmittal Note	60
CAN.DOC.000044	Canadian Security Intelligence Service (CSIS) Stage 2 Institutional Report - unclassified	67
COM0000382	Bill C-70, First Reading	121
RCD0000060	View of Russia's Role in the Far-Right Truck Convoy	157

Ottawa, Ontario

--- The hearing begins Wednesday, October 16, 2024 at 9:33 a.m.

THE REGISTRAR: Order, please.

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

The time is 9:33 a.m.

COMMISSIONER HOGUE: Good morning, everyone.

Good morning, Prime Minister.

Counsellor Chaudhury, you are starting this morning?

MS. SHANTONA CHAUDHURY: [No interpretation]

COMMISSIONER HOGUE: So I invite you to proceed with your interrogation.

MS. SHANTONA CHAUDHURY: Thank you. I am Shantona Chaudhury for the Commission.

Good morning. As you've said, our witness this morning is the Prime Minister, Justin Trudeau.

I'll ask that the witness be sworn or affirmed.

THE REGISTRAR: Mr. Prime Minister, could you indicate your full name and spell your surname for the transcription?

RT. HON. JUSTIN TRUDEAU: Justin Trudeau - T-r-u-d-e-a-u.

THE REGISTRAR: Thank you.

--- RT. HON. JUSTIN TRUDEAU, Sworn:

1 THE REGISTRAR: Thank you very much.

2 --- EXAMINATION IN-CHIEF BY MS. SHANTONA CHAUDHURY

3 MS. SHANTONA CHAUDHURY: Good morning, Prime
4 Minister. As usual, we'll start the morning with the routine
5 housekeeping, so we have three interview and examination
6 summaries to enter into evidence.

7 Rather than going one by one, I'll just read
8 out the Doc IDs and ask you to confirm them.

9 So the Doc IDs are WIT106, which is the PM's
10 Stage 2 interview summary, WIT164, which is the Prime
11 Minister's Stage 2 *in camera* hearing summary, and WIT160,
12 which is an addendum to the Prime Minister's Stage 1 *in*
13 *camera* hearing summary.

14 So Prime Minister, I'll ask you to confirm
15 that you've reviewed these documents, that they are accurate
16 and that you adopt them as part of your evidence before the
17 Commission.

18 RT. HON. JUSTIN TRUDEAU: I have, they are,
19 and I do.

20 --- EXHIBIT NO. WIT0000106.EN:

21 Interview Summary: The Right
22 Honourable Justin Trudeau

23 --- EXHIBIT NO. WIT0000106.FR:

24 Résumé d'entrevue : Le très honorable
25 Justin Trudeau

26 --- EXHIBIT NO. WIT0000164:

27 In Camera Examination Summary: The
28 Right Honourable Justin Trudeau,

1 Prime Minister of Canada

2 --- EXHIBIT NO. WIT0000160.EN:

3 Addendum to In Camera Examination

4 Summary: Prime Minister Justin

5 Trudeau

6 --- EXHIBIT NO. WIT0000160.001.FR:

7 Addenda au résumé d'interrogatoire à

8 huis clos : le premier ministre

9 Justin Trudeau

10 **MS. SHANTONA CHAUDHURY:** Okay. And of
11 course, with the caveat these are publicly disclosable
12 summaries of proceedings that took place in a classified
13 space.

14 Okay. So we have two hours this morning and
15 quite a lot of material to get through. We'll start with
16 some things with which you're quite familiar already,
17 information flow to the Prime Minister.

18 So I'll ask you to start with the mechanics
19 of information flow. In Stage 1 of the Commission's
20 proceedings, you told us that you would receive intelligence
21 in writing daily or weekly, but that the primary way of
22 informing you by the NSIA and the intelligence community if
23 they really wanted you to know something would be by briefing
24 you orally.

25 And we understand that since then, there have
26 been some changes to the system, so can you explain how you
27 now receive intelligence, what the changes have been and any
28 benefits or drawbacks?

1 **RT. HON. JUSTIN TRUDEAU:** Over the -- through
2 the first years that I was Prime Minister, I received, as you
3 say, daily or weekly summaries or snippets prepared for the
4 Prime Minister and the office and when things were put in
5 front of me, I would read them. But as you say, most of the
6 time, the more serious information would be briefed in person
7 with the National Security Advisor at that point.

8 Through the pandemic, things changed through
9 the work that we've done significantly through both
10 Commissions, but also through complex times, we've settled on
11 a new model where about once a week, usually on Monday
12 mornings, I receive a package of secure information with a
13 national security officer in the room with me to oversee and
14 handle the documents where I go through both summaries and,
15 in some cases, a certain amount of more detailed raw material
16 or at least primary analysis.

17 It takes me about 45 minutes to an hour on
18 given days, and that's sort of the regular baseline. Some of
19 it is incredibly highly classified, some of it is slightly
20 more routine.

21 But on top of that, usually at least once a
22 week, I end up sitting down in a secure room with advisors
23 and officials to talk through some of the more germane or
24 difficult or contentious or urgent intelligence that is being
25 worked on or received at any given moment.

26 **MS. SHANTONA CHAUDHURY:** Okay. And how's the
27 new system working for you, so the weekly reading period plus
28 the briefings?

1 **RT. HON. JUSTIN TRUDEAU:** It is working well.
2 The consuming of information in that weekly briefing is
3 really just that. I will sometimes ask for follow-up
4 questions on this issue or that issue or verify that, okay,
5 this seems very serious, you know, reassure me that everyone
6 is taking this very seriously and acting on it. And the
7 Client Relations Officer, or CRO, will do that.

8 But if there are specific questions I have
9 for the Client Relations Officer, usually they will be
10 answered to me in the next meeting I have with the NSIA or
11 sometimes there will be an addendum or a specific document
12 that will be handed to me the following week in answer to the
13 questions I have.

14 In general, I tend to prefer to be able to
15 challenge and ask questions right away of the NSIA, of people
16 in positions of authority or power to be able to -- or
17 influence over the actual collection and operations, to be
18 able to ask them for more details than sometimes comes out,
19 so I tend to prefer those in-person briefings, but having
20 that baseline of a weekly session with a vast range of
21 information is very useful.

22 **MS. SHANTONA CHAUDHURY:** Okay. Speaking more
23 substantively now in terms of what intelligence has brought
24 to your attention specifically, there's been a lot of
25 discussion in the Commission's proceedings, you may know,
26 about whether or not certain intelligence has reached you,
27 certain information, and whether it should have. And there's
28 also been a lot of discussion about the vast universe of

1 intelligence and information that's out there. One figure
2 we've heard is 70,000 products produced by the -- or
3 published by the Canadian intelligence community per year.

4 So assuming you're not going to read the
5 70,000 and that not all 70,000 will come to your attention,
6 what is it that you expect to see? What is it that you need
7 to see as Prime Minister?

8 **RT. HON. JUSTIN TRUDEAU:** I need to see
9 information that is germane to my role as Prime Minister, and
10 that means things that are directly impacting or threatening
11 Canadians, things that are linked to particular policy
12 decisions we need to make as a government, whether in an
13 approach to a particular issue or region of the world or,
14 indeed, country or whether it's looking at improvements that
15 need to be made in our national security legislation or
16 agencies, things where there are perhaps gaps highlighted or
17 tools that would be necessary to act on to combat new threats
18 around disinformation or misinformation that certainly nobody
19 was thinking of 20 years ago to the same degree, or
20 information that's particularly germane if I'm going to a G7
21 or a NATO meeting or a G20 where I will be interacting with
22 various leaders, are there things that I need to know about
23 them that are relevant for our interactions or our potential
24 interactions.

25 I guess in general, I mean, I have to trust,
26 and I do, the intelligence officials, and more specifically
27 my National Security and Intelligence Advisor, to make
28 determinations on what it is that I need to see as a summary,

1 what I need to see as a full analysis or what I might even
2 need to see in raw intelligence.

3 And over the years of working with NSIAs, I
4 would say that they have gotten very good at knowing what it
5 is that I already know about, what it is that I'm
6 particularly interested in and what I'm going to ask more
7 questions about, and what it is that I really should see the
8 raw intel and an evaluation of the sources. It's a single
9 source but reliable, or a single source and somewhat
10 unreliable, but the information is so explosive that you
11 should have it in your brain, that sort of frame is very much
12 why I have a National Intelligence and Security -- Security
13 and Intelligence Advisor, to be able to know, okay, the PM
14 already knows about, you know, the point of this document.
15 We don't need to give him the full document. I can simply
16 apprise it on him and he can spend his time digging into
17 these other, more relevant or newer pieces of information
18 that will complete his understanding of the threats and
19 realities faced by Canada and Canadians.

20 **MS. SHANTONA CHAUDHURY:** Okay. So the
21 primary responsibility, then, for making sure that you do
22 have what you need to know and maybe don't have what you
23 don't need to know or that you don't spend your time on the
24 wrong things, that falls to the NSIA, as you've said.

25 **RT. HON. JUSTIN TRUDEAU:** I would say the
26 primary repository of those decisions is the NSIA, but there
27 are a number of others who will flag that. Sometimes it's my
28 Foreign Policy and Defence Advisor, Patrick Travers, or

1 others in my office who will see a larger range of
2 information than I do because they have a specific task on
3 that one area, whereas I'm covering all policy areas for this
4 country. They will dig in and say, "Okay, the PM really
5 should see this because it's particularly relevant for these
6 reasons" that are perhaps not -- perhaps more political
7 reasons that the NSIA looking at it from an official lens
8 wouldn't have. In some cases, the Clerk of the Privy Council
9 will flag things for me; or the Director of CSIS, in meeting
10 with him he will say, no, you really should follow up on this
11 or that.

12 But in general, the filter through which
13 everything goes is the NSIA, with whom I need to have a very
14 close relationship, which with whom I do, and a bond of not
15 just trust in the judgement that she puts forward on what I
16 should see or what I shouldn't see, but she needs to have a
17 pretty good idea of the things I know about, the things I
18 need to know more about, and the things that are going to be
19 of particular interest or importance to me.

20 **MS. SHANTONA CHAUDHURY:** That's fair. So
21 it's not just the NSIA, it's not ---

22 **RT. HON. JUSTIN TRUDEAU:** No, but it's
23 primarily the NSIA, as you say.

24 **MS. SHANTONA CHAUDHURY:** Fair enough. But
25 so, it's a close two-way working relationship then?

26 **RT. HON. JUSTIN TRUDEAU:** Very, very.

27 **MS. SHANTONA CHAUDHURY:** And we've also heard
28 that part of the NSIA's role is to sort of play a convening

1 role within the national security community. So it's a
2 significant role, and there have been suggestions made, for
3 instance in the NSIRA report that the role should be
4 formalized and a legal instrument. We've also heard talk in
5 these Commission proceedings from the Clerk, I believe to
6 suggest that the idea of a mandate letter, perhaps.

7 What are your thoughts on that?

8 **RT. HON. JUSTIN TRUDEAU:** Over the course of
9 the years that I've been Prime Minister, we've had a number
10 of different changes to the National Security Advisor role.
11 One of the changes I made reasonably early on was actually
12 adding National Security and Intelligence Advisor, because it
13 wasn't just about security, intelligence was becoming more
14 and more important in our approach.

15 But from one NSIA to the next, there were
16 significant changes in the threat environment around us, in
17 the composition of the senior ranks of the public service and
18 their different roles. When Ian Shugart was my Clerk, he
19 came at that role with such a deep and expert understanding
20 of international issues, of intelligence issues, that he
21 played a role not just as a Clerk, but as a significant
22 National Intelligence and Security Advisor to me just as --
23 through his capabilities and personality. And therefore, the
24 actual NSIA I had at that point had a slightly different role
25 than in other times, where the Clerk wasn't as much of a
26 national security focused individual and had other qualities,
27 and the national security advisor was really the person who
28 was centred around that for me.

1 So those natural variations, and for example,
2 the fact that right now my National Security Intelligence
3 Advisor is also Deputy Clerk of the Privy Council, which I
4 think is very useful in this case, it isn't necessarily
5 automatically something every future Prime Minister would
6 want. Therefore, the idea of bounding in very prescriptive
7 legislation the idea -- the role of a National Security and
8 Intelligence Advisor, I think would be probably less flexible
9 than the role actually requires. Because the most important
10 part of the role is that the individual be empowered and
11 connected to the Prime Minister in the right way, but also
12 able to command the town, or the intelligence agencies
13 respect and be able to convene.

14 So some of the things we've done to
15 strengthen and almost codify that role are around the
16 creation of the National Security Council, which is more of a
17 strategic convening of Ministers and top officials to look
18 forward around larger issues, as opposed to an IRG, incident
19 response group, which is to respond to a specific incident.
20 This is a more strategic look, and the role of the National
21 Security and Intelligence Advisor is to be the secretary to
22 that council the same way the Clerk of the Privy Council is
23 also secretary to cabinet. It's a role that gives them an
24 official lever in convening and controlling the work done at
25 that particular table, whether it be Cabinet for the Clerk,
26 or NSC for the NSIA.

27 So that has already strengthened and codified
28 to a certain extent the role of the NSIA. But we have found

1 that publishing mandate letters that delineate clearly my
2 expectations of what in most cases Ministers, which is what
3 they are directed that, are expected to do, and what
4 authorities they have, and how they're expected to function,
5 has been incredibly useful a tool that is very bespoke for
6 the moment you're in and the kind of organization that your
7 government has particularly setup.

8 Publishing the mandate letters means that the
9 public knows clearly what is expected of these individuals.
10 Journalists and academics can dig into, you know, whether a
11 particular official or Minister is fulfilling the roles
12 expected, and how they're doing on that. But the most
13 important use of the mandate letters we've actually found is
14 internal to government themselves. We find that public
15 servants in various departments regularly consult the mandate
16 letters that we have published so that they know exactly what
17 Minister is responsible for, what they're actually trying to
18 do.

19 And a mandate letter for the National
20 Security and Intelligence Advisor would seem to me to be an
21 excellent use of both empowering and clarifying the
22 expectations of a given government at a given moment in a
23 public way, but also an accountable way.

24 **MS. SHANTONA CHAUDHURY:** So that would be a
25 way to maybe give some structure without compromising on
26 flexibility?

27 **RT. HON. JUSTIN TRUDEAU:** I wouldn't say
28 that, because it's not the mandate letter that gives the

1 structure. The way we set up the office, the way we task and
2 empower various parts of government is inherent. The mandate
3 letter would outline, would reveal that structure, and give
4 direction on the outcomes that we want to have, and I think
5 that's where it could be useful.

6 **MS. SHANTONA CHAUDHURY:** Okay. I'm going to
7 come back to the National Security Council, because it's
8 something I wanted to discuss in more depth. But before
9 that, and before leaving the topic of information more
10 generally, there's a couple of intelligence products that
11 have come up repeatedly in the commission's proceedings that
12 I want to ask you about.

13 One is called the Targeting Paper, and so
14 this one is -- just to introduce it briefly -- a document
15 that was drafted by CSIS in 2021 about the PRC's essentially
16 targeting of Canadian political actors for influence
17 operations. And it wasn't published in 2021, it was
18 published in 2023 and circulated to a small number of public
19 servants. There was a second more sanitized version with,
20 for instance names removed, produced of it and the intention
21 was that that would be circulated more widely.

22 We know we've heard from the CSIS Director,
23 Mr. Vigneault, former Director, that in his view that should
24 have been provided to you. So last time we broached this
25 topic, Prime Minister, was *in camera* and at that time you've
26 never seen that -- or the Targeting Paper at all, and I
27 understand that you know have. Okay.

28 **RT. HON. JUSTIN TRUDEAU:** Yes.

1 **MS. SHANTONA CHAUDHURY:** Having seen it now,
2 do you have any views on whether it's something that should
3 have found to your attention in 2023?

4 **RT. HON. JUSTIN TRUDEAU:** One of the
5 reflections I have on how this sort of, piece of analysis,
6 has caused so much reflection around this Commission and
7 various chatter, is the phrase Targeting Paper by China is
8 fairly alarming.

9 What the targeting paper actually talks about
10 is that China has broadly classified into three different
11 groups parliamentarians in their diplomatic activities. Some
12 as being positive towards China, and you know, perhaps there
13 to engage in constructive ways; others who are neutral or
14 convincing to be more positive towards China to show up at
15 various events; and others who have demonstrated themselves
16 to be more antagonistic to the Communist Party of China's
17 government by speaking out strongly on the Uyghur issue, or
18 human rights in Hong Kong, or on various other of the issues
19 that China doesn't like people to discuss publicly and
20 criticize them on. The fact that Chinese diplomats are
21 categorizing MPs in their outreach abilities into those three
22 categories is not itself particularly revelatory to me or new
23 information to me. It is fairly obvious, and it is part of
24 what diplomats do in every country around the world. I mean,
25 when we are busy fighting for to defend or renegotiate and
26 NAFTA with the United States under the Trump administration a
27 few years ago, we had very clear lists of, okay, this
28 Republican governor could be very helpful to us. This one is

1 going to be a challenge, so let's stay away from them, or try
2 and come at them, or try to neutralize their influence on
3 others. That's just part of diplomacy right there.

4 I will say that having read the targeting
5 paper in detail now, there were some interesting factoids or
6 tidbits in there that I said, oh, okay, that's interesting.
7 None of them significantly altered, or altered at all my
8 perception of China's behaviour, China's focus, China's
9 engagement influence and, in some cases, interference in
10 Canada to any significant degree. And I count on my National
11 Security and Intelligence Advisor to look at various
12 products, to make a determination whether or not they are
13 ready to go to the Prime Minister. I think in both of these
14 cases the papers were -- the other Special Report that you're
15 going to be talking about in a moment were not in a final
16 form, according to the NSIA, and, therefore, were -- there
17 wasn't a decision made to pass it along to me. I have to
18 trust the NSIA's judgment, as I said before, in knowing what
19 is going to be useful for me, what is going to be an
20 appropriate use of the 10 or 15 minutes worth of time that it
21 would take to go over a document like this, whether it adds
22 to my knowledge or whether there in those 10 or 15 minutes
23 that she has to submit other information to me, there is more
24 germane or more relevant information that she thinks would be
25 a better use of my time.

26 The determination was made in the case of
27 this targeting paper, or the targeting paper didn't get to me
28 because of decisions made by the NSIA, or not made by the

1 NSIA in terms of not choosing to pass it along. I have faith
2 having looked at the paper that it was, indeed, the right
3 decision by the National Security Intelligence Advisor, that
4 it wasn't a document that significantly added in a relevant
5 way to my understanding of the situation.

6 **MS. SHANTONA CHAUDHURY:** Okay. Just for
7 clarity of the record, the evidence we actually heard from
8 the NSIA at the time, Jody Thomas, was that she never
9 received the final version, so ---

10 **RT. HON. JUSTIN TRUDEAU:** There we go.

11 **MS. SHANTONA CHAUDHURY:** --- she never even
12 made that decision that it wouldn't go up to you, but so you
13 brought up a couple of interesting themes in that answer, and
14 one of which, yes, you've been paying attention because the
15 next document I was going to ask you about is the PCO Special
16 Report, so why don't I go there and then I'll ask you some
17 more general questions about the two of them.

18 So the Special Report then was the product
19 produced by IAS, the PCO Intelligence Assessment Secretariat
20 at late '21, early 2022. And this was a, for everyone's
21 benefit, drafted in collaboration with CSIS, and,
22 essentially, an overview of PRC foreign interference
23 activities in Canada. This, as you've said, is one that
24 wasn't finalized, and, ultimately, never reached you, and
25 that you have now read. So in that time period where this
26 was under discussion would be winter/spring 2022. And then
27 having read it again, and you may have given part of this
28 answer already, but is that something that you would have

1 wanted to have at that time and are there any problems
2 ensuing from the fact that you did not receive it then?

3 **RT. HON. JUSTIN TRUDEAU:** Again, there were
4 elements and facts and examples in there that I had not seen
5 before. But the overview and the pulling together of
6 information, while useful, I'm sure, for people who were
7 coming at this without the kind of regular briefings that I
8 got could have been very useful, I don't feel that there was
9 anything in there that I didn't already understand and know
10 about how China was engaging across different fields in
11 Canada. It wasn't particularly new -- it was a very useful
12 and good piece of work that combined and compiled everything,
13 and for someone new to the job would have been
14 extraordinarily important. Even not just new to the job of
15 Prime Minister, new to a role in the office, or, you know,
16 trying as an introductory level of, okay, now you're -- you
17 need to understand this. But it was a compendium of many
18 themes that I have been grappling with over the past number
19 of years in regards to China. And I, again, feel that the
20 NSIA was justified in not feeling that it was imperative that
21 they put it rapidly on my desk, particularly, because, as you
22 say, it wasn't yet in its final form.

23 **MS. SHANTONA CHAUDHURY:** Okay. We're
24 actually going to move to -- I'll come back to some of the
25 questions I was going to ask you on -- themes around that,
26 but I'm going to move to a different topic for now, which is
27 unclassified briefings to parliamentarians. And for this
28 I'll ask the Court Registrar to pull up COM 363, please. And

1 if we can scroll down to paragraph 126?

2 **--- EXHIBIT NO. COM0000363:**

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

6 **MS. SHANTONA CHAUDHURY:** Prime Minister, for
7 your benefit, this is a discussion about a succession of
8 memos suggesting that, essentially, unclassified briefings be
9 provided broadly to parliamentarians. And what we see here
10 is that NSICOP made this recommendation in 2018 and 2019, and
11 there are 3 memos that were intended to go to you in some
12 way, shape or form. So 1 in December 2019 that was sent to
13 PMO but never followed up on, and we heard from your staff
14 that that sort of fell through the COVID cracks at the
15 beginning of the pandemic; one in December 2020, which was
16 discussed within PMO, but, ultimately, not actioned; and that
17 the report mentions one I 2022, which was never finalized or
18 even sent to PMO.

19 So just to confirm, first of all, that none
20 of these memos ended up reaching you; is that correct?

21 **RT. HON. JUSTIN TRUDEAU:** Correct.

22 **MS. SHANTONA CHAUDHURY:** Okay. And we know
23 that the -- this initiative of broadly briefing
24 parliamentarians eventually did happen in June 2024. So if
25 none of these reached you, the first question I'd like to ask
26 is, should this have happened earlier, and are you troubled
27 that it didn't?

28 **RT. HON. JUSTIN TRUDEAU:** My position has

1 always been that providing more briefings to parliamentarians
2 is a good thing. I'm fully in favour of it. We all receive
3 security briefings when we first get elected on not leaving
4 documents lying around, being careful about when you're
5 speaking about delicate matters in a restaurant, or on an
6 airplane, or anywhere people can overhear. We learn the
7 basics of phone hygiene and how to keep your information
8 secure. And I'm a huge believer in empowering
9 parliamentarians to be able to be safe and thoughtful in how
10 they do things.

11 The briefings to parliamentarians that you
12 receive when you get elected and security briefings ongoing
13 are not directed by the government of the day. They're
14 directed by the House of Commons itself, the Sergeant-at
15 Arms, if it's a matter of security, the Speaker's Office.
16 You know, briefings to all parliamentarians is not in general
17 something that the government of the day is directly involved
18 in. But these various documents are certainly something that
19 these -- you know, CSIS has the authority to go to either the
20 Speaker or the Sergeant-at-Arms and request for those
21 briefings. These briefings didn't get to me, but -- these
22 decision points didn't get to me, but I made it very clear
23 throughout conversations that I would have approved of or
24 encouraged briefings of parliamentarians.

25 There is a process that I see regularly
26 invoked. About every week or so I sit down with the Clerk of
27 the Privy Council and we go over changes to the senior ranks
28 of the Public Service, we talk about particular issues that

1 are coming forward, and part of our regular meetings is the
2 Clerk highlighting, "Okay. There's this note that we sent to
3 your office that has been there for a week or two, or for too
4 long, and we need a return on this because this is important
5 and we need this to be acted on." And I'll say, "Okay.
6 We'll follow up." And we dig it up from the pile of notes
7 that we get and make sure that we prioritize that.

8 In this case, nobody, neither CSIS through
9 their Minister to me, or directly to the Clerk, or to the
10 NSIA, flagged that this was something that was of importance
11 to them that was stalled. And therefore, as you pointed out,
12 they were not acted on in my office.

13 **MS. SHANTONA CHAUDHURY:** Why was your
14 approval being sought do you think? Like, was your approval
15 necessary for this initiative?

16 **RT. HON. JUSTIN TRUDEAU:** As I said, my
17 approval was not necessary for this initiative. It certainly
18 wasn't wrong for them to check, if they wanted to. I wasn't
19 insulted that they did, or I wouldn't have been insulted that
20 they did, but it wasn't part of the necessary steps.

21 Often we get things for information, "Oh, by
22 the way, the Minister is going to approve this. You should
23 know about it, but it's within his or her authority to do.
24 This is for information, not decision for you." Those are
25 notes that we receive regularly that obviously when they're
26 relevant or germane, they get dealt with either through the
27 Office or directly to me. But in this case, the authority
28 was not necessarily mine to give.

1 **MS. SHANTONA CHAUDHURY:** Okay. And would it
2 have fallen to a Minister? The Minister of Public Safety for
3 instance?

4 **RT. HON. JUSTIN TRUDEAU:** It could have. Or
5 the -- CSIS could have checked in with its Minister. The
6 Minister of Public Safety is directly the Minister that
7 oversees and is responsible for CSIS. I know that the
8 Director of CSIS has direct access to the Minister of Public
9 Safety in a very regular way. If there had been concerns
10 around this, the CSIS Director could have gone to the
11 Minister either for a signals check, or for help in moving it
12 through the approvals process in the Prime Minister's Office,
13 or to even check that maybe I should just go straight to the
14 Sergeant-at-Arms in Parliament to actually take on this
15 briefing. And as far as I know, CSIS did not bring up this
16 with even its own Minister.

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

18 **COMMISSIONER HOGUE:** I have one question, Mr.
19 The Prime Minister.

20 **RT. HON. JUSTIN TRUDEAU:** Oui.

21 **COMMISSIONER HOGUE:** Do you have any idea why
22 no reply was ever given to all of those that requested the
23 authorization?

24 **RT. HON. JUSTIN TRUDEAU:** Well I think as was
25 stated in the first case, it was in process when COVID
26 happened and we all moved to different priorities and
27 virtually. In other cases -- in the third case, it actually
28 didn't actually get to my office. In the second case, no, I

1 don't know why.

2 **COMMISSIONER HOGUE:** Because if an
3 authorization is asked from your Office and no authorization
4 is needed, at least in your view, usually do you, not you
5 personally, but your Office, give the information to the
6 person requesting the authorization? Or not at all?

7 **RT. HON. JUSTIN TRUDEAU:** It depends on the
8 amount of notes, the various priorities of them as they go
9 through. I really can't speak to the challenges around that
10 particular one, other than saying that I was always very
11 clear that briefings to parliamentarians is a good thing.

12 **COMMISSIONER HOGUE:** Thank you.

13 **MS. SHANTONA CHAUDHURY:** Okay. The next
14 possibly related, possibly not, topic I want to talk about is
15 Ministerial accountability in the foreign interference space.

16 So can we bring up CAN030999?

17 **--- EXHIBIT No. CAN030999 0001:**

18 DM FI (Justice, RCMP, GAC, PS, CSIS,
19 PCO NSIA)

20 **MS. SHANTONA CHAUDHURY:** Prime Minister,
21 these are notes -- this is not something you would have seen.
22 This is notes or minutes from a DM FI, which was Deputy
23 Ministers on Foreign Interference Committee meeting in April
24 2023.

25 And if we can just scroll down so we can see
26 the third and fourth bullet there?

27 The NSIA at the time here was Jody Thomas.
28 And this is a discussion that was had at that meeting on

1 essentially where Ministerial accountabilities lie in the
2 foreign interference space.

3 So if we see that, I think it's the third
4 bullet on the page, the NSIA mentioned that the day before,
5 she, Public Safety, the Clerk, and Deputy Clerk, had a
6 discussion about foreign interference, during which the clerk
7 mentioned that the ISR, so this is in the period where the
8 Independent Special Rapporteur was doing his work:

9 "...seems as though they're [...]
10 comfortable with the Panel and SITE,
11 but what is becoming more obvious is
12 [...] gaps on how FI is handled [...]
13 between elections. Specifically,
14 what is the role of Deputies, staff
15 [...], and where is the ministerial
16 accountability [...] more broadly?"

17 The second bullet then says:

18 "As a result, [the] NSIA has asked
19 PCO to begin work on mapping this
20 [...]. [So] how is intelligence [...]
21 circulated, how are minister's
22 informed, [...] how do they exercise
23 [their] ministerial accountability.
24 [...] the governance [...] seems to work
25 well at the Deputy level and even
26 between PM [and] PMO [but] that gap
27 at the ministerial level [may be] a
28 concern..."

1 So we discussed this a bit with the NSIA at
2 the time, Jody Thomas, and what she said about this, and the
3 reference for the record is at WIT151, paragraph 81. I won't
4 bring it up, but I'll just tell you about it, the
5 conversation around Ministerial accountability was that in
6 the NSICOP and NSIRA reports, as well as the media leak
7 discussions, everything needs to go to the PM, but in fact,
8 in a Westminster style of government, Ministers have
9 accountabilities.

10 So that was the nature of the discussion that
11 was being had at this meeting. From your perspective, how
12 does this play out? Is there/was there an issue with
13 Ministerial accountability in the foreign interference space?

14 **RT. HON. JUSTIN TRUDEAU:** I think what you're
15 outlining is sort of the second part of the conversation.
16 The first part of the conversation is clear to me, and I
17 can't really speak to what Jody was sort of digging into
18 there, but it's very clear from the first bullet "the gaps on
19 how FI is handled in between elections."

20 I think the important thing to remember is
21 when we created the SITE Task Force and the Panel of Five, it
22 is because during an election, during the writ period, the
23 government is in caretaker mode. So there actually are
24 significant limits on how and whether Ministers, and the
25 Prime Minister, that continue to be Ministers or Prime
26 Ministers even during an election, but they are limited in
27 what they can actually go out and say, particularly if
28 they're about to say that an opposition party is compromised

1 or benefiting from interference by a third country in an
2 election context. That would be destabilizing and, you know,
3 of concern to do. That's why we set up the Panel of Five top
4 public servants to be able to address, during a writ period,
5 and publicly speak to what a particular piece of foreign
6 interference is trying to have as its impact on an election.

7 That makes total sense as a structure during
8 elections, but during a by-election, where we've actually
9 made sure that SITE looks in on that, you don't have a
10 caretaker convention. During a by-election, the government
11 continues to be the government, the Minister of Public
12 Safety, or Foreign Affairs, or the Prime Minister, continue
13 to be fully empowered to do all their work, and therefore it
14 would be during a by-election, if there was a significant
15 concern that a particular country was engaging in massive
16 misinformation/disinformation, it would normally be the
17 Minister who would do that, who would talk about that and be
18 accountable for that communications and those actions, but
19 because of the partisan nature of the event that is a by-
20 election, there's a discussion on, well, whether that
21 Ministerial accountability should be there around that, or
22 whether officials should take on the communications, even
23 though it's not in a caretaker convention.

24 There are arguments to be made on both sides,
25 and that's the kind of issues that we're grappling with
26 around interference in our democratic institutions and the
27 fact that one Party was selected by Canadians to wield the
28 full authority of the state which, in general times, is very

1 clear and, you know, hopefully without partisan spin or
2 questioning, but in situations of electoral contexts become
3 more delicate.

4 So where we could say, "Oh, a caretaker
5 convention means that government is not fully active and
6 leaning in as Ministers and Prime Minister during an election
7 period", what you actually do during a by-election is the
8 question that they're digging into around Ministerial
9 accountability.

10 **MS. SHANTONA CHAUDHURY:** Okay. Well, let me
11 take you back to the National Security Council at this point.
12 And can you tell us a little bit about how and why that
13 Council was created?

14 We understand it was -- I think it was
15 September 2023 it was stood up?

16 **RT. HON. JUSTIN TRUDEAU:** Very rapidly after
17 2015, we created a mechanism to deal with various crises,
18 whether it be a particularly dangerous storm or flood or
19 weather event that was affecting a particular part of the
20 region that required engagement from multiple Ministries.
21 You could imagine Transport having to weigh in, Environment
22 and Climate Change coming to the table, maybe there's a
23 national security nexus so the Public Safety Minister needs
24 to be there for overseeing policing.

25 We created something called an Incident
26 Response Group, and this could involve either a natural
27 disaster or a specific terrorist threat that we saw coming or
28 needed to respond to after it actually hit, you know, various

1 responsive specific measures where we would gather the
2 relevant Ministers and the top officials, the Deputy
3 Ministers, around the tables and everyone would contribute in
4 discussions as opposed to Cabinet meetings or Cabinet
5 committees where the Ministers usually speak for their
6 departments and their officials, maybe an official can -- a
7 Deputy Minister will weigh in at one point and complete what
8 the Minister says. But in general, the conversation is
9 Ministers are speaking for their departments around committee
10 tables.

11 The IRG, Incident Response Group, was useful
12 in that it elevated the Deputies to be full participants
13 around the table so you had both the political lens and the
14 top officials lens dealing in, in a very open way that
15 allowed us to coordinate across bodies on a specific incident
16 that happened. And we, unfortunately, because of the times
17 we're in, have been using Incident Response Groups much more
18 regularly than I think we ever hoped to over the past number
19 of years.

20 But we realized in having those conversations
21 that sometimes those conversations would have a stretch at
22 the last part that said, "Okay, how do we then strategically
23 look forward to the next incident like this and already
24 prepare for being able to better deal with it?". And we
25 said, well, that's not really responding to this incident.
26 There is a need for a larger outlook, a more strategic
27 outlook where we can sit down and gather everyone around the
28 table to talk about a particular theme and position Canada

1 strategically over the coming decade, perhaps, in our
2 positioning.

3 There have been a number of those meetings
4 already, and they have proved incredibly useful where
5 Ministers and Deputy Ministers and heads of agencies in
6 relevant positions are all gathered around the same table.
7 It's managed by the Prime Minister, but the NSIA is secretary
8 to that council, and it allows us to dig in on a very
9 significant and specific theme.

10 Might imagine themes -- and I don't want to
11 go into too many details, but might imagine themes being
12 around how Canada positions itself around its Indo-Pacific
13 strategy, which was sort of what our outlook and engagement
14 on the region, which would involve a whole bunch of different
15 parts of government and, obviously, involve both security and
16 trade and diplomacy and all these different things that would
17 come together in a cohesive view that we could plan out with
18 that national security lens on it. Or another one was how
19 we're approaching our critical minerals, the opportunity
20 Canada has to be a supplier of the critical mineral
21 ingredients to both the green and the technological
22 transformation the world's going through that is right now
23 perhaps constrained in supply by a particular country.

24 You know, Canada stepping into that space and
25 being able to be a reliable supplier of critical minerals
26 that are essential to national security around the world is a
27 theme that is worthy of a big strategic discussion.

28 So that's how we created the National

1 Security Council and, in its meetings so far, it has proved
2 an extraordinarily effective tool.

3 **MS. SHANTONA CHAUDHURY:** Okay. So it's --
4 just to summarize a little bit of what you said, it's a
5 strategic body, essentially, specifically on national
6 security issues which now brings, as you say, both Deputies
7 and Ministers to the table sort of along the lines of taking
8 the model of the IRG in that sense but not *ad hoc*. It's
9 something that's more long term and strategic.

10 **RT. HON. JUSTIN TRUDEAU:** It's also -- it's
11 not regularly scheduled. We don't have one every couple of
12 weeks. It is thematically, when there is an important
13 discussion to be had, we will convene.

14 I mean, they come together at regular
15 intervals and we plan what the next ones will be, but we
16 could have, you know, one every few weeks, like we could go a
17 month or two without having one depending on the theme, the
18 time of year, all those things. So it's not as rigidly
19 scheduled as, say, Cabinet meetings or even Cabinet committee
20 meetings, but it is a legitimate, powerful tool.

21 But you're right, it's not entirely *ad hoc*,
22 but it is not regularly scheduled.

23 **MS. SHANTONA CHAUDHURY:** Okay. So -- and I
24 appreciate that you don't know or you can't speak to the
25 discussion we were looking at in the DMFI minutes here, but
26 in terms of getting the people around the table and having
27 these conversations -- and I understand it's not a cause and
28 effect thing, necessarily, but does that assist in ensuring

1 that there is sort of those conversations happening between
2 Ministers in the national security space?

3 **RT. HON. JUSTIN TRUDEAU:** Yes.

4 **MS. SHANTONA CHAUDHURY:** Okay. And in the
5 timing of its creation, September 2023, when was -- why was
6 that the right time to do it, in your view?

7 **RT. HON. JUSTIN TRUDEAU:** I believe there was
8 some -- there was a recommendation from maybe it was NSIRA,
9 maybe it was NSICOP, maybe it was a parliamentary committee
10 or some other source that highlighted that this was a good
11 thing to do, and it had already been something that we were
12 thinking about.

13 Coming out of the pandemic, which was a
14 significant crisis for the government, we were very much
15 looking at different ways of being able to better respond to
16 and learn from the things we did well, the things that we
17 could improve on in future pandemics or crises to realize
18 that this was a body that made sense for us to put together
19 to handle things like this.

20 I mean, to a certain extent, the COVID
21 committee that we had throughout the course of the pandemic,
22 I think, played a bit of a role of somewhat IRG, but also a
23 strategic overlook, and we wanted to replicate the
24 effectiveness of that committee in a more flexible way to be
25 able to cover different themes around the real strategic
26 threats to Canada.

27 **MS. SHANTONA CHAUDHURY:** You mentioned also
28 that the IRGs were becoming more and more frequent as a

1 result of things that are going on in the world. More
2 crises, more IRGs.

3 I'm wondering if you can speak to the shifts
4 in the geopolitical landscape that have happened especially
5 in recent years. I think we can probably -- it's not
6 terribly controversial that the -- Russia's invasion of
7 Ukraine, for instance, was a watershed moment.

8 How have those affected the national security
9 threats that Canada faces and has there been any sort of
10 corresponding shift or evolution specifically in the foreign
11 interference threats? Not just Russia, but more broadly the
12 shifts in the geopolitical landscape.

13 **RT. HON. JUSTIN TRUDEAU:** I think there is no
14 question that foreign interference and, in general, threats
15 geopolitically have increased significantly around the world
16 over the past number of years.

17 Obviously, as you say, Russia's invasion of
18 Ukraine, the pandemic itself in terms of a destabilizing
19 crisis for the global economy and for countries around the
20 world, the rise of the tools around social media
21 misinformation and disinformation that were present back in
22 2015 but not nearly as sophisticated or pervasive as they are
23 now have caused a lot of challenges.

24 One of the other things is in 2015 is we
25 watched the American impending election of Donald Trump and,
26 you know, the rise of right-wing populism around the world.
27 That seemed to be one of the big threats or big concerns that
28 we had that was potentially destabilizing; things like Brexit

1 coming along, Donald Trump's election. There was a lift of
2 right-wing populism that was very much the moment we were
3 living in in 2015, 2016, 2017, and grappling with, as a
4 responsible, progressive, rule-of-law democracy that believes
5 in facts and evidence as a basis for policy decisions, as we
6 are as a government.

7 But over the subsequent years, it is not just
8 about right-wing populism; it is still there, there is a
9 significant rise of authoritarianism and an aggressive
10 decline of democracy and democratic values in many corners of
11 the world that are aggressively attempting to destabilize
12 mature democracies where populism can sometimes sort of twist
13 the rules and the emphasis and, you know, twist the facts a
14 little bit for its own gain. The attacks on the cores of our
15 democracy and our institutions that the authoritarian
16 narratives and attempts at disinformation and propaganda and
17 sowing chaos in our democracies are much more serious and
18 severe over these past years than they have been.

19 You know, we need only to look at the
20 headlines this week to see the extent of interference
21 activities and the impacts they have on Canadians. But we've
22 seen that with a rise of a more authoritarian China and the
23 arbitrary detention of two Michaels. We've seen that through
24 the complete rejection of the UN Charter and the rules-based
25 order by Ukraine's being invaded by an authoritarian Russia.

26 The world is more uncertain and less safe
27 than it ever has been, and the answer that Canada needs to
28 give is to double down on the rule of law and on the

1 international rules-based order that protects us all. We
2 cannot allow might to become right once again in the world.
3 We have multilateral rules-based order as a protection
4 against that, and the fact that Russia, in particular, has
5 chosen to upend that, along with other countries, is
6 something that Canada must stand unequivocally and strongly
7 against us, because it protects us, but it also protects
8 countries around the world.

9 **MS. SHANTONA CHAUDHURY:** Well, as you say,
10 the headlines this week also reflect that, and we'll come
11 back to those as well.

12 Before we break, I do want to talk about, or
13 begin the discussion on, the development of the government's
14 response to foreign interference in the face of all of this,
15 or earlier. And I'll start with talking about the HASA MC,
16 so the memoranda to Cabinet on hostile activities to state
17 actors. And I'll ask the Court Operator to pull up COM.SUM4,
18 which is the summary of that MC.

19 **--- EXHIBIT NO. COM.SUM000004.EN:**

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

24 **MS. SHANTONA CHAUDHURY:** So this, we know, is
25 a major Cabinet initiative in the foreign interference space
26 that has been discussed in the Commission's proceedings.

27 If we can zoom out so that you can see the
28 four bullet points essentially. Next page; there we go, one,

1 two, three, four.

2 So we see a number of elements in the
3 strategy here, one is, first, broadly endorsement of the HASA
4 Strategy; the second is a strategic whole-of-government
5 communications approach; the third is consultations on
6 legislative tools, the *CSIS Act*, the *Criminal Code*, and the
7 *Security of Information Act*; and the fourth is new
8 capabilities for the RCMP.

9 So in all this, we know that parts of this,
10 at least, eventually became the legislation that we know
11 fondly as Bill C-70, which was introduced into Parliament in
12 spring of 2023 and recently passed into law in, I believe,
13 June 2024.

14 So first question I want to ask is what
15 happened in that two-year interval? So HASA ends up being
16 ratified in 2022, and Bill C-70 coming into law in June 2024.
17 It took two years for that to develop. Can you explain why
18 that happened, and did it happen quickly enough?

19 **RT. HON. JUSTIN TRUDEAU:** Oh, sorry, I was --
20 it absolutely happened in the time it needed to happen. The
21 -- any time you are giving more powers to security agencies
22 to counter, in this case, hostile actions by state actors, or
23 any time in general you're giving more powers to security
24 agencies to do new things, to counter new threats, you have
25 to be very, very careful about the balance you get on
26 protecting citizens' rights, protecting diaspora communities,
27 that could be affected; by protecting marginalized groups
28 that have historical and systemic reasons to be worried about

1 authorities having more powers to enforce the police to
2 investigate on them.

3 You know, it is not a small thing to grant
4 new powers to counter new threats to intelligence agencies.
5 And that's why over the process of C-70 there were multiple
6 visits to Cabinet over subsequent years; there were multiple
7 rounds of consultations with different diaspora communities,
8 with stakeholder groups, with human rights defenders, and
9 Charter rights groups. We knew that getting a significant
10 piece of legislation that would strengthen Canada's ability
11 to protect itself from national security threats from other
12 countries was something that was delicate and that needed to
13 be done right.

14 I mean, we had the example of Bill C-51 in
15 the last years of the Harper government where the balance
16 wasn't gotten right, and we committed in that election that
17 we would repair the balance on that, and we did, rapidly
18 after getting elected. And strengthened the balance to make
19 sure that we were -- even as we were granting new powers to
20 intelligence agencies that were relevant and needed, the
21 protections of fundamental rights of Canadians, and
22 particularly of vulnerable groups, were strengthened in our
23 measures that we took in the first years in office.

24 So we had direct experience, and getting this
25 balance right is really important because people may remember
26 from the 2015 election the NDP leader, Thomas Mulcair, made
27 it a huge point of contention for him that the violation of
28 *Charter* rights within Bill C-51 were fundamentally so

1 egregious that it was terrible not just that Stephen Harper
2 put those forward but that myself and the Liberal Party would
3 actually say, "No, we're going to accept those improvements
4 but we're going to fix them as soon as we get elected," which
5 we ended up doing. We chose to not play politics with issues
6 of national security, and we said, "It's not what we would
7 do, and we will change it if and when we get elected."

8 But that experience deeply informed our
9 approach to building C-70. And I think that the result of
10 the work that we did with C-70, the fact that it passed
11 through the House with broad support and the Senate with
12 broad support, and is now in place and active without
13 significant outcry by minority communities or concerned
14 groups shows that we did do the work to get it right, and
15 getting this right and building consensus around these issues
16 was a fundamental goal of this government. And, quite
17 frankly, when C-70 passed, there was criticism that we'd
18 moved too quickly on it. As you highlight, there's also
19 criticism that maybe we took too long for it. Doesn't always
20 work this way, but in this case, I can say that it probably
21 means that we took about the right amount of time to get it
22 right, certainly because it was passed and is generally seen
23 as -- by all parties, as an effective and important piece of
24 legislation.

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

26 **COMMISSIONER HOGUE:** No, I'm okay. Just
27 listening.

28 If you have any more questions before the

1 break, that's okay.

2 **MS. SHANTONA CHAUDHURY:** I did want to ask,
3 Prime Minister, the second question I wanted to ask on that
4 is, is it enough? One of the -- Bill C-70, obviously,
5 countering foreign interference, countering hostile
6 activities of state actors is an even broader term, but one
7 of the criticisms we've heard is that the government has not
8 done enough in this space, and has not done enough to counter
9 what is now a recognized threat. How would you respond to
10 that?

11 **RT. HON. JUSTIN TRUDEAU:** Well, I think,
12 first of all, I mean, I'd heard that criticism as well, or
13 the frame that, well, since you had to, you know, do C-70,
14 obviously, there was a mistake in the powers that CSIS or
15 intelligence agencies didn't have before. You're correcting
16 a mistake, or an error, or a shortcoming that existed before
17 you corrected it. And I think that's the wrong way of
18 looking at it.

19 I think we are in a situation where the
20 threats are constantly evolving, whether it's newer
21 technologies, the advent of AI, the shifting and pervasive
22 impact of social media in how people collect their news, and
23 understand the world around them, and the vulnerability to
24 foreign interference and misinformation and disinformation
25 that comes through that vector that wasn't the case even 10
26 years ago. The shift in geopolitics where you have more
27 assertive authoritarianisms, countries like Russia willing to
28 invade a neighbour on the flimsiest of justifications means

1 that the world is changing in very real and dangerous ways
2 that require us to step up.

3 And at no point would I say that C-70 is
4 enough, and we can now sit back and coast on this for the
5 next few decades because there will be no need to adjust and
6 add more. That would simply be irresponsible. There is
7 always going to be more work to do on ensuring that our
8 agencies have the necessary tools to keep Canadians safe,
9 while at the same time, protecting the freedoms and rights of
10 everyone in this country. And that is the constant,
11 rigorous, responsible work that a government needs to do, to
12 constantly be questioning, well, what more can we do to keep
13 Canadians safe, given these new threats, given these new
14 challenges? How is the best way to do it while upholding the
15 democratic and fundamental values and freedoms that is
16 important to Canada? That's a constant debate in which not
17 just the government, but stakeholders, communities, and even
18 opposition parties have -- and all parliamentarians have an
19 essential role to play. It shouldn't be about the partisan
20 disagreements whether, you know -- or a basis for partisan
21 attacks when it comes to the question of protecting Canada's
22 citizens, its institutions and its sovereignty.

23 And, you know, the kinds of debates we were
24 able to have around C-70 and the kind of consensus that we
25 had around getting it passed indicates that, to a certain
26 extent at least, there is an understanding amongst
27 parliamentarians that we shouldn't be politicizing or overly
28 partisan in our approach on these issues of fundamental

1 safety. We need to challenge. We need to make sure we're
2 getting the balance right, and that different parties coming
3 from different perspectives with substantive challenges to it
4 is a really important piece of it. But my expectation is
5 that there will pretty much always be, through the life of
6 any Parliament or over the coming decades, there will always
7 be some sort of tweak, or improvement, or, you know,
8 adjustment to our national security infrastructure that is
9 being debated, or looked at, or legislated on, or studied, or
10 reflected on an ongoing basis. Keeping Canadians safe is not
11 a one-day job. It's a constant, regularly updated,
12 foundational priority for every government, every single day.
13 And it'll come together in certain pieces of legislation, but
14 there's always going to be more to do, and that is the work
15 the government continues to do.

16 **MS. SHANTONA CHAUDHURY:** Okay. [No
17 interpretation]

18 **COMMISSIONER HOGUE:** Okay. So we'll take a
19 20-minute break and we'll be back at 11:00.

20 We'll resume at 11.

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

22 This sitting of the Commission is now in
23 recess until 11:00 a.m.

24 --- Upon recessing at 10:40 a.m.

25 --- Upon resuming at 11:02 a.m.

26 **THE REGISTRAR:** Order please.

27 This sitting of the Foreign Interference
28 Commission is now back in session.

1 The time is 11:02 a.m.

2 **--- RT. HON. JUSTIN TRUDEAU, Resumed:**

3 **MS. SHANTONA CHAUDHURY:** Before we continue,
4 Commissioner, just one quick clarification for the record.
5 Apparently, I said that Bill C-70 was introduced in the
6 Spring of 2023, obviously it was not, it was Spring of 2024.
7 Counsel for the Attorney General was careful to remind me of
8 that.

9 **--- EXAMINATION IN-CHIEF BY MS. SHANTONA CHAUDHURY (cont'd):**

10 **MS. SHANTONA CHAUDHURY:** Okay. Moving on
11 with our next topic now, Prime Minister, I would like to ask
12 you about responding to foreign interference in a federal
13 environment. And to do that, I'm going to ask the Court
14 Registrar to pull up CAN44456, and again zoom out so we can
15 see. That's great. We can see the summary.

16 **--- EXHIBIT No. CAN044456 0001:**

17 Reply to Premier Pillai - Ensuring
18 the future success of the Canada-
19 India relationship and sharing secure
20 intelligence with Premiers

21 **MS. SHANTONA CHAUDHURY:** So, Prime Minister,
22 you may recognize this. This is a memorandum that was sent
23 to you about a letter received from the Yukon Premier, Ranj
24 Pillai, about responding to Canada's relationship with India,
25 and sharing intelligence with Premiers. And so, in this
26 summary we learned that Premier Pillai has expressed some
27 concern at a lack of consultation with Premiers regarding
28 national security incidents and the inability of security

1 agencies to share classified info with them. He also notes
2 support for the normalization of relationships between Canada
3 and India. I suppose that a, that was then this is now.

4 But in any event, can you speak to the
5 challenges really, and how managing national security in an
6 environment where it's essentially a federal responsibility,
7 but touches provincial jurisdictions as well, is done?

8 **RT. HON. JUSTIN TRUDEAU:** Well, I mean, I
9 think we've seen over the past number of years that attacks
10 on our democratic institutions, attacks on our democracies,
11 do not limit themselves simply to federal electoral events or
12 federal parties. Provincial parties, municipal elections
13 even have had -- have proven to be targets of note for
14 foreign interference as well.

15 So part of what we wanted to do within Bill
16 C-70, was explicitly make it possible for CSIS to give, to
17 grant appropriate security clearances to provincial Premiers
18 so that they can actually have a better lens on protecting
19 their institutions and also their citizens, in addition to
20 the work that the federal government does to protect their
21 citizens.

22 **MS. SHANTONA CHAUDHURY:** Okay. And
23 jurisdictionally, as you mentioned, foreign interference can
24 touch not only sub national governments, but areas that fall
25 within provincial jurisdiction. And how can that be
26 ameliorated, or how can those relationships happen, and what
27 role can the federal government play in that space?

28 **RT. HON. JUSTIN TRUDEAU:** Well, I think part

1 of protecting Canada, protecting our institutions, and
2 protecting Canadians and our economy means people who have
3 authority and responsibility over various aspects of our
4 country should be able to be fully informed of the threats
5 and look at what the responses are.

6 I mean, one of the classic examples is
7 there's a number of times where we've seen cyber attacks,
8 significant cyber attacks which are not foreign interference,
9 but significant cyber attacks on provincial institutions,
10 whether it be power grid or hospitals. The federal
11 government has significant and deep expertise in cyber
12 defence and cyber capacity, and it has been only over time
13 that we have been engaged by the provinces to strengthen
14 their defences as opposed to building -- having each province
15 build up its own exclusive cyber jurisdiction, it makes more
16 sense to lean on the federal area -- federal expertise, and
17 federal tools to protect hospitals, or whatever, even though
18 they are fully within provincial jurisdiction.

19 So that sort of collaboration between orders
20 of government has been happening for a while in the cyber
21 realm, can and should happen much more in the interference
22 realm. But in order to do that it will be important that the
23 appropriate people, Premiers in this case, get the security
24 clearances. It shouldn't be the federal government
25 directing, for example, you know, what's going to happen in a
26 municipal or provincial election, you know, that would be not
27 appropriate, and quite frankly, sort against the Constitution
28 and the structures that we have in place as a federal

1 government, as a federal system.

2 But empowering the Premier to be able to
3 access relevant classified information that impacts upon
4 their structures or institutions, or their members and their
5 areas of responsibility, is exactly the right kind of
6 principle. And that's something that this government has
7 enabled and will continue to, so we're happy to do that.

8 To go back to even before C-70 was passed,
9 there have been instances in which we have directly brought
10 in provincial Premiers on issues that are directly relevant
11 to them, but systemizing it in a much more robust way is what
12 C-70 accomplished.

13 **MS. SHANTONA CHAUDHURY:** Okay. We can take
14 that down now, thank you. And for the next part of the
15 question, you can pull up WIT160. So these questions, Prime
16 Minister, are going to focus around some intelligence
17 regarding MP Michael Chong, and this goes back to -- well,
18 let me ask you first, actually, when and how did you first
19 learn of allegations concerning the PRC targeting MP Chong in
20 any way?

21 **RT. HON. JUSTIN TRUDEAU:** I learned about
22 them in the media after a criminal leaked that classified
23 information.

24 **MS. SHANTONA CHAUDHURY:** So we've heard about
25 intelligence products that were circulating in 2021 that
26 spoke to this issue, and I take it from your answer that
27 those never reached you?

28 **RT. HON. JUSTIN TRUDEAU:** No.

1 **MS. SHANTONA CHAUDHURY:** Okay. What was your
2 understanding when you did learn of this in May 2023 then, of
3 what the nature of the threat two MP Chong was?

4 **RT. HON. JUSTIN TRUDEAU:** Well, obviously
5 like most Canadians, when I read the accounts in the paper of
6 what the classified information actually was purported to
7 have said, my instant reaction was to turn to my NSIA
8 officials and say, find out what exactly the threat is, and
9 if it indeed is this, why am I only learning about this in
10 the newspapers, in the media? Yeah, that was my first
11 reaction.

12 **MS. SHANTONA CHAUDHURY:** Okay. And if we
13 just zoom out a little bit on this so we can see the
14 discussion that was had *in camera* about this? Paragraph 2, I
15 believe. There we go. So sort of towards the end of that
16 paragraph you note, Prime Minister that well this was
17 extrapolated through the leaks into China's going after
18 Michael Chong's family as a way to pressure him, that's not
19 the assessment that the professional analysts made. Can you
20 speak to that?

21 **RT. HON. JUSTIN TRUDEAU:** Well, that is an
22 example where criminal leaks of classified information can be
23 damaging to reputations, to people's confidence in our
24 institutions and in our intelligence agencies.

25 The conclusion that was drawn, I think it's a
26 little further down on this page by the Director of CSIS, is
27 that there actually were no direct physical threats do
28 Michael Chong or to his family. But that's certainly not the

1 impression you get from the leaks of classified information
2 that were selective and certainly portrayed in a way that
3 looked much more serious than they actually were.

4 This is not to minimize the fact that it is a
5 real issue that China has chosen to single out for particular
6 attention parliamentarians from all different parties that
7 have stood most clearly and strongly against Chinese actions
8 in regards to Uyghurs and in regards to the rights for
9 democracy protestors in Hong Kong or what have you. But the
10 stories that circle in and around this, that they were going
11 after Michael Chong's family, are simply not borne out by the
12 actual intelligence or the analysis by intelligence
13 officials.

14 **MS. SHANTONA CHAUDHURY:** Okay. Let me stop
15 you there and just ask the Registrar to pull up CAN.SUM17,
16 please? So take the witness summary down and put up
17 CAN.SUM17.

18 **--- EXHIBIT No. CAN.SUM.000017:**

19 PRC Interest in Michael Chong

20 **MS. SHANTONA CHAUDHURY:** This is a topical
21 summary that was produced by the government for the
22 Commission and contains publicly disclosable information on
23 this topic, PRC interest in Michael Chong.

24 So can we zoom out quite a bit so I can see
25 most of this page? Thank you.

26 So in the first couple of paragraphs there,
27 what this document says, Prime Minister, is essentially it
28 talks about that the Uyghur motion, and then the PRC having

1 imposed economic sanctions on MP Chong in relation to this,
2 and these sanctions are in keeping with the PRC sanctions
3 regime, which allows not only sanctioning of individuals, but
4 their family members as well.

5 And then you'll see at the second paragraph
6 that that option to sanction family members wasn't invoked in
7 the case of MP Chong.

8 If we scroll down now, and I think around
9 paragraph 10, so I think somewhere in this document -- there
10 we go, paragraph 8 ---

11 **RT. HON. JUSTIN TRUDEAU:** Paragraph 8.

12 **MS. SHANTONA CHAUDHURY:** --- I think is what
13 you were referring to perhaps, in this document at least:

14 "The CSIS Director emphasized that
15 CSIS intelligence did not reflect
16 direct physical threats to MP Chong
17 or members of [...] family or intention
18 to cause physical harm."

19 And then the last paragraph talks about how
20 building -- the process of using information through open
21 sources and gathering information on MPs is part of regular
22 diplomatic activity, which I think goes back to something you
23 mentioned earlier this morning.

24 In that vein, I'd like to ask you, because
25 when your officials testified yesterday, counsel for MP Chong
26 put to them, well that may well be, but we know that the PRC
27 is a repressive regime and we know that it has a history of
28 taking action against dissidents, particularly in Hong Kong.

1 So with that in mind, how can one say that it's convincing
2 that there were no threats against MP Chong or his family?
3 What's your reaction to that?

4 **RT. HON. JUSTIN TRUDEAU:** Our intelligence
5 professionals, our intelligence services, examine threats to
6 Canadians every single day and have to make determinations
7 around which are credible, which are of concern, which
8 require action, which require notification. I will highlight
9 that even before the criminal leaks, there had been threat
10 reduction measure meetings with MP Chong by intelligence
11 officials who shared with him, you know, the concerns about
12 China's interest and negative views of him. That is entirely
13 in keeping with the analysis and the roles and the
14 responsibilities of our intelligence agencies.

15 **MS. SHANTONA CHAUDHURY:** Okay. We can take
16 that one down now. Thank you.

17 Within about a week of this article appearing
18 in *The Globe and Mail*, significant action was taken by the
19 government in response to PRC foreign interference, the
20 PNGing of a diplomat named Zhao Wei. So we went through this
21 in, I would say, painstaking detail with your officials
22 yesterday, so I'm not going to take you through the
23 succession of meetings, but I will ask you, first of all, the
24 authority to PNG a diplomat, that lies with the Minister of
25 Foreign Affairs, not the Prime Minister. Is that correct?

26 **RT. HON. JUSTIN TRUDEAU:** Yes.

27 **MS. SHANTONA CHAUDHURY:** Okay. Is it
28 something that you have to approve at all?

1 **RT. HON. JUSTIN TRUDEAU:** No, it is not
2 something I have to approve, but it is always a decision that
3 I am, at the very least, apprised of, but more accurately,
4 engaged in, in terms of the discussions and the
5 deliberations, because kicking out a diplomat is a big thing,
6 not a small thing, and it is right and proper that the
7 authority be at the foreign minister level, but it is
8 something that, as Prime Minister, I am very much kept in the
9 loop on and, you know, my perspective on that, positive or
10 negative, is certainly taken into account by the foreign
11 minister.

12 **MS. SHANTONA CHAUDHURY:** What was your
13 understanding of why Zhao Wei was being PNGed?

14 **RT. HON. JUSTIN TRUDEAU:** Three things.
15 First of all, over the past number of years leading up to
16 this, there have been increasing instances of foreign
17 interference by China and increasing moments of Canadian
18 officials informing China directly that their interference
19 activities were unacceptable and needed to stop, needed to
20 decrease, needed to -- they needed to stop attempting to
21 interfere in Canadians' lives and in our institutions. That
22 perhaps had its most clear moment in the G20 meeting in
23 Indonesia, where I directly informed Premier Xi that he
24 needed to make sure that China was -- ceased interfering into
25 Canada -- into Canadian democracy. It wasn't a conversation
26 that went particularly well, but it was a conversation that
27 needed to be had, and that we had.

28 However, despite that and many other messages

1 to China, the interference continued, and even in some cases,
2 increased. So that was part of the reason why we needed to
3 make sure there was a clear consequence.

4 Secondly, as we looked into it, as the
5 allegations around Michael Chong surfaced publicly, on
6 digging into it with the Foreign Affairs Ministry here in
7 Canada, it was clear that even though in the case of Michael
8 Chong, Zhao Wei was not engaged in interference, so much as
9 influence, that is regular diplomatic collection of
10 information with a goal of sanctioning, for example, so in
11 the case of Michael Chong, not direct interference in the
12 analysis of our intelligence agencies, but in other cases had
13 been involved in interference activities, we realized that
14 that was a reason to look at kicking him out of the country,
15 that he was involved and known to be involved in foreign
16 interference, even if it wasn't directly in the case of
17 Michael Chong.

18 And third, the fact that there needed to be
19 consequences for China, he'd been involved in foreign
20 interference activities, and third, it had been made public
21 meant that he was also not going to be able to operate as a
22 regular diplomat in Canada anymore. His utility as a
23 diplomat to both Canada and I guess to China, had ended
24 because he was so clearly outed in the media as being a bad
25 actor.

26 Those three things together meant that, to
27 give a consequence to China, to give consequences on foreign
28 interference, and specifically the fact that he was not going

1 to be much use as a diplomat anymore, we chose to kick him
2 out of the country.

3 **MS. SHANTONA CHAUDHURY:** Okay. I'm going to
4 move now ---

5 **RT. HON. JUSTIN TRUDEAU:** And actually, I
6 think we asked ---

7 **MS. SHANTONA CHAUDHURY:** Sorry.

8 **RT. HON. JUSTIN TRUDEAU:** --- China to remove
9 him from the country first, and when they didn't, we said,
10 "Okay. Well then we're going to have to kick him out."

11 **MS. SHANTONA CHAUDHURY:** Okay. So one last
12 chance, then he was gone.

13 I'll move now to another event that led to
14 the PNGing of a diplomat, this time an Indian diplomat, which
15 is the murder of Hardeep Singh Nijjar.

16 I'll ask the Court Registrar to pull up
17 WIT106, please.

18 So there's a few things to talk about in
19 this.

20 And if we can scroll down to paragraphs 52 to
21 55, please? There we go.

22 So the first question I'll ask you to take us
23 through, Prime Minister, is what led to your announcement in
24 the House of Commons in September 2023?

25 **RT. HON. JUSTIN TRUDEAU:** Over the course of
26 the summer, I was apprised by my intelligence services that
27 there was credible intelligence that agents of the Government
28 of India were involved in the killing of Hardeep Singh

1 Nijjar. This is something that we had actually asked the
2 intelligence agencies to look into because following the
3 rather high-profile killing months before, the initial
4 assessment was, oh, this was gang related or criminal
5 related. There was not an obvious, immediate international
6 nexus to this, and that's how we were briefed after the
7 meeting -- after the killing, in the days after.

8 However, hearing directly from a number of
9 our South Asian Members of Parliament and seeing and talking
10 with members of the South Asian community around who were
11 quite insistent that it was something that was likely
12 connected to Government of India, we actually asked
13 intelligence agencies, and it turned out they were doing this
14 anyway, to look in more closely to the circumstances around
15 this particular murder.

16 So in late July, early August, I was briefed
17 on the fact that there was intelligence from Canada and
18 possibly from Five Eyes allies that made it fairly clear,
19 credibly clear that India was involved in this killing.
20 Agents of the Government of India were involved in the
21 killing of a Canadian, on Canadian soil. This was something
22 that we obviously had to take extremely seriously. That
23 violation of sovereignty, of international rule of law with
24 extrajudicial killing in a foreign country, in a fellow
25 democracy was a massive mistake, if India had indeed done it,
26 and we had reasons to believe that they had.

27 So our immediate approach was to engage with
28 the Government of India to say -- and we had our various

1 security officials reach out to India and say, "Look, there
2 are real concerns that your security agencies were involved
3 in the killing of Nijjar. We need to work on this together
4 because that can't stand. We need to make sure that there
5 are changes and there's accountability for this process, but
6 let's try and do it in a responsible way that doesn't come
7 and blow up the relationship between Canada and India." And
8 that was the attempts we made in the month of August.

9 As we approached the end of August and
10 September, the big thing that was happening was India was
11 itself hosting the leader of -- the Summit of the Advanced
12 Economies of the World, the G20. So it was a big moment for
13 India, welcoming the world, all the leaders of the world to
14 Delhi for a very important summit. And we had the
15 opportunity of making it a very uncomfortable summit for
16 India if we went public with these allegations ahead of time.
17 We chose not to. We chose to continue to work behind the
18 scenes to try and get India to cooperate with us. Their asks
19 of us was, "Well, how much do you know? Give us the evidence
20 you have on this." And our response was, "Well, it's within
21 your security agencies. You should be looking into how much
22 they know. You should be engaging." "No, no, no, tell us
23 what you know. Show us the evidence." And at that point, it
24 was primarily intelligence, not hard evidentiary proof. So
25 we said, "Well, you know, let's work together and look into
26 your security services, and maybe we can get that done."
27 "No, no, no, we're not doing that."

28 It culminated with a conversation I had with

1 Prime Minister Modi on the -- after the end of the last
2 session of the G20 in Delhi, where I sat down and shared that
3 we knew that they were involved and expressed a real concern
4 around it. And he responded with the usual response from
5 him, which is that we have people who are outspoken against
6 the Indian government living in Canada that he would like to
7 see arrested. And I tried to explain that freedom of speech
8 and freedom of people who come to our country to be
9 Canadians, to criticize governments overseas is -- or,
10 indeed, to criticize the Canadian government is a fundamental
11 freedom of Canada. But as always, we would work with them on
12 any evidence or any concerns they have around terrorism, or
13 incitement to hate, or anything that is patently unacceptable
14 in Canada. And we have taken action in the past, we continue
15 to take action, even as, as I emphasize, and I emphasize
16 regularly, my position and Canada's position is to defend the
17 territorial integrity of India. One India is official
18 Canadian policy. And the fact that there are a number of
19 people in Canada who advocate otherwise does not make it
20 Canadian policy, but also does not make it -- is not
21 something that is illegal in Canada.

22 Having done all that, we returned to Canada,
23 and it was obvious that the Indian Government response,
24 particularly through the media, was to instead attack Canada,
25 to attack Canadians, to criticize us, to undermine our
26 government and our governance, and, quite frankly, the
27 integrity of our democracy. Combined with the fact that as
28 we approached the end of September, it looked like there was

1 going to be media stories detailing some of these allegations
2 that were getting out there.

3 On the first day that the House returned, I -
4 - we determined that it was in the interest of public safety
5 in Canada to let people know that we knew about these
6 allegations, that we were following up on them, there was an
7 investigation into them that was taken on by police services
8 in Canada to ensure that -- partially to ensure that nobody
9 in Canada and any communities felt like they needed to take
10 action themselves. That they should trust Canadian
11 institutions to take this threat seriously and follow up on
12 it. And that's exactly what we then did. We launched
13 investigations.

14 The Indian response to these allegations and
15 to our investigations was to double down on attacks against
16 this government, attacks against this government's integrity,
17 attacks against Canada in general, but also, to arbitrarily
18 eject dozens of diplomats from Canada -- from -- Canadian
19 diplomats from India on absolutely no cause other than to
20 say, well, we don't like what you said in the House about us,
21 and we're going to punish you for that.

22 This was a situation in which we had clear
23 and certainly now even clearer indications that India had
24 violated Canada's sovereignty and their response was to
25 double down and attack Canada further, rather than take
26 responsibility or say how can we fix this, yes, this was a
27 violation of the rule of law, and even take any of the many
28 offramps we offered because we don't want to be in this

1 situation of picking a fight with a significant trading
2 partner with who we have deep people-to-people ties and a
3 long history and our fellow democracies. But standing up
4 unequivocally for Canadian sovereignty and for the safety of
5 Canadians back then was essential and absolutely led to the
6 very, very clear pronouncements we made earlier this week
7 that the RCMP, the conclusions and the evidence that the RCMP
8 determined in terms of violence towards Canadians that has
9 been enabled by and directed by, in many cases, the Indian
10 Government.

11 **MS. SHANTONA CHAUDHURY:** So you made
12 reference to the allegations that were -- the announcement of
13 the RCMP earlier this week, and we know that that wasn't
14 solely connected to the Nijjar investigation, per se, it's a
15 broader thing than that, and it involves allegations of
16 interference by India in promotion of violent extremism,
17 tying agents of the Government of India to homicides, violent
18 acts, the use of organized crime, and interference into
19 democratic processes. So it's a much wider thing. And we
20 know that it led to over the past weekend the PNGing of six
21 Indian diplomats. What can you say -- and you mentioned
22 before that the hope was not to blow up the relationship with
23 India for the Nijjar murder. Obviously, things have
24 progressed since then, what comment are you able to offer on
25 what the RCMP announced on Monday and where things stand at
26 the moment?

27 **RT. HON. JUSTIN TRUDEAU:** The decision by the
28 RCMP to go forward with that announcement was entirely

1 anchored in public safety and a goal of disrupting the chain
2 of activities that was resulting in drive-by shootings, home
3 invasions and violent extortion, and even murder across
4 Canada, particularly in the South Asian community, largely
5 Sikh, but not exclusively, the Sikh community.

6 The goal of disrupting the chain that was
7 diplomats collecting information on Canadians who are
8 opponents or in disagreement with the Modi government,
9 passing along that information to the highest levels within
10 the Indian government and then having that information
11 directed through criminal organizations like the Lawrence
12 Bishnoi gang to then result in violence against Canadians on
13 the ground, it was the RCMP's determination that that chain
14 or that sequence, that scheme needed to be disrupted and
15 going public on Monday, as they did, and removing those --
16 therefore, removing those diplomats.

17 The first option was actually being able to
18 question those diplomats and interview those diplomats by
19 having them waive diplomatic immunity, they didn't. That's
20 not surprising that they didn't. Canada wouldn't waive
21 diplomatic immunity in many cases either. But therefore, we
22 had to ask them to leave the country.

23 **MS. SHANTONA CHAUDHURY:** Okay. And just to
24 be clear, when you speak of diplomats collecting information
25 in this instance, we're not talking about research and Google
26 searches. We're talking about covert, clandestine ---

27 **RT. HON. JUSTIN TRUDEAU:** No. Covert,
28 clandestine ---

1 **MS. SHANTONA CHAUDHURY:** --- coercive.

2 **RT. HON. JUSTIN TRUDEAU:** --- coercive
3 measures, threatening to withhold family visas, paying
4 sources. A range of things that the RCMP can detail if they
5 feel they -- I mean, one of the important things on this is,
6 these are ongoing -- there are ongoing court cases and
7 trials, so if the RCMP had its druthers, it wouldn't have
8 revealed any of this. It's just that it hit the threshold
9 before it came out naturally in court through our judicial
10 process, as it would -- as much of this will. But the threat
11 to public safety and the need to disrupt pre-emptively even
12 before the court cases were fully adjudicated were -- made it
13 the RCMP's decision to go public with this.

14 **MS. SHANTONA CHAUDHURY:** Okay. Well, as you
15 mentioned, there are ongoing investigations and, in that
16 sense, I think we've probably gone as far as we can go on
17 that topic, so we'll move on.

18 We can take the Najjar document down now.

19 Going back to the chain of events, I think,
20 that we can say followed the May 2023 media leaks and the
21 revelation of the PRC interest in Michael Chong, one thing
22 that we know happened was Minister Mendicino issued a
23 Ministerial directive on threats to the security of Canada
24 directed at parliamentarians.

25 And when we spoke about that initiative *in*
26 *camera*, you expressed some ambivalence towards the policy,
27 and I'm wondering if you can tell us about that.

28 **RT. HON. JUSTIN TRUDEAU:** I have very little

1 doubt that had there been genuine threats or they had been
2 deliberate threats to -- direct threats, sorry, is the word
3 that CSIS used -- direct threats to Michael Chong or his
4 family, that information would have been elevated to at least
5 the Minister of Public Safety, if not -- if not directly to
6 my office on threats to a parliamentarian. But in the
7 messiness of having a criminal leak, erroneous information to
8 the media and the attention and worries that ensued, I asked
9 Minister Mendicino to put out a clear directive that said if
10 there's any threats to parliamentarians or their families,
11 that should be automatically elevated regardless of whether
12 they are credible or single source or reliable or unreliable
13 or not. We need to elevate the attention that is given to
14 parliamentarians' safety.

15 I don't know that it's entirely necessary, if
16 I'm being honest. I have confidence that if there is a
17 threat to a parliamentarian, CSIS and our NSIA and our
18 security apparatus would take it very seriously and make sure
19 there was awareness and follow-up on it, but in the moment
20 and to show Canadians how seriously we were taking this very
21 serious issue, emitting this directive that said yes,
22 explicitly, you have to do it was a responsible step.

23 I prefer to demonstrate confidence in the
24 decision-making frame of intelligence agencies around how
25 they elevate and how they evaluate information as, okay, this
26 is really credible, we need to see this, this is not so
27 credible, but let's let the local police of jurisdiction or
28 let the RCMP know about this.

1 Like they make determinations around where
2 information should go and what should be done with it every
3 day all the time on a whole bunch of different information,
4 and being overly prescriptive is not the ideal way of doing
5 things. But in this case, I think it was a fine thing to do.

6 **MS. SHANTONA CHAUDHURY:** Okay. That's fair.

7 The next topic I want to ask you about, then,
8 is providing classified information to -- about foreign
9 interference, of course, to Party leaders, leaders of
10 political Parties or cleared representatives of political
11 Parties, as the case may be.

12 The first question I'll ask is fairly
13 general, but when you, as a Party leader, receive information
14 about potential foreign interference happening within your
15 own Party, what can you do about it? What are the options
16 available to you in such a scenario?

17 **RT. HON. JUSTIN TRUDEAU:** Oh, there are many,
18 many things I can do.

19 If it comes early enough in the process, I
20 can simply disallow a candidate from running for a nomination
21 or to be a candidate in my political Party. And a Party
22 leader, all Party leaders, have ultimate discretion because
23 Elections Canada requires that the Party leader signs off on
24 every single one of the 338 candidates they can run across
25 the country in an election, and withholding that signature
26 from a particular candidate is one of the core
27 responsibilities -- or that signature is a core
28 responsibility and powers of a Party leader. And it happens

1 at an early enough stage that if someone expresses even
2 publicly that they want to run for the Party and don't end up
3 running for the Party, there's not necessarily a scandal
4 around them not running. There could be sour grapes, there
5 could be, oh, I just had to decide to stick with -- you know,
6 family was more important or anything.

7 There's all sorts of face-saving ways in
8 which if a leader quietly says, "No, there have been concerns
9 raised, you're not going to be able to run for us but we
10 don't need to talk about it publicly. You can go back to
11 your life", that is a very effective way of having things
12 done that don't require revealing of any classified
13 information but is based on intelligence that a leader can
14 get.

15 Once someone's an actual MP, a Party leader
16 cannot fire an MP. MPs were elected by Canadians. All a
17 Party leader can do is, at the largest level, remove them
18 from their Party caucus, have them sit as an independent,
19 something that I've done many times for a range of different
20 reasons around sexual misconduct or other things. That's the
21 biggest tool a Party leader has, but there's also other
22 tools.

23 If there is an allegation around -- to use
24 the National Security and Intelligence Advisor's words
25 herself, around inappropriate behaviour or poor judgment or
26 untrustworthiness, as a Party leader I can decide which
27 committees an individual sits on or doesn't sit on, whether I
28 give them a critic role or a parliamentary secretary role or

1 even a Minister's role. We have many tools to respond
2 depending on the seriousness of the allegation. If it's that
3 they are overly friendly with a particular Consulate General,
4 maybe we just say, yeah, you know what? You need to clean
5 that up, and then maybe we can revisit a committee or
6 parliamentary secretary role for you in a couple of years, or
7 in a year if CSIS comes back and says, yeah, there's been no
8 contact there or anything like that.

9 There's lots of tools that a party leader can
10 exert to counter real or risks of foreign interference in
11 their party. But it requires the leader to actually be able
12 to receive the classified information from the intelligence
13 agencies to then turn around take action on that.

14 **MS. SHANTONA CHAUDHURY:** Okay. On that
15 topic, I'm going to ask you what happens when you receive
16 intelligence about potential foreign interference having do
17 not with your own party, but with opposition parties. To do
18 that I'll ask the Court Registrar to pull up CAN047007.

19 **--- EXHIBIT No. CAN047007 0001:**

20 Transmittal Note

21 **MS. SHANTONA CHAUDHURY:** So we'll just go
22 through the document to situate us a little bit and then I'll
23 ask you to pull up a different one.

24 So, Prime Minister, this is a memo for you
25 from your NSIA, Nathalie Drouin, in May 2024. You'll see
26 what it says at the beginning of that summary is:

27 "Intelligence details alleged foreign
28 interference activities in

1 Canada...directed at opposition
2 parties...Given the serious nature of
3 the allegations,...(PCO) is working
4 with...(CSIS) to develop TOP SECRET
5 level briefings for opposition
6 parties on the intelligence."

7 Then speaks to Various political parties and
8 whether or not they have leaders who are security cleared,
9 and then the last bullet there speaks to PCO sharing a
10 protocol of more -- regarding more regular classified
11 briefings to recognized parties.

12 If we can scroll down again, please, I'll
13 tell you when to stop. Scroll through the background, I
14 think we want to get to Page 3. There we go. PCO comment
15 there, so PCO notes that informing party leaders could allow
16 them to identify the issues and take the necessary action.
17 And then says, an ad hoc approach of sharing intelligence is
18 not ideal, and we should maybe think about doing something
19 more systematic.

20 So if we can take that document down now and
21 put up WIT164, paragraph 25? This is the publicly
22 disclosable version of the conversation that was had *in*
23 *camera* about this. So I would like it up as a reference
24 point.

25 And I'll just ask you, Prime Minister, to
26 take us through from your recollection what happened here,
27 what this situation was, and what was done about it?

28 **RT. HON. JUSTIN TRUDEAU:** In paragraph 26 you

1 mean?

2 **MS. SHANTONA CHAUDHURY:** Yes.

3 **RT. HON. JUSTIN TRUDEAU:** Yeah. I received
4 the characterize here as explosive, certainly extremely
5 alarming, information around foreign interference into a
6 particular political party. And I directed CSIS to try and -
7 - or intelligence agencies, to try and ensure that the
8 opposition parties had the tools to respond to these
9 allegations, or had at least the information that would allow
10 them to do this.

11 I have to be really careful about what I say
12 here because this is all very, very, sensitive and even
13 talking about which party these allegations aimed at is
14 something I'm trying to avoid doing.

15 **MS. SHANTONA CHAUDHURY:** Fair enough. And I
16 won't ask you many more questions about them, because we are
17 treading very thin lines here. The only thing I'll just sum
18 up by saying, so essentially information came to your
19 attention, and it was through the system put to the right
20 people in the right places?

21 **RT. HON. JUSTIN TRUDEAU:** I think it is
22 perhaps useful to point out -- we don't need to pull it up --
23 but in the -- well, two things. First of all, I'm Prime
24 Minister, so I receive a tremendous amount of classified
25 information covering a broad range of individuals across this
26 country including different political parties.

27 But as leader of the Liberal Party, it is
28 awkward to say the least, to use a mild word, for me to be

1 engaging in who should run, or what consequences, or who
2 should be a critic, or who should be in what position for an
3 opposition party. So my -- as you pointed out earlier, the
4 answer was to offer classified briefings to all the leaders
5 of the parties so that they could best be positioned to take
6 the necessary actions to protect their MPs, some of whom
7 might vulnerable, some of whom might be witting or unwitting
8 around foreign interference, and therefore demonstrate to
9 Canadians that the integrity of their parties and the
10 protection of their parties from federal -- foreign
11 interference was done.

12 And that's -- that was always my instinct. I
13 shouldn't be -- I can know about it, I don't act on that
14 stuff because I don't believe in the partisan -- using
15 national security information for partisan purposes, nor
16 should any Prime Minister. But informing the leaders so they
17 can take proper actions is, I think, the right way of doing
18 things.

19 Stepping away from this specific example,
20 because I don't want to weigh into this as a specific
21 example.

22 **MS. SHANTONA CHAUDHURY:** We can take it down.

23 **RT. HON. JUSTIN TRUDEAU:** Because I am Prime
24 Minister and Privy to all these informations, I have the
25 names of a number of parliamentarians, former
26 parliamentarians, and/or candidates in the Conservative Party
27 of Canada who are engaged, or at high risk of, or for whom
28 there is clear intelligence around foreign interference. And

1 I have directed CSIS and others to try and inform the
2 Conservative Party leader to be warned and armed to be able
3 to make decisions that protect the integrity of that party,
4 of its members, from attempts of foreign -- activities around
5 foreign interference.

6 And the decision of the leader of the
7 Conservative Party to not get those classified briefings
8 means that nobody in his party, not him, nobody in position
9 of power, knows the name of these individuals and can take
10 appropriate action. It also means nobody is there to stand
11 up for those individuals if the intelligence is shoddy or
12 incomplete, or just allegations from a single source, and
13 that is something that as you've seen we are ready to
14 question intelligence when it comes towards the Liberal Party
15 members, because we need to make sure if you're going to end
16 someone's career you're doing it in a responsible way.

17 The decision of the leader of the
18 Conservative Party to not receive necessary clearance to get
19 those names and protect integrity of his party is bewildering
20 to me, and entirely lacks common sense. Particularly when
21 you look at the NSICOP report that clearly lays out -- the
22 public NSICOP report, that clearly lays out that in both of
23 the most recent Conservative leadership races there was
24 foreign interference.

25 The fact that there seems to be absolutely no
26 curiosity, or openness in trying to figure out what happened,
27 or whether someone was compromised, or whether a foreign
28 country impacted those leadership races, is simply

1 irresponsible. The fact that we see -- and then getting a
2 little more partisan than I tried to in this case, but it is
3 so egregious to me that the leader of the official opposition
4 who is certainly trying very hard to become Prime Minister,
5 he is choosing to play partisan games with foreign
6 interference and accusations around foreign interference, but
7 not taking it the least bit serious, as regards to his own
8 responsibilities as Party Leader, or even to get top
9 officials within his party briefed up as they bring on
10 candidates from across the country is inexplicable and quite
11 frankly concerning.

12 So stepping back from that, our
13 recommendation, and certainly one of the things that is
14 alluded to in some of these reports, and certainly the
15 Commission's work can be, is to indicate that it would
16 probably be pretty important that as a matter of course,
17 party leaders, certainly of the main political parties, maybe
18 not the Marxist-Leninist candidate that runs against me every
19 election in Papineau, but certainly the main political
20 parties, be given security briefings and clearances that
21 allow them to respond to the very real threats that we have
22 seen of foreign interference in their parties and that top
23 officials at the party level, as Jeremy Broadhurst was, by
24 dint of his day job in my government outside of the campaign
25 period, was able to take that information and discuss with me
26 the consequences that should be kneaded out or whether action
27 should be taken or not.

28 It is, I think, a vulnerability to foreign

1 interference that we have as a democracy that some party
2 leaders have decided not to get access to some names that
3 would be very germane for them to at least know and
4 understand the risks around.

5 **MS. SHANTONA CHAUDHURY:** Okay. Well we have
6 heard evidence, the Commission -- through the Commission's
7 proceedings that foreign interference affects or can affect
8 all political parties. That's certainly true.

9 In terms of providing information to
10 political parties, what about the -- there have been other
11 ideas suggested of how classified information might be
12 provided. For instance, if the leader is a Privy Councillor,
13 would that entitle them to receiving such information?

14 **RT. HON. JUSTIN TRUDEAU:** There are Privy
15 Councillors who were sworn in in the 70s. As an example,
16 Marco Mendicino was made a Privy Councillor when he became a
17 Minister, but now that he is no longer a Minister, in order
18 to appear before this Commission, and to deal with documents
19 that he himself had generated and worked with as Minister, he
20 needed to get security cleared once again.

21 There is a perception around this town that
22 being a Privy Councillor allows for a higher degree of
23 security clearance or access to documents than not being a
24 Privy Councillor is. That's simply not true in concrete
25 terms.

26 Ministers have access to secure documents by
27 dint of their roles of Ministers and go through a vetting
28 process that clears them for that when they are -- before

1 they are appointed Ministers, but having been a Minister
2 years ago does not give you any inherent ability to see
3 classified documents without the reupping or reinstating a
4 security clearance.

5 **MS. SHANTONA CHAUDHURY:** Okay. We'll leave
6 that topic for now and go to -- I'll ask the Registrar to
7 pull up the CSIS IR, which I've lost the doc ID, CAN.DOC44,
8 please.

9 **--- EXHIBIT No. CAN.DOC.000044:**

10 Canadian Security Intelligence
11 Service (CSIS) Stage 2 Institutional
12 Report - unclassified

13 **MS. SHANTONA CHAUDHURY:** So Prime Minister,
14 this is -- the questions I want to ask you around this around
15 about the Commission -- and it does relate a little it to the
16 last point you were making, but the Commission essentially
17 asked the government in its proceedings to come up with a
18 list of the significant instances of foreign interference in
19 Canada's democratic institutions and electoral processes over
20 the period of the Commission's review. And this exercise
21 sort of seems broad. Everyone around the table considering
22 what was initially a longer list produced by CSIS, and what
23 was eventually obtained was a consensus list of these six
24 instances.

25 Many of the incidents that we've heard about
26 over the Commission's proceedings are actually not on this
27 list, but there are six that are there.

28 So the first thing I'll ask you is specific,

1 and then I'll actually go to some more general ones, but in
2 terms of being informed about instances as a party leader,
3 the second bullet there on that list reads:

4 "Reporting indicates [that] a foreign
5 government undertook several actions,
6 including interference, to reduce the
7 likelihood of a specific Liberal
8 candidate from being elected
9 federally. It is suspected that the
10 foreign government sought to thwart
11 the candidate's bid given their
12 support for issues perceived to be
13 contrary to the foreign government's
14 interests."

15 And am I correct in saying that this never
16 came to your attention, this particular instance, before the
17 Commission's proceedings?

18 **RT. HON. JUSTIN TRUDEAU:** Yes. The list of
19 six were all -- I expected that -- as I said, I have access
20 to, you know, regular intelligence briefings and updates on
21 these things. It was surprising to me to see number two on
22 this list, because I had no idea. And there are lots of
23 details about this that I know that I am -- I continue to be
24 astonished that I was not apprised of this, because it was
25 relevant in a whole bunch of different ways and would have
26 been very relevant at the time.

27 But I also understand, without being able to
28 give too much timing or details around this, that processes

1 we have in place now would have meant that that there is no
2 doubt I would have been informed about this incident, were it
3 happening now. When it happened, we did not have the
4 measures that we have subsequently put in place.

5 **MS. SHANTONA CHAUDHURY:** Okay. Understood.
6 So this is one you would have liked to see?

7 **RT. HON. JUSTIN TRUDEAU:** Yes.

8 **MS. SHANTONA CHAUDHURY:** Okay.

9 **RT. HON. JUSTIN TRUDEAU:** I would have liked
10 to have seen this one.

11 **MS. SHANTONA CHAUDHURY:** Another thing we've
12 heard about the development of this list is, as I said, it
13 brought Deputy Ministers around the table having
14 conversations about whether some of these instances were or
15 were not foreign interference. And you mentioned earlier in
16 your remarks that there can be different perspectives across
17 government on whether activities are really standard
18 diplomatic activity, for example, or foreign interference.
19 How do those -- how do you see those debates happening, from
20 your vantage point as Prime Minister, for sort of in the
21 existential sense. Like, is this a good thing? And when
22 does it come to you and what do you see? Are different
23 perspectives brought to your attention or how does this play
24 out?

25 **RT. HON. JUSTIN TRUDEAU:** I think it is a
26 very, very good thing that on something as important and
27 sensitive as foreign interference by another state, that
28 there be different perspectives looking at it.

1 You know, as I said, our diplomats in the
2 United States were very alert to, you know, which members of
3 Congress or which Governors might be helpful in making a case
4 for a more successful NAFTA renegotiation than others, and
5 that involved a lot of, sort of, conversations and looking
6 into voting records, and, you know, lunches by diplomats in
7 place. And that -- gathering information on foreign
8 parliamentarians is a core part of diplomacy. And that can
9 be foreign influence, which is something that diplomats are
10 actually hired to do and is a primary job around the country,
11 make sure that the government of the country that you're in
12 representing Canada is -- looks favourably upon Canada,
13 without crossing into interference.

14 Now, it is possible to use information
15 collected for purposes of influence to then turn around and
16 use it for interference. If a diplomat were to collect the
17 home address of a particular parliamentarian to be able to
18 send them a personal note or a Christmas card that didn't go
19 through the Office, that would seem, okay, I'm trying to
20 influence them, make them friendly. That's the work of
21 diplomacy. If that foreign address that -- that home address
22 was then used to organize a massive intimidation protest in
23 the street in front of that person paid for by a foreign
24 country, that would be foreign interference or that would be
25 much more serious.

26 So there is a bit of a continuum on this, and
27 having discussions between Global Affairs Canada diplomats
28 and intelligence agencies, and spies, and, you know, on the

1 push-pull of what is appropriate, what is inappropriate, what
2 is problematic is more of an art than a science. I mean, it
3 can involved intent, it can involve what -- whether it's a
4 friendly country doing it or an unfriendly country doing it,
5 why they're doing it, what preoccupations there are. You
6 know, there is nuance that is not just across departments,
7 but even within departments.

8 You can have different people within Global
9 Affairs having a different perspective on that. And all
10 those debates and discussions, I think, are a strength of our
11 system that allow us to come to much more thoughtful answers
12 or measures to take in complex and perhaps delicate
13 situations.

14 So you know, having those engaged, thoughtful
15 debates in government and even, quite frankly, to a certain
16 extent, understanding that there are complexities in it for a
17 public engaging with how to protect ourselves from foreign
18 interference is very key.

19 I think of the Baltic states example when
20 Canada positioned itself as the country lead on the enhanced
21 forward presence in NATO by positioning troops in Latvia.
22 One of the things that we learned about very quickly was the
23 incredibly robust system that citizens in Latvia had to
24 detect and deter and render ineffective Russian
25 disinformation because Russia is constantly flooding the zone
26 in the Baltic states. And they have a very sophisticated and
27 attentive population in knowing that this piece of
28 information is just Russian propaganda or disinformation that

1 I think Canada is moving towards, but we are not as far
2 forward as some other countries may be in terms of detecting
3 misinformation and disinformation from hostile state actors.

4 **MS. SHANTONA CHAUDHURY:** So when these
5 different perspectives may exist in government, do your
6 officials make you aware of them so that you know that maybe
7 CSIS has a different view on something from GAC?

8 **RT. HON. JUSTIN TRUDEAU:** Yes.

9 **MS. SHANTONA CHAUDHURY:** Does this come to
10 your attention?

11 **RT. HON. JUSTIN TRUDEAU:** Yes, absolutely.
12 Either actually in person by watching the Director of CSIS
13 and the Deputy Minister of Foreign Affairs, you know, have a
14 conversation back and forth about a particular thing, or it
15 is obvious in the briefings come to me where it says CSIS
16 will -- leans on this way, but the diplomats say that this
17 might be it, and, at the same time, the Clerk's decision is
18 this.

19 One of the reasons that I've said I prefer to
20 have active engaged discussions around intelligence is it
21 allows us to challenge and bring together those different
22 points of view and different perspectives to get a better
23 picture than simply one document that perhaps summarizes
24 different elements but is written by one person in one
25 department and not another.

26 **MS. SHANTONA CHAUDHURY:** Okay. And I -- I
27 see that I'm out of time, but I have still two topics to
28 tackle with the Prime Minister, if you allow me.

1 **COMMISSIONER HOGUE:** Yes, go ahead.

2 **MS. SHANTONA CHAUDHURY:** So Prime Minister,
3 the next -- I do have a couple more questions to ask you.

4 The next one is on a different topic now and
5 something that we spoke about at great length *in camera*, so I
6 think we'll have the Reader's Digest of this conversation
7 today. But the vulnerability of political Party processes to
8 foreign interference that have been raised *à maintes fois* in
9 the Commission's proceedings.

10 And we know that Elections Canada will soon
11 be making some suggestions or recommendations as to things
12 that might be done to ameliorate this situation.

13 Can you give us your viewpoint on the idea of
14 increased oversight or increased regulation of internal
15 political Party processes for the purpose of dissuading
16 foreign interference?

17 **RT. HON. JUSTIN TRUDEAU:** First of all, there
18 is already oversight and regulations over political Parties
19 in Canada that we all understand is important and necessary.
20 I think of the very strict election financing rules, how a
21 political Party can raise money, how it is accountable for
22 every dollar it raises, from whom it receives money, what it
23 can spend the money on, how it needs to account for it.
24 That's a really important principle that applies to all
25 political Parties and is sort of foundational for our
26 democracy.

27 So the idea that, in our democracy, we should
28 regulate political Parties is well established that, yes,

1 there are many things in which it's important to uphold the
2 freedom and openness of our democracy that we regulate
3 political Parties.

4 In C-70, we actually indicate with greater
5 clarity and legislate around foreign interference in
6 political Parties as being illegal.

7 I mean, these are things that -- yes, there
8 are certainly things that governments and our democracy
9 should do to ensure the accountability and responsibility of
10 political Parties.

11 However, when we get into the issue of
12 determining how a political Party picks its candidates or who
13 gets to be the ultimate decision-maker in a political Party
14 or how to structure a political Party internally or how to
15 run its nominations, we get into an area that I think one
16 needs to tread very, very carefully.

17 I mean, one of the things we see first in
18 authoritarian countries like Venezuela, to use an extreme
19 example, is the government regulating what Opposition Parties
20 can do or say or how they can organize themselves or how they
21 fund their -- fundraise, is a great way for a Party in
22 government to control and render ineffective Opposition
23 Parties. And that is the last thing that we would ever want
24 in Canada.

25 I think it's extremely important that
26 political Parties have a large degree of autonomy in their
27 operations, independence in how they choose to operate and
28 function as political Parties, as Opposition Parties

1 particularly, but that comes with it a responsibility by
2 those political Parties to be able to demonstrate the
3 processes in place that they have to reassure Canadians, but
4 particularly their members, that they are not arbitrary, they
5 are not subject to whims or influence or interference by
6 foreign interests or special interests across the country.

7 That's why, for example, in our Party we have
8 nomination races that have very clear requirements that need
9 to be hit within the Party frame. We have an appeals process
10 for anyone who loses the nomination. We have scrutineers and
11 lawyers that every Party gets to have on every candidate's
12 team, gets to have in the nomination process to ensure that
13 it's a rigorous process.

14 We've created many, many mechanisms like that
15 because, you know, the Liberal Party has had nomination races
16 of six, seven, eight thousand people contesting for a single
17 nomination -- sorry, 7,000 members supporting a handful of
18 candidates contesting for a particular nomination.

19 Are there things that can be done to give
20 political Parties more information and better access to it?
21 Well, the first one is making sure people, at least someone
22 in a decision-making position at the top of the Party,
23 structure, the Party organization, the campaign director or
24 someone like that, gets the necessary security clearance so
25 that if CSIS or other see flags they can carry that to the
26 Party or inform the leader about it so the leader can make
27 sure that the processes, whether it's a leadership race or a
28 nomination race, can account and say publicly these are --

1 this was not interfered with.

2 I think it's on the Party itself to
3 demonstrate the measures it has taken to protect itself from
4 interference rather than a government or even Elections
5 Canada weighing in and saying, "You have to do this, this,
6 this to protect from foreign interference".

7 I think it is better for Canadians and media
8 and oppositions to be calling out where a Party does not have
9 robust processes in place and is not taking seriously the
10 threats of foreign interference, but overly prescribing or
11 regulating the organization, the behaviours, the structure,
12 the decision-making processes within parties by what is
13 necessarily one party in a position of power in government is
14 something that I think requires a lot of caution. But there
15 are many things that could be recommended for parties to take
16 on as tools to keep them safe, that I'm certainly hoping that
17 Elections Canada and the Commission's work will highlight
18 that are important principles for how parties can protect
19 themselves from interference.

20 **MS. SHANTONA CHAUDHURY:** Okay. Moving now to
21 a topic that you've raised on a couple of occasions already
22 in your remarks but not completely directly; it's the
23 classified NSICOP Report.

24 So as you may know that the Commission was
25 charged with looking into the NSICOP Report, and has done so.
26 And we've heard some evidence over that process, which I'll
27 just -- I'll highlight a couple of things that came out from
28 that process and that investigation.

1 One of them is some questions raised as to
2 the strength of the conclusions that NSICOP expressed versus
3 the strength of the assessments that CSIS actually made. So
4 NSICOP's conclusions are NSICOP's, not CSIS's. There are
5 also instances in which some discrepancies may have been
6 found between the conclusions that get made and the
7 underlying intelligence.

8 We've heard concerns in these proceedings
9 from two of your -- well, your former Minister, Mr.
10 Mendicino, current Minister, Minister LeBlanc, about the
11 strength of the public reaction to the NSICOP Report. And
12 I'm wondering if you can comment that, having, of course,
13 read the classified NSICOP Report and having knowledge of its
14 contents?

15 **RT. HON. JUSTIN TRUDEAU:** I created the
16 National Security and Intelligence Committee of
17 Parliamentarians for a very specific purpose; to make sure
18 that parliamentarians from all different parties would be
19 able to look into everything that our national security
20 agencies are doing, with at least two clear goals; one is to
21 make sure that our national security agencies are behaving
22 appropriately and not violating Canadians' fundamental rights
23 or overreaching or, you know, or doing the bidding of one
24 particular government versus the well interests of Canadians.

25 Just about every one of our democratic major
26 democracy partners has oversight by parliamentarians of their
27 national security agencies. Canada did not, and the previous
28 Conservative Government refused to even begin to entertain

1 the idea that parliamentarians should have the ability to
2 oversee national security agencies. I felt strongly that we
3 needed that, and that's why it was one of the first things
4 that we did, worked on, in terms of national security.

5 The second reason NSICOP is important is --
6 the first reason is to make sure there's not overreach into
7 -- and there's other mechanisms as well, like NSIRA, to make
8 sure there's not overreach into Canadians' fundamental
9 rights. But the second is to make sure that national
10 security agencies are taking seriously all the threats and
11 acting in appropriate ways to counter the threats.

12 But being a body that's only come into being
13 about eight years ago, and being one -- or less than that,
14 six years ago, being one that as recently as just a year or
15 two ago in the House of Commons is still contested as to its
16 legitimacy and usefulness, it's still very much in a learning
17 process. It's trying to figure out how to manage a very
18 multipartisan structure in a highly polarized and partisan
19 environment. When it comes to something like foreign
20 interference, that is such a contentious and worrisome topic
21 that you can imagine that any pronouncement that gets out,
22 whether it's a criminal leaking information to the newspaper,
23 or NSICOP, you know, putting out a report, or this
24 Commission's televised hearings, is generating a lot of
25 interest.

26 Did NSICOP get everything right in its
27 report? As CSIS pointed out there were some discrepancies.
28 But I don't think that's automatically a bad thing. I think

1 that's part of making sure there are different tools and
2 different perspectives and different organizations working on
3 similar challenges from different things. Yes, there's some
4 of the things that NSICOP put in there that I really would
5 have rather they didn't frame that way because it worried
6 Canadians and, you know, talked about traitors in Parliament,
7 when that is not the assessment that our intelligence
8 agencies put forward. But it's salacious and it sells
9 newspapers, and it worries Canadians, so it got put to the
10 fore.

11 I see this more as part of growing pains as
12 building mature, not just institutions around national
13 security within and around government and Parliament, but a
14 part of the learning process that citizens get to be part of
15 in figuring out how to talk about real threats and how to
16 evaluate in our democracy, you know, where the lines are and
17 how to best protect our democracy without harming the exact
18 things that make us a free and open democracy. And those are
19 sophisticated conversations that can't just happen within
20 governments or within commissions but can and should happen
21 as part of active, engaged debate, discourse, and political
22 conversations between elections and during elections.

23 So, yeah, there's some things that I feel,
24 certainly with all the perspective I have and all the direct
25 briefings I have from CSIS, that they didn't get quite right,
26 but I'd much rather have an effective and confident NSICOP
27 committee that goes forth and draws its conclusions and says
28 things that we will all learn to say, "Okay, yeah, they got

1 this right. They maybe were off a little bit on this, but
2 this helps us advance this understanding and CSIS was able to
3 come out and correct the record on this. And some of the
4 things that NSICOP had talked about, CSIS had actually made a
5 little bit of a mistake, and that's where NSICOP's Report
6 was." So that's thoughtful as well.

7 So for me it's all part of a system that is
8 robust and serious, but because we're in an open, free
9 democracy that stands up for everyone's rights, that is
10 working hard to get it right but that we don't always need to
11 expect perfection from. And when, as consumers of
12 intelligence materials, individuals and media and Opposition
13 parties become more and more experienced at it, more
14 thoughtful about it, Canada will be even better served than
15 we are right now in the important debates we have around
16 foreign interference.

17 **MS. SHANTONA CHAUDHURY:** So maybe it's not
18 about getting everything right but contributing to the
19 building of a national discourse?

20 **RT. HON. JUSTIN TRUDEAU:** Absolutely,
21 although it would be nice get more things right too, at the
22 same time.

23 **MS. SHANTONA CHAUDHURY:** Fair enough.

24 [No interpretation]

25 **COMMISSIONER HOGUE:** [No interpretation]

26 **MR. GIB van ERT:** Commissioner, before we
27 break, ---

28 **COMMISSIONER HOGUE:** Yes.

1 **MR. GIB van ERT:** It's Gib van Ert for
2 Michael Chong.

3 I see Commission counsel has taken an extra
4 30 minutes in her examination. Pursuant to the O'Connor
5 Rule, ---

6 **COMMISSIONER HOGUE:** Eighteen (18).

7 **MR. GIB van ERT:** I had thought we were
8 finishing at 11:50.

9 **MS. SHANTONA CHAUDHURY:** The clock says 18.

10 **COMMISSIONER HOGUE:** That's okay. Just go
11 on.

12 **MR. GIB van ERT:** Okay. Well, we'll figure
13 out exactly how much extra, but pursuant to the O'Connor Rule
14 that governs in this proceeding, that extra time should be
15 allocated to the parties for their cross, to ensure that
16 Commission counsel's time and the parties' time is equal.

17 So I'm asking that we be given that extra
18 time. We'll have to figure out between ourselves how to
19 allocate it, but I wanted to bring that to your attention
20 straight away.

21 **COMMISSIONER HOGUE:** Okay. Let me look into
22 this issue at lunchtime but we'll let you know through an
23 email.

24 **MR. GIB van ERT:** Thank you, Commissioner.

25 **COMMISSIONER HOGUE:** So we'll take a shorter
26 break today, so -- lunch today, so make sure to come back at
27 no later than 1:20.

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

1 This sitting of the Commission is now in
2 recess until 1:20 p.m.

3 --- Upon recessing at 12:22 p.m.

4 --- Upon resuming at 1:21 a.m.

5 **THE REGISTRAR:** Order please.

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

8 The time is 1:21 a.m.

9 **COMMISSIONER HOGUE:** Good afternoon. Maître
10 van Ert, I must apologize. You were right, it was nearly 30
11 minutes. The 18 minutes that I had were just for the period
12 following the break so, indeed, there will be an additional
13 30 minutes granted for cross-examination, and a portion of
14 this time will be allocated to the Attorney General.

15 I believe that you received information with
16 regard to the time allocated to you.

17 So I think you have received through emails
18 the time that will be allocated to you for your cross-
19 examination. But just in case ---

20 **MS. ERIN DANN:** Commissioner?

21 **COMMISSIONER HOGUE:** Yes?

22 **MS. ERIN DANN:** I'm so sorry to interrupt.
23 It's Erin Dann. An email was sent around. I've just
24 distributed a hard paper copy that unfortunately I don't
25 believe reflects the email that was sent around. So if we
26 could just -- if I could just have one moment because I
27 believe the copy that's on your desk is incorrect. So I will
28 make sure that you have the correct version, which is the

1 version that was circulated by email to the parties. If I
2 could just have a brief indulgence, I will go get your -- the
3 ---

4 **COMMISSIONER HOGUE:** Sure. So I will ---

5 **MS. ERIN DANN:** --- corrected version.

6 **COMMISSIONER HOGUE:** We'll suspend two
7 minutes.

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

9 This sitting of the Commission is now in
10 recess until 1:25 p.m.

11 --- Upon recessing at 1:25 a.m.

12 --- Upon resuming at 1:29 p.m.

13 **THE REGISTRAR:** Order please.

14 **--- RT. HON. JUSTIN TRUDEAU, Resumed:**

15 **THE REGISTRAR:** This sitting of the Foreign
16 Interference Commission is now back in session.

17 The time is 1:29 p.m.

18 **COMMISSIONER HOGUE:** So we were able to
19 resolve the little issue that we had.

20 Just to make sure that everyone has the right
21 time, I'm going to indicate the time allocated to each and
22 every one. So it will be Sikh Coalition will go first for 15
23 minutes. Michael Chong's counsel will go second for 20
24 minutes. After that, counsel for Han Dong 10 minutes.
25 Counsel for Erin O'Toole 10 minutes. Counsel for Jenny Kwan
26 15 minutes. Conservative Party 15 minutes, Human Rights
27 Coalition 11 minutes, UCC 10 minutes, RCDA 12 minutes, the
28 Concern Group 12 minutes, and the Attorney General 20

1 minutes. If need be, there will be re-examination by
2 Commission counsel as usual, but it's not counted in the 30
3 minutes. And we'll take a break after the Conservative
4 Party's cross-examination.

5 Before starting the cross-examination, I have
6 two questions for you, Mr. Prime Minister.

7 **RT. HON. JUSTIN TRUDEAU:** [No interpretation]
8 question me in French as well.

9 **COMMISSIONER HOGUE:** Yes, indeed. It's a
10 little strange to have two francophones speaking to each
11 other in English.

12 **RT. HON. JUSTIN TRUDEAU:** Yes, we should try
13 to avoid that.

14 **COMMISSIONER HOGUE:** You stated earlier today
15 at the end of your testimony that you would prefer to see
16 NSICOP perhaps go too far rather than not benefiting from its
17 analysis and that this would allow for a healthy debate
18 around the issue.

19 So my question is this. How do you envisage
20 the possibility of having a debate with regard to what will
21 or was reported? The work of NSICOP is mainly based on
22 information that is classified, so how do you view this?

23 **RT. HON. JUSTIN TRUDEAU:** First of all, I
24 would clearly prefer that NSICOP be exact and precise and
25 well-founded in everything it is reporting and putting out.
26 We understand that this is an organization that is rather new
27 that's still developing its ways of doing things and, for me,
28 a learning curve is appropriate for an institution that we

1 hope will be in place for decades in order to defend Canada's
2 interests.

3 Clearly, when NSICOP made its report, I asked
4 the Minister for Public Safety to publish a response to the
5 report to explain -- to thank NSICOP for its work, but also
6 to explain that there were elements that we weren't perhaps
7 perfectly aligned on that might have been slightly erroneous.

8 For me, the important debate is that which is
9 taking place within the government with NSICOP that's
10 learning. We're saying, well, maybe the next time we
11 shouldn't go as far. These are adjustments to be made and
12 you are right in underscoring this.

13 The idea of having a broad debate, a public
14 debate on how NSICOP is working may not be valid, but there
15 could be articles, analysis by journalists, et cetera, saying
16 the Minister stated this, NSICOP said this. I think that is
17 part of the lived experience that we must all accumulate in
18 areas of security intelligence and interference.

19 **COMMISSIONER HOGUE:** I have a question
20 flowing from your response, and I want -- I don't want to
21 pre-judge the responses. As you know, we must also look at
22 the NSICOP Report, so I don't want to pre-judge the
23 conclusions we might reach. But do you see a risk here were
24 there to be errors, as some have stated or identified, or if
25 stronger terms will be used by NSICOP or by the intelligence
26 community, do you have a fear that the trust of people in
27 these institutions might be harmed by a public report that
28 can't be necessarily corrected given the classified

1 information involved?

2 **RT. HON. JUSTIN TRUDEAU:** It was corrected by
3 the response of the Minister underscoring the fact that there
4 were elements that we disagree with as a government and this
5 process -- well, clearly we won't always have a Commission of
6 Inquiry on all of these reports, but I think that the
7 learning process throughout the process will result in a
8 situation where NSICOP and those who take a close look at
9 these reports will be in a better position to judge -- to
10 judge the information and the analysis provided.

11 I think we also must underscore the fact that
12 there's rarely very clear black and white analyses of these
13 types of situations. There's always an approach based on
14 analysis, reflection, debate such that, for me, if we have a
15 broader perspective, even if it's not perfect, especially in
16 the first years, this allows us to develop expertise that
17 will be stronger in the coming years.

18 **COMMISSIONER HOGUE:** Thank you.

19 Second question that becomes, in fact, the
20 third question, you indicated that we must be very prudent
21 before regulating or legislating with regard to nomination
22 races, et cetera involving the various political Parties.
23 And you added that what's important in your mind is that the
24 political Parties take into account the rules in place and
25 respect their rigor.

26 Would you have a suggestion with regard to
27 the way these requirements should be imposed on political
28 Parties?

1 **RT. HON. JUSTIN TRUDEAU:** Ideally, these
2 wouldn't be rules imposed by legislation, imposed by a
3 government or even by Elections Canada. These would be,
4 rather, expectations on the part of citizens for oversight
5 and accountability vis a vis journalists. Members of Parties
6 also should require that the Party demonstrate that it is
7 following a rigorous system in order to protect itself, in
8 order for voters to be able to evaluate the situation.

9 There's no way of legislating. We could ask
10 Elections Canada to take a closer look, but there are
11 political Parties -- I mentioned the Marxist-Leninist Party,
12 for example. There are Parties, as I was saying, for which
13 the rigor in their structure might be different from what we
14 might expect from a Party that would want to form government
15 or hold a balance of power in the House of Commons.

16 We must be careful when requiring certain
17 behaviours or processes on the part of a political Party. We
18 mustn't be creating barriers to the creation of political
19 Parties in a free and open democracy. We must be careful to
20 always allow our democratic institutions to organize
21 themselves with integrity vis a vis what they want to propose
22 or oppose for the country.

23 I'm not saying no, there's no way of doing
24 this, but we must be extremely careful so as to not harm our
25 democracy, hinder it. We must not hinder it as we seek to
26 protect it.

27 **COMMISSIONER HOGUE:** Thank you.

28 So we'll begin with the cross-examination.

1 So first one is Mr. Singh for the Sikh Coalition.

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

3 **MR. PRABJOT SINGH:** Thank you, Commissioner.

4 Mr. Trudeau, my name is Prabjot Singh for the
5 Sikh Coalition. You spoke to Commission counsel earlier
6 about this intricate network of Canada-based Indian
7 diplomats, senior government officials in India, and then the
8 Lawrence Bishnoi Gang and who went on and engaged in violence
9 in Canada. So before we move into some of the more
10 substantive issues, I just want to clarify and confirm a
11 couple of facts for the record. You spoke about a number of
12 ways that diplomats covertly and illegally collected
13 information on individuals in Canada, including threatening
14 to revoke visas. Some of the information that was collected
15 by diplomats was also done by coercion, including threats of
16 violence against family members in India; correct?

17 **RT. HON. JUSTIN TRUDEAU:** I am very aware
18 that there is an ongoing RCMP investigation, and, indeed,
19 trials and court cases on these issues, so I really would be
20 hesitant to venture much further than I already have into in
21 which what I was saying was pretty much repeating what the
22 RCMP announced on Monday. I wouldn't want to go further in
23 characterizing things that are questions better asked of the
24 RCMP.

25 **MR. PRABJOT SINGH:** Sure. That's totally
26 fair. So the RCMP's press release and its comments at the
27 press conference stated that organized crime was used to
28 execute the violent activities to create the perception of an

1 unsafe environment targeting the South Asian community in
2 Canada. Do you recall that?

3 **RT. HON. JUSTIN TRUDEAU:** Yes.

4 **MR. PRABJOT SINGH:** So I think you would
5 agree that this is quite an alarming and intrusive attack on
6 Canada. So this goes beyond simple disinformation and
7 amplifying narratives in the media that Canada is unsafe.
8 These individuals and government officials actually
9 orchestrated violence to make people feel unsafe and come to
10 that conclusion. Is that fair?

11 **RT. HON. JUSTIN TRUDEAU:** I'd actually say
12 there seemed to be two goals in this. One is, yes, to make
13 Canadians, particularly South Asian Canadians, feel less safe
14 here in their own country, but secondly is actually to help
15 prove a point that India -- or, sorry, the Indian Government
16 has been trying to make about Canada for quite some time,
17 that we are a country that doesn't take seriously violence or
18 terrorism or incitements to hatred, which are -- is entirely
19 false. But failing an ability to point out how Canada has
20 been supposedly failing to prevent violence, it seems like
21 folks within the Indian Government have decided to create
22 violence and unlawfulness in Canada as a way of demonstrating
23 the point that they are trying to make, that there is
24 violence and unlawfulness in Canada. And I think that is
25 exceptionally egregious as an approach to a -- as a neighbour
26 -- a sovereign democracy.

27 **MR. PRABJOT SINGH:** So you also indicated to
28 Commission counsel earlier that the diplomats were passing

1 information to officials at the highest level of the Indian
2 Government, who then would pass on the information to the
3 criminal gangs to orchestrate the violence. So given that
4 reality, this was not just a rogue operation of a few
5 individuals that went off track. At some level, in some
6 form, there was a clear policy decision that was authorized
7 and directed by responsible members of the Government of
8 India to orchestrate this violence. Is that fair?

9 **RT. HON. JUSTIN TRUDEAU:** I think that is an
10 extremely important question. And that is a question that
11 actually we have been repeatedly asking the Government of
12 India to assist us on and to get to the bottom of. The
13 question of whether it is or could be rogue elements within
14 the government, or whether it was a more systemic, systematic
15 endeavour for the Government of India is exactly the kind of
16 thing that for investigators here on the ground in Canada, it
17 is, you know, somewhat removed from being able to uncover the
18 internal machinations of the Indian Government of who went
19 wrong, or who did this, or who did that. That's why from the
20 very beginning we have been asking for India -- of the Indian
21 Government to take these allegations seriously and proceed
22 with their own investigations and work with us on figuring
23 out exactly how these egregious violations of Canadian
24 sovereignty actually happened.

25 **MR. PRABJOT SINGH:** Are you aware of public
26 statements made by Prime Minister Modi in spring of this year
27 where he said something to the effect of today's India
28 doesn't send the dossiers to other countries to request

1 assistance. Today's India will kill our enemies in their
2 homes. Are you aware that that statement was made publicly
3 by the Prime Minister?

4 **RT. HON. JUSTIN TRUDEAU:** That was a public
5 statement that I am aware of. Maybe not in those exact
6 words, but ---

7 **MR. PRABJOT SINGH:** Sure. Something to that
8 effect. So you spoke earlier about the geopolitical
9 instability and context that we exist in right now and how it
10 intersects with different foreign interference threats. So I
11 think you would agree that the Modi Government autocratic
12 behaviour, in terms of these specific violent acts that have
13 been carried out over the past year or two, is a threat not
14 only to Canada's sovereignty and institutions, but a very
15 real threat to the international rules-based order itself.

16 **RT. HON. JUSTIN TRUDEAU:** One of the reasons
17 we have been so deeply engaged with our allies, particularly
18 our Five Eyes allies of the United States, the UK, New
19 Zealand and Australia, on this we are a tight security
20 partnership as five countries, but also others, is because we
21 are seeing right now around the world a pulling back of the
22 rule of law, contesting of the international rules-based
23 order, whether it be Russia's illegal invasion of Ukraine,
24 whether it be China's coercive diplomacy as evidenced by the
25 arresting of the arbitrary detention of two Michaels.
26 Ensuring that, amongst our community of nations, particularly
27 democracies that purport to be and aspire to be rule of law
28 countries, that we be there to highlight and stand strongly

1 against violations of international law is really important.
2 So this is something that we have highlighted to allies and
3 it's something that many, many countries around the world
4 share of concerns that if we don't have the rule of law and
5 the international rules-based order at this particular
6 complex moment in global history, then everyone becomes less
7 safe, and everyone is poised to suffer, either economically
8 or worse.

9 **MR. PRABJOT SINGH:** So that's a helpful kind
10 of exposition on the rules-based order in general. The
11 question was whether India's violent activities and attacks
12 against Canada and Canadians, you would consider them a
13 threat against the rules-based order and stability on the
14 geopolitical stage.

15 **RT. HON. JUSTIN TRUDEAU:** I think ---

16 **MR. PRABJOT SINGH:** Specifically with
17 relation to these acts.

18 **RT. HON. JUSTIN TRUDEAU:** --- I think I have
19 been very clear that Canada, as a country of the rule of law,
20 will always stand up for the rules-based order, regardless of
21 whether it is the arbitrary detention of two Michaels by
22 China, or actions that we've -- that the RCMP highlighted
23 earlier this week that involves India government engaging in
24 facilitating violence in Canada against Canadians. This is
25 something we will always take very seriously.

26 **MR. PRABJOT SINGH:** So a significant amount
27 of attention in the Government's communications this week
28 focused on disrupting India's capabilities, but in the

1 context of a sustained campaign of violence that lasted at
2 least a year, I would suggest that accountability for those
3 responsible is crucial to deterring this kind of violence.
4 So my question is about what steps Canada can and will take
5 to ensure that the senior officials who actually orchestrated
6 and authorized this are held accountable. Will Canada apply
7 targeted sanctions against RAW, India's intelligence agency,
8 as well as those officials found to be responsible in an
9 investigation in order to push India to cooperate?

10 **RT. HON. JUSTIN TRUDEAU:** The primary driver
11 of the government's actions in this case, and in most if not
12 all cases, is ensuring the safety and security of Canadians.
13 That is one of our top foreign policy goals, always, and we
14 will continue to look at things we can do to ensure that
15 Canadians are safe in Canada and when they travel overseas.

16 Many of our foreign policy positions have
17 flowed from that, and that will always be the lens with which
18 we look at any possible future decisions. And I'm not -- so
19 I'm not going to hypothesize about what steps we might need
20 to be taking to keep Canadians safe. What I can say is the
21 steps that we have taken so far have been focused on ensuring
22 greater safety for Canadians, ensuring our ability to keep
23 Canadians safe by disrupting networks that were causing
24 significant violence to Canadians.

25 **MR. PRABJOT SINGH:** So I don't think that
26 really answered the question about accountability.

27 **RT. HON. JUSTIN TRUDEAU:** No, it didn't.

28 **MR. PRABJOT SINGH:** But I'm going to move on.

1 **RT. HON. JUSTIN TRUDEAU:** That's a good idea.

2 **MR. PRABJOT SINGH:** You mentioned Prime
3 Minister Modi's comments to you in September 2023, urging
4 Canada to arrest people who are outspoken against the Indian
5 government. We've also heard evidence from SITE, from RCMP,
6 and Global Affairs, that India seeks to influence Canadian
7 policy, to criminally prosecute Sikhs who advocate for
8 Khalistan or otherwise criticize India.

9 So yourself, and the other witnesses have
10 rightfully insisted that Canadian agencies already
11 investigate any criminal activity, but that lawful political
12 advocacy is protected by the Charter. So given that fact and
13 that India engages in foreign interference with the objective
14 of influencing Canadian policy in this regard, would you
15 support suspending intelligence and information sharing
16 agreements signed in 2018 that can be misused by the
17 Government of India to target Sikh activists engaging in
18 lawful advocacy for Khalistan?

19 **RT. HON. JUSTIN TRUDEAU:** Let me be very
20 clear once again. Canada's policy is around One India. We
21 believe in the territorial integrity and the sovereignty of
22 India. We respect that. We certainly expect India to
23 respect the sovereignty of Canada, which in this case they
24 have not.

25 It is also extremely important that people
26 who come to this country from every corner of the world
27 understand that they are free to hold the political beliefs
28 that they choose to when you are in Canada. We have a

1 Charter that protects people's freedoms, people's freedom of
2 expression, people's freedoms of political views. And that
3 is not just a foundational principle of free democracies all
4 around the world, but it's particularly important for Canada
5 that is a country to which people have come from every corner
6 of the world, in some cases choosing to leave their home
7 country because of political disagreements or other reasons.

8 So defending the rights of people to hold
9 political views that may be unpopular in their home country
10 is a foundational responsibility for any Canadian government.

11 **MR. PRABJOT SINGH:** So will you consider
12 suspending those intelligence and information sharing
13 agreements that can be misused by the Government of India to
14 target Sikh activists, particularly considering the evidence
15 we've seen that India engages in foreign interference and
16 disinformation for that objective?

17 **RT. HON. JUSTIN TRUDEAU:** As I've said a
18 number of times, we are not looking to provoke or create a
19 fight with India. The Indian Government made a horrific
20 mistake in thinking that they could interfere as aggressively
21 as they did in the safety and sovereignty of Canada. And we
22 need to respond in order to ensure Canadian's safety. What
23 other steps we will take will be determined in due course,
24 but every step of the way our single overarching priority is
25 ensuring that we are keeping all Canadians safe.

26 **MR. PRABJOT SINGH:** So we heard this week
27 that six diplomats have been expelled from Canada and sent
28 back to India. But given the long history of Indian foreign

1 interference, the intensity we've observed and learned about
2 through this Commission, and the fact that this appears to be
3 in some form, a conscious policy decision by the Government
4 of India, I think it's reasonable that there's concerns that
5 when new diplomats come to replace those ones, that there are
6 concerns that they might continue to engage in similar kinds
7 of activities.

8 So looking back at India's foreign
9 interference activities, which have clearly escalated, I want
10 to look forward and ask you to provide some insight to the
11 Commission, because I think it's fair to say that the
12 Government of Canada, and Canadian agencies failed to detect
13 India's activities before they occurred, before the
14 assassination of Hardeep Singh and this campaign of violence,
15 and whatever steps have been taken failed to deter India from
16 continuing to engage in violence against Canada and in
17 Canada.

18 So can you provide some insight on what
19 lessons you think have been learned by the government and
20 agencies that can actually inform how Canada increases its
21 capacity to detect that kind of activity, and actually
22 effectively deters it in the future?

23 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,
24 let me say that the issue of the Indian Government as a
25 possible source of foreign interference is not something that
26 only appeared over the past weeks, or even over the past
27 year. Canadian intelligence agencies have been collecting
28 that information for a number of years now.

1 And as I've said in an earlier answer this
2 morning, we are constantly adapting and adjusting to shifting
3 approaches by other states as they engage through different
4 technologies, through different means, through different
5 vectors, into advancing their aims in Canada. And we will
6 continue to learn and adjust as necessary to do what we must
7 do to keep Canadians safe, to protect our institutions and
8 our democracy.

9 **MR. PRABJOT SINGH:** Madam Commissioner, with
10 your leave I have one final question if that's possible?

11 **COMMISSIONER HOGUE:** No, because you're two
12 minutes over your time and we have many this afternoon.

13 **MR. PRABJOT SINGH:** Thank you, those are my
14 questions.

15 **COMMISSIONER HOGUE:** Thank you.

16 Counsel for Michael Chong.

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

18 **MR. GIB van ERT:** Prime Minister, my client
19 was here in September and gave evidence to the Commissioner,
20 and one of the concerns that he expressed is that this
21 country has become, in his words, a playground for foreign
22 interference by states like PRC and India. Mr. Mendicino was
23 here last week and disputed that phrase, playground of
24 foreign interference. Given the revelations by the RCMP and
25 by you, Sir, on Monday, isn't Mr. Chong's assessment closer
26 to the mark than Mr. Mendicino's?

27 **RT. HON. JUSTIN TRUDEAU:** No. I think it
28 reinforces how wrong Mr. Chong is, because what this week has

1 been all about is demonstrating the capacity and the reality
2 that Canada has been both detecting foreign interference and
3 acting on it. I would suggest that ---

4 **MR. GIB van ERT:** After the fact.

5 **RT. HON. JUSTIN TRUDEAU:** --- knowing about
6 this and revealing it to the public, and creating diplomatic
7 malaise to put it lightly, is an example of us pushing back
8 strongly against attempts at interference in this country.

9 **MR. GIB van ERT:** Not just attempts, Sir,
10 successful interference.

11 **RT. HON. JUSTIN TRUDEAU:** Yes.

12 **MR. GIB van ERT:** You confirmed this morning
13 that your government's assessment of the PRC's targeting of
14 Michael Chong and his relations in Hong Kong is not foreign
15 interference, but is instead lawful diplomatic activity.
16 Sir, there have been -- there were in 2021, four intelligence
17 products, we've only seen one of them, but there were four
18 concerning PRC activities directed at my client, all coming
19 from CSIS.

20 The one that we've been able to see in some
21 unredacted form is the famous IMU from the 31st of May, which
22 I expect you've seen before. It says explicitly that CSIS
23 regards there as being multiple threat actors, including the
24 Ministry of State Security.

25 Are you aware of that, Sir? I can show you
26 the document if it helps, but you may be familiar with it
27 already.

28 **RT. HON. JUSTICE TRUDEAU:** I am ---

1 **MR. FREDERICK SCHUMANN:** Madam Commissioner,
2 sorry, just before the Prime Minister answered, my friend
3 said, "You confirmed this morning that the PRC's targeting
4 Chong was not foreign interference". And I'm -- my
5 recollection is the Prime Minister testified that Zhao Wei's
6 targeting of Chong was not foreign interference.

7 So I believe that that was the evidence the
8 Prime Minister gave, but I stand to be corrected by my
9 friend.

10 **RT. HON. JUSTICE TRUDEAU:** Yes, I was talking
11 about Zhao Wei.

12 **MR. GIB van ERT:** Yeah, it's much of a
13 muchness to me, Sir.

14 So my point is this. The Ministry of State
15 Security, you're familiar with that agency?

16 **RT. HON. JUSTICE TRUDEAU:** Yes.

17 **MR. GIB van ERT:** Is there any such agency in
18 this country?

19 **RT. HON. JUSTICE TRUDEAU:** I think drawing
20 parallels between Canadian structures and the PRC structures
21 is extremely difficult at best.

22 **MR. GIB van ERT:** Yes, particularly in the
23 case of the MSS because it's a foreign intelligence agency
24 and we don't have one of those; right?

25 **RT. HON. JUSTICE TRUDEAU:** Well, we have an
26 intelligence agency that focuses on collection
27 internationally, which is CSIS.

28 **MR. GIB van ERT:** Right. Right. But we

1 don't send spies abroad and we don't send secret police
2 abroad. Isn't that right, Sir?

3 **RT. HON. JUSTICE TRUDEAU:** I'm not going to
4 speak to CSIS operations, but I can tell you there are CSIS
5 employees all around the world.

6 **MR. GIB van ERT:** Sir, my point is this. The
7 MSS is PRC's ---

8 **RT. HON. JUSTICE TRUDEAU:** Or I'm missing
9 something about what CSIS does.

10 **MR. GIB van ERT:** Well, let me get to it.
11 MSS is PRC's equivalent of Russia's FSB or
12 the Soviet Union's old KGB or, indeed, India's RAW, the
13 Research Analysis ---

14 **RT. HON. JUSTICE TRUDEAU:** Or the U.S.'s CIA.

15 **MR. GIB van ERT:** Right. We don't have
16 anything like that.

17 My point, Sir, is that if a diplomat -- a so-
18 called diplomat, Wei Zhao, in this country is sending
19 information about a Canadian MP -- two Canadian MPs, as it
20 turns out, back to MSS -- not back to the foreign
21 departments. Not back to foreign affairs, but to China's spy
22 agency, that, Sir, is not lawful diplomacy. Don't you agree
23 with that?

24 **RT. HON. JUSTICE TRUDEAU:** I'll say two
25 things about that.

26 First of all, I'm not entirely certain that
27 you understand what CSIS is if not Canadians' agency for
28 collecting intel overseas. And secondly, in terms of the

1 analysis of what Zhao Wei or others were doing, I am
2 obviously not an expert in the hierarchies within the
3 People's Republic of China's various agencies, but what I can
4 say is, I defer to CSIS's conclusions on these because they
5 are the intelligence agency that provides me information,
6 provides us information on foreign activities, particularly
7 bad actors.

8 CSIS's conclusion in this case that we've
9 seen before this Commission is that the actions that Zhao Wei
10 engaged in in regards to your client did not constitute
11 foreign interference.

12 Now, I am reporting that. I am not the
13 person who made the analysis and determination that it was on
14 one side of the line or others. I have confidence in our
15 agencies that do make that determination, however.

16 **MR. GIB van ERT:** Sir, Zhao Wei was not a
17 lawful diplomat. He was a foreign intelligence agent. He
18 was a Chinese spy. Do you accept that?

19 **RT. HON. JUSTICE TRUDEAU:** I accept when I --
20 I will state that he was ejected from Canada because he was
21 no longer able to even carry the role of diplomat, which was
22 his overt role, but I also explained that there were
23 situations in which CSIS has concluded that he engaged in
24 foreign interference activities, albeit not towards your
25 client, Michael Chong.

26 **MR. GIB van ERT:** Sir, I put it to you that
27 Zhao Wei was outed as a foreign spy not by your government,
28 but by *The Globe and Mail*.

1 **RT. HON. JUSTICE TRUDEAU:** There's no
2 question that the criminal who leaked the information to the
3 media had a role to play in our decision to expel Michael
4 Chong (sic), but as I said, there were -- sorry, expel Zhao
5 Wei. But there were three factors that went into that
6 decision to declare him *persona non grata*.

7 One was the escalating tensions between
8 Canada and China where they, despite repeated attempts,
9 refused to decrease or stop their interference activities.
10 Two was the fact that Zhao Wei was, indeed -- and this
11 perhaps goes to your contention, was engaged in foreign
12 interference activities, albeit not towards Michael Chong.
13 And three was the fact that his name was plastered across the
14 newspapers made it impossible for him to continue to be a
15 diplomat in Canada.

16 **MR. GIB van ERT:** NSICOP reports that CSIS
17 identified Zhao Wei as a candidate for expulsion in 2019,
18 several years before *The Globe and Mail* story, but your
19 government let him stay here. Nothing was done about him and
20 you, on your own evidence, had never even heard of him until
21 you read about him in *The Globe* that morning.

22 I put it to you, Sir, that as head of
23 government you ought to have known who Zhao Wei was and what
24 was going on. Should someone not have informed you about his
25 activities?

26 **RT. HON. JUSTICE TRUDEAU:** As I've said a
27 number of times, in my role as Prime Minister I need to know
28 the behaviour of China, I need to know the behaviour of

1 India, I need to know the behaviour of Russia in regards to
2 Canada and in regards to Canadians, in regards to Canadian
3 interests. I do not need to know the operational details to
4 be able to establish and empower the agencies to actually go
5 after it.

6 Now, I need to know the type of things they
7 are doing, but knowing the actual name of the individual,
8 there are such a large number of names that I trust and count
9 on my intelligence agencies to do the follow-ups on the
10 dozens of diplomats that they must keep a close eye on across
11 the country at all given times. And ---

12 **MR. GIB van ERT:** I'm sorry. It goes ---

13 **RT. HON. JUSTICE TRUDEAU:** --- me sitting
14 with a list of names of potential problematic people does
15 nothing to help keep Canadians safe in the role that I have.

16 **MR. GIB van ERT:** Sir, it goes well beyond
17 particular names because what you weren't told was that there
18 was a debate raging in your government between CSIS on the
19 one hand and Global Affairs on the other. CSIS assessed that
20 these activities -- we see it in the 2021 MIU -- were threats
21 to the security of Canada. CSIS conducted a TRM of Michael
22 Chong on the 2nd of May for that same reason.

23 Meanwhile, Mr. Morrison ---

24 **MR. BARNEY BRUCKER:** Excuse me. There was
25 not a TRM.

26 **RT. HON. JUSTICE TRUDEAU:** It was a defensive
27 briefing, actually. I mis-spoke this morning, so you caught
28 me on that.

1 It was a defensive briefing to Michael Chong,
2 not a threat reduction measure, which is apparently an
3 important distinction, but ---

4 **MR. GIB van ERT:** Well, I'll leave that for
5 now.

6 I thought Mr. Chong's evidence was that he
7 was informed by CSIS it was a TRM.

8 In any event ---

9 **RT. HON. JUSTICE TRUDEAU:** That was after --
10 after the leaks.

11 **MR. GIB van ERT:** That's what I'm talking
12 about.

13 **RT. HON. JUSTICE TRUDEAU:** That was -- okay.

14 **MR. GIB van ERT:** Yes.

15 **RT. HON. JUSTICE TRUDEAU:** I believe that was
16 a TRM. It was the earlier one that was a defensive ---

17 **MR. GIB van ERT:** On the 2nd of May, 2023,
18 that was a TRM.

19 **RT. HON. JUSTICE TRUDEAU:** Twenty twenty-
20 three (2023). Yes.

21 **MR. GIB van ERT:** Precisely. So you've got
22 the security service on the one side assessing that these are
23 foreign threats, this is foreign interference. You've got
24 Mr. Morrison and Jody Thomas, Global Affairs, saying no,
25 you've misunderstood. This is consistent with the Vienna
26 Convention.

27 What you ought to have known but were never
28 told, Sir, was that there was this debate going on and that

1 it was causing disagreements between agencies about how to
2 properly analyze and characterize particular instances.
3 Michael Chong happens to be one. There may very well have
4 been others. Someone ought to have told you that and so I
5 want to push back on this notion that we've heard from other
6 witnesses and ---

7 **RT. HON. JUSTICE TRUDEAU:** Actually, let me
8 push back on that right there, that I testified earlier today
9 that I am fully aware and, indeed, regularly apprised of
10 tension between -- of constructive, creative tension of
11 disagreements of perspective between diplomats and spies or
12 between our Global Affairs Canada and CSIS on ---

13 **MR. GIB van ERT:** But sir, no one told you
14 before -- before May 2023 that there was a dispute in your
15 government about whether Zhao Wei was acting lawfully or
16 illegally.

17 **RT. HON. JUSTICE TRUDEAU:** You're right. Not
18 about this particular person.

19 **MR. GIB van ERT:** That's my point.

20 **RT. HON. JUSTICE TRUDEAU:** But about a range
21 of diplomats from many different countries who are engaged in
22 questionable activities that we have to make determinations
23 around which ones and when we kick out knowing full well that
24 as soon as we PNG anyone, we lose diplomats on the other side
25 who are not engaged in subterfuge, so there are many factors
26 that go into when one takes a PNG decision.

27 If we were to kick out every single diplomat
28 who raised concerns, we wouldn't have any diplomats and,

1 therefore, no representation in any of our adversarial
2 countries. And part of diplomacy is making sure that we do
3 have people there, and the price of that is having people
4 here.

5 Now what our intelligence agencies are
6 constantly doing, as you were pointing out, is keeping an
7 eye, you know, metaphorically or actually, on many of these
8 people while engaging in an ongoing dialogue, sometimes a
9 debate, with foreign -- Global Affairs Canada to ensure that
10 we're getting that balance right of protecting Canadians and
11 allowing the work that Canadians are doing overseas in these
12 countries to continue to further protect Canadians.

13 **MR. GIB van ERT:** Sir, you've characterized
14 this debate as a good thing in your words this morning.
15 Other witnesses have come and called it a healthy debate. I
16 want to suggest to you that it wasn't a healthy debate.
17 Having a debate about what foreign interference means and
18 where the line is between that and lawful diplomacy is fine
19 to a point, but at a certain point, where one of your
20 agencies is saying one thing and the other one is saying the
21 other, someone has to come to you as the head of government
22 and say, "We have this dispute. It's causing us trouble in
23 operationalizing particular instances." My client's instance
24 being one, but no doubt there were others. Someone should
25 have come to you, the NSIA should have come to you and said,
26 "Prime Minister, we've got this difference of opinion, we
27 want you to know both sides, and we need your guidance," but
28 no one ever did that, and so you were left in the dark.

1 **RT. HON. JUSTIN TRUDEAU:** But that is exactly
2 why the authority for PNGing someone rests in the Minister of
3 Foreign Affairs's Office, and she was very much closer to this
4 debate, because it is her responsibility. And when the
5 decision was elevated to, "Okay. We should possibly and
6 probably PNG this individual," then I was brought in as part
7 of the discussion around that, recognizing that it was her
8 authority to do.

9 **MR. GIB van ERT:** Sir, when the story came
10 out in *The Globe and Mail*, Mr. Morrison explained to us that
11 Global Affairs went back, looked at its records, found that
12 in fact CSIS had been raising alarms about Wei Zhao's
13 activities years before, but they had never, in Mr.
14 Morrison's words, moved beyond the working level, meaning
15 they somehow had not come to the attention of leaders within
16 Global Affairs.

17 So again I say to you that this is a failing
18 of this government to take serious situations and serious
19 debates about what's foreign interference and what isn't and
20 actually resolve them. It's all well and good to debate
21 them, but at a certain point, a judgement has to be made and
22 someone has to give governance and guidance about how things
23 should proceed, and that wasn't done until we read about it
24 in *The Globe and Mail* ---

25 **RT. HON. JUSTIN TRUDEAU:** On the contrary, --

26 -

27 **MR. GIB van ERT:** --- on the 2nd of May.

28 **RT. HON. JUSTIN TRUDEAU:** --- choosing to not

1 act is a judgement. The fact that it wasn't determined in
2 those previous moments that the threshold for PNG had been
3 met was an act of decision. Yes, you can act by PNGing
4 someone, but you can also act by saying, "No, we're going to
5 keep this individual under surveillance. We're going to keep
6 -- or keep them within what we know." I can't speak to
7 whether or not there is active surveillance on any individual
8 or not, but continue to be aware of this individual and what
9 they are doing because it is -- it has purpose.

10 Finding out when that right line is, when
11 that moment is, is not something to be taken lightly and it
12 is something that rests on the collected and collective
13 expertise of people who have been working in the security and
14 intelligence domain for years to develop the expertise on
15 when that timing is right.

16 **MR. GIB van ERT:** Sir, it wasn't a matter of
17 you choosing not to act when it came to Wei Zhao. You didn't
18 know you had a choice before you at all ---

19 **RT. HON. JUSTIN TRUDEAU:** But the ---

20 **MR. GIB van ERT:** --- because your officials
21 ---

22 **RT. HON. JUSTIN TRUDEAU:** --- act is not
23 mine.

24 **MR. GIB van ERT:** --- never told you.

25 **RT. HON. JUSTIN TRUDEAU:** The act is not
26 mine. I do not determine when ---

27 **MR. GIB van ERT:** Well the same ---

28 **RT. HON. JUSTIN TRUDEAU:** --- someone should

1 be PNGed ---

2 MR. GIB van ERT: --- goes for ---

3 RT. HON. JUSTIN TRUDEAU: --- or not.

4 MR. GIB van ERT: --- Madam Joly. She chose
5 ---

6 RT. HON. JUSTIN TRUDEAU: Then you can ask
7 Madam Joly about that.

8 COMMISSIONER HOGUE: Just a moment. Just a
9 moment. I think -- just wait for him to answer, and same
10 thing on your side.

11 RT. HON. JUSTIN TRUDEAU: Of course.

12 COMMISSIONER HOGUE: Just wait for the
13 question too.

14 RT. HON. JUSTIN TRUDEAU: We go back to
15 debating days at McGill, so there's a little bit of back and
16 forth there.

17 MR. GIB van ERT: My point, Sir, was that
18 there's no evidence that this was put before Madam Joly or
19 whoever the Foreign Minister was at the time either. It all
20 came to a head because of the leak. And what I'm suggesting,
21 you have rightly said that the leak is criminal. Absolutely
22 right. Should not have happened. But this debate, which I
23 say is not healthy, but was festering in your government,
24 boiled over with someone taking the law into their own hands,
25 which they ought never to have done, and revealing all this
26 to the world, and only then did you react. There was nothing
27 proactive. That's my concern, Sir.

28 RT. HON. JUSTIN TRUDEAU: Well the issue with

1 the criminal who leaked this information is they got it wrong
2 in what they leaked. And regardless of what's in the
3 newspapers or not, it is incumbent upon a serious responsible
4 government not to react to partisan attacks or erroneous but
5 salacious headlines, but to react on the substance of things.
6 And that's exactly what we did when we, as a government
7 collectively, in the person of a Foreign Minister, made the
8 determination that it was time to PNG Zhao Wei.

9 **MR. GIB van ERT:** So you seem to be
10 suggesting that Michael Chong overreacted in worrying about
11 his relations in Hong Kong.

12 **RT. HON. JUSTIN TRUDEAU:** No, not at all.
13 When ---

14 **MR. GIB van ERT:** Well that is what you're
15 suggesting, it seems.

16 **MR. GIB van ERT:** No, I am suggesting that
17 confronted with or faced with a leak that is itself
18 erroneous, that suggests that China has threatened, with
19 violence, his family, as the inference of the leak and the
20 subsequent headlines were, Mr. Chong had every right to be
21 concerned and even outraged, as did everyone, as were we by
22 the idea that his family had been threatened with direct
23 physical violence, which is what the leak and the leaker
24 suggested.

25 We now know that that is wrong. And that is
26 why it is really important that governments act based on
27 actual analysis and actual intelligence and evaluation of
28 that intelligence and not just what appears, as you say, in

1 *The Globe and Mail.*

2 **MR. GIB van ERT:** Well, Sir, I told Mr. Clow
3 this yesterday and I'll say it to you. Mr. Chong does not
4 share your seeming confidence that his relatives in Hong Kong
5 will never be coerced, or threatened, or even physically
6 harmed by that state. It is not a rule of law democracy. It
7 is not a state that has a track record of respecting people's
8 freedom of conscience, freedom of political thought. And so
9 these concerns that he has, whether they are based in
10 intelligence that was misinterpreted in *The Globe and Mail* or
11 not, are legitimate and fair, and you seem ---

12 **RT. HON. JUSTIN TRUDEAU:** Yes.

13 **MR. GIB van ERT:** --- to be wanting to
14 downplay them, and I want to ---

15 **RT. HON. JUSTIN TRUDEAU:** No.

16 **MR. GIB van ERT:** --- push back on that.

17 **RT. HON. JUSTIN TRUDEAU:** I am not
18 downplaying them in the least. What I am saying is as a
19 responsible government, as a government that is making
20 decisions about how best to protect Canadians, including and
21 especially parliamentarians, we need to rely on the best
22 intelligence, and evidence, and analysis, and recommendations
23 of our security agencies. And that is what we have leaned on
24 in terms of concluding what threats were there on Mr. Chong
25 and what positions and postures we should take because of it.
26 We are a country that leans on its intelligence agencies, not
27 on criminals leaking things to newspapers.

28 **MR. GIB van ERT:** One final point, Sir. The

1 evidence repeatedly has been that other parts of the
2 government have not relied on CSIS' warnings. In fact, the
3 Minister of Public Safety doesn't even seem to have received
4 them, or certainly didn't read them. The same is true of the
5 NSIA. The same seems to be true of the Clerk of the Privy
6 Council. So it's all well and good for you to say we're a
7 country that respects our security agencies, the evidence,
8 Sir, has been that the security agency has been sidelined and
9 the concerns it's been trying to raise have been neglected,
10 and sometimes not even read.

11 **RT. HON. JUSTIN TRUDEAU:** I think much of
12 what we have demonstrated through this Commission as a
13 government is that we have taken seriously, from the very
14 first day, threats to national security through creating
15 things that Mr. Chong was opposed to, like the National
16 Security and Intelligence Committee of Parliamentarians.

17 But I would suggest, if Mr. Chong wanted to
18 be part of an organization that was taking security
19 seriously, he implore his leader, Pierre Poilievre, to get a
20 security briefing so he can hear directly from CSIS on the
21 challenges threatening his institution, the Conservative
22 Party of Canada.

23 **MR. GIB van ERT:** I'll take that advice back
24 to him. Thank you, Prime Minister.

25 **RT. HON. JUSTIN TRUDEAU:** Thank you.

26 **MR. GIB van ERT:** Thank you, Commissioner.

27 **COMMISSIONER HOGUE:** Thank you.

28 Next one is counsel for Han Dong.

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

3 **COMMISSIONER HOGUE:** Okay.

4 **MS. EMILY YOUNG:** We have no questions for
5 the Prime Minister. Thank you very much.

6 **COMMISSIONER HOGUE:** Thank you. Counsel for
7 Erin O'Toole?

8 **--- CROSS-EXAMINATION BY MR. THOMAS JARMYN:**

9 **MR. THOMAS JARMYN:** Thank you, Commissioner.
10 My name's Tom Jarmyn. I'm counsel for Erin O'Toole. I'm
11 going to start with a question to which I expect your counsel
12 will object, but it's a process we have to go through. So
13 section 21 of the *CSIS Act* creates a statutory process
14 whereby the agency requests the Minister to approve an
15 application to Federal Court for a warrant. And in the
16 course of that warrant, it's supported by an affidavit. That
17 affidavit sets out the affiant's knowledge of the target and
18 the affiant's reasonable expectations of the names of the
19 individuals whose communications will be intercepted.

20 I will ask you, first of all, has anyone ever
21 advised you of the name of an individual who's been mentioned
22 in a warrant?

23 **RT. HON. JUSTIN TRUDEAU:** I actually ---

24 **MR. BARNEY BRUCKER:** We would object to the
25 question on the grounds of national security,
26 confidentiality, in line with the objections made yesterday,
27 they're the same question.

28 **RT. HON. JUSTIN TRUDEAU:** I've actually got a

1 question for you, Sir. In your reading of that specific Act,
2 what is the role of the Prime Minister in the granting of
3 warrants for CSIS?

4 **MR. THOMAS JARMYN:** Well, in fact, I was
5 going to make that point is that neither the Prime Minister
6 nor the Prime Minister's Office is named in the *CSIS Act* or
7 is even part of the warrant process, and so the question
8 we're seeking to have answered is whether or not that
9 information was passed on to your staff yesterday and
10 yourself today, but I take the objection ---

11 **COMMISSIONER HOGUE:** So the question is
12 noted.

13 **MR. THOMAS JARMYN:** Thank you. And I would
14 like to also the follow-on questions who passed on the
15 information, the context of the discussion, and what was done
16 with that information if the answer is yes. Thank you.

17 **COMMISSIONER HOGUE:** So it's noted.

18 **MR. BARNEY BRUCKER:** And we maintain the
19 objection.

20 **MR. THOMAS JARMYN:** Yes, I appreciate that.
21 In the course of your direct examination this
22 morning, Commission counsel took you to three items in which
23 permission of yourself was sought by CSIS to brief
24 parliamentarians. And for one reason or another, that issue
25 never rose to your attention. And I guess the first question
26 I would ask, to use your own words, what can the public
27 service conclude when your Office refuses to decide
28 something, because choosing to decide is a choice.

1 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,
2 in terms of those three instances, the third instance never
3 actually materialized, so it's not an issue. The first
4 instance got interrupted by the pandemic after a few months.
5 I think everyone can understand that. And the second
6 instance, as my staff testified to yesterday, was busy being
7 worked on by my staff until the point that the election
8 called. They actually had -- my Office had questions back on
9 that, referred to briefing of non-parliamentarians who would
10 be in an important role. So it was being worked on and
11 didn't end up getting to me, as the staff testified
12 yesterday.

13 **MR. THOMAS JARMYN:** And, in fact, this
14 morning you said that the -- CSIS could well have gone to the
15 Minister of Public Safety to have raised these matters with
16 him because they had direct access to him. Is that -- that's
17 consistent with your recollection?

18 **RT. HON. JUSTIN TRUDEAU:** Yes, the Minister
19 of Public Safety is the Minister responsible for CSIS and
20 they have regular meetings.

21 **MR. THOMAS JARMYN:** But I put it to you that
22 this is just one instance of a pattern throughout this file
23 in which CSIS doesn't go to the Minister of Public Safety.
24 It goes to your Office to seek approval with respect to
25 matters. Is that accurate?

26 **RT. HON. JUSTIN TRUDEAU:** I'm not as -- I can
27 say with clarity that CSIS usually and often does go to its
28 Ministers. There are moments in which CSIS works directly

1 with my Office or orbit in the person of the National
2 Security and Intelligence Advisor, but it is all part of the
3 work that CSIS does.

4 **MR. THOMAS JARMYN:** There are at least five
5 occasions that we're aware of where approval had been
6 requested by the public service, so actions either by your
7 Office, or by Minister Blair, or by Ms. Astravas, and the
8 issue was raised, well, the public service didn't come back
9 and raise the issue again. Is that actually a justifiable
10 response when the public service asks for ---

11 **RT. HON. JUSTIN TRUDEAU:** Given the volume of
12 work done by the public service, the number of requests to go
13 through, it is usual for something that is particularly
14 urgent or important to be elevated by the asking department
15 when a certain amount of time is taken on responding to a
16 file. As I said, the Clerk raises that to me, the NSIA could
17 raise that to me in any of our regular meetings, just like
18 CSIS could raise it with the Minister.

19 **MR. THOMAS JARMYN:** So if they don't ask
20 twice it's not important?

21 **RT. HON. JUSTIN TRUDEAU:** No. If they find
22 that the usual course of affairs is taking longer than is
23 necessary or than would be optimal for this particular issue
24 they're concerned about, they will flag it and it will be
25 prioritised.

26 **MR. THOMAS JARMYN:** And I assume you've
27 reviewed the Commission's first phase report and would agree
28 with me that, in fact, foreign interference has been a

1 serious problem in Canada since at least 2019?

2 **RT. HON. JUSTIN TRUDEAU:** Yes, that's why in
3 2018 we actually took a significant step on foreign
4 interference and created the G7 Rapid Response Mechanism, and
5 this is something that we've been working on from the very
6 beginning in terms of protecting Canada's democracy and
7 national security.

8 **MR. THOMAS JARMYN:** So I'm going to touch on
9 something that Mr. van Ert raised but from a different
10 perspective. We've heard evidence from Mr. Morrison, Mr.
11 Vigneault and the Deputy Ministers of Public Safety about
12 this conflict of views about what exactly constitutes foreign
13 interference. If it's been a problem for 5 years, why does
14 it take until July of 2024 for the Deputy Ministers to sit
15 down and come to a common understanding of what foreign
16 interference is?

17 **RT. HON. JUSTIN TRUDEAU:** Because when it
18 comes to a matter like foreign interference, it's -- it is
19 one thing to have a clear definition, which is actions of a
20 nature that are either clandestine, or illegal, or covert by
21 foreign government agents on Canadian soil or in Canadian
22 institutions. It's another thing entirely to make informed
23 judgments around whether something is simply interference --
24 simply influence or interference. And those debates are --
25 they're not a bug of the process. They're a feature of the
26 process. They are essential to continue to make sure we are
27 adjusting to the new technologies, the new vectors of
28 interference, the new realities as more countries, you know,

1 do different things and other countries do less.

2 **MR. THOMAS JARMYN:** Forgive me, Prime
3 Minister, maybe I just don't understand, but since 2019, this
4 has been a serious problem, and it's only in July of 2024
5 that the senior Deputy Ministers on this file are sitting
6 down to come to a common understanding of what particular
7 instance are foreign interference. And, in fact, they never
8 raise the issue with their Ministers.

9 **RT. HON. JUSTIN TRUDEAU:** I completely object
10 to your characterization of this. We started to become
11 preoccupied with foreign interference during the 2016 U.S.
12 Presidential Election where it was obvious that foreign
13 interference was a reality. We then saw it in the Brexit
14 Referendum in the UK. We saw it in the 2017 French
15 Presidential Election, which is why we built the SITE Task
16 Force and the Panel of Five to be able to defend Canada's
17 election integrity and ensure that the subsequent elections
18 in Canada in 2019, 2021 and all future elections are free
19 from the foreign interference that impacts their outcomes.
20 That is why we have taken -- that is a demonstration, and
21 there are many more, of how we have taken seriously foreign
22 interference from the very beginning. G7 in 2018 had a
23 significant mechanism created around that and we've continued
24 to do more and more on that. So I can't speak to some
25 meeting of Deputy Ministers that may or may not have happened
26 at the right time. That is something for the officials
27 involved to ask about.

28 **MR. THOMAS JARMYN:** Well, I appreciate that

1 the Government is using the word foreign interference with
2 respect to its discussions from 2016 on, but if there's not a
3 common understanding about what those words mean, how can the
4 Government be actually doing anything?

5 **RT. HON. JUSTIN TRUDEAU:** I'm sorry, at the
6 danger of repeating myself, when we created the Rapid
7 Response Mechanism for the G7 to be housed in Canada around
8 our 2018 Charlevoix G7, there was a clear understanding that
9 acting against foreign interference was a goal that we set
10 out and actually took concrete action on. So I would
11 completely refuse your contention that we didn't know what
12 foreign interference was and weren't acting on it from the
13 earliest days of this government.

14 **MR. THOMAS JARMYN:** I'll conclude with this
15 question; when there's this fundamental disagreement in 2022
16 between Mr. Morrison, who at that time was acting as your
17 NSIA, and Mr. Vignault, who was the Director of CSIS, about
18 what constitutes foreign interference, why wasn't the issue
19 raised to the Minister of Public Safety and the Minister of
20 Public Affairs to sort out?

21 **RT. HON. JUSTIN TRUDEAU:** I don't know that
22 it wasn't raised. I will -- I can certainly say that
23 discussions around foreign interference were ongoing within
24 many departments in this country, in this government,
25 particularly those of Foreign Affairs and Public Safety, as
26 well as being raised within my office and the PCO.

27 **MR. THOMAS JARMYN:** Well, there's certainly
28 no evidence of that dispute being raised in the disclosed

1 documents, Sir.

2 Thank you.

3 **COMMISSIONER HOGUE:** Thank you.

4 Mr. Choudhry or Ms. Kakkar for Jenny Kwan?

5 It's Mr. Choudhry.

6 **MR. SUJIT CHOUDHRY:** Thank you, Commissioner.

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

8 **MR. SUJIT CHOUDHRY:** Prime Minister, good
9 afternoon.

10 Prime Minister, I'd like to ask you some
11 questions about a different topic, and it's about foreign
12 interference in political party nomination processes. So it
13 picks up a bit on some of the points that Ms. Chaudhury made,
14 and also the Commissioner raised with you when we came back.

15 And so I'd like, if we could, to take the
16 Prime Minister to Witness Statement 106, to PDF page 10, and
17 particularly to paragraph 36.

18 So Prime Minister, this is one of your
19 statements.

20 So great, thank you.

21 So Prime Minister your evidence here is that
22 you noted that political parties are not unique in their
23 vulnerability to foreign interference from hostile actors;
24 universities, research institutions, and businesses are also
25 targets. And so I want to dig into that a bit and ask you a
26 question about that statement.

27 And so in your testimony this morning
28 briefly, and also I think a bit more in your witness

1 statements you talked about Bill C-70, didn't you?

2 RT. HON. JUSTIN TRUDEAU: Yes.

3 MR. SUJIT CHOUDHRY: And I think it's fair to
4 say that you'd regard Bill 70 as, let's say, a signature
5 piece of legislation from your government on foreign
6 interference?

7 RT. HON. JUSTIN TRUDEAU: Any time we, as a
8 government or as a Parliament, pass measures around national
9 security they tend to be significant.

10 MR. SUJIT CHOUDHRY: So with leave of the
11 Commissioner, I've been advised to our friends from the
12 Department of Justice regarding this, I hope they don't
13 object, I'd like to take you to the version of Bill 70 we
14 have in the database, because there's a provision about it
15 I'd like to ask you about, if I could.

16 COMMISSIONER HOGUE: That's fine, if there's
17 no objection.

18 MR. BARNEY BRUCKER: No objection.

19 MR. SUJIT CHOUDHRY: Thank you.

20 And so it's Commission 382.

21 --- EXHIBIT NO. COM0000382:

22 Bill C-70, First Reading

23 MR. SUJIT CHOUDHRY: And in particular --
24 it's a long bill, as you know, and so it's page 37 that I'd
25 like to go to, and it's the part of it that there's a heading
26 on that page which is "Political Interference for a Foreign
27 Entity."

28 So if we could go to section 20.4? Yes. And

1 so Prime Minister, I imagine it's been a while since you've
2 read this, so I'd like you to refresh your memory.

3 So there is 20.4(1) creates a new offence
4 which is titled, "Influencing political or governmental
5 process," and that's the phrase I want to ask you a couple of
6 questions about. It's the phrase a, "Political or
7 governmental process," and it actually appears in that
8 provision, four lines down. Do you see it?

9 RT. HON. JUSTIN TRUDEAU: Yes.

10 MR. SUJIT CHOUDHRY: And I know you're not a
11 lawyer, but you are a member of Parliament, and this is a
12 Bill of your government ---

13 RT. HON. JUSTIN TRUDEAU: The Legislature,
14 yes.

15 MR. SUJIT CHOUDHRY: --- and so I'm going to
16 ask you as best I can about this provision.

17 And so if we could scroll down to the next
18 page, the term, there's some definitions here, and if we
19 could just scroll down a bit more, please? Great, that's
20 terrific. Thank you.

21 And so there's a definition of what a
22 political or governmental process is, and so it's a six-part
23 definition, but what I want to draw your attention to, Prime
24 Minister, is that it includes in that definition not just the
25 holding of an election, so electoral interference let's say
26 would be captured by this, but also:

27 "the nomination of a candidate or the
28 development of an electoral platform

1 by a political party."

2 Do you see that?

3 **RT. HON. JUSTIN TRUDEAU:** Yes.

4 **MR. SUJIT CHOUDHRY:** Oaky. And so I'd now
5 like to take you away from this document and take you to the
6 NSICOP Report, which I know the Commissioner also asked you
7 about, and this is Commission Document 363.

8 And if we could please go to page 38 of the
9 PDF, and paragraph 69 to 70. So that's perfect, thank you.

10 And so, Prime Minister, just to confirm, you
11 have read the NSICOP Report, is that right?

12 **RT. HON. JUSTIN TRUDEAU:** Yes.

13 **MR. SUJIT CHOUDHRY:** Yeah. Including the
14 classified version?

15 **RT. HON. JUSTIN TRUDEAU:** Yes.

16 **MR. SUJIT CHOUDHRY:** Okay. And so this --
17 these paragraphs, 69 and 70, appear in a section called,
18 "Exploiting vulnerabilities in political party governance and
19 administration." And so I'd just want to confirm, have you
20 read this part of the report?

21 **RT. HON. JUSTIN TRUDEAU:** Yes.

22 **MR. SUJIT CHOUDHRY:** Good. And so I want to
23 ask you a couple of questions about it, if I may?

24 And so is there any reason to disagree with
25 NSICOP's conclusion at the beginning of paragraph 69? And
26 I'll quote, which is that:

27 "...foreign actors covertly supported
28 or opposed candidates by exploiting

1 vulnerabilities in political party
2 governance and administration."

3 **RT. HON. JUSTIN TRUDEAU:** Yes.

4 **MR. SUJIT CHOUDHRY:** You disagree with that?

5 **RT. HON. JUSTIN TRUDEAU:** Yeah.

6 **MR. SUJIT CHOUDHRY:** Could you give me a bit
7 more detail?

8 **RT. HON. JUSTIN TRUDEAU:** This is a very
9 general and broad statement that, from the CSIS analysis that
10 I've seen, there have been instances where, yes, we know that
11 there were attempts at foreign interference in various
12 political party processes and nominations, and that's
13 something that we talked about in the last public hearings as
14 well. But I tend to disagree with the words, "Exploiting
15 vulnerabilities in political party governance
16 administration." Not that there aren't vulnerabilities in
17 everything, but that emphasis makes it seem like some of the
18 choices that political parties have made are only
19 vulnerabilities and not strengths within the political
20 process.

21 **MR. SUJIT CHOUDHRY:** Well -- so Prime
22 Minister, there's a couple of follow-up questions I want to
23 ask you about your answer, if I may?

24 So the first is, and I saw your evidence in
25 the witness statements, it wasn't discussed this morning, but
26 I think it's fair to say that the view expressed is that any
27 regulation of internal political party governance has to
28 accept that there's a trade-off between hardening those

1 institutions and processes, to use a security sector
2 term, ---

3 RT. HON. JUSTIN TRUDEAU: Yes.

4 MR. SUJIT CHOUDHRY: --- and dampening
5 participation and inclusion.

6 RT. HON. JUSTIN TRUDEAU: Yes.

7 MR. SUJIT CHOUDHRY: That's fair?

8 RT. HON. JUSTIN TRUDEAU: Yes.

9 MR. SUJIT CHOUDHRY: Correct?

10 RT. HON. JUSTIN TRUDEAU: Very much.

11 MR. SUJIT CHOUDHRY: Right. And so it's --
12 but the framing of that trade-off in your evidence does
13 concede that that hardening might need to be done because
14 institutions do have vulnerabilities, isn't that fair?

15 RT. HON. JUSTIN TRUDEAU: Yes, which is why I
16 lean heavily towards the hardening being done by the
17 political party itself in an open, responsible, and
18 transparent way, rather than have external bodies come and
19 try and constrict or limit the operations of a political
20 party.

21 MR. SUJIT CHOUDHRY: Good. And we'll get to
22 that in just -- in a minute. But before we do there's
23 another follow-up point I want to make and then I want to ask
24 you some questions here about these paragraphs.

25 So you did point out that NSICOP relied on
26 CSIS intelligence products in reaching this conclusion. And
27 I just want to ---

28 RT. HON. JUSTIN TRUDEAU: And in some cases

1 extrapolated a bit from CSIS products.

2 **MR. SUJIT CHOUDHRY:** Fair, and Prime
3 Minister, as you know, I can't ask you a question about that.
4 But ---

5 **RT. HON. JUSTIN TRUDEAU:** But CSIS testified
6 to the fact that there were inconsistencies and inaccuracies
7 in the NSICOP Report.

8 **MR. SUJIT CHOUDHRY:** With respect to specific
9 allegations involving parliamentarians but not specifically
10 about these paragraphs.

11 **RT. HON. JUSTIN TRUDEAU:** Because they didn't
12 -- they weren't asked to weigh in on these.

13 **MR. SUJIT CHOUDHRY:** Sure. And so we don't
14 know what their view is on these paragraphs.

15 **RT. HON. JUSTIN TRUDEAU:** You don't.

16 **MR. SUJIT CHOUDHRY:** Yeah, I don't. And I
17 take it -- unless you're telling us they do? I don't think
18 we have ---

19 **RT. HON. JUSTIN TRUDEAU:** I'm not able to
20 talk to that. No.

21 **MR. SUJIT CHOUDHRY:** So let's leave it at
22 that, shall we?

23 And so, Prime Minister, just for the record,
24 there are footnoted CSIS reports or intelligence products
25 from three different years that are relied on by the NSICOP
26 in this -- these -- this section? You agree with that?

27 **RT. HON. JUSTIN TRUDEAU:** That sounds
28 reasonable.

1 **MR. SUJIT CHOUDHRY:** Okay. And so what I
2 want to do is to ask you some specific questions about the --
3 what NSICOP represents as vulnerabilities and to ask you
4 whether you agree or disagree.

5 So the first vulnerability NSICOP identifies
6 is in paragraph 69. It's five lines down and it says:

7 "First, many ridings are considered
8 'safe seats', so winning the
9 nomination is akin to winning the
10 subsequent election without having to
11 interfere in the election itself."

12 Do you agree or disagree with that statement?

13 **RT. HON. JUSTIN TRUDEAU:** Well that there are
14 fewer of them, in the case of my own Party, but there are
15 safe seats in the country.

16 **MR. SUJIT CHOUDHRY:** And the statement that
17 NSICOP makes is ---

18 **RT. HON. JUSTIN TRUDEAU:** That was a joke.
19 You guys can laugh.

20 **MR. SUJIT CHOUDHRY:** --- but because there
21 are safe seats, interfering in a nomination is -- makes
22 interfering in the election for that seat unnecessary. Is
23 that a fair -- that's what NSICOP's view is. Do you agree
24 with that statement? Yes or no?

25 **RT. HON. JUSTIN TRUDEAU:** I wouldn't
26 characterize how foreign governments would choose to
27 interfere or not, or whether it's worth interfering in one
28 place or not. There are many different goals that they might

1 have. So I'm not entirely sure what you mean by the
2 question.

3 **MR. SUJIT CHOUDHRY:** Okay. Well I'm just
4 asking if you agree with NSICOP's statement there? Yes or
5 no? It's a simple question.

6 **RT. HON. JUSTIN TRUDEAU:** I agree with the
7 first part of it.

8 "Many ridings are considered 'safe
9 seats', so winning the nomination is
10 akin to winning the subsequent
11 election..."

12 If you put a period on that one, I absolutely
13 agree with that statement. The "...without having to interfere
14 in the election itself" isn't -- putting my English teacher
15 hat back on, isn't necessarily -- makes a whole bunch of
16 sense as a sentence out of the context of the rest of the
17 paragraph.

18 **MR. SUJIT CHOUDHRY:** Well, Prime Minister,
19 I'm not NSICOP, just as you're not CSIS, but I think we can
20 say that for the record, I think NSICOP was saying that if a
21 seat -- if the nomination is really what's at issue in a
22 seat, if a state interferes with that nomination process, it
23 needn't interfere in the election itself?

24 **RT. HON. JUSTIN TRUDEAU:** If it interferes
25 successfully in getting the outcome that they are trying to
26 achieve, then yes, if it's a safe seat, whoever ends up
27 getting the nomination is -- has a better chance than
28 expected to win the seat. Yes.

1 **MR. SUJIT CHOUDHRY:** Fair. So let's go to
2 the second vulnerability of the three that NSICOP identifies.

3 "Second, nomination processes are not
4 directly regulated or safeguarded by
5 federal, provincial, or territorial
6 legislation or enforcement bodies,
7 such as the Commission of Canada
8 Elections."

9 And so that's the second statement they make.

10 "As a result, the likelihood and
11 consequences of the detection of such
12 activities are low."

13 Do you agree or disagree with that statement?

14 **RT. HON. JUSTIN TRUDEAU:** I disagree with
15 that statement.

16 **MR. SUJIT CHOUDHRY:** And why do you disagree
17 with that statement?

18 **RT. HON. JUSTIN TRUDEAU:** Because political
19 parties, I can specifically speak for my own, the Liberal
20 Party has established a very robust system of overseeing
21 nominations, particularly contested nominations that often
22 happen, as you point out, in safer seats, where it is
23 expected that whoever wins the nomination has an unusually
24 high chance of becoming the MP in that seat.

25 We have had to develop over the years,
26 particularly in 2015, where all of our nominations were
27 potentially open nominations, we had to develop very rigorous
28 processes, and not uniquely, or only, or even specifically to

1 counter foreign interference, but to make sure that various
2 outside groups or community organizations who would mobilize
3 individuals were doing so in a way consistent with the rules
4 of both Election Canada around financing, because there are
5 rules around nominations around the money that goes into
6 nominations, but also the rules of the Liberal Party around
7 who can be a member, who can vote, and who is eligible to
8 vote.

9 **MR. SUJIT CHOUDHRY:** Well then that actually
10 leads to my next question, Prime Minister, which is in
11 paragraph 70, if you look six lines down, NSICOP reports the
12 following. It says:

13 "CSIS assesses that it is relatively
14 easy to fraudulently add voters who
15 live outside a riding to a nomination
16 process's voter list with inaccurate
17 addresses. It is also reportedly
18 relatively easy to show an altered
19 phone bill with the wrong address, or
20 a fraudulent letter from a school, in
21 order to vote in a nomination."

22 Do you agree or disagree with that statement?

23 **RT. HON. JUSTIN TRUDEAU:** That issue of
24 accurate or inaccurate addresses is something that comes up
25 not just in the context of foreign interference, but in the
26 context of the push and pull of internal party processes,
27 where one candidate who is keen on winning the election may
28 try and bring in people who live outside the riding, which

1 means that we have developed not infallible, but strong
2 processes whereby we oversee -- the Party oversees the
3 registration process and also has the possibility of legal
4 counsel for the various candidates to oversee the nomination
5 process and challenge the result if they feel that it was
6 contested. So we have structures in place in the Party to
7 oversee that.

8 Now, can those structures be strengthened? I
9 have no doubt. And this is something that I'm entirely open
10 for parties to be working with CSIS and the Commission on.

11 What I will say is I'm speaking right now to
12 the way the Liberal Party manages contested nominations. I
13 have no idea how the NDP or the Conservatives manage their
14 contested nominations, and perhaps having the Commission look
15 into a certain amount of transparency on that by the Parties
16 might be a good idea.

17 **MR. SUJIT CHOUDHRY:** Commissioner, I have
18 many more questions, but I'm out of time.

19 Prime Minister, thank you.

20 **RT. HON. JUSTIN TRUDEAU:** Thank you.

21 **COMMISSIONER HOGUE:** Thank you.

22 So Mr. De Luca for the Conservative Party.

23 **--- CROSS-EXAMINATION BY MR. NANDO DE LUCA:**

24 **MR. NANDO DE LUCA:** Good afternoon, Prime
25 Minister. Am I correct that you have top-level security
26 clearance in government by virtue of your Office?

27 **RT. HON. JUSTIN TRUDEAU:** Yes.

28 **MR. NANDO DE LUCA:** Do you know which

1 Minister is responsible for the Communications Security
2 Establishment, Sir?

3 RT. HON. JUSTIN TRUDEAU: Yes.

4 MR. NANDO DE LUCA: Minister of Defence?

5 RT. HON. JUSTIN TRUDEAU: Yes.

6 MR. NANDO DE LUCA: Do you know Ms. Zita
7 Astravas, Sir?

8 RT. HON. JUSTIN TRUDEAU: Yes.

9 MR. NANDO DE LUCA: She worked on each of
10 your Liberal Party Election Campaigns in 2015, 2019, and
11 2021; correct?

12 RT. HON. JUSTIN TRUDEAU: I believe so, yes.

13 MR. NANDO DE LUCA: And she worked in your
14 PMO Office as your Director of Issues Management until 2017?
15 Is that correct?

16 RT. HON. JUSTIN TRUDEAU: That sounds right,
17 yes.

18 MR. NANDO DE LUCA: Are you aware that she
19 was Chief of Staff to Minister Blair in 2021 in the lead up
20 to the 2021 Election Campaign?

21 RT. HON. JUSTIN TRUDEAU: Yes, that sounds
22 right.

23 MR. NANDO DE LUCA: And the Commissioner has
24 heard that a politically sensitive warrant application that
25 would have empowered CSIS to investigate foreign interference
26 languished on Ms. Astravas' desk for approximately 54 days in
27 the lead up to the 2021 Election. Are you aware of that
28 fact?

1 **RT. HON. JUSTIN TRUDEAU:** I believe there are
2 questions about the dates involved.

3 **MR. NANDO DE LUCA:** Does that mean that you
4 disagree with the overall time period of 54 days?

5 **RT. HON. JUSTIN TRUDEAU:** Yes.

6 **MR. NANDO DE LUCA:** Okay. And how long, in
7 your understanding, ---

8 **RT. HON. JUSTIN TRUDEAU:** My understanding,
9 it was a number of days before it was -- a number of days
10 within those 54 days before it ever got near Ms. Astravas'
11 desk.

12 **MR. NANDO DE LUCA:** Okay. And ---

13 **RT. HON. JUSTIN TRUDEAU:** But again, these
14 are things that I have learned over the course of the various
15 testimonies over these past days, not anything I was aware of
16 at the time.

17 **MR. NANDO DE LUCA:** Okay. Have you heard the
18 figure 54 days at all in connection with these proceedings?

19 **RT. HON. JUSTIN TRUDEAU:** I've heard that you
20 used it yesterday.

21 **MR. NANDO DE LUCA:** Okay. And if that time
22 period is correct, 54 days, have you learned at all, or do
23 you have any understanding as to whether that length of time
24 for the processing of a CSIS application for Minister
25 approval for a warrant is ordinary, out of the ordinary,
26 extraordinarily out of the ordinary? Have you formed any
27 view on that?

28 **RT. HON. JUSTIN TRUDEAU:** Because I have, as

1 Prime Minister, absolutely no involvement in the process
2 whereby CSIS is granted warrants, I have no frame to conclude
3 on that. What I can lean on is I believe the Director of
4 CSIS raised that there was no flags about the timelines
5 involved.

6 MR. NANDO DE LUCA: Okay. Mr. Blair remains
7 in Cabinet today, Sir?

8 RT. HON. JUSTIN TRUDEAU: Yes.

9 MR. NANDO DE LUCA: Okay. And he serves as
10 the Minister of National Defence; doesn't he?

11 RT. HON. JUSTIN TRUDEAU: Yes.

12 MR. NANDO DE LUCA: Okay. Just give me a
13 second.

14 And has Minister Blair, or anyone in his
15 office at the time that he was Minister for Public Safety,
16 faced any consequences for the fact that that warrant
17 application we've come to know, did languish in that office
18 for what I'm going to suggest to you is a period of 54 days?

19 RT. HON. JUSTIN TRUDEAU: Like I said, the
20 Director of CSIS himself testified that he had no issues with
21 the timelines involved, and I can certainly say that I
22 continue to have full confidence in everyone involved.

23 MR. NANDO DE LUCA: Okay. I want to switch
24 subjects. You leveled some criticism and professed
25 bewilderment at the leader of the CPC this morning not
26 agreeing to receive a security clearance. Is that correct?

27 RT. HON. JUSTIN TRUDEAU: Yes.

28 MR. NANDO DE LUCA: Am I correct, Sir, that

1 Mr. Poillievre has said that the reason he does not wish to
2 receive the security clearance is because he does not want to
3 be constrained in terms of the use he can make of the
4 information that he would receive?

5 **RT. HON. JUSTIN TRUDEAU:** I don't believe
6 that was his argument. I believe his argument was that he
7 wouldn't be able to talk about the information he received.

8 **MR. NANDO DE LUCA:** How is that different
9 than what I just said?

10 **RT. HON. JUSTIN TRUDEAU:** Because as leader
11 of a political party you have many, many tools at your
12 disposal to act on information you receive. You can choose
13 to not sign the nomination of a candidate who is under a
14 cloud of suspicion. You can choose to not elevate them to a
15 critic's position. You can choose to not promise to make
16 them a Minister one day. You can -- you have many -- you can
17 choose which committees they sit on.

18 A leader of a party has many, many tools that
19 they can use that are not requiring him to speak publicly
20 about his knowledge. The leader of a party has quite a bit
21 of power over what happens within that party, and that's why
22 the ultimate decision maker in a political party should
23 always be the leader.

24 **MR. NANDO DE LUCA:** Are you aware that there
25 are other security cleared individuals within the CPC that
26 can and do receive regular security briefings?

27 **RT. HON. JUSTIN TRUDEAU:** I think you're
28 speaking of Ian Todd, the Chief of Staff?

1 **MR. NANDO DE LUCA:** Among others, yes.

2 **RT. HON. JUSTIN TRUDEAU:** I can't help but
3 imagining how people would react if I sort of sat back and
4 said, well, no, Katie Telford got cleared on this
5 information, she made a determination about who could run for
6 me or not and I don't need to worry about that sort of stuff.

7 Canadians didn't elect -- or Conservative
8 Party members didn't select Mr. Todd to make decisions about
9 who could run for the Conservative Party of Canada, they
10 expect Mr. Poilievre to take those decisions, but he has
11 decided that he doesn't want to take those decisions.

12 **MR. NANDO DE LUCA:** Sir, just over the lunch
13 break -- and you didn't mention Mr. Todd at all in the
14 bombshell disclosure that you made today. But just over the
15 lunch break, in light of that, in response to your news this
16 morning that you were aware of a number of CPC
17 parliamentarians and former parliamentarians that are at risk
18 of being compromised by foreign interference, Mr. Todd has
19 advised that he has received a number of top secret briefings
20 from the security establishment and in none of these
21 briefings has the name of any Conservative parliamentarian,
22 or candidate past or present, been brought to the attention
23 of Mr. Todd. Why is that?

24 **RT. HON. JUSTIN TRUDEAU:** You'd have to ask
25 CSIS for that. But my supposition is that Mr. Todd is not
26 the one who is responsible for determining what candidates
27 can run or not for the Conservative Party of Canada, that it
28 would be the leader. And much of the information that is

1 handed out to various individuals with security clearances is
2 determined on their need-to-know basis.

3 **MR. NANDO DE LUCA:** You indicated today, as I
4 indicated earlier in a very public forum, and in a very
5 public manner, your knowledge of the names of CPC
6 parliamentarians and the risk that they're -- they risk being
7 compromised by foreign interference. Am I correct, Sir, that
8 one way that you could arrange for those threats to be
9 mitigated is through the use of threat reduction measures
10 under section 12.1 of the *CSIS Act*?

11 **RT. HON. JUSTIN TRUDEAU:** Threat reduction
12 measures are tools that CSIS has used regularly in many cases
13 regarding different parliamentarians. And it is very
14 possible that a number of those parliamentarians will have
15 had visits from CSIS and either defensive briefings or
16 others, to try and mitigate the risks that they are going
17 through. That is different from a leader choosing to
18 willfully remain ignorant of very serious contentions,
19 including by the NSICOP, that the leadership race that
20 elevated him to leader was compromised by foreign
21 interference.

22 **MR. NANDO DE LUCA:** And if the tool of the
23 TRMs were used, you couldn't use the Leader of the
24 Opposition's reluctance to obtain security clearance as an
25 excuse not to provide that information to the CPC. Isn't
26 that correct?

27 **RT. HON. JUSTIN TRUDEAU:** I'm sorry, I'm not
28 following. Can you rephrase the question?

1 **MR. NANDO DE LUCA:** Sure. If someone wanted
2 to get this information, this information about the names of
3 the parliamentarians for example, because of some imminent
4 threat to the leader of the CPC, TRMs could be used, and in
5 that event it wouldn't be necessary for the CPC to obtain
6 security clearance.

7 **RT. HON. JUSTIN TRUDEAU:** No. You're
8 entirely wrong on that. If you were to know that a certain
9 candidate had a high degree of exposure to foreign
10 interference and vulnerability, either witting or unwitting,
11 giving a threat reduction measure to that candidate would not
12 necessarily, and quite frankly in my experience, highly
13 unlikely to have the candidate spontaneously decide to step
14 down as either a candidate or a member of Parliament and not
15 run in the next election.

16 That is a determination that only a leader
17 can make looking at the vulnerabilities of that candidate,
18 looking at the behaviour, and to use the words of the NSIA,
19 potentially poor judgement, or inappropriate behavior, or
20 untrustworthiness. Those are the kinds of things that only a
21 leader can actually ensure for the team that they're
22 building. And potentially future ministerial elevations that
23 would then have to run into a security clearance process that
24 would stop them like a brick wall.

25 Knowing that as a leader, as you are hoping
26 to become Prime Minister of this country, would seem to be a
27 very basic bar to hit if you want to take national security
28 seriously.

1 **MR. NANDO DE LUCA:** But the premise -- the
2 underlying premise of that answer you just gave is that the
3 TRM has to -- can only be directed at the person affected and
4 not the leader of the opposition. Isn't that correct? The
5 TRM could be directed to Mr. Poilievre.

6 **RT. HON. JUSTIN TRUDEAU:** The identities of
7 the people involved are themselves classified and available
8 to only those with top secret clearances. So certainly, CSIS
9 could go to the leader of the opposition and say, you really
10 have to be careful to instruct all of your MPs to stay away
11 from this country or to be concerned about diplomats from
12 that country or not accept money. But from -- or not accept
13 support from these particular diplomats.

14 But the TRM would be unable to identify which
15 of those individuals are in question unless the leader chose
16 to get a security clearance to be able to hear those names.
17 And the fact that the leader does not, leaves him in a
18 position of being unable to protect the integrity of his
19 party.

20 **MR. NANDO DE LUCA:** I'm going to suggest that
21 you're wrong on your understanding of the law as to what a
22 TRM can and can't do and who it can be directed to. And I'm
23 going to suggest that the fact that you leveled this
24 accusation earlier today and didn't mention the possibility
25 of a TRM was just for the purpose of grandstanding here
26 today.

27 **RT. HON. JUSTIN TRUDEAU:** On the contrary,
28 threat reduction measures are regularly used to highlight to

1 people potential vulnerabilities. But having watched many,
2 and having known a number of parliamentarians who went
3 through TRMs, they often come out of TRMs with a general
4 sense of having to be more careful, but specifics are often
5 not given. And there is no guarantee that a TRM to the
6 leader of the party would include the names of the people
7 most at risk or most engaged in potentially problematic
8 activity. And that's why the refusal of the leader to
9 actually access the intelligence on those names is, as I
10 said, bewildering.

11 **MR. NANDO DE LUCA:** Do you agree that often
12 when CSIS or some other security agency shares classified
13 information the recipient is severely constrained in what he
14 or she can do with that information?

15 **RT. HON. JUSTIN TRUDEAU:** Yes.

16 **MR. NANDO DE LUCA:** Okay. And in fact, your
17 own Chief of Staff yesterday gave evidence that the recipient
18 of that information would not be able to use that information
19 in any manner. Do you agree with that?

20 **RT. HON. JUSTIN TRUDEAU:** No, I disagree,
21 because the party leader can choose to not allow someone to
22 run for them for any number of reasons, knowing in that back
23 of your mind that this is the real reason, but giving it as
24 an example, I'd actually prefer to have this other person run
25 instead, or you had, you know, sketchy business dealings in
26 the past. That means we're not going to go with you. There
27 are all sorts of reasons that do not prove injurious to
28 national security. The leader has a level of power over who

1 runs and what roles they have that doesn't require them to
2 explain themselves. So, again, the choice that Mr. Poilievre
3 has made to not avail himself of available information, of
4 readily available information to him if he were to get a
5 security clearance and choose to take national security
6 issues seriously is unfortunate and shows a lack of
7 seriousness around national security.

8 **MR. NANDO DE LUCA:** And in your salacious
9 testimony earlier today, you mention that you're aware of the
10 names of past and present Conservative parliamentarians,
11 former parliamentarians, candidates that are in risk of being
12 compromised by foreign interference. I'd like to ask you,
13 are you aware of the names of any Liberal parliamentarians,
14 former parliamentarians or candidates that are at risk of
15 being compromised by FI?

16 **RT. HON. JUSTIN TRUDEAU:** Yes, and for other
17 parties as well, because I have access to large amounts of
18 information.

19 **MR. NANDO DE LUCA:** Right. You didn't
20 mention those today; right?

21 **RT. HON. JUSTIN TRUDEAU:** We spent an entire
22 session the last time we had a public hearing talking about
23 concerns and named individuals that the -- that CSIS and
24 intelligence agencies had within the Liberal Party. Don
25 Valley North comes to mind as a riding. So as I have said
26 many times, there have been actions taken and choices made
27 based on information we got because I have that security
28 clearance.

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

2 **RT. HON. JUSTIN TRUDEAU:** Mr. Poillievre has
3 decided not to get that security clearance, so he can't even
4 know how to begin or not to make decisions regarding that
5 information.

6 **MR. NANDO DE LUCA:** Okay. So you've
7 acknowledged Mr. Dong. I want to see if you can help us with
8 -- in connection with the warrant application that we were
9 talking about earlier, that I was talking about earlier with
10 you. Can you confirm that either the target of the
11 information or one or more of the individuals on the
12 Vanweenan list were Liberal operatives?

13 **MR. BARNEY BRUCKER:** We object to that ---

14 **RT. HON. JUSTIN TRUDEAU:** I can't ---

15 **MR. BARNEY BRUCKER:** --- question on the
16 grounds of national security.

17 **MR. NANDO DE LUCA:** With all due respect,
18 Madam Commissioner, when it suits the Prime Minister's
19 purpose to say that there are Conservatives on a list that he
20 can discuss or he can't discuss, that's fine, but when I ask
21 for confirmation if there are Liberal operatives that are on
22 a list ---

23 **RT. HON. JUSTIN TRUDEAU:** I said yes.

24 **MR. NANDO DE LUCA:** --- my friend -- well,
25 I'm asking you in particular on that list there.

26 **RT. HON. JUSTIN TRUDEAU:** But that is ---

27 **MR. NANDO DE LUCA:** On the warrant or on the
28 Vanweenan list.

1 **RT. HON. JUSTIN TRUDEAU:** The Prime Minister
2 has absolutely no engagement or authorities or involvement in
3 the granting of CSIS warrants. That's a very different thing
4 than concerns about parliamentarians who may have been
5 exposed to foreign influence. And your attempts to conflate
6 them are simply ineffective.

7 **MR. NANDO DE LUCA:** Well, you're attempting
8 to evade the question. I just asked you if any of the names
9 there were Liberal operatives, not whether you could or
10 couldn't do anything about it. That's all I'm asking for
11 confirmation of.

12 **MR. BARNEY BRUCKER:** Well, if we're -- I'm
13 not sure what we're talking about. If we're talking about
14 the warrant -- anything that might be related to the warrant,
15 then there's an objection to the question. If we're talking
16 about some other list, then ask the question about the other
17 list.

18 **MR. NANDO DE LUCA:** Well, it's ---

19 **COMMISSIONER HOGUE:** So it's about the
20 warrant ---

21 **MR. NANDO DE LUCA:** --- it's about the ----

22 **COMMISSIONER HOGUE:** It's about the warrant?

23 **MR. NANDO DE LUCA:** --- the target of the
24 warrant or the people that are named in the Vanweenan list
25 that accompany the warrant. Are there ---

26 **COMMISSIONER HOGUE:** So the questions are
27 noted. I have no choice, as you know, and we'll see whether
28 the Commission will pursue these questions or not.

1 **MR. NANDO DE LUCA:** Thank you, Madam
2 Commissioner.

3 **COMMISSIONER HOGUE:** Thank you.

4 **MR. NANDO DE LUCA:** Thank you, Prime
5 Minister.

6 **RT. HON. JUSTIN TRUDEAU:** Thank you.

7 **COMMISSIONER HOGUE:** So we'll take the break.
8 I think 15 minutes will be okay, so we'll come back at 3:15.

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

10 This sitting of the Commission is now in
11 recess until 3:15.

12 --- Upon recessing at 3:02 p.m.

13 --- Upon resuming at 3:16 p.m.

14 **THE REGISTRAR:** Order please.

15 This sitting of the Foreign Interference
16 Commission is now back in session.

17 The time is 3:16 p.m.

18 **--- RT. HON. JUSTIN TRUDEAU, Resumed:**

19 **COMMISSIONER HOGUE:** So next one is Ms. Teich
20 for the Human Rights Coalition.

21 **--- CROSS-EXAMINATION BY MS. SARAH TEICH:**

22 **MS. SARAH TEICH:** Good afternoon, Mr. Prime
23 Minister. We heard earlier this month from Katpana Nagendra,
24 spokesperson of Tamil Rights Group, that it is imperative
25 that Canada takes decisive actions to hold the Sri Lankan
26 Government accountable as a root cause of transnational
27 repression. Specifically, Ms. Nagendra stated that the Sri
28 Lankan Government's ongoing interference in the lives of

1 Tamil Canadians will only cease once they are held fully
2 accountable, since as long as they continue to operate with
3 impunity, feeling shielded from repercussions for their war
4 crimes and human rights violations, they will persist in
5 using intimidation tactics against Tamil activists in Canada.
6 Do you agree with this view?

7 **RT. HON. JUSTIN TRUDEAU:** I'm sorry, I'd need
8 to know more of the context. I certainly agree that the --
9 like many diaspora communities, Tamil Canadians are exposed
10 to actions by the Government of Sri Lanka that we need to do
11 everything we can to protect them from.

12 **MS. SARAH TEICH:** Okay. Thank you. Mr.
13 Prime Minister, under your leadership there have been
14 commendable efforts to resettle vulnerable populations in
15 response to global conflicts. There's the Afghan Refugee
16 Settlement Initiative. There's another special stream for
17 Ukrainians, and, of course, M-62 passed recently, which
18 creates one for Uyghurs. However, as far as I know, there
19 has never been a special refugee stream created in response
20 to a crisis in Africa. There's family reunification
21 available now for refugees from Sudan, which, of course, is
22 different from a special stream. Meanwhile, Tigrayans are in
23 danger in the region and there has been highly disturbing
24 evidence of Eritrean forces in Tigray forcibly deporting
25 Eritreans in Tigray back to Eritrea. Diaspora groups
26 representing these communities have expressed concern that
27 there has been no special stream created in response to these
28 crises. Do you share these concerns?

1 **RT. HON. JUSTIN TRUDEAU:** I am, of course,
2 very concerned with the situation in Sudan and in the region.
3 Canada's response to various challenges around the world,
4 beginning with the special stream, although we didn't call it
5 that way for Syrian refugees, has continued to happen on a
6 case-by-case basis. They are all slightly different in terms
7 of cases. What we have done in terms of the family
8 reunification around Sudan is significant, and we're always
9 looking for ways to do more.

10 **MS. SARAH TEICH:** Would you oppose the
11 creation of special streams for Tigrayans and Eritreans to
12 come to Canada?

13 **RT. HON. JUSTIN TRUDEAU:** That is not a
14 proposal before Cabinet or before -- in discussions right
15 now, but as we look at how Canada can best help in Africa and
16 elsewhere, I'm sure there will be different things looked at.

17 **MS. SARAH TEICH:** Okay. Another
18 recommendation that diaspora groups have repeatedly made is
19 that Canada should avoid cooperating with authoritarian
20 regimes on criminal matters. The rationale behind this
21 suggestion is fairly simple, because authoritarian regimes do
22 not operate under the rule of law, Canada should not assist
23 these regimes in removing individuals from Canada whom they
24 accuse of committing crimes. Do you disagree?

25 **RT. HON. JUSTIN TRUDEAU:** Canada has a very
26 strong policy around extraditions, around deportations, and
27 we make evaluations on a country-by-country, and indeed case-
28 by-case basis.

1 **MS. SARAH TEICH:** There is, at present, a
2 treaty between Canada and China on mutual legal assistance in
3 criminal matters. Would you object to this treaty being
4 terminated?

5 **RT. HON. JUSTIN TRUDEAU:** I think it is
6 certainly a question that we have reflected on over the past
7 years. With China, it is important to try and have a
8 complete approach. There are initiatives, and an example of
9 that is the Montreal-Kunming Convention of the Parties 15 on
10 Biodiversity in Montreal a couple of years ago where working
11 with China on protecting biodiversity in nature actually
12 resulted in a landmark agreement around the world of, you
13 know, where China successfully brought in many countries of
14 the global south to protect nature that demonstrated there
15 are areas in which we can work alongside China for the
16 benefit of Canadians and others.

17 There are other situations in which we are
18 competing and challenging -- competing with China on
19 economics, whether it's the significant trade relations with
20 China, or economic opportunities that we are pursuing, but
21 also very conscious of the risks on, but there are areas in
22 which we are directly challenging China, whether it's on
23 democracy in Hong Kong, or the safety of the Uyghurs, or many
24 other issues.

25 And as we move forward in this relationship
26 where we are very clear, at a high level, where China is, we
27 make determinations about how to use various instruments at
28 our disposal.

1 **MS. SARAH TEICH:** Sure. And I appreciate all
2 of that, but I am asking specifically on cooperation in
3 criminal matters. Would you agree that it isn't appropriate
4 at this stage for Canada and China to be cooperating in
5 criminal matters?

6 **RT. HON. JUSTIN TRUDEAU:** I would contend
7 that regardless of what an agreement might say, the actual
8 cooperation right now is very carefully looked at if any of
9 it exists at all.

10 **MS. SARAH TEICH:** Okay.

11 **RT. HON. JUSTIN TRUDEAU:** And that is always
12 top of mind as we work together or as we look to whether or
13 not we work together. We look at the whole context of it.

14 **MS. SARAH TEICH:** All right. We have
15 primarily dealt in these hearings with regimes considered to
16 be the major players: China; Russia; Iran; India. But of
17 course there are smaller dictatorships in the world that
18 collaborate with these bigger players. And I raised an
19 example of this in my cross-examination of Mr. Shortliffe vis
20 a vie Cuban state broadcasters replaying *Russia Today*
21 programing in Canada. And indeed, Cuban human rights
22 activists have flagged that Canada must address Cuban
23 collaboration with the likes of China and Russia in order to
24 comprehensively address the threats posed by those countries.
25 Would you agree with that assertion?

26 **RT. HON. JUSTIN TRUDEAU:** I think how we deal
27 with every and any country in the world needs to be very
28 alert to the context, alert to the potential pitfalls or

1 dangers, but also the potential benefits to Canadians in
2 having a nuanced foreign policy that recognizes both
3 challenges and dangers and opportunities is the hard work
4 that the government does on an ongoing basis.

5 **MS. SARAH TEICH:** I understand that the
6 Canadian Government engages in dialogue with Cuban Government
7 actors. Another point that Cuban human rights activists have
8 repeatedly made is that the Canadian Government should also
9 be meeting with pro-democracy groups in Cuba. Would you
10 agree with that?

11 **RT. HON. JUSTIN TRUDEAU:** I can say from
12 personal experience that I know we do engage and have engaged
13 with pro-democracy groups all around the world.

14 **MS. SARAH TEICH:** Does that include in Cuba?

15 **RT. HON. JUSTIN TRUDEAU:** I believe so, but I
16 would have to know -- I'm not apprised on it in its latest
17 forms, where that's ongoing right now or not.

18 **MS. SARAH TEICH:** Okay. And if Canada does
19 not engage with pro-democracy groups in Cuba, would you agree
20 that Canada should?

21 **RT. HON. JUSTIN TRUDEAU:** It is part of the
22 responsibility of every Canadian Mission overseas to engage
23 with civil society organizations and, you know, various
24 actors, not just governments of the -- of any given country.
25 So I am actually quite certain that Canada does engage with a
26 range of civil society actors in Cuba, like everywhere else.

27 **MS. SARAH TEICH:** Okay. And not to hammer
28 the point, but just I want to make sure I get this right. If

1 it is the case that the Embassy does not, do you agree that
2 it should?

3 **RT. HON. JUSTIN TRUDEAU:** I have just stated
4 that I believe that it is important for every Mission around
5 the world to engage with civil society in the country in
6 which it's in in a way that is appropriate for that context.

7 **MS. SARAH TEICH:** Okay. Thank you. I have
8 no further questions.

9 COMMISSIONER HOGUE: Thank you.

10 Mr. Doody for the Ukrainian-Canadian
11 Congress.

12 --- CROSS-EXAMINATION BY MR. JON DOODY:

13 **MR. JON DOODY:** Good afternoon, Prime
14 Minister. I'd like to talk about expelling diplomats from
15 Canada. Last week on October 8th, the Director of MI5, Ken
16 McCallum, gave a speech in which he stated that:

17 "Over 750 Russian diplomats have been
18 expelled from Europe since Putin
19 invaded [Ukraine in 2022], the great
20 majority of them spies. This goes
21 well beyond all historical precedent
22 -- and has put a big dent in the
23 Russian intelligence services'
24 ability to cause damage in the West.
25 With allies, we're keeping up that
26 pressure by denying diplomatic visa
27 applications from Russian spies.
28 It's not flashy, but it works. Kick

1 them out, keep them out."

2 Canada has not expelled a Russian diplomat
3 since March of 2018 when seven Russian diplomats were
4 expelled in solidarity with United Kingdom in response to a
5 nerve agent attack.

6 Today Russia has 69 diplomats in Canada. By
7 comparison, the U.K. has 53, and Germany has 50.

8 Why does the Canadian Government permit
9 Russia, a hostile foreign state, to not only have diplomats
10 in Canada, but such a large number of them, exceeding the
11 number of some of our closest allies?

12 **RT. HON. JUSTIN TRUDEAU:** I don't have the
13 numbers that you have, so I'm not going to repeat them, but I
14 do know that a big part of diplomacy is ensuring that we both
15 have -- that we have an opportunity to talk with adversary
16 countries at home, but that we also have presence on the
17 ground in Moscow and in Russia writ large.

18 I know for a fact that Canada's diplomatic
19 presence in Russia is reaching a point at which should it
20 decrease much further, would be difficult to sustain at all,
21 and I believe that there is value in continuing to have
22 Canadians in Russia as it continues to be such a bad actor on
23 the world stage.

24 **MR. JON DOODY:** As part of that, Canada has
25 currently 17 diplomats deployed in Russia. And so I
26 understand the need to have someone there, but 17 Canadian
27 diplomats in Russia versus 69 Russian diplomats in Canada
28 seems quite uneven. It's four to one.

1 **RT. HON. JUSTIN TRUDEAU:** Again, I'm not
2 going to speak to the number of Russian diplomats in Canada,
3 unless you can show me documentation from the government that
4 highlights that. I'm not saying you're automatically wrong.
5 I'm just saying that I know that our clear opposition to the
6 Putin regime is well established, our support for Ukraine is
7 well established, and quite frankly, counting diplomats is
8 something that can be one measure of examining relations
9 between a country, but is a fairly narrow view of whether or
10 not Canada is standing up to Russia adequately or not.

11 **MR. JON DOODY:** Okay. If Canada is in
12 solidarity with Ukraine, why were no diplomats expelled from
13 Canada after the invasion of Ukraine, but it was when there
14 was a nerve agent attack in the U.K.?

15 **RT. HON. JUSTIN TRUDEAU:** As I specified, the
16 small number of Canadian diplomats currently in Russia have
17 reached something close to a threshold where if we go any --
18 or much lower, we might not be able to have a diplomatic
19 presence in Russia at all, and we feel that we can do more
20 for Ukraine and for the rules based order in the world by
21 continuing to be present in Russia, as Canada always has,
22 including through the Cold War.

23 **MR. JON DOODY:** And are you concerned with
24 the message that the government's sending by this lack of
25 action to the Ukrainian Canadian community that ---

26 **RT. HON. JUSTICE TRUDEAU:** No.

27 **MR. JON DOODY:** --- it may care about Russian
28 actions in the UK, but an illegal invasion of their home

1 country does not get the same response?

2 **RT. HON. JUSTICE TRUDEAU:** No, I think that's
3 a ridiculous contention. I think we have demonstrated time
4 and time again, including with billions of dollars and
5 renewal of a free trade agreement with Ukraine with very,
6 very clear leadership on the world stage both in military
7 support and financial support, in driving Europe and others
8 towards seizing the benefits of Russian assets in order to
9 continue to fund the heroic resistance of Ukrainians against
10 Ukraine (sic). Canada is one of those countries that has
11 been extremely fortunate to not have much in the way of
12 political disagreements in our unequivocal stand with
13 Ukraine, the only exception, obviously, being when the
14 Conservative Party refused to renew the Ukraine-Canada free
15 trade deal, but it passed anyway in the House and we continue
16 to stand strong with Ukraine.

17 **MR. JON DOODY:** Much of the evidence we've
18 heard in this Inquiry is focused on the ability of the
19 government to detect and deter foreign interference at a
20 governmental level but, of course, foreign interference
21 activities affect more than just parliamentarians, but also
22 Canadian citizens, specifically those of diaspora
23 communities. And we've heard from witnesses that it can be
24 difficult for individual citizens to be able to counter
25 foreign interference, especially being able to detect mis or
26 disinformation.

27 Aside from trusting the government is doing
28 their best to protect Canadians, do you have any advice to

1 Canadian citizens, specifically members of diaspora
2 communities, on how they can best protect themselves from
3 foreign interference?

4 **RT. HON. JUSTICE TRUDEAU:** I would actually
5 contend that one of the most important responsibilities of
6 the government in regards to foreign interference is to work
7 with diaspora communities who are usually the first victims
8 of foreign interference. We know that interference by
9 countries around the world on Canadian diasporas is a real
10 challenge, and that is why we have put in place many measures
11 and will continue to work with various diaspora communities
12 to counter that.

13 That is something that we do in an ongoing
14 fashion and will continue to do.

15 **MR. JON DOODY:** But again, it involves --
16 relation to the government and Canadian citizens, there's not
17 much citizens can do on their own to deter foreign
18 interference within their communities.

19 **RT. HON. JUSTICE TRUDEAU:** No, that's simply
20 not true. I could point out to the fact that the Iranian
21 Canadian community is very active to threats that the Iranian
22 regime poses on them and I know the Ukrainian Canadian
23 community is very active in pushing back against Russian
24 false narratives, needing no help from the government on
25 that, although we are certainly there to help.

26 So I would actually disagree with your
27 contention and point out that there are many Canadian
28 community groups and diaspora groups that are very active in

1 an ongoing way in countering propaganda, misinformation and
2 disinformation.

3 **MR. JON DOODY:** And my last question, Prime
4 Minister, Parliament adopted a motion on May 31st, 2023 to
5 establish a public inquiry into foreign interference and you,
6 along with the rest of the Liberals, voted against it. And
7 at that time, you raised concern that if it was to happen,
8 much of it would have to happen behind closed doors.

9 And so I'd like to know today at the end of
10 the Inquiry where you've heard a number of witnesses say that
11 they can't answer questions because of national security
12 concerns and we know that a number of witnesses testified *in*
13 *camera* with only summaries being disclosed publicly, does the
14 concern you had in May of 2023 still a concern you have
15 today?

16 **RT. HON. JUSTICE TRUDEAU:** Well, I think you
17 just sort of proved my point in your question. But what I
18 will say is in a very difficult context the Commission has
19 done outstanding work in navigating through some very, very
20 delicate matters knowing full well that it's not just
21 Canadians watching, but our adversarial countries around the
22 world are watching closely every document that is published
23 here, every word uttered by everyone testifying before this
24 Commission, to try and find out where our strengths are,
25 where their vulnerabilities are, what our tradecraft is, how
26 they can further their goals of interfering in Canadian
27 democracy. So I would say that that has been top of mind for
28 everyone involved in this Commission all the way through,

1 which is why we are careful about respecting national
2 security.

3 But at the same time, I think this exercise
4 has demonstrated to Canadians how robust the measures this
5 government has put forward on national security and to
6 counter foreign interference are and, quite frankly, to go to
7 the origins of the question of foreign interference,
8 Canadians can take great comfort with confidence in the fact
9 that the results of the 2019 and 2021 election were
10 determined by Canadians themselves, that the election
11 integrity held. And that was, as we'll remember, one of the
12 core concerns about the question of foreign interference.

13 **MR. JON DOODY:** Thank you.

14 **COMMISSIONER HOGUE:** Thank you.

15 Mr. Sirois for the RCDA.

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

17 **MR. GUILLAUME SIROIS:** Good morning, Prime
18 Minister, or hello, Prime Minister.

19 I would like to talk about Russian propaganda
20 and the effect on the Canadian population.

21 You talked about the hostile activities by
22 foreign states have increased over the past few years,
23 especially since the Russian invasion of Ukraine. I'd like
24 to come back to the events at the beginning of that invasion.

25 The invocation of the *Emergency Measures Act*
26 was on February 14th. The "Freedom Convoy" began on the
27 February 23rd, and Russia crossed the Ukrainian border on the
28 24th of February, the day after that.

1 Did I remember that correctly?

2 **RT. HON. JUSTIN TRUDEAU:** Yes. I don't have
3 the dates in front of me. It seems possible.

4 Yes, the 24th I know, but for the other
5 dates, I believe you on your word.

6 **MR. GUILLAUME SIROIS:** Thank you. I

7 **--- EXHIBIT No. RCD0000060:**

8 View of Russia's Role in the Far-
9 Right Truck Convoy

10 **MR. GUILLAUME SIROIS:** So it's an article
11 published in *The Journal of Intelligence, Conflict, and*
12 *Warfare* published February 16th, 2023 by a researcher,
13 Caroline Orr, who specializes in disinformation. This
14 research looked at the role of Russia in the "Freedom
15 Convoy", and especially an analysis of media activity related
16 to the "Freedom Convoy" in 2022.

17 It's a 22-page analysis, but I'd like to draw
18 your attention to the conclusion of the study that we can see
19 here.

20 The final sentence, "Based on these".

21 Can we go back to -- on the abstract, please?

22 Yes. Thank you.

23 "Based on these findings, it is
24 reasonable to infer that there was
25 Russian involvement in the 2022 truck
26 convoy, though the scope and impact
27 remain to be determined."

28 Do you believe that Russia used the "Freedom

1 Convoy" in 2022 to distract Canada and the world from its
2 invasion of Ukraine?

3 **RT. HON. JUSTIN TRUDEAU:** I certainly agree
4 that Russia amplified the chaos and the disputes and conflict
5 in Canada surrounding the convoy. They're very opportunistic
6 in that sense that they will amplify any disagreement or
7 differences of opinion, especially in our democratic process,
8 in our democracy.

9 But having seen these RT activities,
10 including in the most recent information that we received
11 about the Tenet group, I would say that it would be hard to
12 draw direct conclusions as to the Russian invasion of Ukraine
13 and its activities in Canada because the Russian activities,
14 the propaganda and disinformation, misinformation activities
15 on the part of Russia have been fairly constant in our social
16 media, in our Canadian democracy on the part of Russia. To
17 say that one is directly linked to the other, I wouldn't feel
18 comfortable to say that if I didn't have more concrete
19 evidence to make that connection.

20 **MR. GUILLAUME SIROIS:** So I'm not necessarily
21 asking you to make that connection, but I appreciate your
22 answer.

23 Could we look at the messages that were
24 transmitted or amplified in that respect?

25 On page 7, there are some screenshots that
26 were shown by the researcher.

27 And could we zoom so that we can see the
28 titles? I know there are quite a few of them there.

1 But I'll read a few of them in the middle.
2 "Canada's [...] Convoy has perfectly exposed legacy media's
3 conceited bias", "Half of Canadians say Trudeau 'is not up to
4 the job'", or "MEP accuses Canada of human rights
5 violations".

6 The "Freedom Convoy" is over, but these
7 messages are still being sent nowadays.

8 **RT. HON. JUSTIN TRUDEAU:** Yes, we have seen
9 that anti-vax messages during the convoy and during the
10 pandemic were amplified by Russian propaganda, especially in
11 the media of the right, and it was continued by messages that
12 -- the people who were sharing anti-vax messages.

13 It doesn't mean that there weren't people who
14 were legitimately anti-vax, but that was hugely amplified by
15 Russian propaganda. And once Ukraine was invaded, we saw a
16 lot of those channels become pro-Putin propaganda channels.

17 And as I said, we've recently seen that RT is
18 currently funding bloggers and other YouTube personalities at
19 the right such as Jordan Peterson, other names that are well
20 known, Tucker Carlson as well, to -- in order to amplify
21 messages that are destabilizing democracies.

22 **MR. GUILLAUME SIROIS:** We can close that
23 document.

24 So now I wanted to talk about Tenet Media.

25 So they have basically the same *modus*
26 *operandi*, if we may say so.

27 **RT. HON. JUSTIN TRUDEAU:** Yes.

28 **MR. GUILLAUME SIROIS:** I wanted to talk about

1 the increase of right -- populism of the right, especially
2 recently. Do you think that these Russian operations can
3 contribute to the increase in populism in Canada?

4 **RT. HON. JUSTIN TRUDEAU:** Well, listen,
5 populism doesn't need Russia to be successful, but we can see
6 that Russia is very active in its desire to undermine the
7 confidence that citizens have in their democracies, and that
8 around the world.

9 What we saw with the Russian interference in
10 the 2016 election, in the French elections in 2017 and in the
11 Brexit campaign in the UK, Russia is very, very savvy as to
12 how to amplify distresses or dissatisfaction in our
13 institutions within democracies in order to undermine the
14 sentiment of belonging, of confidence, and even of competence
15 of our democracies to respond to major issues.

16 It's an approach that's not specific to
17 various communities such as in the interference by India,
18 Iran or China. We can see that there are links with the
19 diaspora communities.

20 Russia prefers to or is better able at
21 sending destabilizing message to the entire population rather
22 than a diaspora community and is using an instrumental --
23 instrumentalizing voices that attack our democracy and that
24 decrease our confidence in institutions so that people no
25 longer believe in democracy or believe in it less so, and
26 they do it in a very visible and obvious way.

27 **MR. GUILLAUME SIROIS:** I understand that
28 populism doesn't need Russia to succeed, but I still would

1 like to dwell on that factor because it is the objective of
2 the Commission.

3 Do you think that there are political Parties
4 or politicians that might be using these more polemic
5 narratives to advance their own interests?

6 **RT. HON. JUSTIN TRUDEAU:** One thing that we
7 did see was that often the statements of some Parties are
8 more likely to be amplified by Russia. Some elements of
9 disinformation that Russia might be presenting will also be
10 amplified by some political actors. It's a phenomenon that
11 several have noticed.

12 **MR. GUILLAUME SIROIS:** And might this have an
13 impact on the priorities of some Parties? If there's more
14 dissatisfaction with regard to domestic issues like housing,
15 inflation, et cetera, can that change the focus of certain
16 Parties leading them to pay more attention to domestic issues
17 than to, for example, foreign issues or help to Ukraine?

18 **RT. HON. JUSTIN TRUDEAU:** Well, Russia's
19 trying to demonstrate that democracies don't function.
20 Therefore, if they can amplify statements along the lines
21 that everything is broken, that's what they will do.

22 That's it.

23 **MR. GUILLAUME SIROIS:** That's it? Okay.

24 We also have seen that the role of Russia
25 with the "Freedom Convoy", well, it's clear that they were
26 following this closely. It took a researcher a year to find
27 the truth, but the harm's already been done once the
28 operations have taken place.

1 What could we do more to discourage Russia
2 from interfering in this way?

3 **RT. HON. JUSTIN TRUDEAU:** It's a broader
4 issue than simply Russian disinformation, misinformation.
5 When we talk about propaganda, online disinformation,
6 misinformation, we have tools we can use that we are
7 developing with the web giants in order to prevent
8 disinformation and misinformation, but each time we take such
9 measures, we have to be very aware of the fact that we want
10 to defend freedom of expression. If someone wants to support
11 Vladimir Putin, it's a freedom that we enjoy here in Canada
12 that the Russians don't have at home. Therefore, we need to
13 protect our freedoms.

14 This is delicate and essential work for a
15 democratic society. It's for society, not just the
16 government. Yes, the government has a role to play, but
17 citizens themselves can and must become more vigilant, more
18 aware of Russian propaganda.

19 We saw several reports in the U.S. where
20 individuals discovered after the fact that Russian content
21 was amplified by them without their even realizing it and
22 they were really disappointed in themselves because they
23 didn't want to support Russia. So we have to share these
24 realities more, we have to learn -- as I mentioned earlier,
25 the Baltic nations, we could draw lessons from them.

26 They developed resilience within their
27 citizenry vis a vis Russian disinformation, misinformation.
28 They're close geographically and they're constantly exposed

1 to Russian misinformation, but we could all develop this in
2 Canada.

3 **MR. GUILLAUME SIROIS:** So to conclude, we
4 have to take this very seriously.

5 **RT. HON. JUSTIN TRUDEAU:** Indeed.

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

7 **COMMISSIONER HOGUE:** Mr. Chantler for the
8 Concern Group.

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

10 **MR. NEIL CHANTLER:** Thank you, Commissioner.
11 Afternoon, Prime Minister. Neil Chantler for
12 the Chinese Canadian Concern Group.

13 My clients are a group of Chinese Canadians,
14 professionals, journalists, activists, who are deeply
15 concerned about China's efforts to interfere with our
16 democracy. In their daily lives, they see Chinese language
17 media in Canada touting People's Republic of China party
18 lines. They see Chinese Canadian community associations
19 being overtaken by agents and proxies of the CCP, and they
20 see CCP proxies attending political fundraisers of all
21 parties, including of your own party. They see Chinese
22 Canadians being threatened, intimidated and coerced to return
23 to China for speaking out against China's human rights abuses
24 at home and abroad.

25 Will you agree with me that the basic premise
26 that hardening this country against foreign interference is
27 critical to ensure the safety and security of Chinese
28 Canadians?

1 **RT. HON. JUSTIN TRUDEAU:** As I've said
2 before, particularly in the case of Chinese Canadians,
3 diaspora groups are usually the first victims of foreign
4 interference, and we need to continue to do everything we can
5 to keep Chinese Canadians safe and to keep them from the
6 impacts of interference by the PRC.

7 **MR. NEIL CHANTLER:** And will you commit to
8 ensuring that partisan politics will not get in the way of
9 the government's efforts to respond to this problem?

10 **RT. HON. JUSTIN TRUDEAU:** I have endeavoured
11 every step of the way to minimize the impact of partisan
12 politics when it comes to foreign interference. It is
13 something that we have always taken seriously, something that
14 we have not tried to politicize. Something that can't always
15 be said for other parties. But for us, it should be
16 something that all Canadian parties can agree on, that
17 protecting Canadians of all backgrounds here in Canada should
18 be something we all work on.

19 **MR. NEIL CHANTLER:** In your testimony earlier
20 today, you took us to a meeting with President Xi Jinping, at
21 which the issue of overseas police stations came up. Do you
22 recall that evidence?

23 **RT. HON. JUSTIN TRUDEAU:** It was more on
24 interference in general. I didn't mention overseas police
25 stations, but I did talk about active foreign interference.

26 **MR. NEIL CHANTLER:** That was the G20 Summit
27 in Bali in November 2022. Correct?

28 **RT. HON. JUSTIN TRUDEAU:** In Indonesia, yes.

1 **MR. NEIL CHANTLER:** And your evidence earlier
2 today was that it wasn't a conversation that went very well.
3 Is that right?

4 **RT. HON. JUSTIN TRUDEAU:** Half of it was on
5 video, I think people saw that.

6 **MR. NEIL CHANTLER:** And then following the
7 meeting, foreign interference in Canada continued and in
8 fact, it may have even increased?

9 **RT. HON. JUSTIN TRUDEAU:** I think we've seen
10 a steady increase in foreign interference over the past years
11 as China has grown more and more assertive and aggressive in
12 promoting and defending the Communist Party of China's goals
13 and agenda. This isn't how China has always been, even in a
14 decade past. It has gotten much more aggressive over time
15 and Canada will -- has continued to work with partners and
16 allies around the world, but also has continued to strengthen
17 its own abilities to counter rising negative influence of
18 China.

19 **MR. NEIL CHANTLER:** Did you advise President
20 Xi that continued foreign interference in our country was
21 totally unacceptable?

22 **RT. HON. JUSTIN TRUDEAU:** Yes.

23 **MR. NEIL CHANTLER:** And did advise President
24 Xi that there would be repercussions to the Canada China
25 relationship if that activity was to continue?

26 **RT. HON. JUSTIN TRUDEAU:** That was implied.

27 **MR. NEIL CHANTLER:** What was your sense of
28 his reaction?

1 **RT. HON. JUSTIN TRUDEAU:** I think it's well
2 understood that he, and the PRC officials, and the Communist
3 Party of China deny that any such interference is happening
4 at all.

5 **MR. NEIL CHANTLER:** The CCP has already shown
6 that they are willing to flaunt our laws, to flaunt Canadian
7 sovereignty. We see that in the actions that they've taken
8 here and especially with respect to these overseas police
9 stations, perhaps. Does diplomacy with the Communist Party
10 of China have a meaningful role to play at this point in time
11 in deterring and countering foreign interference by that
12 government?

13 **RT. HON. JUSTIN TRUDEAU:** Yes. Diplomacy
14 always has a role to play. As has been pointed out a number
15 of times, we have diplomats not so we can talk to our
16 friends, but so we can talk to our adversaries.

17 **MR. NEIL CHANTLER:** And to stay on the
18 subject of these overseas police stations, you're well aware
19 that this inquiry has been tasked with investigating Canada's
20 capacity to detect, and deter, and counter foreign
21 interference. And with respect to those stations, I suggest
22 that it appears we were not able to detect them. They were
23 detected by a foreign NGO. At this time, we've made no
24 arrests, and we've expelled no diplomats as a consequence of
25 those operations in this country, doing nothing I suggest, to
26 deter those threats. And we may not have effectively
27 countered these threats as those operations may still be
28 continuing in this country.

1 Do you agree that the example of the overseas
2 police stations serves to highlight various weaknesses in our
3 system, in our limits to intelligence, our inadequate
4 criminal laws, some of which with the passage of Bill C-70
5 may have been rectified? But the need to enhance trust
6 amongst the diaspora, the intelligence to evidence problem,
7 and simply the futility of diplomacy with China. This
8 example highlights all of those weaknesses.

9 **RT. HON. JUSTIN TRUDEAU:** I would contend
10 that the example of Chinese police stations highlights most
11 the aggressive nature of China and how it is increasing its
12 tools for repression of its nationals, or its people who are
13 originally from China, everywhere around the world.

14 It is something that we have been pushing
15 back on significantly. We'll continue to use all tools,
16 whether its legal, or diplomatic, or intelligence, and we
17 will continue to seek to protect Canadians and ensure that
18 they are not being impacted as much as possible by hostile
19 state actors.

20 **MR. NEIL CHANTLER:** And do you agree that if
21 operations like that are continuing in this country, that
22 Canadians who are at risk, Members of the Chinese Canadian
23 population, ought to be informed of that risk?

24 **RT. HON. JUSTIN TRUDEAU:** I think part of
25 this Commission and part of the work that Canada is doing is
26 about highlighting the reality of foreign interference, while
27 at the same time we continue to take action against various
28 nexus' and vectors for foreign interference.

1 **MR. NEIL CHANTLER:** Have you or has your
2 office at any time weighed in with the Minister of Public
3 Safety on Canada's response to policing those overseas police
4 stations?

5 **RT. HON. JUSTIN TRUDEAU:** Yes.

6 **MR. NEIL CHANTLER:** And what has your -- and
7 how so, please explain?

8 **RT. HON. JUSTIN TRUDEAU:** Well, when the
9 first reports came out, we turned to the Minister of Public
10 Safety and his team and said, you need to follow up on this
11 and make sure that we're dealing with this appropriately.

12 **MR. NEIL CHANTLER:** And are you concerned
13 that there have not been arrests or charges in respect to
14 these?

15 **RT. HON. JUSTIN TRUDEAU:** There have been --
16 there have been many follow ups, and I know that work is
17 continuing to be ongoing.

18 **MR. NEIL CHANTLER:** Are you concerned that
19 those operations may still be continuing in this country?

20 **RT. HON. JUSTIN TRUDEAU:** Chinese attempts at
21 interference continue in this country. So we're going to
22 continue to try and prevent them.

23 **MR. NEIL CHANTLER:** Prime Minister, I'm going
24 to shift gears and ask you about something else. This public
25 inquiry will undoubtedly make a valuable contribution to our
26 country's efforts to combat foreign interference, and it's
27 brought sharply into focus the many significant steps that
28 have already been taken to combat foreign interference.

1 With respect to many of those steps, we've
2 heard that they've happened as a reaction to what you
3 referred to earlier as the criminal leaks. They led to
4 unprecedented briefings by CSIS with parliamentarians, and
5 the criminal leaks at least contributed to the expulsion of
6 Zhao Wei. And while those leaks undoubtedly without
7 question, put our intelligence agents, and sources, and
8 national reputation at grave risk of harm, there is a sense
9 that we might not be here in this room had they not occurred.
10 They galvanized the public around issues of foreign
11 interference, and they led to the appointment of the special
12 rapporteur and ultimately perhaps this inquiry.

13 Do you agree with that assertion? And as a
14 two-part question, how can we ensure that future governments
15 and security agencies work together in an effective,
16 measured, and proactive way on the ever-changing nature of
17 foreign interference so that that type of situation doesn't
18 occur again?

19 **RT. HON. JUSTIN TRUDEAU:** I actually deeply
20 disagree with your original contention that it was the leaks
21 that spurred this government into action on foreign
22 interference. Like I said, we started engaging with the
23 issue of foreign interference back in 2016 while we watched
24 the American presidential election. We created the Rapid
25 Response Mechanism in the lead up to the 2018 G7 that we
26 hosted here in Canada in Charlevoix.

27 We then moved forward on an MC focused on
28 protecting democracy, particularly from foreign interference,

1 where we established a SITE task force and the Panel of Five,
2 and various other mechanisms to ensure the integrity of our
3 elections. How we move forward on the creation not just of
4 NSICOP, National Security and Intelligence Committee of
5 Parliamentarians, but of NSIRA, the National Security and
6 Intelligence Review Agency.

7 We then moved forward on a number of MCs,
8 including the Hostile Actions by State Actors MC that
9 directly resulted in C-20. And I will point out that the
10 work on C-20 started long before there were any leaks.

11 So certainly I will agree that the
12 sensational nature of those criminal leaks piqued the
13 curiosity, and attention, and concerns of Canadians around
14 the issue of foreign interference, but it was very much
15 something with which this government had already been elbows
16 deep in dealing with and has continued to.

17 **MR. NEIL CHANTLER:** Thank you, Prime
18 Minister.

19 **RT. HON. JUSTIN TRUDEAU:** Thank you.

20 **MR. NEIL CHANTLER:** Thank you, Madam
21 Commissioner.

22 **COMMISSIONER HOGUE:** Thank you.

23 Attorney General.

24 **--- CROSS-EXAMINATION BY MR. FREDERICK SCHUMANN:**

25 **MR. FREDERICK SCHUMANN:** Good afternoon,
26 Prime Minister. I have a few areas to cover. First of all,
27 I'd like to clarify what role you play, if any, in the CSIS
28 warrant application process.

1 First, as CSIS is preparing to apply for a
2 warrant, would you ever be briefed?

3 RT. HON. JUSTIN TRUDEAU: No.

4 MR. FREDERICK SCHUMANN: Have you ever seen a
5 CSIS warrant application?

6 RT. HON. JUSTIN TRUDEAU: No.

7 MR. FREDERICK SCHUMANN: And a Vanweenan
8 list, we've heard, can be a part of a CSIS warrant
9 application. So I think you've answered my question, but
10 I'll make extra certain, have you ever seen a Vanweenan list?

11 RT. HON. JUSTIN TRUDEAU: I have not. I
12 don't really even know what a Vanweenan list is, like most
13 people in this country. The Prime Minister doesn't have any
14 role in the issuance or processes around granting a CSIS
15 warrant. That is something that we are completely out of.
16 It is entirely the purview of the Minister of Public Safety.

17 MR. FREDERICK SCHUMANN: I think you've
18 probably also implicitly answered my next question, which is
19 do you have any information about who might be on any
20 Vanweenan list in a CSIS warrant?

21 RT. HON. JUSTIN TRUDEAU: Absolutely not.

22 MR. FREDERICK SCHUMANN: The next area is to
23 clarify who has the authority over certain actions that CSIS
24 may take.

25 First, my friend Mr. De Luca suggested that
26 you, the Prime Minister, could direct CSIS to carry out a
27 threat reduction measure. Is that correct? That you have
28 the authority to direct CSIS to carry out a TRM? And if not,

1 what role do you play?

2 **RT. HON. JUSTIN TRUDEAU:** No, I do not have
3 that role or authority. CSIS makes a determination of itself
4 and can and does regularly grant TRMs on its own initiative
5 and of its own initiative.

6 There have been situations where in
7 conversation with our National Security and Intelligence
8 Advisor, or perhaps the CSIS Director, I've suggested that a
9 TRM might be a useful tool to pursue in this particular case,
10 but that is not my authority to grant. It is direction that
11 they can choose or not choose to take. But it is a tool that
12 has proven useful in alerting people to the impacts and
13 dangers of foreign interference and I encourage its use
14 wherever necessary.

15 **MR. FREDERICK SCHUMANN:** Now I want to ask
16 about a slightly different CSIS action, which is the action
17 of providing a top-secret briefing to a political party
18 leader. I understand historically that wasn't something that
19 could happen, but the decision by the government to offer the
20 leaders top-secret briefings, to make that something that was
21 available for them, I believe you said that that was
22 something that you played a more direct decision or role in.
23 So can you contrast that authority from the TRM authority
24 that you just said belonged to CSIS?

25 **RT. HON. JUSTIN TRUDEAU:** Yeah. You know,
26 whether it's brief -- non-secure, unclassified briefings to
27 parliamentarians or defensive briefings, or TRMs, threat
28 reduction measures, these are all things that CSIS has all

1 the authorities necessary to choose to do when they feel it's
2 warranted as their course of operations and behaviours and
3 how they fulfil their responsibilities around keeping
4 Canadians safe.

5 The decision to grant clearances to the
6 leaders of political parties is a decision that needs to be
7 made by government itself, and in this case, by my
8 government, by me to a certain extent.

9 It is not something that happened often, if
10 ever, in the past, and one can imagine certain governments
11 not wanting to do it at all for opposition leaders or others.

12 But given the serious matter of foreign
13 interference and the impact and the anxiety, rightfully, that
14 Canadians feel about the actions of hostile state actors in
15 Canada, it seemed to me a responsible step to offer security
16 clearances to the leaders of the Parties in the House of
17 Commons.

18 **MR. FREDERICK SCHUMANN:** Thank you. So Prime
19 Minister, this Public Inquiry has happened at least in part
20 because there are questions about whether Canadians can and
21 should have confidence in important things like their
22 elections, the parliamentarians who represent them, and the
23 resolve and ability of their government to defend against
24 this threat of foreign interference in democratic processes.

25 From your perspective, from your experience,
26 can and should Canadians have confidence in their elections,
27 their parliamentarians, and their government's resolve? And
28 if so, why?

1 **RT. HON. JUSTIN TRUDEAU:** First of all, in
2 the matter of the integrity of the elections in 2019 and
3 2021, we actually created, for the first time in this
4 country, processes whereby top public servants and our
5 security agencies would monitor, and if necessary, go public
6 about threats to the election's integrity as a way of
7 ensuring that the election integrity holds.

8 And that is why we have heard repeatedly
9 throughout this process and over the last years testimony
10 from all top intelligence officials in this country that the
11 results of the 2019 and 2021 elections were determined by
12 Canadians, and by Canadians alone. That is a big thing for
13 Canadians to feel confident in. That despite attempts at
14 interference by foreign countries, Canadians decided the
15 outcomes of those elections.

16 Now, what this Commission has, I think,
17 further demonstrated is the depth and the extent to which
18 this government has taken seriously the responsibility of
19 protecting our institutions, our democracy, and indeed
20 Canadians from the actions of hostile state actors, from the
21 countries that have been named a number of times throughout
22 this process and others.

23 I think Canadians can see the extent to which
24 we have developed tools, we have created measures, we have
25 moved forward on initiatives that are all designed to protect
26 our democracy in a world in which the threats are increasing,
27 in which the impact of active authoritarian states is being
28 increasingly felt, in which democracy itself everywhere

1 around the world is under threat.

2 I think part of what this Commission has also
3 demonstrated is that for everything the Federal Government
4 can do, it is not alone in its responsibility to counter and
5 protect against foreign interference. As I mentioned earlier
6 with the UCC, diaspora communities have been stepping up
7 their tools in terms of sharing with their members how to
8 protect themselves against foreign interference.

9 Universities and businesses are working on that. And indeed
10 political parties, many of them have decided to get their
11 leaders briefed up so they can avail themselves of top-secret
12 information or secret information to ensure that they can
13 look Canadians in the eye and say the integrity of our
14 political party processes holds.

15 It is an ongoing effort and it will never be
16 enough. It is something we're constantly going to have to
17 update, renew, bring on new tools on, because the world we
18 are in is a complex and dangerous one. But our ability to be
19 thoughtful, reasonable, and responsible in developing those
20 tools to both protect our democracy and uphold the freedoms
21 and principles that make our democracy strong is something
22 this government works on and continues to focus on every
23 single day.

24 **MR. FREDERICK SCHUMANN:** Thank you, Prime
25 Minister.

26 Madam Commissioner, those are my questions.

27 **COMMISSIONER HOGUE:** Thank you.

28 Me Chaudhury, any questions in re-

1 examination?

2 **MS. SHANTONA CHAUDHURY:** No, merci, Madame.

3 **COMMISSIONER HOGUE:** Thank you very much,
4 Prime Minister. I think it was your final appearance before
5 the Commission. Thank you for the time you have given it.

6 I'm going to suspend just for a few minutes.
7 I would like counsels to stay in the room. I have a few
8 words to share with you.

9 **RT. HON. JUSTIN TRUDEAU:** I also would like
10 to thank you for the work you're doing and thank everyone
11 who's working at this Commission. We sometimes had to do a
12 lot of work in a very short time, and you've had to do a lot
13 of work and examine a lot of material, and very sensitive
14 material which have repercussions for national security and I
15 think that all Canadians are very well served by your
16 leadership, Madam Commissioner.

17 **COMMISSIONER HOGUE:** Thank you.

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

19 This sitting of the Commission is now in
20 recess until 4:20.

21 --- Upon recessing at 4:11 p.m.

22 --- Upon resuming at 4:14 p.m.

23 **COMMISSIONER HOGUE:** Sorry, there has been a
24 small misunderstanding. I was suspending just for a few
25 minutes just to tell you first of all, subject to the
26 Commission counsel following up on some of the questions that
27 have been objected to by the Attorney General, it was the
28 last testimony for the factual phase of the -- of our work.

1 And although I believe that you will all be
2 with us next week, I didn't want to take any risk and I
3 wanted to thank you all right now for all the work. And I
4 think you have done quite a lot of work in very, very
5 sometimes difficult circumstances. So I really, really
6 appreciate the collaboration the Commission received from all
7 of you. And although I expect you will be with us next week,
8 it was important for me to tell you that as of today.

9 Next week, we will be devoting the entire
10 week to the Policy Phase of the Commission's work and we will
11 have seven -- I'm counting, as you have learned, I'm not good
12 in counting. I think there is going to be -- yes, there will
13 be seven roundtables. There will be roughly a bit more than
14 35 experts. Various topics will be discussed. And as you
15 know, you're all invited to participate, to suggest
16 questions, and you know the way it will work. But I really
17 expect that you will all participate.

18 It will be very interesting, maybe
19 challenging, but, you know, we are quite numerous, so I
20 imagine at the end we'll be able to produce good
21 recommendations.

22 So thank you all.

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

24 This last sitting of the Foreign Interference
25 Commission is adjourned.

26 --- Upon adjourning at 4:17 p.m.

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.



Sandrine Marineau-Lupien