



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 14

Held at :

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

Wednesday, April 10, 2024

Tenue à :

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

Le mercredi 10 avril 2024

INTERNATIONAL REPORTING INC.
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Jenny Kwan	Sujit Choudhry Mani Kakkar

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Thomas W. Jarmyn
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Ottawa, Ontario

--- Upon commencing on Wednesday, April 10, 2024 at 9:32 a.m.

--- L'audience débute le mercredi 10 avril 2024 à 9 h 32

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

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

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

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

COMMISSAIRE HOGUE: Alors, bonjour.

HON. KARINA GOULD: Good morning

COMMISSIONER HOGUE: So good morning.

MS. LYNDA MORGAN: Commissioner, it's Lynda Morgan, Commission counsel, and Minister Gould is the first witness today.

I'd ask that she be sworn or affirmed, please.

THE REGISTRAR: Do you prefer to be affirmed or sworn?

HON. KARINA GOULD: Affirmed.

THE REGISTRAR: May I please have your full name and state your last name for the record? Just spell it, please.

HON. KARINA GOULD: Yeah, Karina Gould. G-o-u-l-d.

1 --- HON. KARINA GOULD, Affirmed/Sous affirmation solennelle:

2 THE REGISTRAR: Thanks very much.

3 Counsel, you may proceed.

4 MS. LYNDA MORGAN: Thank you.

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

6 MS. LYNDA MORGAN:

7 MS. LYNDA MORGAN: Minister Gould, you were
8 interviewed by Commission counsel on March 15th, 2024 in a
9 classified space. Is that correct?

10 HON. KARINA GOULD: Correct.

11 MS. LYNDA MORGAN: Can I have WIT 62, please?

12 --- EXHIBIT No./PIÈCE No. WIT 62:

13 Minister Karina Gould Public Summary
14 of Classified Interview

15 MS. LYNDA MORGAN: And this is a copy of the
16 publicly disclosable contents of that interview. Have you
17 had an opportunity to review the summary?

18 HON. KARINA GOULD: I have, yes.

19 MS. LYNDA MORGAN: And do you have any
20 changes to make to the summary?

21 HON. KARINA GOULD: I do.

22 Paragraph 13, the second sentence. Shall I
23 read it?

24 MS. LYNDA MORGAN: Let's go down to paragraph
25 13 first. It is on page 5.

26 HON. KARINA GOULD: Okay.

27 MS. LYNDA MORGAN: Yes.

28 HON. KARINA GOULD: So to change it to:

1 "She recalls meeting with
2 representatives from many of the
3 agencies that became members of the
4 Security and Intelligence Threats to
5 Elections Task Force (SITE TF),
6 including CSE, CSIS and GAC RRM as well
7 as..."

8 And that's the extent of the change.

9 **MS. LYNDA MORGAN:** As well as right in here,
10 the last bit.

11 **HON. KARINA GOULD:** No, that's it, "as well
12 as the Department of National Defence".

13 **MS. LYNDA MORGAN:** Okay. And PCO as well?
14 Does that remain in there?

15 **HON. KARINA GOULD:** Yeah, everything else
16 remains the same.

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

18 And with that change being made, are you
19 prepared to adopt the summary as part of your evidence before
20 the Commission today?

21 **HON. KARINA GOULD:** I am.

22 **MS. LYNDA MORGAN:** Okay. So I understand
23 that you have held various Cabinet positions since 2018,
24 which include Minister of Democratic Institutions from
25 January 10th, 2017 until November 20th, 2019. Is that
26 correct?

27 **HON. KARINA GOULD:** That's correct.

28 **MS. LYNDA MORGAN:** And you are the leader of

1 the government in the House of Commons, and you've been in
2 that role since July 26, 2023?

3 HON. KARINA GOULD: Correct.

4 MS. LYNDA MORGAN: And ---

5 HON. KARINA GOULD: I am on maternity leave
6 right now.

7 MS. LYNDA MORGAN: --- currently on parental
8 leave.

9 So I want to first start by asking you about
10 the development of the plan to protect Canada's democracy.
11 And so I just want to ground this in the context of the
12 events that were occurring at the time.

13 So in your witness statement, at paragraph 4,
14 you describe that:

15 "...the motivation for the creation
16 of the Plan [came]...in the context
17 of a series of high profile attempts
18 by Russia to interfere with
19 democratic elections around the
20 world, primarily through cyber-
21 activities and disinformation
22 campaigns..."

23 And you have also described that the plan is
24 created against the backdrop of what's described as the
25 "Obama dilemma", which is the -- effectively the fact that
26 President Obama could not alert the public about the
27 intelligence relating to electoral interference because he
28 was concerned about being:

1 "...viewed as a partisan actor
2 interfering in the electoral
3 process."

4 So does that kind of situate ---

5 **HON. KARINA GOULD:** Yeah. So I think it's
6 important to recall that in January 2017, it was about two
7 months following the U.S. Presidential Election, there was,
8 you know, considerable activity happening at the
9 international level, and particularly in the United States,
10 following what was seen as, you know, very high level, very
11 sophisticated Russian interference in the 2016 Presidential
12 election. There had also been other things going on in the
13 world, you know, kind of within the next six to eight months,
14 where we saw, you know, the Brexit vote, where we saw the
15 Macron leaks in France, the cyber attack against the German
16 Parliament and leaks from Bundesstaat.

17 So there were a series of very high profile
18 cyber attacks on fellow democracies around the world, and so
19 when the Prime Minister gave me that mandate it was very much
20 trying to protect Canadian democracy and Canadian elections
21 from those kinds of high profile, very sophisticated cyber
22 threats, which at the time were primarily coming from Russia.

23 **MS. LYNDIA MORGAN:** And so let's pull up that
24 mandate letter that you received from the Prime Minister.

25 Can I please have COM 18, please.

26 And so this is a letter that I understand you
27 received on February 1st, 2017 from the Prime Minister. I'll
28 just wait for that document to be brought up.

1 COM 18. Thank you.

2 --- EXHIBIT NO./PIÉCE NO. COM 18:

3 Minister of Democratic Institutions

4 Mandate Letter

5 And the document you see on the screen, is
6 this the letter that you received?

7 **HON. KARINA GOULD:** Yes.

8 **MS. LYNDA MORGAN:** Okay.

9 And if we can go down to page 3, please. A
10 little bit further down. Thank you.

11 So we see the paragraph starting with:

12 "In particular, I will expect you to
13 work with your colleagues and through
14 established legislative, regulatory,
15 and Cabinet processes to deliver on
16 your top priorities:...

17 And the first bullet lists:

18 "In collaboration with the Minister
19 of National Defence and the Minister
20 of Public Safety and Emergency
21 Preparedness, lead the Government of
22 Canada's efforts to defend the
23 Canadian electoral process from cyber
24 threats. This should include asking
25 the Communications Security
26 Establishment (CSE) to analyze risks
27 to Canada's political and electoral
28 activities from hackers, and to

1 release this assessment publicly. As
2 well, ask CSE to offer advice to
3 Canada's political parties and
4 Elections Canada on best practices
5 when it comes to cyber security."

6 I appreciate there is other bullets on that
7 list, but I will focus on that one for today.

8 Did you -- in relation to this particular
9 aspect of your mandate, did you have any discussions with the
10 Prime Minister about expectations for what the plan should
11 cover and how it should operate?

12 **HON. KARINA GOULD:** Well, no. It's pretty
13 clear in the mandate letter what my task was, and to work
14 across government to protect our elections from cyber
15 security threats.

16 **MS. LYNDA MORGAN:** And so -- and the mandate
17 itself is focussed on cyber threats.

18 **HON. KARINA GOULD:** M'hm.

19 **MS. LYNDA MORGAN:** Was the developing plan,
20 so the plan to protect Canada's democracy, was that plan
21 restricted to or focussed on cyber threats?

22 **HON. KARINA GOULD:** No. It ended up being
23 broader than that, how this came about. So, you know, as --
24 when you are a minister, and you get a mandate letter, this
25 is the job that you're tasked with, it's a job description,
26 so to speak, in terms of what the Prime Minister expects you
27 to accomplish in your time in that portfolio. So I set about
28 gathering information, learning about what the threats were.

1 So I had various meetings with the different
2 heads of agencies to understand what the threats were to
3 Canada, focussed on our elections, and through that receipt
4 for process, you know, I was presented with other threats to
5 our democracy that included human intelligence. Which is
6 what led to the four pillars that were released publicly in
7 January 2019, and Canada's broad plan to protect our
8 democracy that ended up bringing in not just the Departments
9 of National Defence and Public Safety, but also, Global
10 Affairs, as well as Heritage, so that we had as comprehensive
11 of a plan at the time to deal with the threats as we
12 understood them. But really, it was a process of learning,
13 understanding, engaging, and trying to come up with the plan
14 that could most robustly protect Canada's national federal
15 democracy.

16 **MS. LYNDA MORGAN:** So let me talk to you a
17 bit about that information gathering exercise that you've
18 described.

19 What did you identify or learn were the
20 biggest threats or concerns to which the plan needed to
21 respond?

22 **HON. KARINA GOULD:** Sure. So I mean, I think
23 one of the important parts throughout all of this was the
24 understanding that foreign interference or attempts at
25 foreign interference, because foreign -- I think it's the
26 attempting that has gone on for a long time. Probably in
27 every election that Canada has ever had there have been
28 attempts at foreign interference, just like in probably every

1 election in a democracy around the world, since probably
2 ancient Greece, there have been attempts at foreign
3 interference. Whether they're successful or not is another
4 question. And so I think that was one of the most important
5 things.

6 The nature of the threats have evolved over
7 time, and in the, you know, period from 2017 to 2019, this
8 was when threats online were becoming more of an issue that
9 people weren't really aware of, and the security agencies
10 themselves were also learning more about.

11 Because if we go back to, you know, the
12 Russian example in the United States, they were using social
13 media platforms to try and either elicit a specific outcome
14 in the American election, or even just creating chaos, right,
15 so that it -- people have less trust in democracy, which
16 feeds their interest of a national interest to say that
17 democracy is not something that Russians, for example, should
18 be interested in because look at the chaos that's happening
19 over there, we want stability. So there is many different
20 interests at play here.

21 The other thing that I learned was of, you
22 know, other countries, for example, that also had an
23 interest. Sometimes, perhaps, in getting a specific
24 candidate elected or not, whether they were successful,
25 again, is always a question.

26 And the other part of it is, you know, they
27 may have specific policy objectives as well, or they may have
28 specific objectives with regards to influence operations.

1 And it's really important to note that, you know, foreign
2 countries and actors are engaging in influence operations all
3 the time, but they're overt. You know, that's diplomacy,
4 that's, you know, trying to, you know, you know, have overt
5 conversations in the public, perhaps through the media, and
6 then there's the interference part, which is the stuff that
7 is covert that they are trying to do in a sneaky way so that
8 Canadians or politicians aren't aware of. So really learned
9 quite a bit about what is going on.

10 I would also say I think learned that our
11 security agencies are quite sophisticated in Canada and have
12 pretty good knowledge about what is happening, but also
13 recall that, you know, foreign actors are trying to do this
14 in a way so that we don't know about it. And one of the
15 other things that I think is really important that I learned
16 through this process is that we have to be very mindful, and
17 security agencies are, about what information is disclosed
18 publicly because if they make a decision to disclose
19 something publicly they're effectively letting the foreign
20 actor know that they know what they're doing. And so they
21 could lose a source, that foreign actor could change what
22 they're doing, they could go further underground.

23 And so need to be really thoughtful and
24 mindful about how and when and what is released publicly,
25 which also played a really big part in the development of the
26 plan.

27 **MS. LYNDIA MORGAN:** And just to ask you
28 specifically about the sources of intelligence or information

1 you relied on, I understand that in your role as Minister,
2 you did not receive daily packages of intelligence products?

3 **HON. KARINA GOULD:** Correct.

4 **MS. LYNDA MORGAN:** And I understand that you
5 had various briefings and received information from various
6 agencies as well; is that correct?

7 **HON. KARINA GOULD:** Correct.

8 **MS. LYNDA MORGAN:** Can we pull up CAN 13303,
9 please, and go to page 3?

10 So you can see here under the heading,
11 "Briefings to Ministers" a series of briefings between August
12 15th, 2018 and...

13 Can you scroll down a little bit, please?
14 Stopping there is good. Thank you.

15 This shows briefings to Minister of
16 Democratic Institutions, as I said, from August 15th, 2018
17 down through August 23rd, 2019, and we see briefings
18 "Director CSIS, Chief CSE". Are those all meetings that you
19 attended?

20 **HON. KARINA GOULD:** Well, I'm going to assume
21 that I did but I wouldn't be able to confirm the exact dates
22 because I don't recall, but I would meet kind of on a
23 monthly-by-monthly basis with them.

24 **MS. LYNDA MORGAN:** And was the focus of the
25 intelligence that you received focused on cyberthreats, or
26 was it broader than that?

27 **HON. KARINA GOULD:** The primary focus would
28 be on cyberthreats, both in Canada but also from what we were

1 seeing around the world. And the purpose of including around
2 the world is important so that we could learn from other
3 experiences so that we would be able to protect Canada's
4 democracies and elections against those. And there would be
5 if -- you know, if relevant, high-level descriptions of other
6 potential threats that could include human interference but
7 that they would never be specific; it would be a very general
8 overview, very high level of what the agency was seeing at
9 the time.

10 **MS. LYNDA MORGAN:** Okay. And so in terms of
11 high level, did you ever receive the names of potential
12 threat actors?

13 **HON. KARINA GOULD:** Could you clarify that,
14 like, in terms of, like ---

15 **MS. LYNDA MORGAN:** Did you ever receive names
16 of individuals, for instance?

17 **HON. KARINA GOULD:** No.

18 **MS. LYNDA MORGAN:** And did you receive
19 intelligence relating to -- like, specific intelligence
20 relating to alleged incidents of foreign interference?

21 **HON. KARINA GOULD:** Not in specific detail;
22 it would be quite high level.

23 **MS. LYNDA MORGAN:** So in addition to
24 briefings from CSIS and CSE, I understand you also received
25 information from other agencies or entities. From -- who
26 else did you receive information from?

27 **HON. KARINA GOULD:** So CSIS and CSE would be
28 the two primary sources, but the Rapid Response Mechanism at

1 Global Affairs Canada would also generally provide
2 information, and what the RRM does is -- well, they worked
3 with G7 and NATO allies to look more broadly around the world
4 to try to identify trends and perhaps identify a threat
5 before it would occur. And so they would kind of tell me
6 what they were seeing around the world and new trends or
7 threats that they were identifying in the online space, and
8 from publicly-sourced content.

9 **MS. LYNDIA MORGAN:** And in addition to RRM,
10 any other sources?

11 **HON. KARINA GOULD:** PCO would also provide
12 intelligence, although I guess this was likely gathered by
13 CSE and CSIS at the time.

14 **MS. LYNDIA MORGAN:** In addition to PCO, do you
15 know who was responsible for compiling the intelligence or
16 information that was shared with you?

17 **HON. KARINA GOULD:** I do not. I would have
18 received it through my Deputy Minister. I'm not familiar
19 with the chain of command beyond that.

20 **MS. LYNDIA MORGAN:** So I want to move now to
21 the kind of building of the plan, who you collaborated with,
22 and then I'll get into some specific questions about the
23 plan.

24 But I understand from the mandate letter and
25 your witness summary that the Minister of Public Safety and
26 Emergency Preparedness and National Defence also had some
27 involvement in the development of the plan. Are you able to
28 describe what their involvement was?

1 **HON. KARINA GOULD:** Well, what I set out to
2 do as Minister of Democratic Institutions was to come up with
3 a whole of government plan, recognizing that as I learned
4 more about what the threats were that, you know, we needed to
5 ensure that we had a variety of different departments part of
6 this.

7 So the Ministers of National Defence and the
8 Ministers of Public Safety were much more in a supportive
9 role, but identifying what their departments could do to
10 support the broader plan. So for example, you know, under
11 the Minister of Public Safety, obviously, you know, with
12 regards to intelligence priorities, ensuring that
13 cybersecurity in our elections, in our democracy was a
14 priority; the RCMP created a specific unit to look at
15 cybersecurity threats in our democracy; updating their other
16 initiatives within public safety to make sure that they had a
17 robust plan. Under Defence, the Communications Security
18 Establishment rests, and so they provided opportunities to
19 political parties, Parliamentarians, Parliament of Canada,
20 Elections Canada, the Commissioner, even provincial electoral
21 bodies to say, you know, "We can help do an assessment, if
22 you like, of your cybersecurity." They stood up the
23 Cybersecurity Centre, that part of its mandate was to provide
24 those services to have a call-in number if individuals or
25 parties had questions with regard to a potential issue; they
26 provided a list of, you know, security-approved vendors.

27 So there was a whole wide range of different
28 things that they ended up doing to make sure that we were

1 doing everything that we could, that we could kind of imagine
2 at the time, to safeguard our elections from cyberthreats.

3 And then the other thing is that as we
4 learned more, I pulled in Global Affairs Canada through the
5 Rapid Response Mechanism, as well as Heritage Canada because
6 one of the things that, you know, I learned, and I believe
7 very firmly, is that one of the best methods to protect our
8 democracy was a well-informed citizenry.

9 And so as part of that, Heritage Canada had a
10 public education program for citizen engagement and public
11 awareness when it comes to cybersecurity to really ensure
12 that we were trying to tick all of the boxes.

13 And maybe one other thing that I'll add is
14 through that and through Defence, we were put in touch with
15 the NATO Strategic Communications Centre, who I then invited
16 to Ottawa to brief the Parliamentary Press Gallery to talk
17 about how they may be able to identify cybersecurity threats,
18 particularly with regards to mis and disinformation. And
19 through that they brought, for example, a reporter from
20 Finland, who was very familiar with Russian interference
21 attempts, to be able to brief the Press Gallery.

22 So we really tried to do this as whole of
23 government as possible, to identify where the different
24 vulnerabilities were in the system and provide information
25 and support to each of those different actors.

26 **MS. LYNDA MORGAN:** And I understand from your
27 witness statement that you wanted to consult with all of the
28 political parties for their input and feedback in the

1 process. When you say kind of input and feedback, what
2 feedback were you eliciting from the political parties?

3 **HON. KARINA GOULD:** So from the get-go, I was
4 engaged with opposition members as well as political parties.
5 I believe in the fall -- as early as the fall of 2017, I had
6 meetings with each of my opposition critics, the critics from
7 Public Safety and Democratic Institutions, to talk about the
8 fact that we were building this plan, to get their input as
9 to what they were concerned about, and to let them know that
10 I thought this was something that we needed to have an
11 ongoing dialogue with regards to.

12 Following those initial meetings, my staff
13 met with either staff from the political parties themselves,
14 or some of the staff of the critics to keep them informed and
15 engaged throughout the process.

16 And, you know, even in my public comments
17 when I announced the plan in 2019, I referenced the fact that
18 I had been engaging with the opposition political parties
19 throughout because I felt it was extremely important that
20 this be non-partisan and that we have a consensus and build
21 trust, in terms of the plan and the process, because one of
22 the things that you'll note in the protocol, and you may be
23 getting to this, but is that democracy is very fragile and it
24 rests on trust. It rests on trust of citizens in the process
25 and in the outcome. And so it was vitally important that all
26 political parties be involved in understanding what the plan
27 was going to be and having a sense of comfort of it going
28 into the election so that if something should arise, we would

1 have a consensus and we would have a comfort to know that
2 this was being monitored and reviewed, and if there was
3 something that needed to be said, it was coming from a
4 trusted voice and a trusted source, because what we didn't
5 want to have, you referenced this earlier, in terms of the
6 Obama dilemma, is the very fact of making a public comment
7 can be seen as interference, whether that's from a partisan
8 or from a non-partisan body. And so we needed to have a way
9 to engage and to share information by which all of the
10 parties would be confident. And of course what we saw in the
11 U.S. election was that there were very partisan comments on
12 both sides with regards to whether the information should or
13 should not have been released, or even whether a foreign
14 actor should have been named.

15 And so there -- this is a very sensitive and
16 complex issue for which I felt it was really important that
17 it be as non-partisan as possible, or completely non-
18 partisan, and that everybody had comfort in where we were
19 going with it. And of course it was the very first time we
20 had ever done something like this as well.

21 And so for me, it was really important that
22 all of the political parties, all of the opposition parties,
23 had comfort in where we were going.

24 **MS. LYNDIA MORGAN:** And in terms of the input
25 in consultation with the political parties, did you receive
26 specific feedback on the particulars of the plan? Like in
27 the composition of Panel of Five, for instance, did you
28 specifically elicit feedback or input?

1 **HON. KARINE GOULD:** We certainly presented it
2 to them. I wasn't part of those conversations because that
3 was happening at the staff level, but I think, you know, what
4 you could see from the various reports is that going into the
5 2019 election, there was generally comfort with where we
6 were.

7 **MS. LYNDA MORGAN:** So I want to ask you about
8 the Panel of Five. I won't get into the mechanics of it, but
9 the Panel is composed of five senior public servants. And I
10 understand from your witness statement that for the
11 composition of the Panel, you took inspiration from France,
12 who had used their electoral authority, which was an
13 impartial body of legal advisors, to address the Macron
14 leaks.

15 And so I understand in terms of the concept
16 stage of the plan, you had considered forming a panel of
17 judges or other eminent Canadians, but ultimately settled on
18 selecting senior public servants. Is that correct?

19 **HON. KARINA GOULD:** Correct.

20 **MS. LYNDA MORGAN:** And on what basis did you
21 decide the composition of the Panel of Five?

22 **HON. KARINA GOULD:** Sure. So the very first
23 point is I felt it was really important that partisans be
24 removed from the process. And so even though I was a
25 Minister, still am a Minister of the Crown, but was the
26 Minister responsible, I was also running in the election.

27 And so any involvement of a partisan,
28 Minister, Prime Minister, during the writ period during the

1 Caretaker Convention for something this sensitive, even if
2 everything, you know, was fine, could be seen as having a
3 partisan interest in whether or not information would be
4 released publicly. And so I wanted to remove -- that was one
5 of my primary objectives, was to remove any notion that there
6 could be a partisan interest in the decision as to whether or
7 not to release information if something should occur.

8 So I was very interested in what France had
9 in terms of their council of legal advisors. I think
10 colloquially they referred to them as the conseil d'éminence
11 grise; right? It's folks who are very well respected in
12 France. But it wasn't something new that they had done for
13 that election. This was an institution that they have in
14 place generally.

15 We don't have something like that in Canada.
16 We have Elections Canada. I did consult with Elections
17 Canada. That's not really their role, to, you know,
18 determine if there has been foreign interference in an
19 election. They don't necessarily have the capacity to do
20 that.

21 I also consulted with the Commissioner of
22 Canada Elections at the time. Again, not really the right
23 space for them either.

24 And so trying to figure out who would be best
25 placed here. And one of the reasons why I settled on senior
26 public servants who are independent, non-partisan,
27 professional, is that they would have access to information
28 and understanding of the threat landscape to determine

1 whether something was irregular and whether or not it would
2 have an impact on a free and fair election.

3 And the other part of it, in terms of the
4 composition, was that the Government of Canada can be quite
5 siloed sometimes, and so it was important that we brought
6 together those that had access to the information, so the
7 head of CSE, the head of CSIS, who are seeing what's
8 happening and can bring that up to this group quickly,
9 because if something happens, there needs to be a quick
10 decision as to whether it's going to be released publicly or
11 not. So they had access to that information and a very good
12 understanding of the intelligence world and what intelligence
13 could perhaps be linked to evidence, because that's another
14 important piece. Intelligence is not evidence. They need to
15 be certain if they're going to suggest something, because
16 again, the very act of suggesting or making a public
17 declaration will have an impact on the outcome of the
18 election.

19 And then the Deputy Minister for Global
20 Affairs Canada as well, again, because perhaps there are
21 steps that might need to be taken with regards to
22 intelligence that don't merit a public intervention, but
23 maybe there are previous things that could be done, such as,
24 like, a démarche to an embassy or something of those lines.
25 And they would have an understanding of the global context.
26 And then the NSAI -- sorry, the Clerk of the Privy Council,
27 again, as the most senior public servant, and the Deputy for
28 Justice.

1 And the reason why I felt it was important to
2 have the Deputy for Justice there was specifically to have
3 that legal perspective and to have knowledge and
4 understanding of, you know, the corpus of judicial history
5 and precedent in this country, and to ensure that the
6 democratic rights of Canadian citizens, of candidates, of
7 political parties, were front and center, and understood in
8 making such a profound decision that would have such an
9 important impact on an election process and outcome.

10 **MS. LYNDA MORGAN:** And so with a focus of
11 trying to include non-partisan individuals on the Panel, as I
12 understand it, Deputy Ministers are appointed by the Prime
13 Minister on the advice of the Clerk of the Privy Council? Is
14 that correct?

15 **HON. KARINA GOULD:** My understanding.

16 **MS. LYNDA MORGAN:** And that appointment is
17 for an indefinite period?

18 **HON. KARINA GOULD:** To my knowledge. I'm not
19 involved in that. So, yeah.

20 **MS. LYNDA MORGAN:** Well the real point being,
21 the Prime Minister technically has the power to dismiss a
22 Deputy Minister? Is that right?

23 **HON. KARINA GOULD:** Again, I think so, but
24 that's a bit beyond.

25 But what I would say is that certainly I'd
26 say every deputy that I have had has served, I think, well
27 under successive governments of different political stripes.
28 And I have, you know, tremendous confidence in their ability

1 to be non-partisan, independent, and professional. And, you
2 know, many of the deputies that I have had had served under
3 Conservative governments, and I'm sure many of the deputies
4 that serve under Liberal governments will also serve under a
5 future government of a different stripe.

6 That's the role of the public service, is to
7 be professional, to be independent, and to be non-partisan.
8 And particularly during a writ period where the Government is
9 under the Caretaker Convention. And so part of where this
10 Panel of Five fits in is also under the Caretaker Convention,
11 which is something that has existed in Canada since
12 Confederation, where the public service takes on their
13 responsibilities of the Government because the Government is
14 a political actor at that moment in time seeking election or
15 re-election.

16 And so I think it fit very neatly within the
17 existing institutions that we have and, you know, I would say
18 that, you know, Canadians tend to have confidence in the
19 public service to act in a non-partisan way.

20 **MS. LYNDA MORGAN:** And so you've indicated
21 that the Panel's operational only during the Caretaker
22 period. In terms, again, of the concept of the plan, did you
23 consider the creation of a permanent body?

24 **HON. KARINA GOULD:** I did not at the time.
25 Remember, again, this is the very first time we're doing
26 something like that and so I felt it was important that, you
27 know, we establish it, but then there also be a review of the
28 process as it happened to learn any lessons and provide any

1 recommendations which ended up being the first Judd Report in
2 terms of whether this should be something that we continue
3 with or whether there should be more of a permanence.

4 It was also one of the first times that we
5 had -- well, the second time we had a fixed date election in
6 Canada as well, so there were many kind of different factors.

7 I think in some respects it's almost a bit
8 harder for foreign actors to interfere when you have, you
9 know, more spontaneous elections. When you know there's a
10 fixed date, you have a runway to lead up to.

11 And so we were very much learning as we were
12 going, and those lessons, you know, from that should then be
13 applied for future and subsequent elections.

14 **MS. LYNDIA MORGAN:** And in terms of a
15 permanent body, my question is also focused on did you
16 consider it a creation of a body that existed outside of the
17 caretaker period, so that would sit for longer than a six-
18 week period.

19 **HON. KARINA GOULD:** No. I mean, in the
20 sense, all of those individuals who sit on the panel continue
21 to exercise, you know, their responsibilities as respective
22 deputies and heads of agencies and one would expect that they
23 would continue to talk to each other. However, in the formal
24 capacity, it should only exist during the writ period because
25 that is the time when people are making decisions about who
26 they are voting for and either before or after the government
27 is in place. And my focus in terms of protecting our
28 democracy was specifically with regards to the election event

1 and election events as opposed to, you know, broader foreign
2 interference that happens by attacking government systems or,
3 you know, going through other things outside of a writ
4 period.

5 And we have already in the Government of
6 Canada apparatus roles and responsibilities for those
7 activities. What we didn't have was something concrete for
8 the writ period itself. creation of a permanent body.

9 **MS. LYNDIA MORGAN:** And so we've heard that
10 the panel's role effectively is to notify the public of an
11 event during the election that threatened Canada's ability to
12 have a free and fair election. And we've also heard evidence
13 that the panel interpreted the threshold for an announcement
14 as being high or very high.

15 In the concept stage, was the threshold
16 intended to be at a high level?

17 **HON. KARINA GOULD:** Yes. And it was very
18 important that it's at a high level because, again, remember,
19 the very act of making a decision to announce something
20 publicly could be seen as interference itself.

21 And this is a point that was actually very
22 important for all of the political parties because for those
23 of us that have run in an election or been in an election,
24 either as a candidate or working on it, it's a very intense
25 time. There's a lot of information going around. It is
26 chaotic, so to speak. And so if there's going to be a high -
27 - you know, the -- if there's going to be a decision to say,
28 "You Canadian citizens, you need to know that a foreign actor

1 has interfered in our election", the threshold needs to be
2 high because there's a -- it's resting on the trust of
3 Canadians in the process being -- on the integrity of the
4 process.

5 And if someone is saying that the integrity
6 of the process is being questioned or has been compromised,
7 they need to be certain of that fact and they need to be
8 certain that this is something of significant enough value to
9 the national interest that it be made public.

10 And the political parties were very clear
11 that that was something that was important to them as well.

12 **MS. LYNDA MORGAN:** And when you speak about
13 the integrity of the process and the high threshold, was it
14 contemplated the focus on integrity of the process would be
15 examined at a riding-by-riding level or a national level?

16 **HON. KARINA GOULD:** Both. It could be either
17 because it's -- Canada doesn't have one national election.
18 We have 338 individual elections that make up an electoral
19 event. And so everything is context specific.

20 You know, it could be something that happens
21 at the national level that everybody is aware of or is being
22 impacted by. It could be something that's happening in one
23 singular riding. But that's where the importance for the
24 panel to have an understanding of the landscape, of the
25 activities and the potential impact was so important to make
26 that decision.

27 And it was specific in the Cabinet directive
28 to give the panel the authority and the responsibility to

1 make that judgment call.

2 **MS. LYNDA MORGAN:** And did you anticipate
3 that the panel could take actions in relation to intelligence
4 or information that fell below the threshold?

5 **HON. KARINA GOULD:** Well, that wouldn't be
6 the panel's decision there. That would be up to the
7 individual agencies who have those responsibilities.

8 The panel's primary focus was on whether
9 there was something of such significance that it would have -
10 - that it would compromise the free and fair election by
11 Canadians and be in the national interest. And so that was
12 really where the panel's responsibilities lay.

13 **MS. LYNDA MORGAN:** I want to ask you one more
14 briefings-related question.

15 Can I have CAN 15506, please?

16 **--- EXHIBIT No./PIÈCE No. CAN 15506:**

17 Memo for the NSIA to the PM -
18 Elections Security Briefings for the
19 Hon. Dominic LeBlanc

20 **MS. LYNDA MORGAN:** Scroll down, staying on
21 the first page, but scroll down a bit, please.

22 And if we look at the third bullet, it says:

23 "Prior to and during GE 2019, Deputy
24 Ministers provided regular briefings on
25 election security to the then Minister
26 of Democratic Institutions, Karina
27 Gould."

28 Were you briefed regularly by Deputy

1 Ministers prior to and during GE 2019?

2 **HON. KARINA GOULD:** Not during. I didn't
3 receive a single briefing during the election.

4 **MS. LYNDA MORGAN:** Did you expect to receive
5 briefings during the election?

6 **HON. KARINA GOULD:** I expected not to receive
7 any briefings during the election. I explicitly designed the
8 process so that I would not receive any briefings during the
9 process because, as I mentioned, I had a vested interest in
10 the outcome of the election and so I felt it would be
11 completely inappropriate to receive those briefings. And
12 that's why it was so important to create this independent
13 non-partisan body that would be responsible during the writ
14 period.

15 **MS. LYNDA MORGAN:** And so you've indicated
16 already you were receiving intelligence. It's high level.
17 And no briefings during the writ period.

18 I understand from your witness summary that
19 you did not receive any intelligence during the writ period
20 relating to allegations in Don Valley North. Is that
21 correct?

22 **HON. KARINA GOULD:** Correct.

23 **MS. LYNDA MORGAN:** And I understand as well
24 that you were not aware that secret cleared Liberal Party
25 representatives were briefed in relation to allegations of
26 interference in the Don Valley North nomination contest?

27 **HON. KARINA GOULD:** That is correct. I --
28 again, as I created this system and policy, it was very

1 important that each of the political parties had their own
2 doors into the security agencies that the government, myself
3 as Minister of Democratic Institution, would not be aware of
4 so that they would have trust to have that engagement with
5 the security agencies.

6 **MS. LYNDA MORGAN:** And I understand, finally,
7 that you were not briefed on intelligence assessments
8 suggesting that there were likely at least two transfers of
9 funds approximating \$250,000 from PRC officials in Canada
10 possibly for FI-related purposes that were transferred via an
11 influential community leader to the staff member of a 2019
12 federal election and then to an Ontario MPP.

13 **HON. KARINA GOULD:** That is correct.

14 **MS. LYNDA MORGAN:** So you did not receive
15 that intelligence.

16 **HON. KARINA GOULD:** No. I would have
17 received something at a much higher level.

18 **MS. LYNDA MORGAN:** And were you briefed on a
19 TRM conducted in advance of GE 43 to reduce the FI threat
20 posted by the Government of Pakistan?

21 **HON. KARINA GOULD:** At a very high level, but
22 I wouldn't have received information as to what or with whom.

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

24 **COMMISSIONER HOGUE:** Thank you.

25 Cross-examination by counsel for Jenny Kwan.

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

27 **MS. MANI KAKKAR:**

28 **MS. MANI KAKKAR:** Thank you, Commissioner.

1 Good morning, Ms. Gould.

2 **HON. KARINA GOULD:** Good morning.

3 **MS. MANI KAKKAR:** I'm just going to take a
4 minute here to -- so Ms. Gould, this morning I wanted to ask
5 questions specifically related to the kind of information
6 that you considered when you were developing the threshold
7 and to considering the plan for protecting Canada's
8 democracy. In your witness statement, and you've said this
9 in your testimony as well, that your briefings were quite
10 high level, that you actually looked outside of Canada to see
11 the ways in which foreign interference had affected
12 elections. Do you think it would have been helpful to know
13 the specific details though of foreign interference in
14 Canada, so that you could better address what was happening
15 here because perhaps the dynamics would have been different
16 than perhaps our U.S. partners or other countries in the
17 world?

18 **HON. KARINA GOULD:** Okay. Well, I want to
19 take you back to 2017 for a moment because it was the first
20 time that we were thinking about foreign interference in
21 terms of cyber security, and it was the first time that we
22 were seeing these widescale attacks around the world in real
23 time. Typically, foreign interference before was very, very
24 covert, right, and human to human; right? We weren't seeing
25 this kind of hacking of systems, divulging of information,
26 trying to pollute the information ecosystem as we were at the
27 time. And so it was incredibly important to learn from real-
28 world examples that we were seeing happening to figure out

1 what we needed to do here at home to avoid something like
2 that in the future. Of course, I was briefed at a high level
3 as to what foreign interference activities -- attempts at
4 foreign interference, I should say, were seen here in Canada,
5 so I would correct a little bit the premise of your question
6 and say that, yes, both of those were happening, and that was
7 incredibly important to figure out how we protect ourselves.

8 Also, the understanding is that threat actors
9 don't often act the same way twice, because once they've been
10 found out to do one thing, they don't necessarily continue to
11 do that activity, and so you're constantly trying to keep up
12 and understand what potential new things are happening. No
13 one, before the U.S. presidential election thought that
14 Russia was using Facebook and Twitter and posing as Americans
15 through their bought farms at the Internet Research Agency in
16 Saint Petersburg. All of that was learned after the fact.
17 So it was really important to have that understanding in
18 order to develop a plan to protect ourselves as best as we
19 can.

20 **MS. MANI KAKKAR:** I appreciate the helpful
21 answer. And so just to disentangle that a bit so that we
22 have an understanding, when you say you were being briefed at
23 a high level of what was happening in Canada, is it fair to
24 say that you were being briefed on the way in which foreign
25 interference happens, the modes, who the players might be in
26 the Canadian landscape, but not necessarily on specific
27 events, just so ---

28 **HON. KARINA GOULD:** Yeah, so it would be high

1 level in the sense of which are the foreign actors that try
2 to engage the most in foreign interference activities, and
3 some of the ways in which the agencies would have seen them
4 try to do that. So there was an understanding of what the
5 threats are in Canada. I would say that, generally speaking,
6 and as I mentioned in my previous answer, it is known that
7 there have been attempts to interfere in Canadian democracy
8 since the beginning of Confederation, but I would say that
9 our intelligence agencies are, you know, I think quite adept
10 at trying to monitor that, and if they are able to then share
11 that information with the RCMP, whose job it would be then if
12 they have the evidence to act upon it.

13 **MS. MANI KAKKAR:** Okay. So if I'm -- I think
14 I understand your testimony to be that you did have some
15 understanding of the ways in which FI operated here, who the
16 risk -- or, sorry, who the threat actors might be. And so
17 over the course of the last few weeks in this Commission,
18 we've learned that foreign interference can be very discreet
19 events that perhaps on their own don't add up to very much,
20 but in the aggregate do. Did you have a similar
21 understanding of foreign interference at the time that you
22 developed this particular threshold and plan?

23 **HON. KARINA GOULD:** Yes, could be. However,
24 I would say that the emphasis on this plan was certainly with
25 regards to cyber security, but also understanding the
26 entirety of how foreign actors could interfere in an
27 electoral event and ensuring that the respective agencies
28 have the tools that they needed to be able to act upon it

1 when they had the evidence to act upon it.

2 **MS. MANI KAKKAR:** Okay. So it does sound
3 like you had a similar understanding that perhaps, you know,
4 one WeChat post doesn't much, but you add them all up
5 together and there's a collective impact of that.

6 **HON. KARINA GOULD:** Could be or could not be.

7 **MS. MANI KAKKAR:** Right.

8 **HON. KARINA GOULD:** Right? Everything is
9 context specific, and every -- you know, it's very hard to
10 say that this one particular thing might have an impact or --
11 as I was saying in my testimony earlier, the threshold, for
12 example, for the panel was very high, but it could have been
13 something that happened in one riding, or it could have been
14 something that happened at a national level. It would be
15 completely context specific.

16 **MS. MANI KAKKAR:** That's fair. So then given
17 how context specific everything is, and you have that same
18 understanding, did you consider a sliding scale approach that
19 could adapt to that context, so that the threshold wasn't so
20 high, but perhaps if it were triggered at different levels, a
21 different level of response could ---

22 **HON. KARINA GOULD:** So I'll just push back
23 gently a bit because ---

24 **MS. MANI KAKKAR:** Sure.

25 **HON. KARINA GOULD:** --- again, you can't
26 really have a sliding scale because, again, you can't really
27 imagine exactly what's going to happen during the election,
28 because as I said, threat actors are going to change. For

1 example, they're watching these proceedings right now, and
2 are likely going to be changing how they're acting in Canada
3 as they're seeing how we are responding in this very setting.

4 So the panel did a series of tabletop
5 exercises to imagine different scenarios, right, the SITE
6 Task Force imagined different scenarios and how they might
7 react, but again, it will all depend on that exact moment,
8 what is happening, and the context in which it is happening.
9 So it's -- you can't really have a rubric to say if X, then Y
10 and Z, because if you did, you might end up interfering in an
11 election that you maybe didn't need to in terms of saying
12 something publicly because the context will depend on what is
13 happening in that moment. So I know that you would like to
14 have a rubric and a box that says this is what you need to
15 act when, but it's really important that there's that
16 discretion and that judgment in place before something is
17 made public.

18 **MS. MANI KAKKAR:** Actually, I will agree with
19 you that a rubric in a box is probably not possible given the
20 amount of ways in which you could interfere, but what I mean
21 more is sort of a sliding scale in the way that the national
22 terrorism threat levels exist. There's different threat
23 levels and there are different responses as a result. And so
24 not only would you have a sliding scale with respect to when
25 to respond, but how to respond, so that you're not
26 necessarily interfering -- and, again, not at the minutia of,
27 you know, if X happens, you do Y, leaving, of course, a great
28 degree of discretion, but that way there's no under or

1 overreaction to a particular ---

2 **HON. KARINA GOULD:** I don't think you would
3 ever be able to determine if there's an under and
4 overreaction because of the nature of an election, when
5 emotions are so high, when the outcome is so personal to so
6 many people, and it has such a great impact on the country
7 that you're going to be able to be in a place where everyone
8 says, oh, because you followed the sliding scale, we're okay
9 with it. That's kind of the crux of the Obama dilemma. He
10 saw what was happening, understood what was happening, didn't
11 feel that he could say something because he was worried that
12 by the very fact of saying something publicly, he would have
13 an outcome on -- he would have an impact on the outcome. And
14 so what I would say to you is that those rubrics, those
15 responses, on a more granular level already exist within the
16 agencies, and they already have ways to deal with things that
17 happen on a more minor level, and they make those decisions
18 as to how and when to respond and react in a way that
19 hopefully doesn't further compromise the national security of
20 Canada and of Canadians, but also, the integrity of the
21 electoral process.

22 **MS. MANI KAKKAR:** I really do appreciate your
23 answer, and despite the follow up, I doubt I can ask a
24 question in eight seconds, so thank you so much for your
25 testimony.

26 **HON. KARINA GOULD:** Thank you.

27 **COMMISSIONER HOGUE:** Thank you.

28 Counsel for Michael Chong?

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

2 MR. FRASER HARLAND:

3 MR. FRASER HARLAND: Good morning,
4 Commissioner. Good morning, Ms. Gould.

5 HON. KARINA GOULD: Good morning.

6 MR. FRASER HARLAND: Ms. Morgan asked you
7 about consultation with political parties regarding the
8 Critical Election Incident Public Protocol. You remember
9 that?

10 HON. KARINA GOULD: I do.

11 MR. FRASER HARLAND: And I believe your
12 evidence is, and you correct me if I'm wrong, but your
13 evidence on that was we presented it to them. And I had -- I
14 want to ask you if you'd agree that presenting a plan is
15 quite different from meaningful consultation on a plan.

16 HON. KARINA GOULD: So we had conversations
17 first before the plan was presented. And I'll take you back
18 to my testimony earlier with Ms. Morgan where I said the
19 first conversations we had were likely in the fall of 2017,
20 and the plan was made public in January of 2019.

21 So throughout that period of time, there were
22 ongoing conversations with the political parties. First to
23 understand what some of their issues and challenges were to
24 get their level of comfort. So for example, one of the
25 pieces was CSE offered to do technical audits of their
26 systems. I don't think a single political party agreed to
27 that, because they didn't want the Government to go in there.
28 But they did say one thing that would be helpful would be to

1 have a list of trusted vendors.

2 So there was a continuous dialogue and
3 engagement as we were building the plan, and then it was
4 presented in its final stage when it was public in the winter
5 of 2019.

6 **MR. FRASER HARLAND:** That's helpful. And I
7 just want to make sure that we have your evidence, because my
8 specific concern is not on the plan as a whole, but is on the
9 Panel of Five, the Critical Election Incident Public
10 Protocol. And so I believe that's what, in response to Ms.
11 Morgan's question, you said we presented it to them. And I'm
12 wondering on that, on the Panel of Five, was there meaningful
13 consultation with the political parties? Or was the plan
14 just presented to them as you had created it?

15 **HON. KARINA GOULD:** I couldn't tell you the
16 exact conversations, because the conversation that I had
17 specifically was in the fall of 2017, and then after that, it
18 would have been at the staff level.

19 **MR. FRASER HARLAND:** Okay. And so can you
20 point to any specific suggestions made by opposition parties
21 that made their way into the Cabinet Directive on the Panel?

22 **HON. KARINA GOULD:** There was a general
23 acceptance, and I didn't receive any pushback at the time
24 that public servants were -- there was no push back that
25 these public servants be on that panel.

26 **MR. FRASER HARLAND:** Okay. And I have a
27 question about the public servants on the Panel. You say
28 that -- so the Panel is the Clerk, the NSIA, and three Deputy

1 Ministers; correct? You say that they're all non-partisan.
2 And we certainly would expect them to be. But you also
3 referred to them as independent. So I want to ask a question
4 about that. Would you agree there's an important difference
5 between a non-partisan at-pleasure appointee and a public
6 office with true institutional independence from government?

7 **HON. KARINA GOULD:** I would say that as your
8 client was Minister of Democratic Reform who served under --
9 who served alongside and was served by the professional non-
10 partisan public service, that they are independent in the
11 advice that they provide to government, they are loyal in the
12 implementation of it, but I have very, very strong confidence
13 in our public service that they serve the government of the
14 time, but they serve equally well, regardless of what the
15 partisan colour of that government is.

16 **MR. FRASER HARLAND:** And I appreciate that,
17 but that's not quite my question, which is just there's a key
18 difference between an at-pleasure appointee who can be
19 removed and an office with institutional independence. I can
20 give you a couple examples. Judges would be an example.
21 They cannot be removed. The Office of the Chief Electoral
22 Officer of Elections Canada, who serves a ten-year non-
23 renewable term, has institutional independence. You'd agree
24 there's a difference between that kind of institutional
25 independence and at-pleasure Deputy Minister appointees?

26 **HON. KARINA GOULD:** I think that what you're
27 getting at is not quite appropriate, in the sense of public
28 servants are non-partisan. And while, yes, they -- the very

1 heads of them could be removed, it is not something that I
2 think is the right way to frame this, because they are
3 responsible, first and foremost, to protecting Canada. That
4 is their job. And protecting the institution of government.
5 And that is something that they take very seriously. And
6 they are not partisan in nature.

7 And particularly during the Caretaker period,
8 which is a longstanding convention in Canadian governance,
9 they take on the role of a government at that time. And
10 particularly in this Cabinet Directive, they are given that
11 authority. If you look at the Cabinet Directive, yes, they
12 inform the Prime Minister, but they also have to inform the
13 other political parties as well to make sure that this is
14 something that is fair and information that is being received
15 by everyone ahead of it being made public.

16 **MR. FRASER HARLAND:** So I appreciate all
17 that. I just want to try one more time, because I have your
18 evidence on the non-partisanship, and I'm not asking
19 questions about that. I'm wanting to ask questions on the
20 independence.

21 So perhaps I can put it this way. There's a
22 difference between an at pleasure appointee who can be
23 removed at pleasure and the institutional independence that
24 say a judge or the Chief Electoral Officer of Elections
25 Canada has? You'd acknowledge ---

26 **HON. KARINA GOULD:** There -- yes, there is a
27 difference. However, in this instance, these are very
28 professional individuals who take their job of being non-

1 partisan professional public servants very seriously and
2 whose primary responsibility is protecting Canadians, Canada,
3 and their governing institution.

4 **MR. FRASER HARLAND:** Thank you, Minister
5 Gould. That's very helpful.

6 Thank you, Commissioner.

7 **COMMISSIONER HOGUE:** Thank you.

8 Counsel for Erin O'Toole.

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

10 **MR. THOMAS JARMYN:**

11 **MR. THOMAS JARMYN:** Good morning, Minister
12 Gould. My name is Tom Jarmyn. I'm counsel for Erin O'Toole.

13 So let's go back to the Panel of Five and the
14 threshold, which I'm sure everybody will regret me getting
15 into.

16 You said -- and the Panel of Five, as said,
17 it was a high threshold, they said need reliable information,
18 your words this morning, they needed to be certain. Is that
19 correct?

20 **HON. KARINA GOULD:** Correct.

21 **MR. THOMAS JARMYN:** So it's by design you've
22 got that particular way.

23 I would submit to you that in fact what
24 you've done is you've institutionalized the Obama dilemma.
25 On October 7th, 2016, the Obama Administration actually told
26 the American public that Russia was interfering in the
27 election. And the subsequent criticism of him and his
28 Administration was that he took so long to do it while they

1 were looking for certainty. Are you aware of that?

2 **HON. KARINA GOULD:** I've read all of the
3 public information about it.

4 **MR. THOMAS JARMYN:** Okay. But you're aware
5 that in fact the Obama Administration did alert the U.S.
6 citizenry about intervention in the 2016 election prior to
7 the election?

8 **HON. KARINA GOULD:** I don't recall exactly
9 that comment.

10 **MR. THOMAS JARMYN:** Okay.

11 **HON. KARINA GOULD:** Yeah.

12 **MR. THOMAS JARMYN:** Okay. Can we go to your
13 witness statement, WIT 62 at paragraph 7?

14 Now, the second paragraph, this is the
15 discussion about the -- your initiatives with Facebook,
16 Microsoft, and Twitter in order to come to a voluntary, I
17 guess, regime to address information manipulation.

18 **HON. KARINA GOULD:** M'hm.

19 **MR. THOMAS JARMYN:** And those were -- did you
20 negotiate with any other platforms? Or did you approach any
21 other platforms?

22 **HON. KARINA GOULD:** Facebook, Microsoft,
23 Twitter, and Google were the main interlocutors. I know that
24 PCO approached other social media platforms, but it was
25 harder to engage with them because they didn't have
26 representatives in Canada.

27 **MR. THOMAS JARMYN:** Okay. So no one
28 approached Tencent about WeChat?

1 **HON. KARINA GOULD:** I don't think they had an
2 office in Canada at the time. And I would say at the time in
3 2019, the primary focus was really on Russia.

4 **MR. THOMAS JARMYN:** Okay. I'll put those
5 other questions to other individuals then.

6 I'd like to look at paragraph 11 of the
7 witness summary.

8 And you speak there about interference in the
9 nomination process. And I see the statement that:

10 "...alleged interference in a
11 nomination process would not be
12 significant enough to question the
13 integrity of an election in its
14 entirety."

15 But it would be sufficient enough to question
16 the integrity of the election in the particular riding;
17 wouldn't it?

18 **HON. KARINA GOULD:** Well there are agencies
19 that already have responsibility for that specific instance.
20 So political parties are responsible for nominations.
21 Elections Canada has rules and laws already and the ---

22 **MR. THOMAS JARMYN:** How -- sorry, excuse me.
23 How is Elections Canada responsible in nominations process?

24 **HON. KARINA GOULD:** Well ---

25 **MR. GREGORY TZEMENAKIS:** Just a reminder, my
26 friend is not entitled to cross-examine on a witness
27 statement, pursuant to your rules in this matter. He can ask
28 for clarification. He can use the statement as a basis to

1 form a set of questions. But he's not entitled to cross-
2 examine on a particular statement in the witness summary.

3 **MR. THOMAS JARMYN:** Well so the ---

4 **COMMISSIONER HOGUE:** So rephrase your
5 question, I think.

6 **MR. THOMAS JARMYN:** I was going to say, in
7 that statement, it's said that Elections Canada --

8 "...the remits of the affected
9 political party, Elections Canada [...]
10 and/or the [RCMP]..."

11 How is Elections Canada -- just within the
12 remit of Elections Canada, the ---

13 **HON. KARINA GOULD:** Well, for a nomination
14 process, it would be the political party itself that is
15 responsible and, of course, if they were breaking the law by
16 having, let's say, foreign money involved, which would be
17 illegal under the *Canada Elections Act*, then the RCMP or the
18 police of jurisdiction would have the authority to act on
19 that.

20 **MR. THOMAS JARMYN:** So I was going to say,
21 Elections Canada is the financial operation of the campaign
22 and the RCMP, it's acts of fraud or things like that.

23 **HON. KARINA GOULD:** Well, as you know, we
24 have a separation of government and law enforcement in this
25 country, so yes, the RCMP would respond if it was known a law
26 was broken or suspected a law was broken.

27 **MR. THOMAS JARMYN:** And just going to the
28 threshold for another second, with respect to the balancing

1 of these things, we see the effect on discourse at the
2 general level on the election, at the riding level, but what
3 about the effect on political discourse?

4 If foreign interference affects the political
5 discourse, is that an impact on our election?

6 **HON. KARINA GOULD:** Context specific, again,
7 so it could be. Certainly what we saw in the U.S.
8 Presidential election, it was.

9 Again, though, as anyone who has run in an
10 election, the information ecosystem is quite chaotic during a
11 writ period and so to be able to determine if it was foreign
12 interference that caused a change in the discourse or it was
13 something else, a statement by a politician, a policy from a
14 political party, a platform from a political party, you know,
15 there needs -- it's hard to determine which one of those
16 things might be the most affected. However, that's where the
17 involvement of the intelligence agencies and intelligence
18 that they see impacting something would then be submitted to
19 the panel to make that judgment call.

20 But again, it's very context specific and
21 it's one of the biggest challenges and one of the reasons why
22 I believe, you know, Russia, particularly in the lead-up to
23 the 2016 election, used social media so effectively, but you
24 can't necessarily say that Russia was responsible or their
25 information caused the outcome of the 2016 election because,
26 remember, at the end of the day, I believe this very
27 strongly, we need to protect Canadian citizens to give them
28 the tools and the information to make informed decisions.

1 And at the end of the day, if they go into that ballot box
2 and no one has told them how to vote or is holding them to
3 vote a certain way or bribing them a certain -- or bribing
4 them, but rather, they are going and making a decision based
5 on the information that they have. That vote is valid and
6 the outcome of that vote is valid because that is a decision
7 a Canadian has made.

8 And so to be able to determine specifically
9 that they got there because of one specific element in the
10 election is quite challenging, which is why the threshold was
11 set so high and why the intervention of the panel needed to
12 be taken with the seriousness with which I think it was
13 taken.

14 **MR. THOMAS JARMYN:** Thank you.

15 **COMMISSIONER HOGUE:** Thank you.

16 Counsel for the Conservative Party, Me De
17 Luca.

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

19 **MR. NANDO de LUCA:**

20 **MR. NANDO de LUCA:** Thank you. Good morning.
21 I'm going to quote from your 2017 mandate
22 letter from the Prime Minister, which says:

23 "As Minister of Democratic
24 Institutions, your overarching goal is
25 [or was] to strengthen the openness and
26 fairness of Canada's public
27 institutions and also to restore
28 Canadians' trust and participation in

1 our democratic processes.” (As read)

2 Do you recall that or do you recall those
3 words?

4 **HON. KARINA GOULD:** Would you be able to show
5 them to me?

6 **MR. NANDO de LUCA:** I would, but I don't have
7 a note right now of the document. It was part of it.

8 **HON. KARINA GOULD:** If you could show it to
9 me, that would be helpful.

10 **MR. NANDO de LUCA:** Sure.

11 **MS. LYNDA MORGAN:** It's COM 18.

12 **HON. KARINA GOULD:** And do you know which
13 paragraph?

14 **MR. NANDO de LUCA:** Scroll up.

15 Well, why don't we do it this way? Do you
16 believe that the prospect of foreign interference, to the
17 extent -- and to the extent that it actually took place in
18 our elections, is contrary to the mandate that the Prime
19 Minister charged you with?

20 **HON. KARINA GOULD:** Sorry. Could you repeat
21 that?

22 **MR. NANDO de LUCA:** Sure.

23 To the extent that foreign interference
24 actually took place in the 2019, that would have been
25 contrary to what you were charged with safeguarding against
26 in your mandate.

27 **HON. KARINA GOULD:** Well, my job was to come
28 up with a plan and a policy to try as best as possible to

1 prevent foreign interference. It doesn't mean that there
2 weren't ongoing attempts, as I mentioned at the outset, of
3 foreign interference throughout all elections.

4 But perhaps I can just get to your first
5 point because one of the reasons why I was mandated to
6 restore trust in democracy was because at the time, we were -
7 - when we were elected, it was after the *Fair Elections Act*
8 that the current Leader of the Opposition had put in place
9 which actually reduced citizens' ability to cast their
10 ballots, and that was the primary overarching objective, was
11 to make sure that every Canadian citizen would be able to
12 cast their ballot, be able to participate in our democracy
13 and have confidence in the process.

14 **MR. NANDO de LUCA:** Can I ask that MMC5020 be
15 pulled up?

16 And do you have it in front of you?

17 **HON. KARINA GOULD:** I think so.

18 **MR. NANDO de LUCA:** And this appears to be a
19 summary of the CSIS briefings in the possession of the Privy
20 Council Officer relating to PRC foreign interference in the
21 2019 and 2021 General Elections and a general description of
22 those documents.

23 And can -- by my count, between June 2018 and
24 August 2019, you received seven briefings on foreign election
25 interference. Does that sound right?

26 **HON. KARINA GOULD:** Yes. And I would just
27 gently correct you in the sense that I'm not sure this is
28 specifically related to the PRC. It would have been an

1 overall look at foreign interference generally from a variety
2 of actors.

3 **MR. NANDO de LUCA:** Well, the heading
4 actually says PRC. Do you dispute that?

5 **HON. KARINA GOULD:** I don't see that.

6 **MR. NANDO de LUCA:** At the top, "CSIS
7 Briefings and Intelligence Products on PRC Foreign
8 Interference". This is the heading of the document.

9 **HON. KARINA GOULD:** Okay, sorry. I didn't
10 see that.

11 But I would just say that those briefings
12 that I would have received would have been general with
13 regards to a variety of actors.

14 **MR. NANDO de LUCA:** Okay. And safe to say
15 that, at least as a result of those briefings, you were well
16 aware of the issue of foreign interference in Canadian
17 elections?

18 **HON. KARINA GOULD:** I would say that to make
19 the statement that there is foreign interference in Canadian
20 elections is not entirely accurate. I would say that what
21 these briefings suggested to me or provided to me was an
22 overview of attempted foreign interference broadly around the
23 world as well as activities that potentially could be
24 observed here in Canada.

25 **MR. NANDO de LUCA:** So you received -- let me
26 get this straight. You received seven briefings on foreign
27 interference. Are you suggesting that as a result of those
28 seven briefings, you weren't convinced that any foreign

1 interference in the ---

2 **HON. KARINA GOULD:** I did not say that.

3 **MR. NANDO de LUCA:** Let me finish the
4 question, please.

5 Are you suggesting that you weren't convinced
6 that any foreign interference had taken place in connection
7 with the Canadian elections process?

8 **HON. KARINA GOULD:** What I said was they
9 would show me -- they would share information with me of what
10 potential interference could be of activities that they had
11 seen as attempts and things that we needed to be aware of in
12 terms of what could possibly happen during an election.

13 Certainly I was the Minister of Democratic
14 Institutions before the 2021 election and for a very brief
15 period of time after the 2019 election.

16 **MR. NANDO de LUCA:** You're not suggesting
17 that attempts at foreign interference have to be successful
18 and have to actually materially impact the result before
19 they're taken seriously, or they're dealt with?

20 **HON. KARINA GOULD:** I'm not. And, in fact,
21 we are here right now today because we took attempts at
22 foreign interference very seriously. It's why I was mandated
23 to do it in 2017, and it's why I came up with that plan to
24 protect Canadian democracy, and we did take it extremely
25 seriously. It's why we're here today. It's why we're
26 actually looking at documents that were prepared with regards
27 to foreign interference, something I will note that previous
28 Conservative governments didn't do.

1 **MR. NANDO de LUCA:** Can I ask you to turn up
2 CAN 004252?

3 **--- EXHIBIT No./PIÈCE No. CAN 4252:**

4 Security Brief for Minister Gould

5 **MR. NANDO de LUCA:** And this indicates that
6 it's a briefing or a -- it's a briefing or a security brief
7 that you would have received in or about October 29, 2019
8 from CSIS. Did you, in fact receive this briefing?

9 **HON. KARINA GOULD:** I did receive a briefing
10 following the 2019 election. I couldn't confirm the date
11 with you, and I have only seen this particular document in
12 preparation for today's proceedings.

13 **MR. NANDO de LUCA:** If we could perhaps
14 scroll to page 3 of this document? October 29, 2019 would
15 have been after the 2019 election; correct?

16 **HON. KARINA GOULD:** Correct.

17 **MR. NANDO de LUCA:** Okay. And at the bottom
18 of page 3, there's a discussion of a China threat update; you
19 see that? And part of it has been redacted?

20 **HON. KARINA GOULD:** M'hm.

21 **MR. NANDO de LUCA:** Do you recall being
22 updated with respect to the China threat on or about October
23 29, 2019 after the general election?

24 **HON. KARINA GOULD:** I would have been briefed
25 at a very high level that they were monitoring the
26 activities.

27 **MR. NANDO de LUCA:** Okay. And within or just
28 I guess it's after the third redacted box, there's the tail

1 end of an explanation regarding what it says,
2 "...limited specific incidents
3 suggestive of FI which were briefed
4 to relevant clients (GC and political
5 parties) during the writ period
6 (e.g., Don Valley)."

7 Do you recall receiving that briefing or that
8 information as part of this October 29, 2019 ---

9 **HON. KARINA GOULD:** It would have been ---

10 **MR. NANDO de LUCA:** --- brief?

11 **HON. KARINA GOULD:** --- a high level. I
12 wouldn't have received the specifics about Don Valley and
13 would have said something to the effect of limited activity
14 viewed, action taken, but it wouldn't have been to that
15 specific level.

16 **MR. NANDO de LUCA:** Okay. So I just want to
17 be clear though, what you just described as what you would
18 have received would have been only at this briefing, or are
19 you saying ---

20 **HON. KARINA GOULD:** It would have been all of
21 the briefings. It would have -- it was high level. I was
22 never given specifics about candidates, parties, locations or
23 individuals.

24 **MR. NANDO de LUCA:** Were you given specifics
25 as part of this briefing?

26 **HON. KARINA GOULD:** No.

27 **MR. NANDO de LUCA:** Were you given
28 generalities relating to voting irregularities for Don Valley

1 North ---

2 HON. KARINA GOULD: No.

3 MR. NANDO de LUCA: --- prior to this
4 briefing?

5 HON. KARINA GOULD: No.

6 MR. NANDO de LUCA: You have to let me
7 finish.

8 HON. KARINA GOULD: Oh, well, okay, no.

9 MR. NANDO de LUCA: Okay. Those are my
10 questions. Thank you very much.

11 COMMISSIONER HOGUE: Thank you.

12 Me Sirois for RCDA?

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

14 MR. GUILLAUME SIROIS:

15 HON. KARINA GOULD: Good morning.

16 MR. GUILLAUME SIROIS: Minister Gould, you
17 mentioned during your examination-in-Chief that a primary
18 national interest of Russia imposed inciting chaos within
19 democratic nations; right?

20 HON. KARINA GOULD: One of them, yes.

21 MR. GUILLAUME SIROIS: Including the 43rd and
22 44 general election?

23 HON. KARINA GOULD: I wouldn't know that
24 specific for those elections because I was not the Minister
25 of Democratic Institutions at the time, but what I can say is
26 it doesn't necessarily mean that that was their objective in
27 Canada, but that has been one of their objectives in terms of
28 why they engage in cyber activities during election periods

1 and democracies.

2 **MR. GUILLAUME SIROIS:** So, sorry, your
3 evidence is that Russia has an objective and to -- in
4 interfering -- on the national interest in interfering in
5 democratic nations, but perhaps not Canada?

6 **HON. KARINA GOULD:** Could -- Canada is a
7 democratic nation. It's a member of NATO, and so, therefore,
8 we need to be alert and aware. It doesn't mean that Canada
9 is necessarily the main focus, but certainly what we see in
10 democratic countries around the world, one of the objectives
11 that Russia has is creating chaos.

12 **MR. GUILLAUME SIROIS:** Maybe that Canada is
13 not the main focus, but it's certainly one of, therefore, the
14 focus?

15 **HON. KARINA GOULD:** I couldn't necessarily
16 say that. I mean, it would -- we would have to have evidence
17 of that, and I'm not sure that that's something that I'm
18 allowed to talk about.

19 **MR. GUILLAUME SIROIS:** Yes, that's the thing.
20 My question's not about whether we have evidence or not. My
21 question is more on Russia's intent in interfering ---

22 **HON. KARINA GOULD:** M'hm.

23 **MR. GUILLAUME SIROIS:** --- in democratic
24 nations as you testified about this morning. And so I'll
25 just ask the question again, just to be sure I understand.
26 Are you saying that Russia does not interfere in Canada, or
27 does not have the intent of interfering in Canada, but has
28 the intent of interfering in other democratic nations?

1 **HON. KARINA GOULD:** I think Russia has the
2 intent of interfering in most democratic nations,
3 particularly, those that are members of NATO.

4 **MR. GUILLAUME SIROIS:** But not the 43rd and
5 44 general election in Canada?

6 **HON. KARINA GOULD:** I wouldn't be able to
7 say. I wasn't -- I was Minister of Democratic Institutions
8 before those events took place.

9 **MR. GUILLAUME SIROIS:** Understand.

10 **HON. KARINA GOULD:** But certainly, Russia was
11 something that we were concerned about, which is why we
12 created this whole infrastructure to protect our elections.

13 **MR. GUILLAUME SIROIS:** You suspecting that
14 Russia may have an intention ---

15 **HON. KARINA GOULD:** Be prepared.

16 **MR. GUILLAUME SIROIS:** Yeah.

17 **HON. KARINA GOULD:** Yeah.

18 **MR. GUILLAUME SIROIS:** Okay. And I wanted to
19 move now to the threshold just with the little time I have
20 left. There's a degree of subjectivity when determining
21 whether the high threshold has been met; right? That's why
22 you have five different panel members.

23 **HON. KARINA GOULD:** Yeah.

24 **MR. GUILLAUME SIROIS:** Yes?

25 **HON. KARINA GOULD:** Yes.

26 **MR. GUILLAUME SIROIS:** Is it possible that
27 for different members of the Canadian public also there's
28 different conceptions of what a high threshold is? I'm

1 thinking in particular with respect to diaspora members. For
2 instance, maybe a pro-democracy diaspora member may think
3 that the high threshold has been met by a certain situation,
4 but that may -- same conclusion may not be reached by the
5 Panel of Five?

6 **HON. KARINA GOULD:** Certainly. I think for
7 different actors, there would be different expectations as to
8 when that is met, but that's why we created a Panel of Five,
9 so that they could have that conversation and determine when
10 to make a public announcement.

11 **MR. GUILLAUME SIROIS:** So ---

12 **HON. KARINA GOULD:** Because it is a very
13 complicated, emotional, high-energy moment that has a huge
14 impact, so that's why it was important to be able to have a
15 group that could make that determination.

16 **MR. GUILLAUME SIROIS:** But it's possible that
17 the group concludes that there's a -- the high threshold
18 hasn't been met, although with the same information, so one
19 from a diaspora group may conclude that the high threshold
20 has been met?

21 **HON. KARINA GOULD:** I guess what I would say
22 to that is that those -- the panel is put in place
23 specifically to determine if that threshold meets the fact
24 that a free and fair election has been compromised, the
25 ability to have one, and that it's in the national interest
26 to release this information publicly.

27 **MR. GUILLAUME SIROIS:** Well, I know why the
28 Panel of Five has been created. That's clear and thanks to

1 you. I just want to understand whether it's possible for the
2 panel to reach one conclusion with respect to a threshold and
3 a member of the diaspora community to reach a different
4 conclusion with respect to ---

5 **HON. KARINA GOULD:** Well, in ---

6 **MR. GUILLAUME SIROIS:** --- a threshold.

7 **HON. KARINA GOULD:** --- with all due respect,
8 I'm -- the member of the diaspora community is not
9 necessarily charged with protecting Canada's democracy, and
10 so their understanding of when and what to say publicly may
11 be different. I will certainly grant you that, but I think
12 what's important here is that we have a group of the highest-
13 ranking public servants in the country who determine when
14 that needs to be released publicly.

15 **MR. GUILLAUME SIROIS:** Well, I'm out of time,
16 but I thank you ---

17 **COMMISSIONER HOGUE:** Yes. Counsel for the --
18 for UCC?

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

20 **MR. JON DOODY :**

21 **MR. JON DOODY:** Good morning, Minister Gould.

22 **HON. KARINA GOULD:** Good morning.

23 **MR. JON DOODY:** It's Jon Doody. I'm counsel
24 for the Ukrainian Canadian Congress. We've heard from you
25 and others that the motivation to create the plan to protect
26 Canada's democracy was due to Russia's interference in the
27 U.S. and around the world. From when you got that mandate in
28 2017 and leading up to the 2019 election, did you see that

1 concern decrease or increase from Russia specifically?

2 **HON. KARINA GOULD:** Well, I'm not sure I can
3 comment on specific intelligence.

4 **MR. JON DOODY:** No, but what I mean is Russia
5 as a country.

6 **HON. KARINA GOULD:** But what I can say is --
7 well, I think that would maybe be classified information, but
8 what I can say is that I remained very concerned as I
9 continued to learn, that this is something that Canada needed
10 to do, and we needed to make sure that we had a plan and a
11 process in place.

12 **MR. JON DOODY:** Right. And you stated in
13 your testimony this morning that in every election there's
14 been attempts at foreign interference, but whether they're
15 successful or not is another issue.

16 **HON. KARINA GOULD:** M'hm.

17 **MR. JON DOODY:** So do you believe that there
18 are attempts by Russia to interfere in the 2019 and '21
19 election in Canada?

20 **HON. KARINA GOULD:** I don't think I can
21 comment on that.

22 **MR. JON DOODY:** So you believe that every
23 election there's attempts, but you don't know about these two
24 with Russia?

25 **HON. KARINA GOULD:** Well, yeah, I don't think
26 I can comment.

27 **MR. JON DOODY:** And you said in response to a
28 question for counsel for Mr. O'Toole that as long as a

1 Canadian voter -- make sure I understand this -- goes to the
2 voter box with their own understanding of the issues without
3 direct foreign interference, that that was a valid vote.

4 **HON. KARINA GOULD:** Yes. I mean, if you
5 consider an election -- a writ period, there's a lot of
6 information that is spread even by domestic actors that is
7 not necessarily true. But the fact of the matter is, is, you
8 know, unless you can tie it specifically to a foreign actor
9 it's hard to determine that that is what made them cast that
10 ballot.

11 So one of the reasons why one of the pillars
12 in the plan to protect democracy was about informing citizens
13 is so that citizens can have the tools to be able to identify
14 information, see valid sources. And that's also the reason
15 why we invited the NATO StratCom to come talk to Canadian
16 journalists as well, so that they, as arbiters of
17 information, can hopefully provide the best sources to
18 Canadian citizens.

19 **MR. JON DOODY:** In that scenario, if the
20 understanding of that voter is incorrect due to
21 misinformation or disinformation being spread by a foreign
22 state, would that vote still be valid?

23 **HON. KARINA GOULD:** Is that citizen casts
24 that ballot, yes, and they were not forced to cast that
25 ballot. I mean, at the end of the day, Canadian citizens
26 make decisions on their votes based on a wide range of
27 issues, a wide range of access to information. There's
28 plenty of stuff out there now that's false that's informing

1 people that's spread by domestic actors, right?

2 So at the end of the day, if a Canadian has
3 made that decision, that their vote is valid. What we are
4 trying to do, or what I was trying to do was to set up an
5 infrastructure to enable Canadians to make informed choices
6 and have an understanding of where that information was
7 coming from.

8 **MR. JON DOODY:** Thank you.

9 **COMMISSIONER HOGUE:** Counsel for Human Rights
10 Coalition.

11 **(SHORT PAUSE/COURTE PAUSE)**

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

13 **MS. HANNAH TAYLOR:**

14 **MS. HANNAH TAYLOR:** Good morning.

15 **HON. KARINA GOULD:** Good morning.

16 **MS. HANNAH TAYLOR:** If the Court Operator
17 could please pull up HRC 31? This is the Liberal Party of
18 Canada Bylaw governing procedure for the Permanent Appeals
19 Committee.

20 **--- EXHIBIT No./PIÈCE No. HRC 31:**

21 LPC Procedure for the Permanent
22 Appeals Committee, Bylaw 9

23 **MS. HANNAH TAYLOR:** And if we could jump to
24 3.1 at the bottom of page 1?

25 It states that:

26 "two (2) Co-Chairs, [are] appointed
27 by the National Board, with the
28 consent of the Leader..."

1 Minister, would that be the Leader of the
2 Liberal Party of Canada?

3 **HON. KARINA GOULD:** So I will just say that
4 before appearing here, I have never read this bylaw before.
5 I would assume it's the Leader of the Liberal Party of
6 Canada, but this was, I think, more a question for the Party
7 apparatus as opposed to a Minister.

8 **MS. HANNAH TAYLOR:** Okay, we can move on.

9 **HON. KARINA GOULD:** Yeah.

10 **MS. HANNAH TAYLOR:** Could we please pull up
11 next CAN 4079_R01? And if we could go to the top of page 2,
12 please? Thank you.

13 It reads:

14 "The PRC is known to target and/or
15 leverage family as part of its FI
16 [meaning foreign interference] and
17 other threat activity, through
18 Operations FOXHUNT and SKYNET, for
19 example. The PRC could potentially
20 threaten or intimidate [redacted]."

21 What are your thoughts on this, Minister?

22 **HON. KARINA GOULD:** Sorry; could you go to
23 the top of this briefing note for me? I'm not sure I ---

24 **MS. HANNAH TAYLOR:** And my apologies; the
25 document, it doesn't have identification in the database as
26 to what intelligence body prepared it, so I'm not able to
27 tell you.

28 **HON. KARINA GOULD:** Okay. Yeah, I'm not sure

1 I've seen this document before. If that's the correct date,
2 then that's after the time that I was Minister of Democratic
3 Institutions.

4 **MS. HANNAH TAYLOR:** Would you be able to
5 speak from -- you know, my understanding is that you have
6 received high-level briefings about actors involved in
7 potential foreign interference and the ways that they engage
8 in that foreign interference. Would you be able to speak to
9 the issue of the PRC targeting and/or leveraging families as
10 part of the foreign interference -- that's foreign
11 interference in your role before that? Are you able to speak
12 about it more generally?

13 **HON. KARINA GOULD:** I can speak more
14 generally about my time as Minister of Democratic
15 Institutions. This is something that I have not seen before
16 or been presented with.

17 **MS. HANNAH TAYLOR:** Have you been presented
18 with information that speaks to the PRC leveraging or
19 threatening family?

20 **HON. KARINA GOULD:** No.

21 **MS. HANNAH TAYLOR:** Okay. So your answer is
22 simply you aren't in a position to discuss or answer
23 questions ---

24 **HON. KARINA GOULD:** Correct.

25 **MS. HANNAH TAYLOR:** --- because you have not
26 received information about this issue?

27 **HON. KARINA GOULD:** Correct.

28 **MS. HANNAH TAYLOR:** Okay, thank you.

1 COMMISSIONER HOGUE: Thank you.

2 AG?

3 MR. GREGORY TZEMENAKIS: Good morning,
4 Commissioner.

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

6 MR. GREGORY TZEMENAKIS:

7 MR. GREGORY TZEMENAKIS: Good morning,
8 Minister. I just have two clarification questions.

9 You were taken to -- and we can pull this up
10 if we need to; you were taken to CAN 004252, which is a
11 security briefing dated October 29, 2019, which you -- I
12 believe your testimony was you weren't sure if you remembered
13 that the security briefing took place on that date.

14 HON. KARINA GOULD: Correct.

15 MR. GREGORY TZEMENAKIS: And you were asked
16 about -- you recall being asked about your state of knowledge
17 regarding Don Valley North?

18 HON. KARINA GOULD: (Nods "Yes").

19 MR. GREGORY TZEMENAKIS: Can you just confirm
20 for the record, as Minister of Democratic Institutions, did
21 you have responsibility and/or accountability to address any
22 alleged incidents of foreign interference that would have
23 flowed ---

24 HON. KARINA GOULD: No.

25 MR. GREGORY TZEMENAKIS: --- in respect of
26 Don Valley North?

27 HON. KARINA GOULD: No.

28 MR. GREGORY TZEMENAKIS: And can you tell us

1 which Minister or which portfolio might have been
2 responsible?

3 **HON. KARINA GOULD:** I would think it would be
4 the Minister of Public Safety; however, I believe that that
5 would -- if there was something that happened, that that
6 would be the purview of the RCMP because they would be the
7 ones that would respond in such instance because of a ---

8 **MR. GREGORY TZEMENAKIS:** Thank you, Minister.

9 **HON. KARINA GOULD:** --- yeah.

10 **COMMISSIONER HOGUE:** Thank you.

11 Re-examination?

12 **MS. LYNDA MORGAN:** None.

13 **COMMISSIONER HOGUE:** So it's -- we'll break
14 for 20 -- we are starting with another witness, so I think it
15 will be 11:30. Thank you very much.

16 **HON. KARINA GOULD:** Thank you.

17 **(WITNESS WITHDRAWS/LE TÉMOIN SE RETIRE)**

18 **THE REGISTRAR:** This sitting of the Foreign
19 Interference Commission is now in recess until 11:20. Cette
20 séance est en pause jusqu'à 11 h 20.

21 Oh, correction; 11:30. Correction; 11 h 30.

22 --- Upon recessing at 11:20 a.m./

23 --- La séance est suspendue à 11 h 20

24 --- Upon resuming at 11:30 a.m./

25 --- La séance est reprise à 11 h 30

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

28 This sitting of the Foreign Interference

1 Commission is now back in session. Cette séance de la
2 Commission sur l'ingérence étrangère a repris.

3 **HON. WILLIAM BLAIR:** Good morning, Madam
4 Justice.

5 **COMMISSIONER HOGUE:** Good morning.
6 Mr. Cameron, you will conduct the
7 examination?

8 **MR. GORDON CAMERON:** Good morning, Madam
9 Commissioner. We have Minister William Blair.
10 Can I have the witness sworn or affirmed,
11 please.

12 **THE REGISTRAR:** Do you wish to be sworn? You
13 may sit.

14 Could you please state your name and spell
15 your last name for the record, please?

16 **HON. WILLIAM BLAIR:** My name is William
17 Sterling Blair. My surname is spelled B-l-a-i-r.

18 **THE REGISTRAR:** Thank you.

19 **--- HON. WILLIAM BLAIR, Sworn/Assermenté:**

20 **THE REGISTRAR:** Thank you very much, sir.
21 You may proceed.

22 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR**

23 **MR. GORDON CAMERON:**

24 **MR. GORDON CAMERON:** Good morning,
25 Minister Blair.

26 I wonder if the court operator could pull up
27 WIT 64.

28 **--- EXHIBIT NO./PIÉCE NO. WIT 64:**

1 Public Interview Summary: the
2 Honourable Bill Blair, Minister of
3 National Defence

4 **MR. GORDON CAMERON:** And while he is doing
5 that, Minister Blair, I'll ask you if you remember that you
6 were interviewed by Commission Counsel on February 21st, and
7 then examined *in-camera* by Commission Counsel. And that we
8 have on the screen now the public interview summary that was
9 prepared in respect of your interview.

10 And can you tell me, did you have a chance to
11 review that document, the public version of it?

12 **HON. WILLIAM BLAIR:** Yes. Thank you,
13 Mr. Cameron. I do, of course, recall that I attended both
14 meetings. I have had the opportunity to review the interview
15 summaries, both the public interview and the *in-camera*
16 interview.

17 **MR. GORDON CAMERON:** Thank you. And were
18 they accurate?

19 **HON. WILLIAM BLAIR:** Yes, sir.

20 **MR. GORDON CAMERON:** Do you have any
21 corrections you'd like to make now?

22 **HON. WILLIAM BLAIR:** No, sir. I believe
23 they're an accurate reflection of the conversations that we
24 had.

25 **MR. GORDON CAMERON:** Okay. And do you adopt
26 them as your evidence in this proceeding?

27 **HON. WILLIAM BLAIR:** I do, sir.

28 **MR. GORDON CAMERON:** Thank you.

1 If you could begin, Minister Blair, mindful
2 that we are a little bit constrained by time this morning,
3 but begin by giving us your role in public life and how you
4 arrived at the position of Minister of Public Safety.

5 **HON. WILLIAM BLAIR:** Yes, sir. I'll try to
6 be brief. I became a Toronto police officer in 1976, and I
7 performed a number of wide variety of functions within
8 policing, including in criminal intelligence and organised
9 crime. I, in 2005, was appointed the Chief of the Toronto
10 Police Service, and I held that position as the Chief of, I
11 believe, the largest police service in Canada, for
12 approximately 10 years until April of 2026 (sic). During
13 that period of time, I also served as the President of the
14 Canadian Association of Chiefs of Police, the Ontario
15 Association of Chiefs of Police, and many other national and
16 international organisations.

17 I retired from my policing career in -- on
18 April 26th, 2015. I then sought the nomination to run for
19 federal politics in the riding of Scarborough Southwest. I
20 was elected on April 19th, or excuse me, October 19th of
21 2015, and became a Member of Parliament.

22 In July of 2018, I was appointed to Privy
23 Council and the Cabinet of Canada as the Minister of Border
24 Security and Organised Crime Reduction. I then, following
25 the election of 2019, I was appointed in November of 2019 as
26 the Minister of Public Safety and Emergency Preparedness.
27 Following the 2023 election, I was -- excuse me, the 2021
28 election, we didn't have one in '23, in 2021 election, I was

1 appointed the Minister of Emergency Preparedness for Canada,
2 and in July of last year, the Prime Minister appointed me as
3 Canada's Minister of National Defence, the position that I
4 currently hold.

5 **MR. GORDON CAMERON:** Thank you. And if I can
6 just capture from within that chronology, if I understand
7 correctly you were Minister of Public Safety from about
8 November of 2019, so shortly after the 2019 election, until
9 about October of 2021. Is that correct?

10 **HON. WILLIAM BLAIR:** Yeah. Yes, sir. I held
11 that position until I was appointed to a new position, and
12 another individual was appointed in -- after -- following the
13 election of 2021 to the position of Public Safety.

14 **MR. GORDON CAMERON:** Thank you. Now, we had
15 the benefit of hearing yesterday from senior personnel from
16 the Department of Public Security. So what I'd like to ask
17 you about is your perspective from the Minister's chair,
18 being the Minister of that department and the responsible
19 person for the various agencies who report to the Minister,
20 could you describe that for the Commissioner, please?

21 **HON. WILLIAM BLAIR:** Again, I'll attempt to
22 do it briefly. As the Minister of Public Safety, I had a
23 number of responsibilities. Primarily, I was the Minister of
24 the Department of Public Safety, which is headed by a deputy
25 minister, but there are also five agencies for which I had
26 ministerial oversight and responsibility. That included the
27 RCMP, the Canadian Border Services, CSIS, Corrections Canada
28 and the Parole Board. In addition, there are a number of

1 other review bodies pertaining to those organisations for
2 which I also had ministerial responsibility.

3 There is legislation with respect to the
4 position of Minister of Public Safety, defining some of those
5 responsibilities, and in addition, each of the five agencies
6 has foundational legislation that prescribes their
7 authorities but also defines the role of the Minister in
8 relation to those organisations.

9 **MR. GORDON CAMERON:** Thank you for that. And
10 if you could just describe, then, in general terms how you
11 would relate or interact with, for example, the Director of
12 the Service or the Commissioner of the RCMP, how you as
13 Minister would relate to the heads of the various agencies
14 for which you were responsible?

15 **HON. WILLIAM BLAIR:** Yeah, I had a very close
16 relationship with the heads of each of the agencies. My
17 primary point of contact in the Ministry was the Deputy
18 Minister of Public Safety, Mr. Rob Stewart, throughout my
19 entire -- or through the majority of my tenure in that
20 position. That primarily pertains to issues around policy
21 and other related matters to the Department.

22 I also interacted with the Commissioner of
23 the RCMP, the Director of CSIS, the President of CBSA, the
24 Commissioner responsible for Corrections Canada and the Chair
25 of Parole Board, fairly regularly and routinely meeting with
26 them. And they had opportunities to brief me on matters
27 related to their portfolios, and there were also for each of
28 those departments certain authorities that I held over

1 approvals for certain activities within their departments
2 that they would come to me for and seek those approvals.

3 **MR. GORDON CAMERON:** And I'm just going to
4 note that we are trying to keep things at a pace the
5 interpreters, the simultaneous ---

6 **HON. WILLIAM BLAIR:** I apologise.

7 **MR. GORDON CAMERON:** --- translators can keep
8 up with, so I'll just ask you to keep that in mind.

9 In the context that you were just describing,
10 the way that you managed your responsibility for the various
11 agencies, can you tell me what the role was of the
12 ministerial directives that you might have occasion to issue
13 with respect to any of the agencies?

14 **HON. WILLIAM BLAIR:** One of my
15 responsibilities as Minister was to provide direction to the
16 agencies that were under my portfolio, and the mechanism by
17 which we'd do that was with the issuance of a written
18 ministerial directive that established priorities, for
19 example. And I think pertinent to this discussion, I did
20 have the opportunity to issue ministerial directions to both
21 the RCMP and CSIS outlining what I perceived to be the
22 priorities of those agencies. And the intention of that was
23 to give appropriate direction to the areas that I felt they
24 should prioritise in their work.

25 **MR. GORDON CAMERON:** And did you issue such a
26 ministerial directive with respect to CSIS during your term?

27 **HON. WILLIAM BLAIR:** Yes, sir, I did.

28 **MR. GORDON CAMERON:** And did that ministerial

1 directive make reference of the Service's responsibility to
2 investigate foreign interference?

3 **HON. WILLIAM BLAIR:** It specifically
4 identified foreign interference as a priority for CSIS. As a
5 matter of fact, in the list of priorities that were
6 identified, foreign interference was the second on the list.
7 And although it was not a prioritised list, I think its
8 position there reflects the importance of which I placed upon
9 it.

10 **MR. GORDON CAMERON:** Thank you. Now, noting
11 that you became the Minister of Public Safety after the 2019
12 election, what was your perspective on foreign interference
13 at the start of your term as Minister of Public Safety?

14 **HON. WILLIAM BLAIR:** I had had the
15 opportunity -- first of all, and as I've already mentioned, I
16 had a very long police career, and I was aware of the --
17 historically hostile activities of certain state actors with
18 respect to Canada, and the threat that that could represent
19 to Canada's national interest, to Canadian citizens, to our
20 critical infrastructure.

21 As -- in my previous role, prior to becoming
22 the Minister of Public Safety, as the Minister of Border
23 Security and Organised Crime Reduction, I also had the
24 benefit of some briefings under the authority of then
25 Minister Goodall, who was the previous Minister of Public
26 Safety, with respect to information that was provided. And
27 when I was appointed, when I became the Minister of Public
28 Safety, I had the benefit of very extensive briefings with

1 respect to the intelligence and the law enforcement
2 situation, the public safety situation in the country, which
3 included briefings with respect to issues around the hostile
4 activities of state actors and the wide variety of risks that
5 that represented.

6 **MR. GORDON CAMERON:** Well, since you've
7 mentioned that, let me ask the court operator to pull up
8 WIT 64.

9 And if you can scroll to paragraph 13 of the
10 interview summary of Minister Blair.

11 Minister, the -- you can see it in
12 paragraph 13 of your interview summary there's a description
13 of your account of a briefing you received by CSIS after the
14 2019 election. Is this one of those briefings of the type
15 you were just describing?

16 **HON. WILLIAM BLAIR:** Yes, it is.

17 **MR. GORDON CAMERON:** And can you be more
18 particular about this one as its discussed in your interview
19 summary, the one about the 2019 Don Valley North Liberal
20 Party of Canada nomination?

21 **HON. WILLIAM BLAIR:** As part of a number of
22 briefings that was provided to me by the Director of CSIS,
23 there was a discussion about concerns that they had
24 identified through their intelligence reporting about the
25 nomination process in 2019 that occurred in Don Valley North.
26 And they provided me with information with respect to the
27 intelligence that they had received that called into question
28 that nomination process, suggesting that there may have been

1 irregularities in the number -- the people who participated
2 in that and the possibility that it had been influenced in
3 some way by the activities of the People's Republic of China,
4 or representatives of that country.

5 **MR. GORDON CAMERON:** And in your -- in
6 paragraph 13 of your interview summary, you describe your
7 reaction to that briefing. If you look at the sort of second
8 half of the paragraph, you have some numbered points about
9 your reaction.

10 **HON. WILLIAM BLAIR:** Yes, sir. As I've
11 indicated, in previous roles in both policing and in my
12 previous roles in government, I have a fairly good
13 understanding of the nature of intelligence. Intelligence
14 isn't necessarily factual evidence of what took place, if
15 someone perceives that this has happened.

16 And so I made some inquiries during that
17 briefing with respect to the source of that intelligence,
18 that information, on -- to determine if I -- from CSIS'
19 perspective, the reliability of that individual, if there was
20 corroborating evidence to support the intelligence that had
21 been received, if there was other corroboration or manner --
22 effort to substantiate that allegation, it -- they indicated
23 to me that they did not at that time have other corroborating
24 evidence in any way to substantiate that.

25 I also made inquiries if there was any
26 evidence beyond the nomination process itself of interference
27 in the electoral process that we had just gone through in the
28 2019 Election, and they did not indicate at that time to me

1 that there had been any impact during -- in that riding and
2 any evidence of interference following. Their concerns were
3 limited only to the nomination process.

4 And my perception of that was -- and my last
5 question, was there any suggestion that the candidate was
6 knowledgeable and aware of that? And they had no information
7 to corroborate that.

8 **MR. GORDON CAMERON:** Thank you.

9 Perhaps if the Court Operator could call up
10 CAN 3326?

11 Minister Blair, as you discussed in your *in-*
12 *camera* evidence, you -- not long after your appointment as
13 Minister, you had an initiative, and this was mentioned by
14 your department in their evidence yesterday, so I'll just ask
15 you again, from your perspective as the Minister, if you can
16 start by describing the motion on November 18th, 2020 to
17 which the document we now have on the screen was a response,
18 and why you responded to it with this report and letter to
19 the MPs?

20 **HON. WILLIAM BLAIR:** Yes, there had been a
21 motion on November 18th, 2020 in the House of Commons, when
22 the House sought information on what the Government was doing
23 to address threats to the security, prosperity, and
24 democratic institutions right across the country. And in
25 response to that, I worked very closely with my department,
26 and some excellent policy work that was done by Deputy
27 Minister and his team, along with my Ministry Office, we
28 crafted a response to that motion.

1 We also had discussion about, you know,
2 frankly tabling a response to a motion. In my experience,
3 those don't always receive the full attention of every Member
4 of Parliament, or the attention of Canadians. And I felt
5 that it was very important.

6 This information -- I think in order for
7 Canada to defend its institutions, or in order for us to take
8 the steps necessary to respond to the threat of foreign
9 interference, it was necessary to inform my Parliamentary
10 colleagues, but also to inform Canadians of the nature of
11 that threat, give them information on what risk it
12 represented, and also information on how they could then
13 respond. I wanted to tell my colleagues what the Government
14 was doing, but also to tell Canadians, if they saw evidence
15 of foreign interference.

16 The response that is provided in this
17 document did not limit itself, quite frankly, to just
18 political interference. There was a great deal of concern,
19 which frankly I still hold, with respect to the hostile
20 activities of state actors in interfering with a number of
21 our critical infrastructure, our life sciences and health
22 sciences institutions, our research capabilities. There are
23 a number of cyber threats that are also quite significant and
24 deeply concerning to our national interest.

25 And the purpose of this letter was to inform
26 my Parliamentary Colleagues, and through my Parliamentary
27 colleagues, by publishing this document and making it -- and
28 tabling it in Parliament, to inform Canadians about the full

1 nature of this threat, and to inform Canadians about what
2 their government was doing in response to it.

3 **MR. GORDON CAMERON:** Thank you. And with
4 respect to a particular topic, this is a report of some 12
5 pages long, but I just -- if I could take you to one little
6 section of it and ask for your comments?

7 If the Court Operator could scroll down to
8 page 11 of this report?

9 And if you look down under the heading
10 "Protecting our citizens and [...] communities", there's a
11 paragraph that begins:

12 "Canada does not tolerate harassment
13 or intimidation of its citizens."

14 And you might recollect that in both your
15 interview and in your *in-camera* evidence, we explored this
16 issue of your concern as Minister for diaspora communities in
17 Canada, and just noting that this is a part of your report,
18 could you comment on that for the Commissioner, please?

19 **HON. WILLIAM BLAIR:** Yes, sir. There was and
20 remains a fairly significant concern about the activities of
21 certain hostile states in harassing or intimidating our
22 citizens. I made reference in this document, for example, to
23 Operation Foxtrot, in which the Government of China was
24 attempting to gather information and to intimidate people in
25 Canada with respect to certain economic investigations that
26 they were conducting.

27 I've spent most of my life trying to keep
28 Canadians safe, and it's been my job, and I believe the best

1 way to keep Canadians safe is to give them information on how
2 to protect themselves, but also to tell them what steps to
3 take when they perceive that there is intimidation and
4 threats taking place, that they're not alone, and that we're
5 going to be there for them. And I was hoping to make that
6 clear in this document, that we would not tolerate it and if
7 they perceived that they were subject to intimidation or
8 threat through the course of action of a hostile government,
9 such as the People's Republic of China, that the Government
10 would take it seriously and that we would respond.

11 **MR. GORDON CAMERON:** Thank you. I'm going to
12 switch gears now and talk to you just in a general sense
13 about the flow of information and intelligence to you as
14 Minister. Not about any specific document or incident, but
15 just generally speaking.

16 And let me begin by asking you, did you have
17 a security clearance to see classified intelligence?

18 **HON. WILLIAM BLAIR:** Yes, sir. I hold -- as
19 member of the Privy Council, but also by virtue of the
20 various positions that I've held, I have clearance for
21 essentially the highest levels of intelligence.

22 **MR. GORDON CAMERON:** Including ---

23 **HON. WILLIAM BLAIR:** Some internationally
24 shared Five Eyes intelligence.

25 **MR. GORDON CAMERON:** Right. So there would
26 be no intelligence that you wouldn't be able to see if the
27 appropriate agencies thought it was appropriate that you be
28 briefed on it?

1 **HON. WILLIAM BLAIR:** I don't think there's
2 any restriction on what I am able to ---

3 **MR. GORDON CAMERON:** Thank you.

4 **HON. WILLIAM BLAIR:** --- be made aware of.

5 **MR. GORDON CAMERON:** And generally speaking,
6 in your tenure as Minister, how did classified intelligence
7 come to your attention?

8 **HON. WILLIAM BLAIR:** There were certain --
9 there's various levels of classification of material. And
10 frankly, I've always tried to be very careful with the
11 handling of all classified information, and I frankly never
12 take it from the room or make notes with respect to it
13 because that would, in my opinion, compromise its security.

14 In my role as the Minister of Public Safety,
15 I generally have access, periodically, to some classified
16 material, but virtually everything of a top-secret nature was
17 only shared with me in the confines of a secure environment,
18 a SCIF. Generally throughout my tenure as Public Safety
19 Minister, either in the SCIF at -- [phone ringing]. I
20 apologize. I may be subject to some form of interference.

21 **(LAUGHTER/RIRES)**

22 **HON. WILLIAM BLAIR:** All top-secret material
23 was shared to me in the confines of a SCIF, either at 269
24 Laurier here in Ottawa where there is a secure room where
25 briefings could take place, in the same building as my
26 Ministerial Office was located.

27 I also attended on a number of -- quite a
28 frequent number of occasions at the CSIS Headquarters, which

1 is located in Toronto, where there is secure facilities where
2 information would be shared with me in a secure room. I
3 would enter that room. Occasionally there would be secure
4 communications. Either the Director and his team would be
5 present, the Director of CSIS and his team would be present
6 at briefings. Sometimes that was done virtually,
7 particularly during the pandemic, where we were able to use
8 secure communications for that purpose. And occasionally I
9 would just be in the room and they would present a binder of
10 documents that I would read through.

11 **MR. GORDON CAMERON:** Okay. Could you just
12 expand a little bit on that experience again and describe for
13 me who would be briefing you? Maybe not the same group every
14 time, but typically, who are the personnel briefing you and
15 who are the personnel with you on the Ministerial side or the
16 departmental side of those briefings?

17 **HON. WILLIAM BLAIR:** In every case, the
18 briefing was done by the Director with his team and so the
19 Deputy Director and sometimes their Associate Director would
20 be present in the room.

21 In addition, not in every case, but in some
22 cases, the Deputy Minister and others of his team. His ADM,
23 Mr. Rochon, would also be present in the room. And
24 generally, my Chief of Staff would be present certainly in
25 the meetings that took place in Ottawa.

26 And when I attended to CSIS Headquarters, I
27 will tell you frequently I was in the room by myself. I was
28 sometimes connected virtually by screens and sometimes CSIS

1 personnel would simply come in, present a binder of documents
2 and I would read through them.

3 **MR. GORDON CAMERON:** Thank you.

4 I'm just going to ask if I can clarify a
5 detail in your evidence there.

6 When you talk about attending at CSIS in
7 Toronto, I think you're talking about attending at the CSIS
8 regional -- Toronto regional office, right, not CSIS
9 Headquarters?

10 **HON. WILLIAM BLAIR:** Yes, sir. I'm not sure
11 whether you want me to give the address, but ---

12 **MR. GORDON CAMERON:** No, no. I don't want
13 you to do that. But it was the Toronto regional office and
14 not Headquarters; right?

15 **HON. WILLIAM BLAIR:** No, it's the Toronto
16 regional office.

17 **MR. GORDON CAMERON:** Thank you.

18 **HON. WILLIAM BLAIR:** And its place -- because
19 of all the work I did in Toronto and I was also a member of
20 the INSET team dealing with national security investigations.
21 I've attended there very frequently.

22 But I will -- just in the past few weeks,
23 I've attended secret intel briefings there.

24 **MR. GORDON CAMERON:** That's been helpful.
25 Thank you.

26 Madam Commissioner, those are my questions.

27 **COMMISSIONER HOGUE:** Thank you.

28 Cross-examination. First one is counsel for

1 RCDA.

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

3 MR. GUILLAUME SIROIS:

4 MR. GUILLAUME SIROIS: Good morning, Minister
5 Blair. Guillaume Sirois, for the Russia Canadian Democratic
6 Alliance.

7 HON. WILLIAM BLAIR: Yes, sir.

8 MR. GUILLAUME SIROIS: In your witness
9 summary, you mentioned the evolution over time of
10 misinformation and disinformation; correct?

11 HON. WILLIAM BLAIR: Yes, sir.

12 MR. GUILLAUME SIROIS: Can you tell me a
13 little bit more about this evolution?

14 HON. WILLIAM BLAIR: There are a number of
15 ways in which foreign interference can take place. Some of
16 it is, you know, directed towards the intimidation or
17 coercion of individual Canadians or institutions. It can
18 also take the form of espionage in capturing information.

19 But one of the challenges that we face is in
20 the way in which Canadians now receive most of their
21 information through social media. There is a concern, I
22 think a legitimate concern, of misinformation and
23 disinformation. And I would differentiate between them.

24 One is just simply providing false
25 information. Another is -- frankly, has a more nefarious
26 intent, to not just misinform, but to create a public
27 perception which is not based on fact.

28 And we have seen the activities of a number

1 of hostile states, and again, I would -- if I may, I would
2 differentiate between a number of -- all foreign states
3 attempt to influence other countries and other citizens in
4 their best interest. But through the application of
5 misinformation and disinformation, it meets the threshold of
6 foreign interference if it is deceptive, if it is clandestine
7 and clearly intended to create chaos and mischief and
8 disagreement.

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

10 I'm wondering, why is this a concern for
11 public safety? Is there a chance that this misinformation or
12 disinformation becomes a real threat to the security of
13 Canadians, like threats to violence and so on?

14 **HON. WILLIAM BLAIR:** Well, if I may, let me
15 sort of reflect during the period in which I was the Public
16 Safety Minister.

17 There were a number of efforts among our
18 public health officials in order to take steps that were
19 necessary in order to keep Canadians safe, but unfortunately,
20 there was a great deal of misinformation and some
21 disinformation that was being widely circulated among the
22 Canadian population which interfered with public health's
23 efforts to keep Canadians healthy and safe. And so that can
24 represent a threat to the public safety of the country.

25 It also -- what we seen is one of the intents
26 of disinformation is to create significant social division
27 within the country and, you know, I think it is a well-
28 protected right of Canadians to hold an opinion and to

1 express that opinion under our *Charter* but, at the same time,
2 if those opinions are being negatively influenced by
3 misinformation with a nefarious intent to cause that social
4 division, it can represent a concern for public safety.

5 **MR. GUILLAUME SIROIS:** And is what you just
6 mentioned -- did you witness what you just mentioned
7 specifically during the 43rd and 44th General Elections?

8 **HON. WILLIAM BLAIR:** The misinformation that
9 we saw, there ---

10 **MR. GUILLAUME SIROIS:** Just to clarify, I'm
11 talking not necessarily about the misinformation,
12 disinformation online, but perhaps the transfer of this issue
13 to real threats to public safety, for instance, blocking
14 polling stations, refusing to wear a mask at polling stations
15 so that there was ---

16 **HON. WILLIAM BLAIR:** Frankly, we saw those as
17 that disinformation and the reaction that it created was a
18 challenge, but in my opinion, it did not rise the threshold
19 as interfering with our ability to hold a free and fair
20 election in Canada.

21 **MR. GUILLAUME SIROIS:** Oh, okay. I was not
22 questioning whether it was -- it met the threshold. I was
23 just questioning as whether -- is it something that the
24 Public Safety witnessed or was aware of during the -- at
25 least the 2021 election.

26 **HON. WILLIAM BLAIR:** Well, I can't tell you -
27 - my officials did not brief me specifically on the impact of
28 mis or disinformation on the 2021 election, but I think all

1 Canadians observed and recognized, you know, the wide
2 diversity of information that was being put forward. And it
3 was a concern, but it did not rise to the level that our
4 officials came forward and said this is something that we
5 need to respond to.

6 **MR. GUILLAUME SIROIS:** Okay.

7 **HON. WILLIAM BLAIR:** At least not to me.

8 **MR. GUILLAUME SIROIS:** And you mentioned in -
9 - just my last question. You mentioned numerous hostile
10 states in one of your previous answers about mis and
11 disinformation.

12 Would one of those be Russia?

13 **HON. WILLIAM BLAIR:** Yes.

14 **MR. GUILLAUME SIROIS:** And with Russia in
15 Canada specifically, or generally?

16 **HON. WILLIAM BLAIR:** Both Canada specifically
17 and generally.

18 **MR. GUILLAUME SIROIS:** And in our elections
19 specifically or generally in ---

20 **HON. WILLIAM BLAIR:** I did not see
21 substantial evidence of Russian efforts to influence our
22 elections through disinformation. I think and we have
23 observed a fairly concerted effort among a number of hostile
24 actors, including Russia, to engage in disinformation within
25 our society, but not specifically directed at our electoral
26 processes in the 2021 election.

27 **MR. GUILLAUME SIROIS:** So in 2021 and 2019.

28 **HON. WILLIAM BLAIR:** In either election. I'm

1 not aware of any activity by Russia through their
2 disinformation campaigns to influence the outcome of that
3 election. They were influencing other types of public
4 opinion, but I did not see evidence of it directed towards
5 the outcome of our 2019 or 2021 elections.

6 **MR. GUILLAUME SIROIS:** Okay. I'm out of
7 time, but I think you, Mr. Blair.

8 **COMMISSOINER HOGUE:** Next is counsel for
9 Human Rights Coalition.

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

11 **MS. HANNA TAYLOR:**

12 **MS. HANNAH TAYLOR:** Hello, Minister.

13 If I could ask the court reporter to please
14 pull up CAN 3326. My colleague for the Commission has
15 already brought this document up this morning.

16 I understand it's a letter that you wrote
17 dated December 18, 2020.

18 If we could turn to page 3 to the last
19 paragraph on the page.

20 **HON. WILLIAM BLAIR:** If I may just offer some
21 clarification, I had a great deal of help among my officials,
22 the Deputy Minister and his team and my officials in
23 composing this letter and -- but I adopt it all and added my
24 signature to it, so I am the sender of the letter, but it was
25 very much a team effort.

26 **MS. HANNAH TAYLOR:** Okay. So prepared by a
27 number of actors, but you adopt what's said in the letter --
28 or you agree with what is said in the letter.

1 **HON. WILLIAM BLAIR:** Yes, ma'am.

2 **MS. HANNAH TAYLOR:** Okay. Thank you.

3 So that paragraph, it reads:

4 "When foreign states target
5 Canadians, persons residing in Canada
6 or their families, they are seeking
7 to deprive members of Canadian
8 communities of their fundamental
9 rights and freedoms. Such actions
10 are unacceptable. If anyone feels
11 intimidated or threatened, it is of
12 the most importance to contact your
13 local police and I can assure you
14 that your concerns will be dealt with
15 in a serious and appropriate manner."

16 Do you remember this sentiment being prepared
17 or your ---

18 **HON. WILLIAM BLAIR:** No, ma'am. This is
19 something that I believe very strongly in and I want -- if
20 people feel that they are being subject to threats or
21 intimidation, it's really important that they reach out for
22 the help that's available to them.

23 **MS. HANNAH TAYLOR:** If we could please pull
24 up COM 155 and turn to paragraph 289 on page 106 of the
25 document.

26 **--- EXHIBIT No./PIÈCE No. COM 155:**

27 Annual Report 2019

28 **MS. HANNAH TAYLOR:** This is NSICOP's 2019

1 annual report, and I'll just wait for this. It might take a
2 moment for it to load. Maybe in the meantime, in the
3 interest of time, I can read it out and we'll just make sure
4 that it's up there.

5 So in paragraph 289, at page 106, it notes:

6 "...in a spring 2019 presentation to
7 the Standing Senate Committee on
8 Foreign Affairs and International
9 Trade, the Secretary General of
10 Amnesty International Canada noted
11 that those who are targeted do not
12 know whether to turn to CSIS, the
13 RCMP or municipal police, and that
14 they rarely receive a coherent
15 response from officials."

16 Likewise, and if you'd like we can ---

17 **COMMISSIONER HOGUE:** I think ---

18 **MS. HANNAH TAYLOR:** --- wait to see it.

19 Yeah.

20 **COMMISSIONER HOGUE:** Yes. I think it will be
21 better to have the document.

22 **MS. HANNAH TAYLOR:** Certainly.

23 **COMMISSIONER HOGUE:** At least the paragraph.
24 The document is there, but....

25 Can you repeat the paragraph number?

26 **MS. HANNAH TAYLOR:** Sure. So it's at
27 paragraph 289. You'd like me to read it out loud again,
28 Madam Commissioner?

1 **COMMISSIONER HOGUE:** No, paragraph 29.

2 **MS. HANNAH TAYLOR:** Two-eighty-nine.

3 **COMMISSIONER HOGUE:** Oh, 289. Sorry.

4 There you are.

5 **MS. HANNAH TAYLOR:** Oh, I'm sorry. Now, I've
6 got -- it'll be on -- are we on page 106 of the document?
7 Perhaps the PDF, I -- or the document. Okay.

8 **HON. WILLIAM BLAIR:** Yes, ma'am, it was --
9 the paragraph in question, 289, is open before me.

10 **MS. HANNAH TAYLOR:** Okay. I think I'm just
11 making sure that it matches.

12 Could we try the PDF page 106? My apologies.
13 I should have taken note of which one it was.

14 Okay. Perhaps we can move on. I apologise.

15 At the start of these hearings, we heard from
16 a panel of representatives from diaspora community
17 organisations, who explained that members of targeted
18 diaspora communities often think it's a waste of time to even
19 try to contact the police because in their experience nothing
20 comes of it, or they get bounced around to different
21 agencies.

22 Are you aware that community members are
23 experiencing these difficulties when they attempt to contact
24 law enforcement for help?

25 **HON. WILLIAM BLAIR:** Yeah, I've been a police
26 officer in one of the most diverse cities in the world for a
27 very, very many years, and worked very hard in those diverse
28 communities to make sure that they can know and trust that

1 the police will respond appropriately. One of the things I
2 attempted to do in the letter that I published to
3 parliamentarians and tabled in Parliament, was to actually
4 provide for Canadians the direct contacts with both CSIS and
5 the RCMP, it's articulated in that letter. But one of the
6 reasons I made reference to local police is because if there
7 is a immediate threat to someone's safety and they're
8 concerned for their safety that's a 9-1-1 call. And it's
9 really important that Canadians know that if they make that
10 call that someone will come there and help them to be safe.
11 And that's the information.

12 And I would also acknowledge too that many
13 diaspora communities, you know, often come from cultural
14 experiences which makes them untrustful of the police. And
15 it really is incumbent upon all police services, the RCMP and
16 CSIS, to make a very sincere effort to build trust in those
17 communities so that people know that if they need help
18 they'll get help.

19 **MS. HANNAH TAYLOR:** And speaking specifically
20 to reports of foreign interference through perhaps tip lines,
21 web forums for public reporting, are you aware that diaspora
22 communities are having difficulties accessing those
23 mechanisms?

24 **HON. WILLIAM BLAIR:** I'm not, but that would
25 be a concern to me because those are established in order to
26 help people report their concerns and to be safe. And I
27 think it -- your question highlights the need for us to do
28 more to make sure we reach out to those communities, make it

1 available to them in ways which are both language and
2 culturally appropriate so that people can trust that if they
3 need help they'll get it.

4 **MS. HANNAH TAYLOR:** And so by virtue of the
5 fact that you've recognised that there's a lot more work to
6 do to make sure that law enforcement can properly address the
7 concerns of diaspora communities or they can properly engage
8 in that reporting, access help, does that change your opinion
9 as to whether or not you can assure Canadians that they're
10 concerns will be dealt with in a serious and appropriate
11 manner by law enforcement as you -- as it was stated in that
12 letter?

13 **HON. WILLIAM BLAIR:** Yes, ma'am. I can tell
14 you that I have represented Canadian Police Services across
15 this country as president of the national association, and I
16 work very closely with my colleagues in policing at all
17 levels of policing in this country. I believe there is a
18 very sincere effort to reach out to diaspora communities and
19 to ensure that we are there for them in a way that is both
20 language and culturally appropriate.

21 Building trust is a -- requires a constant
22 effort. Part of that is providing those citizens with a
23 reassurance that we will answer their call and that we will
24 respond in an appropriate way. And I've tried to provide
25 that reassurance in this document.

26 **MS. HANNAH TAYLOR:** Thank you very much,
27 Minister.

28 **HON. WILLIAM BLAIR:** Thank you.

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

3 **MR. GIB van ERT:** Thank you, Commissioner.
4 No questions.

5 **COMMISSIONER HOGUE:** No questions.
6 Conservative Party.

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

8 **MR. NANDO de LUCA:**

9 **MR. NANDO de LUCA:** Good morning,
10 Minister Blair.

11 **HON. WILLIAM BLAIR:** Good morning, sir.

12 **MR. NANDO de LUCA:** Just bear with me. I've
13 had to change equipment here.

14 Minister Blair, in your witness statement at
15 WIT 63.

16 **--- EXHIBIT No./PIÈCE No. WIT 63:**

17 In Camera Examination Summary: the
18 Honourable Bill Blair, Minister of
19 Defence

20 **MR. NANDO de LUCA:** Perhaps we can get that
21 called up.

22 Paragraph 12, sir. You discuss approving
23 judicial warrants under the *CSIS Act*?

24 **HON. WILLIAM BLAIR:** That's correct.

25 **MR. NANDO de LUCA:** As Minister of Public
26 Safety. And am I correct that your evidence, as indicated
27 there, that it usually takes you two-and-a-half hours to
28 three hours to review and sign off on such warrants?

1 **HON. WILLIAM BLAIR:** It's approximately. It
2 depends on the complexity of the application, but that's
3 usually the amount that it takes.

4 **MR. NANDO de LUCA:** Okay. And in your
5 experience, including as a police officer and former chief of
6 police, would you agree that warrants and applications for
7 warrants are often very time sensitive?

8 **HON. WILLIAM BLAIR:** Yes, sir.

9 **MR. NANDO de LUCA:** And you'd agree that
10 delay in approving a warrant or applying for a warrant could
11 jeopardise an investigation and the evidence that you're
12 actually seeking to obtain under the warrant?

13 **HON. WILLIAM BLAIR:** No, I think there always
14 has to be a balance of -- there's an appropriate due
15 diligence of officials in preparing -- preparation of those
16 documents. There are also issues around candor and other
17 matters that need to be addressed. But certainly any undue
18 delay is -- can be problematic.

19 **MR. NANDO de LUCA:** Right. It could
20 jeopardise the investigation.

21 **HON. WILLIAM BLAIR:** Depending on the
22 investigation, but yes.

23 **MR. NANDO de LUCA:** Can I get MCC000053
24 called up.

25 And Minister Blair, this is an article from
26 the Globe and Mail, dated May 19, 2023, which generally deals
27 with foreign interference from China, and it also includes an
28 assertion at the top of page 2.

1 Perhaps we can scroll to that.

2 **MS. ERIN DANN:** Commissioner, I'm sorry to
3 interrupt Mr. De Luca. I just wanted to raise a potential
4 concern as to the -- whether or not this line of questioning
5 may be -- go beyond the scope of these first set of hearings
6 which are directed, as you mentioned in your opening remarks,
7 to the allegations of foreign interference in the 2019 and
8 2021 general elections, information flow relating to those,
9 and two decisionmakers.

10 As noted, other related issues in respect of
11 foreign interference may be addressed at later proceedings.

12 **COMMISSIONER HOGUE:** I'll see what is the
13 line of questioning.

14 **MR. NANDO de LUCA:** Sorry.

15 **COMMISSIONER HOGUE:** Just go on with your
16 question ---

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

18 **COMMISSIONER HOGUE:** --- and I see whether --
19 -

20 **MR. NANDO de LUCA:** Okay. Sure.

21 **COMMISSIONER HOGUE:** --- you're outside the
22 scope of this space ---

23 **MR. NANDO de LUCA:** Sure.

24 **COMMISSIONER HOGUE:** --- or not.

25 **MR. NANDO de LUCA:** So there's a passage
26 that's highlighted in the document itself in purple. Perhaps
27 you could read that to yourself to save me from reading it
28 into the record. But generally, it suggests that there was

1 undue delay in your signing off on a warrant or -- to surveil
2 Michael Chan in the lead up to the 2021 federal election.

3 Can you comment on why it took so long for
4 you to sign off on the warrant?

5 **HON. WILLIAM BLAIR:** Yeah, let me comment.
6 This paragraph is false.

7 **MR. NANDO de LUCA:** What aspects of it are
8 false, sir?

9 **HON. WILLIAM BLAIR:** There was no delay of
10 several months. The document in question ---

11 **MR. NANDO de LUCA:** Right.

12 **HON. WILLIAM BLAIR:** --- was put in front of
13 me on May the 11th. I signed it off the same day, about
14 three hours later.

15 **MR. NANDO de LUCA:** Okay. Thank you. Those
16 are my questions, sir.

17 **HON. WILLIAM BLAIR:** Thank you.

18 **COMMISSIONER HOGUE:** Thank you.

19 Next one is Jenny Kwan, counsel for Jenny
20 Kwan.

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

22 **MS. MANI KAKKAR:**

23 **MS. MANI KAKKAR:** Good morning, Commissioner,
24 and Mr. Blair.

25 Mr. Blair, I would like to ask you some
26 questions about CSIS' threat reduction measure power and your
27 oversight of that. My understanding is that you, as the
28 Minister, have over any TRMs that CSIS may want to pursue?

1 **HON. WILLIAM BLAIR:** That's correct.

2 **MS. MANI KAKKAR:** And just to understand,
3 what does oversight mean in this case? Are you required to
4 approve any such TRMs?

5 **HON. WILLIAM BLAIR:** CSIS -- when a TRM would
6 be sought by CSIS, they would come and brief me, seek my
7 concurrence. My understanding of legislation doesn't
8 necessarily require my approval, per say, but it does require
9 that CSIS make me aware of it, and that I concur with the
10 actions taken.

11 **MS. MANI KAKKAR:** Were there -- so just to
12 take a step back then, could you approach CSIS about a
13 potential situation in which you felt a TRM was appropriate?

14 **HON. WILLIAM BLAIR:** There would be nothing
15 to limit my ability to do that.

16 **MS. MANI KAKKAR:** Okay. And in the context
17 of foreign interference and during your tenure, did CSIS
18 approach you of any TRMs that were related to or targeted to
19 foreign interference?

20 **HON. WILLIAM BLAIR:** No, not specifically.
21 There were things that did not meet the threshold of CSIS
22 seeking authority for a TRM, but there were a number of I
23 think really important and relevant discussions with respect
24 to various serious concerns that CSIS had with respect to,
25 for example, foreign interference in some of our health
26 sciences institutions and research institutions. And we
27 discussed measures that could be taken in response to that.

28 And as a result, CSIS took the steps of very

1 proactively going to those institutions, briefing those
2 institutions, alerting them to the nature of the risk, and
3 helping them take steps to mitigate that risk.

4 **MS. MANI KAKKAR:** Okay. So that's an example
5 of a TRM during your tenure that was brought to you by CSIS,
6 and that you concurred with, and then was taken and actually
7 implemented?

8 **HON. WILLIAM BLAIR:** Yes.

9 **MS. MANI KAKKAR:** Okay. Were there any
10 examples where you brought to CSIS the possibility of using a
11 TRM to address a foreign interference issue?

12 **HON. WILLIAM BLAIR:** No.

13 **MS. MANI KAKKAR:** No. And were you briefed
14 or made aware of CSIS' TRM undertaking just before you became
15 Minister to brief candidates of foreign interference related
16 issues during the election?

17 **HON. WILLIAM BLAIR:** I did have discussion,
18 and I had some awareness that CSIS intended to proactively
19 speak to -- frankly, I had a concern that I discussed with
20 the Director about Members of Parliament or candidates who
21 might be unconsciously influenced or interfered with as a
22 result of the action of a hostile government. And I felt it
23 was important to give those individuals enough information so
24 that they would recognize the interference and to alert them
25 to how they might take steps in order to protect themselves,
26 and to make sure that they knew that CSIS was there to help
27 them and support them. And so we did have discussions.

28 CSIS did not tell me specifically who they

1 wanted to talk to, or the information that they would share
2 with them, but we did talk about the importance of what is
3 sometimes called defensive briefings or proactive briefings
4 of -- that CSIS would undertake with an individual, sometimes
5 Parliamentarians, or candidates.

6 **MS. MANI KAKKAR:** And so based on the
7 evidence you're giving now, would you have known not
8 necessarily who was briefed or what they were told, but that
9 the briefing actually occurred?

10 **HON. WILLIAM BLAIR:** No, there was no
11 reporting mechanism whereby CSIS would tell me who they were
12 going to talk to, or if they had in fact talked to anybody.
13 At no time did CSIS come back and say to me, while I was the
14 Minister of Public Safety, that they had actually conducted a
15 defensive briefing, or that they were intending to do so.

16 We talked about the process, but CSIS did not
17 share with me the information of anyone that they felt that
18 it was necessary to talk to or what information they wanted
19 to share with that individual.

20 **MS. MANI KAKKAR:** So in the oversight
21 function that you had, it was to sort of concur on these
22 TRMs, but did you have any sort of oversight function to
23 determine if the TRMs were an effective means of producing a
24 particular result? Or is that left entirely to CSIS to do?

25 **HON. WILLIAM BLAIR:** Well it's an operational
26 matter for CSIS, and so the information that they had --
27 Ministerial oversight, if I may, it did not mean that I was
28 sort of overseeing and actively engaged in managing their

1 inquiries, their intelligence gathering, or their -- even
2 their operations in order to mitigate threat. It was to
3 provide Ministerial direction on priorities and where it was
4 necessary for them to seek authority, to provide that
5 authority.

6 But decisions with respect to the operational
7 response, the gathering of intelligence, the sharing of
8 intelligence, and information that they would take to
9 mitigate the nature of threat, was the responsibility of
10 CSIS.

11 **MS. MANI KAKKAR:** Thank you for your
12 testimony. It's very ---

13 **HON. WILLIAM BLAIR:** You're very welcome.

14 **MS. MANI KAKKAR:** --- helpful clarification.

15 **COMMISSIONER HOGUE:** Thank you.

16 Counsel for Han Dong.

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

18 **MS. EMILY YOUNG:**

19 **MS. EMILY YOUNG:** Good morning, Minister.

20 Good morning, Madam Commissioner.

21 If I could ask the Court Reporter, please, to
22 pull up WIT 64 again? Page 5, paragraph 13.

23 So Minister Blair, you have already had some
24 discussions about the briefing that's addressed in this
25 paragraph with Mr. Cameron this morning. I'd just like to
26 clarify a particular aspect of your evidence.

27 So looking at paragraph 13 here on the
28 screen, you said that you were not concerned about the

1 intelligence regarding Don Valley North at the time you were
2 briefed. Is that right?

3 **HON. WILLIAM BLAIR:** I think it was important
4 to be briefed on this by CSIS, but it did not raise concerns
5 for me based on the information that CSIS provided, that with
6 respect to this process, or any compromise of the election,
7 or there was no indication in the briefing that Mr. Dong was
8 a willing, or even an aware participant in this.

9 **MS. EMILY YOUNG:** Okay. Thank you. And I
10 just want to put a point on what we see here is that you
11 actually gave three specific reasons that you weren't
12 concerned about the intelligence at the time, and I was just
13 hoping that to the extent you've not already spoke about
14 them, you could just do so now? Those three reasons.

15 **HON. WILLIAM BLAIR:** Yeah, if I may, just
16 going through the three reasons that I shared in my earlier
17 testimony, I did make inquiries about the source of this
18 information, whether or not it was single source or multiple,
19 whether or not this individual had previously provided
20 information which was found reliable or not, whether there
21 was any corroborative evidence or other elements of the CSIS
22 investigation that would substantiate the intelligence in
23 this thing.

24 I think it's important to recognize that
25 intelligence isn't necessarily truth. It is the beginning of
26 other inquiries and it has to be assessed in a broad context
27 of reliability in order to make a determination of next
28 steps.

1 The second thing that I specifically inquired
2 about was whether or not that there was any intelligence or
3 suggestion that Mr. Dong was aware of this potential
4 interference, or in any way a willing participant, and the
5 indication that CSIS provided me at that time was that they
6 had no evidence that suggested that.

7 And finally, my concern, because we -- it had
8 been a longstanding concern about the integrity of our
9 elections, whether or not the -- because this briefing was
10 given to me after the 2019 Election, whether or not there had
11 been any other interference or influence that could have
12 influenced the outcome of the 2019 Election in Don Valley
13 North. And they indicated that they had no information that
14 indicated that.

15 **MS. EMILY YOUNG:** Okay. Thank you. Those
16 are our questions.

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

19 **MR. BARNEY BRUCKER:** No questions.

20 **COMMISSIONER HOGUE:** No questions.

21 Re-examination?

22 So you're free to leave ---

23 **MR. GORDON CAMERON:** Excuse me, Madam
24 Commissioner. I don't have any re-examination, but I just
25 wanted to make an observation that we called Minister Blair
26 to speak to his term as Minister generally and that the
27 timing of any specific incident or warrant is not an issue in
28 this part of the proceedings.

1 **COMMISSIONER HOGUE:** Thank you.

2 **HON. WILLIAM BLAIR:** Thank you.

3 **COMMISSIONER HOGUE:** So we'll take five
4 minutes break to -- just the time to switch witnesses.

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

7 This sitting of the Foreign Interference
8 Commission is currently in pause. Cette séance de la
9 Commission d'ingérence est en pause.

10 --- Upon recessing at 12:20 p.m./

11 --- La séance est suspendue à 12 h 20

12 --- Upon resuming at 12:43 p.m./

13 --- La séance est reprise à 12 h 43

14 **THE REGISTRAR:** Order please. À l'ordre, s'il
15 vous plait.

16 This sitting of the Foreign Interference
17 Commission is back in session. Cette séance de la Commission
18 sur l'ingérence étrangère a repris.

19 **COMMISSIONER HOGUE:** So my apologies for the
20 delay, but we are now ready.

21 **MS. ERIN DANN:** Thank you very much,
22 Commissioner. It's Erin Dann, Commission counsel, and our
23 next witness is Minister LeBlanc.

24 If he could be sworn -- if the witness could
25 be sworn, please.

26 **LE GREFFIER:** Veuillez indiquer votre nom et
27 épeler votre prénom pour le dossier.

28 **HON. DOMINIC LeBLANC:** Dominic LeBlanc.

1 **LE GREFFIER:** Et épelez votre prénom, s'il
2 vous plait?

3 **HON. DOMINIC LeBLANC:** D-O-M-I-N-I-C.

4 **LE GREFFIER:** OK. Et votre dernier nom?

5 **HON. DOMINIC LeBLANC:** C'est L-E-B majuscule
6 – les Acadiens, c'est un B majuscule – L-A-N-C. La
7 Commissaire est québécoise, elle va comprendre ça.

8 **COMMISSAIRE HOGUE:** Oui. Je réalise surtout
9 qu'on a fait une erreur.

10 **LE GREFFIER:** Jurez-vous que le témoi..

11 **HON. DOMINIC LeBLANC:** Ah oui?

12 **COMMISSAIRE HOGUE:** C'est écrit petit « b »
13 sur votre..

14 **HON. DOMINIC LeBLANC:** Ah, OK, j'ai pas
15 remarqué.

16 **LE GREFFIER:** Jurez-vous que le témoignage
17 que vous allez rendre sera la vérité, toute la vérité, et
18 rien que la vérité?

19 **HON. DOMINIC LeBLANC:** Je le jure.

20 **--- HON. DOMINIC LeBLANC, Sworn/Assermenté:**

21 **LE GREFFIER:** Merci beaucoup.

22 **HON. DOMINIC LeBLANC:** Merci à vous.

23 **LE GREFFIER:** Procédez.

24 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR**

25 **MS. ERIN DANN:**

26 **MS. ERIN DANN:** Good afternoon. Minister
27 LeBlanc, do you recall being interviewed by the Commission
28 counsel on February 22nd, 2024?

1 HON. DOMINIC LeBLANC: I do.

2 MS. ERIN DANN: Right. And if I could ask
3 that WIT 65 be called up.

4 --- EXHIBIT No./PIÈCE No. WIT 65:

5 Public Interview Summary: the
6 Honourable Dominic LeBlanc

7 MS. ERIN DANN: Minister, this is a summary
8 of the publicly disclosable information from that interview.
9 Have you had a chance to review the summary?

10 HON. DOMINIC LeBLANC: Yes, I have.

11 MS. ERIN DANN: And is it accurate?

12 HON. DOMINIC LeBLANC: It is.

13 MS. ERIN DANN: And will you adopt it as part
14 of your evidence before the Commission?

15 HON. DOMINIC LeBLANC: I will.

16 MS. ERIN DANN: Thank you.

17 And next, if we could go to WIT 52.

18 --- EXHIBIT No./PIÈCE No. WIT 52:

19 Public Summary of In Camera

20 Examination: Minister Dominic LeBlanc

21 MS. ERIN DANN: This is a summary, Minister,
22 of your *in camera* examination. Have you had an opportunity
23 to review this summary?

24 HON. DOMINIC LeBLANC: Yes, I have.

25 MS. ERIN DANN: And is it accurate?

26 HON. DOMINIC LeBLANC: Yes, it is.

27 MS. ERIN DANN: And will you adopt it as part
28 of your evidence before the Commission?

1 **HON. DOMINIC LeBLANC:** I will.

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

3 You've had a number of roles in government, a
4 number of roles in Cabinet. I will try and take you through
5 what I understand your various positions have been since
6 approximately August of 2018 and please correct me if I get
7 any of this wrong.

8 I understand that in August of 2018, you were
9 appointed Minister of Intergovernmental Affairs and you held
10 that position until 2019. Is that right?

11 **HON. DOMINIC LeBLANC:** Yes.

12 **MS. ERIN DANN:** And after the election in
13 2019, you were appointed President of what was then the
14 Queen's Privy Council for Canada, which included
15 responsibilities for Democratic Institutions.

16 **HON. DOMINIC LeBLANC:** That's correct.

17 **MS. ERIN DANN:** In the summer of 2020, you
18 were appointed Minister of Intergovernmental Affairs and you
19 served in those offices as Minister of Intergovernmental
20 Affairs and with responsibility for Democratic Institutions
21 until the 2021 election.

22 **HON. DOMINIC LeBLANC:** That's right.

23 **MS. ERIN DANN:** Right. And after the 2021
24 election, you were appointed Minister of Intergovernmental
25 Affairs and retained responsibility for Democratic
26 Institutions.

27 **HON. DOMINIC LeBLANC:** That's right. And I
28 had the Infrastructure and Communities portfolio attached as

1 well.

2 **MS. ERIN DANN:** Thank you for that addition.
3 And in 2023, you were appointed Minister of
4 Public Safety, Democratic Institutions and Intergovernmental
5 Affairs.

6 **HON. DOMINIC LeBLANC:** That's right.

7 **MS. ERIN DANN:** All right. Glad I didn't
8 leave any -- you have the record for longest title, I think.

9 **HON. DOMINIC LeBLANC:** I have a hard time
10 keeping a job, you see.

11 **MS. ERIN DANN:** Given the scope of this stage
12 of the proceedings, I'll focus my questions today primarily
13 on your responsibilities in relation to Democratic
14 Institutions.

15 Can you describe your role or mandate in
16 relation to that portfolio?

17 **HON. DOMINIC LeBLANC:** Les institutions
18 démocratiques, c'est surtout un secrétariat à l'intérieur du
19 Bureau du Conseil privé pour développer des politiques,
20 considérer des changements législatifs, par exemple, pour
21 appuyer la capacité des Canadiens d'avoir des élections
22 libres et bien sécurées. C'est une fonction de politiques
23 publiques, évidemment, l'Agence d'élections Canada est
24 indépendante, gère la mécanique de nos élections, mais c'est
25 la façon que le gouvernement et l'Exécutif, le Conseil des
26 ministres interagit avec l'appareil électoral.

27 **Me ERIN DANN:** Merci.

28 Et je poserai mes questions en anglais, mais,

1 of course, feel free to answer in the language of your
2 choice.

3 We heard this morning from your colleague,
4 Minister Gould, about her work in developing the plan to
5 protect democracy. Did your responsibilities in relation to
6 Democratic Institutions include reviewing or updating that
7 plan?

8 **HON. DOMINIC LeBLANC:** Yes, they did. She
9 was the Minister in the lead-up to the 2019 General Election.
10 I remember as a Minister her coming to Cabinet with that
11 plan. I remember conversations with her as a colleague
12 around that work.

13 And after the 2019 election, when I took over
14 that responsibility, one of the mandates that I got was to
15 review how the plan had worked in the 2019 election and come
16 back to Cabinet with any suggested changes or adjustments for
17 the upcoming election.

18 We were then in a minority Parliament, so we
19 wanted to have those measures in place.

20 **MS. ERIN DANN:** And did part of that include
21 reviewing what we've heard referred to as the Judd Report,
22 the May 2020 assessment on the Critical Election Incident
23 Public Protocol?

24 **HON. DOMINIC LeBLANC:** Yes, it did. That was
25 a deliberate decision made by the government to have an
26 independent review by a very senior public servant, former
27 Deputy Minister, Director of CSIS. So once we got Mr. Judd's
28 report, I worked with the senior officials at the Privy

1 Council Office to make any adjustments that Mr. Judd
2 recommended.

3 We also had the benefit of a National
4 Security and Intelligence Committee of Parliamentarians
5 report, so that work went into the sort of second version or
6 2.0 version of what Karina Gould had taken to Cabinet two
7 years previously.

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

9 And just for the benefit of the participants,
10 the Judd Report can be found at CAN 900. We don't need to
11 bring it up.

12 I would ask the court operator to bring up
13 COM 48.

14 **--- EXHIBIT No./PIÈCE No. COM 48:**

15 Countering an Evolving Threat: Update
16 on Recommendations to Counter Foreign
17 Interference in Canada's Democratic
18 Institutions

19 **MS. ERIN DANN:** And this is a report entitled
20 "Countering An Evolving Threat" that I think, Minister,
21 you'll be quite familiar with. I realize it was produced
22 some time later.

23 But if we could just go to page 20 of that
24 document, it contains a review of different recommendations
25 that have been made by some of the entities that we've listed
26 this morning, including the Judd Report.

27 You mentioned, Minister, that you adopted or
28 recommended adopting a number of the recommendations made by

1 -- made in that report. One recommendation I understand that
2 was not implemented, if we just scroll down a bit on this
3 page, what's listed as number 2, that the protocol would
4 cover the pre-writ period. Can you explain why that
5 particular recommendation was not implemented?

6 **HON. DOMINIC LeBLANC:** So that would have
7 been based on advice that I would have received from senior
8 officials at the Privy Council Office. In a context where
9 we're not in an election period, where a writ hasn't been
10 issued, there's a basic principle of ministerial
11 responsibility. Ministers are in office and have
12 responsibility, including around foreign interference. The
13 national security agencies are empowered to work with the
14 Minister who's in office.

15 This was very much and deliberately designed
16 to be something that would be in effect during a caretaker
17 period. It's a convention of British Parliamentary democracy
18 where the government is, in itself, a candidate to succeed
19 itself.

20 So in a -- governments act with a great deal
21 of restraint during a writ period, as is absolutely
22 appropriate. That's why the Panel and the protocol was
23 deliberately designed to exist at a period where the elected
24 government perhaps shouldn't be the best arbiter of public
25 pronouncements on the conduct of an election.

26 **MS. ERIN DANN:** All right.

27 Let me turn to a next topic, which is to ask
28 you about whether and when you received classified

1 intelligence in your capacity as Minister of
2 Intergovernmental Affairs and with responsibilities for
3 Democratic Institutions? Do I understand that it would be
4 rare for you to receive classified intelligence or classified
5 briefings?

6 **HON. DOMINIC LeBLANC:** Yes, the Minister of
7 Democratic Institutions is not a regular consumer of
8 intelligence products or intelligence documents or briefings
9 from intelligence officials.

10 And I've had a perspective on that since I
11 became the Minister of Public Safety last summer. I now see
12 the difference between the operational responsibility of a
13 Minister responsible for CSIS or the RCMP and a Minister
14 responsible for Democratic Institutions.

15 The Democratic Institutions portfolio, I did
16 receive eye-level briefings from officials on a number of
17 occasions. I think the first one was in March of 2020, I
18 think literally on the eve of the declaration of the
19 pandemic; one tends to remember those moments. But it was a
20 high-level situational awareness of the threat landscape. It
21 was my first opportunity to hear from them how -- what they
22 had seen, in terms of threat actors and potential attempts to
23 interfere in the election of 2019, but it didn't-- it was to
24 situate my understanding of the threat landscape of the
25 particular state or non-state actors that are active in this
26 space, but it didn't go into granularity around specific
27 constituencies or specific events. It was a higher level
28 briefing. Probably so, as in your reference to the Judd

1 Report and other work that we do, as we were thinking through
2 how we wanted to adjust the protocol and the Protecting
3 Democracy Plan for the subsequent election. This was a sort
4 of an introduction for me to the threat landscape. That was
5 an intelligence briefing but it was at a much higher level
6 than, for example, the Public Safety Minister would typically
7 receive.

8 **MS. ERIN DANN:** All right. We'll go through
9 that briefing in just a moment, but we heard from Minister
10 Gould this morning that in developing the Plan to Protect
11 Democracy, she had sort of monthly meetings, she estimated,
12 with CSIS, CSE; the Privy Council Office received information
13 from RRM. I understand you did not receive -- and those
14 were, to be clear, sort of high-level, as you've described,
15 briefings, not sort of specific incidents or specific
16 geographical areas or things of that sort. I understand you
17 did not have sort of these regular monthly briefing sessions.
18 Can you explain the difference in approach?

19 **HON. DOMINIC LeBLANC:** It's probably three
20 explanations. The first one is in September of 2019 I had a
21 stem cell transplant to deal with a very aggressive and rare
22 form of blood cancer. So when I became Minister, I was
23 literally -- I came from Montreal and went back to Montreal
24 the same day. So I was recovering, in terms of my own
25 health.

26 The assessment was that the plan that Karina
27 had put in place had worked. The initial information was
28 that it had been successful. We recognized that we needed to

1 adjust or tweak or take into account recommendations from the
2 National Security and Intelligence Committee of
3 Parliamentarians or Mr. Judd. So that was less of an
4 undertaking than building a plan from scratch.

5 Before Karina Gould had put together the
6 Protecting Democracy Plan, nothing of this sort had existed.
7 So she built the infrastructure from scratch. It was the
8 first time the federal government had set up these mechanisms
9 to detect and disrupt foreign interference, the public
10 protocol. So these were all new elements. We were satisfied
11 generally with how they had worked. We recognized that we
12 had committed to reviewing and adjusting them, which is what
13 I did. And then along came COVID as well.

14 COVID literally happened, I think, the day --
15 the pandemic was the day after my first briefing. Like many
16 Canadians I returned to New Brunswick. My health was still
17 fragile, recovering from the transplant. And we were
18 building the communications infrastructure as a government to
19 allow Ministers to receive classified information from
20 residences.

21 So that quickly changed, and by the fall
22 everybody was in a much different routine. But the need for
23 the monthly briefings or to travel to California to meet the
24 social media companies was much different after she had, in
25 our view, successfully done that work.

26 **MS. ERIN DANN:** All right. Let's turn to
27 that March 2020 briefing. If the Court Operator could pull
28 up CAN 15506.

1 This is a memo. The memo is dated March 9th,
2 2020. It is a memorandum to the National Security and
3 Intelligence Advisor, and I understand represents the notes
4 for the NSIA for a security briefing to you in your capacity
5 as President of the Queen's Privy Council Office. And we
6 heard some evidence yesterday that briefing notes are not
7 always strictly applied to. So I just want to go through
8 this document and understand what topics were or were not
9 covered in that briefing.

10 If we look at the summary on the first page,
11 it indicates that the purpose of the meeting is to provide
12 you:

13 "...with a summary of elections
14 security related activities
15 undertaken to help safeguard the
16 2019...election...as well as an
17 overview of the threat environment,
18 particularly as it pertains to
19 foreign interference."

20 Does that accord with your memory of the
21 purpose of the briefing?

22 **HON. DOMINIC LeBLANC:** Yes, it does.

23 **MS. ERIN DANN:** Okay. And then the summary
24 also indicates in the third bullet point that the December
25 mandate letter that you had received specified that you were:

26 "...to lead a review of the measures
27 put in place to protect the electoral
28 process, and bring forward

1 recommendations..."

2 And does that accord with your memory of the
3 December mandate letter that you had received?

4 **HON. DOMINIC LeBLANC:** Yes, it does.

5 **MS. ERIN DANN:** And then in the bullet point
6 below that, indicates that Ms. Bruce, who I understood was
7 then the head of the CSE, and Mr. Vigneault, the Director of
8 the CSIS, would expand upon potential threats observed in GE
9 2019.

10 Do you remember whether Ms. Bruce and -- Ms.
11 Bruce and Mr. Vigneault were at that briefing and provided
12 you -- and did they provide you with some information on the
13 potential threats observed during the 2019 election?

14 **HON. DOMINIC LeBLANC:** Yes, they did.

15 **MS. ERIN DANN:** Okay. If we go to page 3 of
16 that document, just scrolling to the bottom of the page,
17 there's a text box there indicating there is some discussion
18 of a threat reduction measure that the Government of Canada
19 had conducted in advance of the 2019 election. Do you recall
20 receiving information about that -- about that TRM in this
21 meeting?

22 **HON. DOMINIC LeBLANC:** I don't recall details
23 of that discussion around threat reduction measures or -- I
24 see that it references the Government of Pakistan. I don't
25 have a specific recollection of a conversation about CSIS
26 threat reduction measures.

27 **MS. ERIN DANN:** All right. And then if we go
28 to page 8 of the document? If we scroll just a little bit

1 further down, there's a title indicating "What we saw".

2 And the bullets indicate that:

3 "...we did not observe any activities..."

4 And I presume -- sorry, I should -- just to
5 put this in context, there's a discussion above about the
6 SITE Taskforce and the Panel of Five's work. So I am
7 assuming, and you can correct me if I'm wrong, that this --
8 the "we" addressed here is the Panel:

9 "...we did not observe any activities
10 that met the threshold for a public
11 announcement or affected Canada's
12 ability to have a free and fair
13 election, including in the online
14 space."

15 Is that something that you recall being
16 briefed on in this meeting?

17 **HON. DOMINIC LeBLANC:** Yes, I do. And as I -
18 - that was one of the most significant takeaways for me from
19 that sort of first high level briefing, is that some of the
20 most senior intelligence and security officials in the
21 country confirmed to me their view that the 2019 Election was
22 free and fair and that any attempts at foreign interference
23 would not have affected the outcome of the election,
24 including in specific and individual ridings.

25 So I remember being reassured that the plan
26 that we had put in place, in their view, in their independent
27 senior official view, had been successful.

28 **MS. ERIN DANN:** And the next bullet point

1 down, do you recall that being said as well?

2 "That is not the same as saying we
3 saw nothing at all."

4 **HON. DOMINIC LeBLANC:** Yes. That's why I
5 said the idea that there have been attempts is not new. This
6 had existed for over a decade. And they would talk about
7 that sort of overall threat landscape, but the takeaway for
8 me, I thought was significant, your first bullet, that the
9 election had been free and fair and decided by Canadians in
10 Canada.

11 **MS. ERIN DANN:** Turning to page 10 of this
12 document?

13 We see a heading labeled "China threat
14 update" and there are a number of largely redacted bullets.
15 The third down, third bullet down, is bolded and says:

16 "...specific incidents suggestive of
17 [foreign interference] which were
18 briefed to relevant clients
19 ([Government of Canada] and political
20 parties) during the writ period
21 (e.g., Don Valley)."

22 Do you recall being briefed on anything
23 specifically related to Don Valley?

24 **L'HON. DOMINIC LeBLANC:** Comme j'ai dit... pis
25 d'ailleurs, la première fois que j'ai vu ce document ici,
26 c'est quand je me préparais pour ces audiences. Alors, moi,
27 comme ministre qui reçoit un briefing des hauts
28 fonctionnaires, je ne vois pas leurs notes qui ont été

1 préparées par leurs collègues pour la réunion. Alors, la
2 première fois que je savais qu'ils avaient des notes comme
3 ça, honnêtement, c'est quand j'ai vu et quand je me préparais
4 pour l'audience et j'ai vu vos documents.

5 Je crois comprendre aussi que cette section
6 ici, c'était comme si vous avez besoin de d'autres
7 renseignements, c'est même supplémentaire à la section
8 principale ou primaire du document. Et, comme j'ai dit, ma...
9 mon impression, c'était qu'ils voulaient me donner une
10 perspective plus globale à un haut niveau en termes du
11 contexte des menaces.

12 Mais moi, je ne rappelle... je ne me rappelle
13 pas du tout qu'on a rentré dans les détails aussi précis
14 qu'une circonscription et qu'un pays en particulier avait
15 fait quelque chose, supposément, dans une circonscription.
16 Je ne... j'ai aucun... la première fois que j'ai appris les
17 allégations de ce comté-là, c'était quand c'était public
18 suite à des fuites, et c'était rendu public l'année passée.

19 **MS. ERIN DANN:** I understand. Thank you.
20 And so my next questions you may be able to answer quite
21 quickly, given that you've indicated it was really more high
22 level or global type briefings.

23 I'm turning away specifically from this
24 document.

25 Can I ask you whether -- I'll ask the Court
26 Operator to pull up SUM 3.

27 Minister, there was a number of summaries
28 produced for the purposes of this Commission on various

1 issues relating to the 2019 and 2021 Elections, and I'll just
2 ask you very briefly to indicate whether or not you were
3 aware of intelligence relating to these various issues at the
4 time of the 2019 and then 2021 Election?

5 So this first one relates to potential
6 interference in the Vancouver area, and specifically the use
7 of, at paragraph 3, the use of proxy agents to exclude
8 candidates from community events.

9 Was this the type of intelligence that you
10 would have been briefed on in 2020 or after the -- sometime
11 after the 2019 Election?

12 **HON. DOMINIC LeBLANC:** Yeah. And in your
13 introduction, you said, like, before the 2019 Election. So I
14 would not have had even this level of detail before the 2019
15 Election when I became Minister Responsible for Democratic
16 Institutions. So after the 2019 Election.

17 The officials that would provide the
18 briefings, it was -- certainly they were focusing on China as
19 one of the most frequent countries in terms of attempting to
20 interfere. I don't remember details of local community
21 events in the City of Vancouver.

22 Again, I -- the first time I saw these
23 summaries was prepared for this hearing, and there are a long
24 list of caveats that you can't figure out from this summary,
25 we don't know at what particular moment this intelligence
26 information was gathered, we don't have the context of other
27 pieces of information, we're not sure if it's a single
28 source, if it was corroborated. So I want to be careful not

1 to comment on these specific things, other than having looked
2 at the summaries before my appearance today.

3 **MS. ERIN DANN:** I understand. And I don't
4 want to ask you about the substance of any of the
5 intelligence. I'm really just looking -- or seeking to
6 understand whether these are -- you would have been briefed
7 on these issues in your capacity as having Responsibilities
8 for Democratic Institutions?

9 **HON. DOMINIC LeBLANC:** So they would have,
10 for example, talked about proxy agents. And that is one of
11 the ways that different hostile actors attempt to interfere.
12 I would have understood that China was very present in that
13 kind of activity, but I -- was it in the City of Vancouver
14 and was somebody kept out of a community event? That, I
15 would not have known.

16 **MS. ERIN DANN:** Understood.

17 And if we could bring up SUM.10, please?

18 This is a summary, Minister, in relation to
19 PRC threat actors, contact with candidates, and funding of
20 threat actors. It mentions 11 candidates, 13 political
21 staff, and a transfer of \$250,000. Were you briefed in
22 relation -- or had you been briefed in relation to these --
23 to this body of intelligence in your capacity as Responsible
24 for Democratic Institutions?

25 **HON. DOMINIC LeBLANC:** So again, I wouldn't
26 comment on specific allegations. In this case, I learned
27 about this when it became public following some leaks. So I
28 would not have been briefed in this level of granularity.

1 But as I say, I also think it's important
2 that people not think we are confirming stuff that appeared
3 in particular leaks of intelligence information. I think it
4 just merits saying that I took note of the public discussion
5 of these issues.

6 **MS. ERIN DANN:** Right. And turning to 2021
7 now, I'll ask the Court Operator to bring up SUM 4.

8 And this is a summary, Minister, that
9 describes some of the allegations of misinformation, or a
10 disinformation campaign targeted Erin O'Toole, Kenny Chiu,
11 and the Conservative Party of Canada.

12 And I want to ask whether in the months or
13 weeks after the 2021 Election, were you aware of -- were you
14 aware of the intelligence summarized in this summary?

15 **HON. DOMINIC LeBLANC:** Again, I knew that
16 China used social media platforms, and particularly, WeChat,
17 to propagate campaigns of disinformation and misinformation.
18 But the first time I learned about the specific allegations,
19 either with respect to Mr. O'Toole or Mr. Chiu, was
20 following, again, the public release of this information, and
21 then there were subsequent meetings in the fall of 2022, I
22 think, and certainly in the spring of 2023, where we were
23 taken into some more detail a small group of ministers.

24 **MS. ERIN DANN:** Right. And so turning, then,
25 to those -- we'll jump ahead, then, to those briefings, and
26 I'll take you specifically to one that was held in May of
27 2023. And that's CAN 17676.

28 If we can scroll to the second page, please.

1 These -- I realise these are not your notes,
2 Minister, but we heard ---

3 **HON. DOMINIC LeBLANC:** But Brian Clow has
4 pretty good handwriting.

5 **MS. ERIN DANN:** He does indeed. So we heard
6 some evidence from Mr. Clow yesterday that these were notes
7 that he made during a briefing on May 18th. And I understand
8 that you were -- your name is listed at the top, and I
9 understand you were at this briefing?

10 **HON. DOMNIC LeBLANC:** I was.

11 **MS. ERIN DANN:** All right. And the document
12 or the notes refer to some expressions of -- or partisan
13 preferences, shifting, or wanting to punish -- I'm looking at
14 the first, sorry, in the middle of the page, under discussion
15 of media leaks. There is:

16 "PRC - no threats of physical harm to
17 MPs or families..."

18 The next line down:

19 "PRC wanted to punish LPC shift to
20 CPC..."

21 And some further discussion of shifting back
22 to LPC.

23 Was this the first time you had been briefed
24 on intelligence relating to shifting partisan preferences
25 expressed by the PRC?

26 **HON. DOMNIC LeBLANC:** Yes, it was. That was
27 the first time I would have heard that level of granularity.
28 I remember being quite skeptical that an intelligence

1 briefing would be able to discern the shifting preferences of
2 a country in another country's election. I've been in enough
3 elections where a lot of people claim to have influence or to
4 be involved in either a successful or unsuccessful election,
5 and having played a critical role where, in some cases, it's
6 exaggerated. So that's part of a free and open democratic
7 discussion. I -- but I do remember the officials offering up
8 that piece of intelligence at that meeting.

9 **MS. ERIN DANN:** All right. And there's also,
10 I see a note towards the bottom of the screen right now, "FI
11 in DVN 2019 nomination." Is this the first time you would
12 have heard at that sort of granular level about a particular
13 intelligence relating to the nomination process in 2019 in
14 DVN?

15 **HON. DOMNIC LeBLANC:** Yes, I think it was.

16 **MS. ERIN DANN:** Okay. And at the bottom of
17 the screen now, there is reference to the 11 candidates, and
18 a reference to \$250,000. Is -- again, this is the first time
19 you would have heard with that level of granularity about
20 that ---

21 **HON. DOMNIC LeBLANC:** Yes.

22 **MS. ERIN DANN:** --- that allegation?

23 **HON. DOMNIC LeBLANC:** Yes, it was.

24 **MS. ERIN DANN:** All right. And scrolling to
25 the next page. Sorry. The second unredacted line there:
26 "Disinformation campaigns did exist.
27 Can't include direct impact on
28 certain results."

1 And above that, there is a list of various
2 media outlets.

3 Is this the first time you would have heard
4 about intelligence relating to a disinformation campaign in
5 2021?

6 **HON. DOMNIC LeBLANC:** I don't disagree with
7 Brian's notes. I think there was a meeting in February in
8 the winter of that same year, but I don't have those notes in
9 front of me, and I just want to make sure I don't say yeah,
10 that was the first time, and then there's a note
11 referencing....

12 This was the first time that I remember
13 hearing about ridings, allegations around money exchanging.
14 Disinformation campaigns and China using social media
15 platforms was something that we'd heard a lot about for a
16 considerable amount of time, but this may have been the first
17 time when they went into detail of the targets, the
18 particular elements of the disinformation that was used.

19 **MS. ERIN DANN:** Thank you. And I don't mean
20 to suggest it was -- you may well have heard about this at an
21 earlier briefing, but it was well after 2021. It would have
22 only been after various media leaks. Is that fair to say?

23 **HON. DOMNIC LeBLANC:** Yes. Yes.

24 **MS. ERIN DANN:** Okay.

25 **HON. DOMNIC LeBLANC:** This level of
26 granularity started after some of these allegations were in
27 the public domain.

28 **MS. ERIN DANN:** Thank you. And would -- just

1 to conclude, would having knowledge of this type of
2 information, this level of granularity, had -- would it have
3 benefitted your review of the implementation of the plan to
4 protect democracy in 2019, and your efforts to update that
5 plan that you spoke about earlier for 2021? Would having
6 this level of information about the nature and extent of
7 threats of foreign interference have benefitted your efforts
8 in reviewing and developing the Plan 2.0, as you put it?

9 **HON. DOMNIC LeBLANC:** I'm not sure that this
10 level of granularity would have made a significant
11 difference. The senior officials at the Privy Council Office
12 who worked with me talked to their colleagues in the
13 intelligence secretariat of Privy Council Office, and I
14 assume with the national security agencies.

15 I certainly believed in the discussions I had
16 with them, they gave me a sufficiently precise picture of the
17 threat landscape of the countries that were active in the
18 particular foreign interference space. And the measures that
19 we wanted to be put in -- to be adjusted or tweaked following
20 Mr. Judd's report or the National Security Intelligence
21 Committee of Parliamentarians were validated by the fact that
22 we had Mr. Judd, and the members of the Panel themselves,
23 confirming that in their views the measures that had been in
24 place had worked, had been successful. So I had every
25 confidence that I had all of the information I needed, and my
26 colleagues at Privy Council Office, the senior officials that
27 helped me go to Cabinet with the adjusted version of the
28 plan, were well aware of what we needed to ask Cabinet to

1 make the changes, largely based on Mr. Judd's review.

2 And Mr. Judd would have had all of this
3 granularity. So I had very much confidence in his experience
4 in this area. He had a long and distinguished experience in
5 this area, and I was told that he had been taken through all
6 of this detail. I was satisfied to rely on his advice, and
7 the advice of the deputy ministers at the Privy Council
8 Office, when we went to Cabinet for the amended or the
9 adjusted plan.

10 **MS. ERIN DANN:** Those are all my questions,
11 Commissioner.

12 **COMMISSIONER HOGUE:** Thank you. We'll break
13 for lunch, and we'll come back at 2:20.

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

16 This hearing is in recess until 2:20. La
17 séance est en pause jusqu'à 14h20.

18 --- Upon recessing at 1:19 p.m./

19 --- La séance est suspendue à 13h19

20 --- Upon resuming at 2:21 p.m./

21 --- La séance est reprise à 14 h 21

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

24 This sitting of the Foreign Interference
25 Commission is back in session. Cette séance de la Commission
26 sur l'ingérence étrangère a repris.

27 **--- HON. DOMINIC Le BLANC, Resumed/Sous le même serment:**

28 **COMMISSIONER HOGUE:** La séance a repris,

1 talking points? And maybe, if it would help, Minister, we
2 could put up the document. And in particular, it's on pages
3 5 and 6. There's some conclusions. You can scroll down.
4 Yeah, so there's 3 conclusions listed on page 5. And then
5 there's 2 conclusions on page 6. And we're just wondering if
6 you ever received a briefing from the director that covered
7 those five points.

8 **HON. DOMINIC LeBLANC:** Well, then if you want
9 me to speak to all five of them, let's go back to the first -
10 --

11 **MR. SUJIT CHOUDHRY:** Sure.

12 **HON. DOMINIC LeBLANC:** --- three?

13 **MR. SUJIT CHOUDHRY:** Of course, sir.

14 **HON. DOMINIC LeBLANC:** If I could go back up
15 ---

16 **MR. SUJIT CHOUDHRY:** Yeah.

17 **HON. DOMINIC LeBLANC:** --- to the first
18 three?

19 **MR. SUJIT CHOUDHRY:** Yeah.

20 **HON. DOMINIC LeBLANC:** Because this -- you'll
21 appreciate the first time I saw this document was when I was
22 preparing for these.

23 **MR. SUJIT CHOUDHRY:** Of course, sir. Yes.

24 **HON. DOMINIC LeBLANC:** And I was not in that
25 briefing that the Prime Minister would have had.

26 Okay. Can I see the last two again?

27 **MR. SUJIT CHOUDHRY:** Sure, of course. Thank
28 you.

1 **HON. DOMINIC LeBLANC:** And your question
2 again?

3 **MR. SUJIT CHOUDHRY:** I said I -- question is,
4 did you ever receive a briefing from the CSIS Director that
5 addressed any of those five points or communicated those five
6 points?

7 **HON. DOMINIC LeBLANC:** Not in that context at
8 all. My first briefing with the CSIS Director as Minister of
9 Democratic Institutions was, as I said earlier today, a
10 higher level sort of analysis of the threat landscape. Since
11 I became Minister of Public Safety, I talk to the Director of
12 CSIS about these issues with more precision than the Minister
13 of Democratic Institutions at the time. And we're always
14 looking at, and he talks to me about things the service is
15 doing to detect and disrupt foreign interference. We've
16 always said that the threat evolves, that the kind of -- the
17 nature of the threat and the particular ways that hostile
18 state or non-state actors attempt to interfere evolve, and he
19 talks to me about what CSIS is doing to keep up with the
20 evolving threat. So that would be the context of my
21 conversations with him.

22 **MR. SUJIT CHOUDHRY:** Okay. Thank you. Well,
23 that's actually a good segway to my next question, which is
24 so, Me Drouin was here testifying in her capacity, her most
25 recent role as NSIA, and she offered an observation at the
26 end of her cross-examination with me. She said that, "You
27 know, it's been two years or two-and-a-half years since 2021.
28 There's -- and our understanding of foreign interference

1 continues to evolve to the kind of threat it might pose today
2 as to what it might have posed in 2021, let alone in 2019."
3 And so the -- and I know that you've been working on a --
4 you've issued a report with Mme Charette about steps forward.
5 And so I'm hoping I can ask you a couple of questions on that
6 theme, of what our current understanding of foreign
7 interference is and what -- how we might respond today
8 relative to our current understanding. And so the first is a
9 question that's been put to other members of the government,
10 but we'll put to you as well, and if we could call up now,
11 it's in the document database, JKW 161.

12 --- EXHIBIT No./PIÈCE No. JKW 161:

13 National Terrorism Threat Level

14 **MR. SUJIT CHOUDHRY:** Good. And is -- if we
15 could scroll down, there should be a chart here. Yes, that's
16 it. Thank you. So, Minister, you're familiar with this
17 obviously. This is a national terrorism threat levels chart.
18 And so the question is, as an alternative to the threshold
19 and the protocol, which is a high threshold and a single
20 threshold, this in the counterterrorism context, we use a
21 spectrum, and with kind of a graduated set of responses. And
22 so is this type of framework an alternative to the high
23 single threshold model that we use for foreign interference,
24 is it something we should consider or look at carefully?

25 **HON. DOMNIC LeBLANC:** So -- and I -- my
26 colleague, Karina Gould, would have talked about that this
27 morning when she was the Minister of Democratic Institutions
28 and brought forward the first Protecting Democracy Plan,

1 which had the public protocol, the threshold is deliberately
2 set at a high-level. It's an extraordinary moment in the
3 middle of an election campaign where a group of five senior
4 public servants chaired by the Secretary to the Cabinet, the
5 most senior non partisan public servant in the country, would
6 intervene in an election context to alert Canadians to a
7 potential threat of foreign interference that in their
8 independent judgement would impact the ability of Canadians
9 to have a free and fair election, including at the riding
10 level or obviously at the national level.

11 So the threshold has to be high. In a -- an
12 election campaign, you deliberately want a robust public
13 discourse. They are often not gentle moments in a country's
14 democratic evolution, and that's positive. You want to
15 encourage robust debate, and having a weekly comment from a
16 panel of the most senior public servants, or a regular
17 commentary, would be an extraordinary moment, and done at
18 anything less than a high threshold in our view might
19 undermine confidence in the election.

20 So that's why it's deliberately set that
21 high, and that's why I don't think a comparison to a
22 terrorism threat level is a valid comparison.

23 During an election campaign, the national
24 security agencies are still very much, according to law,
25 doing their job at detecting and disrupting foreign
26 interference. You're going to the ultimate instrument of a
27 public declaration by the Panel of Five. I think it's
28 important to know that the work is being done on a regular

1 and effective basis throughout the election period, and
2 obviously before the election as well.

3 **MR. SUJIT CHOUDHRY:** So one follow up
4 question, Minister, because -- sorry.

5 **COMMISSIONER HOGUE:** It's going to be the
6 last question ---

7 **MR. SUJIT CHOUDHRY:** Yeah. So just to put
8 this back to you, it could be that at the critical level
9 there is a public announcement by the Panel of Five, but
10 beneath that, there is different types of communications that
11 might not be of that character to parties, to candidates, to
12 different entities. So there is a -- there's a more
13 complicated, a more complex set of tools available to the
14 government than the one that its chosen in this version of
15 the Protocol that might evolve in response to the
16 recommendations that you're, or the review that you're
17 undertaking right now.

18 **COMMISSIONER HOGUE:** And the question is?

19 **MR. SUJIT CHOUDHRY:** And so -- isn't that --
20 isn't -- can't we think about something other than it could
21 be all or nothing approach where it's a public announcement
22 from the Panel of Five, where there is communications to
23 parties, to candidates, to affected communities that maybe
24 don't have the same -- doesn't have the same level of
25 seriousness?

26 **HON. DOMNIC LeBLANC:** Well, I think you -- as
27 I said, you want to be careful in an electoral context,
28 before intelligence information is shared in a public

1 context, you know that there's a security cleared
2 representatives of each political party that can meet with
3 representatives of the intelligence and security community.
4 Elections Canada has access to these officials as well.

5 I don't think that you can -- I don't think
6 that you can have a spectrum of public comment. It either
7 reaches the threshold where in the independent professional
8 judgement of these five senior officials they are required to
9 inform the public because in their judgement our ability to
10 conduct a free and fair election in a riding or nationally is
11 affected. I don't think you take steps along that road.

12 It's a -- candidates respond to allegations,
13 candidates disagree with other candidates, candidates comment
14 on social media posts. That's part of a normal robust
15 democratic discussion, and having intelligence services or
16 senior public officials commenting in a public way in an
17 election, in our view, has to be because in their independent
18 judgement during the caretaker period they think that
19 something has happened that impedes the ability of Canadians
20 to have a free and fair election. And it's important to note
21 that in 2019 and 2021, in their judgement, they did not think
22 that was the case.

23 **MR. SUJIT CHOUDHRY:** Thank you, sir.

24 **COMMISSIONER HOGUE:** Thank you.

25 Counsel for UCC?

26 **MR. JON DOODY:** No questions, Commissioner.

27 **COMMISSIONER HOGUE:** No questions?

28 Counsel for Erin O'Toole?

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

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

3 **MR. THOMAS JARMYN:**

4 **MR. THOMAS JARMYN:** Good afternoon, Minister.
5 My name is Tom Jarmyn, here on behalf ---

6 **HON. DOMNIC LeBLANC:** Good afternoon.

7 **MR. THOMAS JARMYN:** --- of Erin O'Toole.

8 I've just got a couple of questions. During
9 the period from 2019 to 2021, when you were serving your
10 duties as Minister of Democratic Institutions, is it fair to
11 say that your -- the intelligence briefings you received were
12 high level as opposed to directed at significant incidents?

13 **HON. DOMNIC LeBLANC:** Yeah, they were high
14 level threat analysis of the threat environment. There were
15 -- there was discussions of different state -- hostile state
16 and non state actors that were active in this space. But it
17 didn't go down into details around specific ridings or
18 specific geographical regions.

19 **MR. THOMAS JARMYN:** Okay, thank you. And
20 this morning, when Minister Gould testified, she talked about
21 the relationship she developed with Facebook, Twitter, and
22 Microsoft, and I guess Google as well, in order to come to
23 this voluntary protocol with respect to the 2019 election.
24 Was that reviewed after the 2019 election?

25 **HON. DOMNIC LeBLANC:** Yes, it was reviewed by
26 the National Security and Intelligence Committee of
27 Parliamentarians and by Mr. Judd in his review. The
28 voluntary undertaking that Ms. Gould got from the major

1 social media platforms was reviewed, and in fact, in 2021, we
2 also added others to that space.

3 **MR. THOMAS JARMYN:** Yes. And what steps were
4 taken to add foreign enterprises like Tencent and ByteDance,
5 who are legal owners of WeChat and TikTok, respectively?

6 **HON. DOMNIC LeBLANC:** So again, we were
7 governed by the analysis that Mr. Judd did and the National
8 Security and Intelligence Committee of Parliamentarians. We
9 always recognised that there was a threat of disinformation
10 and misinformation in this space and that some foreign state
11 and non state actors were particularly active. That is one
12 of the challenges of a democratic process in a moment where
13 social media has taken on such significant importance and has
14 such a significant impact.

15 But we believe that the officials at Privy
16 Council Office, the members of the SITE Task Force, and
17 others, had developed ongoing relationships with these social
18 media platforms, and during the context of an election,
19 during the caretaker period where the government is itself a
20 candidate in the election, they were the ones that would have
21 those conversations and those relationships.

22 **MR. THOMAS JARMYN:** And have ByteDance or
23 Tencent been asked to enter into the same relationships with
24 -- as Facebook, Twitter, Microsoft, and Google?

25 **HON. DOMNIC LeBLANC:** I want to be careful
26 before getting in. I'd want to -- I don't want to talk about
27 specific discussions that may have happened with intelligence
28 officials who are the ones that are best placed to give this

1 advice to the government. But we have participated, for
2 example, in a G7 effort, the Rapid Response Mechanism Canada
3 was a global leader in this space, there was the Paris call
4 for trust in democracy where I participated quickly or soon
5 after becoming Democratic Institutions Minister, with other
6 countries. It's a live conversation with our Five Eyes
7 partners about what we can do in terms of sharing information
8 around different platforms, but also which hostile state
9 actors or non state actors are active in this space.

10 **MR. THOMAS JARMYN:** But if their -- wouldn't
11 their refusal to participate in such an arrangement be a
12 signal to the government, particularly after the 2019
13 election, where we began to observe these activities, that
14 other measures might be necessary?

15 **HON. DOMNIC LeBLANC:** Again, regulating
16 global social media platforms is obviously a complicated
17 space. You'll appreciate that it's not easy for one country
18 to regulate or legislate in this area. That's why the most
19 effective ways, in our view, are to work with likeminded
20 countries. And there's increasingly an effort from Five Eyes
21 partners, from G7 partners to work in this space together.

22 We took our responsibility to do everything
23 that we could. And I would think that certainly the work
24 that Ms. Gould did told us that the major social media
25 platforms want to ensure that they're not participating in
26 activities or being used in a way that disinformation or
27 misinformation campaigns could affect, negatively, the
28 outcome of an election. But it's a constant challenge for

1 democratic governments around the world, and it's an active
2 conversation that I've had with counterparts in other
3 countries as well.

4 **MR. THOMAS JARMYN:** Okay. That's my time.
5 Thank you, Minister.

6 **COMMISSIONER HOGUE:** Thank you.
7 Next one is counsel for RCDA, Me Sirois.

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

9 **MR. GUILLAUME SIROIS:**

10 **Me GUILLAUME SIROIS:** Bonjour.

11 **L'HON. DOMINIC LeBLANC:** Bonjour.

12 **Me GUILLAUME SIROIS:** Ministre LeBlanc, vous
13 avez été impliqué dans le développement du mandat de la
14 présente Commission, n'est-ce pas?

15 **L'HON. DOMINIC LeBLANC:** Oui.

16 **Me GUILLAUME SIROIS:** Chaque mot mentionné
17 dans le décret de la Commission a été choisi avec soin?

18 **L'HON. DOMINIC LeBLANC:** Posez la question
19 une autre fois, pardon?

20 **Me GUILLAUME SIROIS:** Chaque mot qui a été
21 choisi dans le mandat de la Commission...

22 **L'HON. DOMINIC LeBLANC:** Les termes de
23 référence? Absolument. C'est sûr.

24 Et ont été négociés, d'ailleurs, avec tous
25 les partis reconnus à la Chambre des communes, le NPD, les
26 Conservateurs et le Bloc québécois. On était tous d'accord
27 avec chaque mot dans les termes de référence ou le mandat que
28 vous avez référé.

1 **Me GUILLAUME SIROIS:** OK. Je vais citer le
2 mandat. Le mandat ordonne à la Commissaire d'examiner et
3 d'évaluer l'ingérence de la Chine, de la Russie et d'autres
4 acteurs étatiques et non-étatiques étrangers.

5 On comprend tous que la Chine est mentionnée
6 expressément dans le mandat parce que certaines allégations,
7 je dis bien allégations, d'ingérence chinoise sont sorties
8 dans les médias. Est-ce que le gouvernement est au courant
9 d'allégations semblables voulant que la Russie s'est ingérée
10 dans les 43^e et 44^e élections?

11 **L'HON. DOMINIC LeBLANC:** Vous comprendrez que
12 je ne vais pas commenter sur des allégations dans le domaine
13 public sur les détails ou les implications de renseignements
14 précis.

15 C'est connu, je pense, dans le domaine public
16 que la Russie est particulièrement présente dans les
17 campagnes de désinformation, de mésinformation, dans d'autres
18 contextes, dans des cyberattaques, que moi je fais référence
19 à qu'est-ce qui est dans le domaine public.

20 Et d'ailleurs plus tôt dans d'autres pays, on
21 a vu dans d'autres pays des allégations de l'implication de
22 la Russie dans ce genre de menace, mais je vais pas commenter
23 sur les détails de l'implication de la Russie. Sauf dire,
24 comme on a dit publiquement, que la Russie a été dans
25 d'autres circonstances assez actif et on voulait s'assurer
26 que toutes les protections appropriées soient en place au
27 Canada.

28 **Me GUILLAUME SIROIS:** Mais il y a d'autres

1 pays qui sont aussi actifs. C'est pour ça que les termes de
2 référence disent, justement, d'enquêter sur la Chine, la
3 Russie, et d'autres acteurs étatiques. Alors, je me demande
4 pourquoi on mentionne pas simplement la Chine et d'autres
5 acteurs étatiques ou non étatiques étrangers? S'il y a pas
6 de preuve apparente ou pas d'intention apparente que la
7 Russie s'est ingérée dans les 43^e ou 44^e élections?

8 **L'HON. DOMINIC LeBLANC:** J'ai pas dit qu'il y
9 a pas de preuve ou pas... que la Russie s'est ingérée. J'ai
10 dit c'est une menace continue que la Russie s'ingère avec
11 des campagnes de mésinformation, de désinformation. Dans
12 d'autres pays, il y a eu dans le domaine public des
13 allégations quant à la Russie par exemple...

14 **Me GUILLAUME SIROIS:** Je parle pas des
15 autres...

16 **L'HON. DOMINIC LeBLANC:** ... dans le contexte
17 des cyberattaques. Alors...

18 **Me GUILLAUME SIROIS:** ... des autres pays.

19 **L'HON. DOMINIC LeBLANC:** ... quand j'ai parlé
20 avec mes homologues, leaders parlementaires des trois autres
21 partis politiques, mes confrères, la discussion -- c'était
22 assez public au printemps, il y un an -- les gens parlaient
23 de la Russie et la Chine. Il y a d'autres pays. On a vu des
24 allégations quant à l'Inde.

25 Alors, un moment donné, je me rappelle bien,
26 dans la conversation, au lieu de... c'était au mois d'aout, je
27 crois, quand on finalisait ces termes de référence, on s'est
28 conclus entre nous autres que on voulait donner à la

1 Commission la capacité de suivre la preuve. On a utilisé
2 deux pays comme exemples, mais on a utilisé les mots que vous
3 avez prononcé, « d'autres acteurs étatiques ou non
4 étatiques » parce qu'on veut que la Commission soit capable
5 dans son jugement de poursuivre la preuve et d'arriver à des
6 conclusions qui s'imposent.

7 **Me GUILLAUME SIROIS:** Donc, est-ce que je
8 comprends bien qu'il était important pour vous qu'une
9 Commission d'enquête indépendante soit créée pour s'assurer
10 que rien n'avait été manqué par le gouvernement quant à
11 l'ingérence de la Russie dans les deux dernières élections?

12 **L'HON. DOMINIC LeBLANC:** On est toujours
13 intéressé à avoir des recommandations quant à comment
14 renforcer les mesures robustes qui sont déjà en place, que
15 nous croyons ont été appropriées lors des deux dernières
16 élections générales. Mais on a hâte à voir les
17 recommandations de la Commission et de d'autres experts,
18 parce que nous reconnaissons que le niveau ou la façon que la
19 menace évolue nécessite des mesures pour contrer... détecter et
20 contrer l'ingérence qui soient capables d'évoluer aussi.

21 **Me GUILLAUME SIROIS:** Et votre affirmation
22 que vous venez de faire s'applique particulièrement à la
23 Russie et c'est pour ça qu'elle est intégrée dans le mandat
24 de la Commission, n'est-ce pas?

25 **L'HON. DOMINIC LeBLANC:** Non, moi je l'aurais
26 pas décrit comme ça. Je dirais pas particulièrement à la
27 Russie.

28 Comme j'ai dit, on a hâte de voir l'analyse

1 et les recommandations de la Commission sur plusieurs pays
2 dans son jugement qui méritent d'être enquêtés et reconnus.
3 Moi, je ne passe pas beaucoup de temps à imaginer où la
4 Commission va aller quand la Commission va suivre la preuve.
5 Mais nous avons décidé, les quatre formations politiques, que
6 la Russie et la Chine sont présents dans le domaine public
7 dans ces questions-là, mais ce sont pas du tout les deux
8 seuls pays.

9 Et comme j'ai dit, on va pas commenter sur
10 des incidents précis de tel ou tel pays. La Commission a
11 accès évidemment à tous les renseignements et toutes les
12 preuves dans ce domaine-là, mais je veux être un peu plus
13 prudent dans le contexte public.

14 **Me GUILLAUME SIROIS:** Ça va être ma dernière
15 question. Je veux dire, on a quand même mentionné la Russie
16 pour s'assurer que la Russie soit enquêtée par la Commission?
17 Sinon, on l'aurait pas mentionnée?

18 **L'HON. DOMINIC LeBLANC:** On a reconnu que la
19 Russie, comme je l'ai dit, a été active dans... surtout le
20 domaine des cyberattaques potentielles, la désinformation et
21 la mésinformation. Et on a décidé, les quatre formations
22 politiques, d'utiliser deux exemples de pays qui étaient
23 beaucoup discutés dans le domaine public, mais on voulait que
24 la Commission, ayant accès à tous les renseignements
25 classifiés et tous les documents et les hauts fonctionnaires
26 qui sont capables de donner des briefings à la Commission, on
27 voulait que la Commission puisse, dans son jugement, suivre
28 la preuve.

1 **Me GUILLAUME SIROIS:** Merci.

2 **L'HON. DOMINIC LeBLANC:** Merci.

3 **COMMISSAIRE HOGUE:** Parti conservateur.

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

5 **MR. NANDO de LUCA:**

6 **MR. NANDO de LUCA:** Good afternoon.

7 **HON. DOMINIC LeBLANC:** Good afternoon.

8 **MR. NANDO de LUCA:** Can I have COM 346 pulled
9 up, please?

10 **--- EXHIBIT No./PIÈCE No. COM 346:**

11 CTV News - "Process underway for Han
12 Dong's possible return to the Liberal
13 caucus" - June 1, 2023

14 **MR. NANDO de LUCA:** Minister -- do you have
15 it in front of you, Minister LeBlanc? This is a news report
16 from CTV News published June 2, 2023.

17 And at the top -- if you could scroll down,
18 please? Page 2? The top of page 2.

19 It says:

20 "A senior government official says
21 Intergovernmental Affairs Minister
22 Dominic LeBlanc is leading a process
23 to determine Independent MP Han
24 Dong's possible return to the Liberal
25 caucus."

26 Do you see that?

27 **HON. DOMINIC LeBLANC:** Yes.

28 **MR. NANDO de LUCA:** Is it correct that as of

1 June 2, 2023, you were leading a process to determine if Mr.
2 Dong could rejoin the Liberal caucus?

3 **MR. GREGORY TZEMENAKIS:** Apologies,
4 Commissioner. If my friend could explain how this is
5 relevant to Parts A and B of your mandate?

6 **MR. NANDO de LUCA:** Well we've been ---

7 **COMMISSIONER HOGUE:** Can you, please?

8 **MR. NANDO de LUCA:** Sure. We've been through
9 this before there's considerable controversy about Mr. Dong's
10 participation, willing or not, in foreign interference, and
11 there's conflicting reports as to what he did or didn't do,
12 and what he said or didn't say, and whether that gave rise
13 to, for lack of a better term, discipline or him being forced
14 from Liberal caucus.

15 So I'm asking this witness whether that in
16 fact happened, and whether, in light of -- I'll come to the
17 questions, in light of the Special Rapporteur's conclusions,
18 that decision to be excluded from caucus has been
19 reconsidered at all.

20 **COMMISSIONER HOGUE:** And tell me, what is the
21 relationship with A and B of the Terms of Reference? Because
22 I can follow you if we look at the broad ---

23 **MR. NANDO de LUCA:** Sure.

24 **COMMISSIONER HOGUE:** --- mandate of the
25 Commission, ---

26 **MR. NANDO de LUCA:** Well if we ---

27 **COMMISSIONER HOGUE:** --- but we are just in
28 Phase 1 ---

1 **MR. NANDO de LUCA:** Well part of Phase 1 ---

2 **COMMISSIONER HOGUE:** --- and I fail to see --

3 -

4 **MR. NANDO de LUCA:** Part of Phase 1 is to
5 understand the extent of foreign interference, who it
6 involved, and what the government officials knew. I put it
7 to -- or I submit to you, Madam Commissioner, that the extent
8 to which Mr. Dong was disciplined, and remains disciplined,
9 is relevant to that inquiry.

10 **COMMISSIONER HOGUE:** I'm going to allow the
11 question as to whether he was disciplined, but I think after
12 that, you know, what happened in 2023 or 2024 is outside the
13 scope of the Commission for the time being.

14 **HON. DOMINIC LeBLANC:** So Mr. Dong said
15 publicly in the House of Commons that he voluntarily decided
16 to withdraw from the Liberal Caucus when the allegations
17 became public. He stood up one evening in the House of
18 Commons and voluntarily withdrew from the Liberal Caucus and
19 asked the speaker to sit as an independent. That was the
20 decision that Mr. Dong made when these allegations became
21 public, and that is on the public record. Those were his
22 words.

23 **MR. NANDO de LUCA:** Okay. Mr. Dong has also
24 said since that he would like to rejoin caucus and that he's
25 had discussions with you about the possibility of rejoining
26 the caucus; is that correct?

27 **COMMISSIONER HOGUE:** I think that's crossing
28 the line. It goes beyond the ---

1 MR. NANDO de LUCA: Okay.

2 COMMISSIONER HOGUE: --- the scope of the --
3 this phase.

4 MR. NANDO de LUCA: Okay. So I'll just put
5 the questions on the record. I appreciate your ruling.

6 And if it's correct that Mr. Dong has
7 requested to rejoin caucus, and that has not yet been
8 exceeded to that request, I'd like to know why, and so that's
9 the next question. I accept your ruling, Madam Commissioner.
10 And I'd just like to put on the record the documents that
11 speak to these questions that I've intended to ask Minister
12 LeBlanc. It's COM 3044, 30 -- sorry, COM 344, 345, 346 and
13 347.

14 --- EXHIBIT No./PIÈCE No. COM 344:

15 CBC - "MP Han Dong says he wants to
16 rejoin Liberal caucus after being
17 'vindicated' by Johnston's report" -
18 May 24, 2023

19 --- EXHIBIT No./PIÈCE No. COM 345:

20 CBC - "Han Dong says he's met with
21 government, is waiting to learn if he
22 can rejoin caucus" - Sep 21, 2023

23 --- EXHIBIT No./PIÈCE No. COM 347:

24 Global News - "Trudeau not saying if
25 Han Dong will return to Liberal
26 caucus after testimony" - April 3,
27 2024

28 COMMISSIONER HOGUE: So ---

1 namely, the RCMP, CSIS, CBSA, CSE and
2 PBC. The Minister's role is to
3 coordinate their activities and
4 establish strategic priorities
5 relating to public safety and
6 emergency preparedness." (As read)

7 Is this correct?

8 **HON. DOMINIC LeBLANC:** Yes.

9 **MS. HANNAH TAYLOR:** Is it a strategic
10 priority to protect diaspora communities?

11 **HON. DOMINIC LeBLANC:** It's always been a
12 priority not just of the Public Safety Department, but of the
13 whole government. As I learned about the prevalence of
14 foreign interference, we were always struck that diaspora
15 communities are, in many cases, the targets and the victims
16 of these foreign interference attempts. So it's -- the
17 Public Safety Department is absolutely seized with that, as
18 would be, for example, of CSIS and other agencies, but the
19 whole government is concerned about this. My colleague, the
20 Minister of Diversity and Inclusion talks to me about this.
21 So it's not just my department, but the Public Safety
22 Department is absolutely concerned about this, but it goes
23 beyond one department.

24 **MS. HANNAH TAYLOR:** Thank you. And if I
25 could ask the Court Operator to please pull up CAN 2096?

26 **--- EXHIBIT No./PIÈCE No. CAN 2096:**

27 Elections Security Brief for Minister
28 LeBlanc

1 **MS. HANNAH TAYLOR:** And as it's being pulled
2 up, Minister, I understand this was an election security
3 brief provided to you. Looking to the first page at the
4 third bullet point, it's under the heading ---

5 **HON. DOMINIC LeBLANC:** Sorry, do you know the
6 date of that?

7 **MS. ERIN DANN:** Unfortunately, that document
8 was produced without a date.

9 **HON. DOMINIC LeBLANC:** Okay.

10 **MS. HANNAH TAYLOR:** So just under slide two,
11 it reads,

12 "A [2016] public threat report from
13 the Communications Security
14 Establishment (CSE) identified
15 political parties and politicians,
16 electoral activities, and the media
17 as vulnerable to threats, but also
18 noted that our system has inherent
19 strengths built-in. For example,
20 paper-based ballots cannot be
21 "hacked"."

22 Would you agree with this statement?

23 And for ---

24 **HON. DOMINIC LeBLANC:** I think our system has
25 a lot of inherent strengths. One of them is paper-based
26 ballots. That's probably in the context of cyber attacks.
27 That -- my discussions with Elections Canada or the security
28 agencies have always been around the risk, obviously, of a

1 cyber attack. In the case of paper ballots, it's a lot
2 easier to maintain public confidence in the election
3 machinery and in the outcome, but it's -- it would be one
4 example. I don't remember the details. I accept the
5 document you put before me. If it was my then Deputy
6 Minister Ian McCowan, who was the Deputy Secretary at Privy
7 Council Office, these were ongoing conversations that I would
8 have had with him over a number of meetings or briefings.

9 **MS. HANNAH TAYLOR:** And so you've said that
10 it would be one of many tools in an arsenal to address the
11 issue. And with that in mind, you would agree that a paper-
12 based ballot doesn't make an elector any less vulnerable to
13 intimidation or harassment, which is why there needs to be
14 other mechanisms to protect them?

15 **HON. DOMINIC LeBLANC:** Yeah, that's a fair
16 statement.

17 **MS. HANNAH TAYLOR:** Okay. Thank you,
18 Minister.

19 **COMMISSIONER HOGUE:** Thank you.

20 AG?

21 **MR. GREGORY TZEMENAKIS:** I have no questions.
22 Thank you.

23 **COMMISSIONER HOGUE:** Re-examination?

24 **MS. ERIN DANN:** No, thank you.

25 **COMMISSIONER HOGUE:** J'ai une question pour
26 vous, Monsieur LeBlanc.

27 Vous avez indiqué lors de votre témoignage en
28 chef – je pense c'est à ce moment-là – avoir appris

1 l'existence d'allégations concernant monsieur Chiu et
2 monsieur O'Toole seulement une fois que l'information a été
3 rendue publique en 2022. Vous avez également en réponse à une
4 autre question qui vous a été posée, indiqué que ça ne vous
5 aurait pas vraiment été utile lorsque vous avez entrepris
6 d'évaluer dans quelle mesure les mesures qui avaient été
7 mises en place avaient été suffisantes ou avaient été
8 efficaces.

9 Est-ce que vous pouvez par ailleurs
10 m'indiquer si, dans votre rôle de ministre, ce type
11 d'informations là ou d'allégations là vous aurait été utile
12 en tant... de façon concomitante au moment où elles ont été...
13 ces éléments-là ont été identifiés?

14 **L'HON. DOMINIC LeBLANC:** Et vous parlez,
15 Madame la commissaire, à ce moment-là comme ministre des
16 Institutions démocratiques, par exemple?

17 **COMMISSAIRE HOGUE:** Comme ministre des
18 Institutions démocratiques, puis ensuite vous me direz comme
19 ministre de la Sécurité publique.

20 **L'HON. DOMINIC LeBLANC:** Alors, parfait. Si
21 moi je suis tout à fait confortable dans mes discussions avec
22 les responsables au Conseil privé, les quelques discussions
23 que j'ai eues avec les chefs des services de renseignement ou
24 de sécurité nationale m'ont donné suffisamment d'informations
25 pour comprendre qu'est-ce qu'il fallait faire pour évoluer
26 nos mesures entre l'élection de 2019 et l'élection de 2021,
27 j'aurais compris par exemple qu'il y a des acteurs hostiles
28 qui utilisent des plateformes des médias sociaux, qu'ils

1 utilisent des agents pour essayer d'influencer ou intimider,
2 moi, pour moi, je n'avais aucune... à ce moment-là, aucune
3 responsabilité opérationnelle pour le suivi dans le cas de
4 monsieur X ou madame Y ou X en termes de... le Service de
5 renseignement était parfaitement, selon la loi, capable de
6 prendre des mesures appropriées, ça aurait été dans les mains
7 de mon collègue à ce moment-là, le ministre de la Sécurité
8 publique.

9 Alors, moi, je suis tout à fait convaincu que
10 j'avais suffisamment d'exemples dans mes conversations
11 d'ordre général des hauts fonctionnaires pour évoluer le plan
12 pour la protection de la démocratie. J'avais pas besoin
13 nécessairement de savoir que c'était candidat X ou la ville Y
14 ou telle ou telle chose se sont produites. Il s'agit de
15 demander et d'être rassuré que le Service de renseignement,
16 la GRC, Élections Canada, le Conseil privé avaient les outils
17 nécessaires, le mandat nécessaire pour détecter et contrer ce
18 genre d'ingérence.

19 Alors, c'est un accident de parcours de
20 remaniement ministériel que j'avais ces fonctions-là comme
21 ministre des Institutions démocratiques.

22 Et là, l'été passé, j'ai assumé les
23 responsabilités comme ministre de la Sécurité publique, et
24 là, j'ai compris d'une façon que je n'avais pas réalisé
25 avant, le rôle du ministre de la Sécurité publique quant à
26 l'approbation de certaines opérations de les Services de
27 renseignement par exemple, toute la question des mandats du
28 Service de renseignement, des fois ils vont informer le

1 ministre pour les mesures de réduire des menaces. Ça, c'est
2 une fonction qui existe comme ministre de la Sécurité
3 publique, mais j'avais pas besoin ou ça n'aurait pas été
4 approprié, je pense, d'être dans ces détails-là comme
5 ministre des Institutions démocratiques. Là, j'ai la bonne
6 chance d'avoir les deux.

7 **COMMISSAIRE HOGUE:** Et comme ministre de la
8 Sécurité publique, est-ce que vous vous attendriez à ce que
9 ce type d'allégation là soit porté à votre connaissance?

10 **L'HON DOMINIC LeBLANC:** Absolument.
11 Absolument. Et d'ailleurs, je peux vous rassurer que dans mes
12 discussions avec monsieur Vigneault ou ses collègues, c'est
13 le genre de discussions qu'ils ont librement avec moi. Je me
14 sens tout à fait renseigné sur ces questions-là dans la
15 mesure qu'eux autres jugent que c'est approprié ou quand ils
16 ont besoin soit d'une approbation ou ils ont l'obligation de
17 m'informer. Des fois, ils ont l'obligation de m'informer sans
18 nécessairement avoir besoin d'une autorisation de ma part,
19 mais je vois ce genre d'échanges là confortablement
20 maintenant.

21 **COMMISSAIRE HOGUE:** Merci.

22 **L'HON DOMINIC LeBLANC:** Merci à vous.

23 **COMMISSIONER HOGUE:** So no re-examination
24 after my questions?

25 **MS. ERIN DANN:** No.

26 **Me ALAIN MANSEAU:** Votre Seigneurie?

27 **COMMISSAIRE HOGUE:** Oup! Pardon.

28 **Me ALAIN MANSEAU:** Oui. Alain Manseau du Bloc

1 québécois. Vu que Han Dong et le gouvernement du Canada ont
2 passé leur tour pour les questions, je vous demanderais
3 l'autorisation pour poser quelques questions à l'Honorable
4 LeBlanc.

5 **COMMISSAIRE HOGUE:** Bien, écoutez, je vais
6 vous donner quelques minutes. On va convenir de 5 minutes,
7 Maitres Manseau.

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

9 **Me ALAIN MANSEAU:**

10 **Me ALAIN MANSEAU:** Bonjour, Monsieur LeBlanc.

11 **L'HON DOMINIC LeBLANC:** Bonjour.

12 **Me ALAIN MANSEAU:** Alain Manseau pour le Bloc
13 québécois.

14 Nous avons appris et par les médias ainsi que
15 par différents témoignages ici que le Groupe de défense des
16 droits de la personne – en espagnol, c'est Rights Defender –,
17 avait... en septembre 2022, avait attirer l'attention de
18 résistance de (inintelligible) postes de police chinois
19 dispersés à travers le monde, donc trois à Toronto.

20 Par la suite, la GRC est venue nous dire
21 qu'il y a eu une enquête qui a été faite également sur deux
22 postes de police, dont un à Montréal et un autre à Brossard,
23 et ces deux postes de police semblaient receler tout au moins
24 de l'ingérence politique à partir de leurs locaux.

25 Vous ou le ministre de l'époque avez
26 mentionné que ces...

27 **L'HON DOMINIC LeBLANC:** Pardon, c'est quel
28 ministre?

1 **Me ALAIN MANSEAU:** De la Sécurité publique.

2 **L'HON DOMINIC LeBLANC:** Mon prédécesseur?

3 **Me ALAIN MANSEAU:** Voilà.

4 **L'HON DOMINIC LeBLANC:** OK.

5 **Me ALAIN MANSEAU:** Avait mentionné, et ce qui
6 a été rapporté par les journaux que les deux postes en
7 question avaient été fermés définitivement. Et on a appris
8 également qu'il y avait des actes illégaux qui avaient été
9 commis, et c'est la raison pour laquelle ces postes auraient
10 été fermés.

11 Est-ce que vous êtes en mesure de nous dire
12 si effectivement ces actes illégaux étaient des actes
13 criminels?

14 **MS. ERIN DANN:** Excuse me, Commissioner.
15 Sorry to interrupt. I'm concerned that the question goes
16 beyond the scope of this portion of the hearings -- of this
17 portion of the Commission's work, which is focussed on the
18 2019 and 2021 general elections.

19 **COMMISSAIRE HOGUE:** Pouvez-vous, Maitre
20 Manseau, indiquer quel est le lien que vous faites avec
21 effectivement le...

22 **Me ALAIN MANSEAU:** Oui.

23 **COMMISSAIRE HOGUE:** On est assez limités au
24 niveau de ce qu'on regarde dans cette phase-ci, il y en aura
25 évidemment une seconde...

26 **Me ALAIN MANSEAU:** Vous avez raison et ma
27 collègue a raison de le souligner, toutefois, le lien que je
28 fais, c'est que ces postes de police ne sont pas... n'ont pas

1 pris naissance après, mais ont dû prendre naissance avant
2 2022 où ça nous a été rapporté par la suite par les médias.
3 Donc, ce sont des postes de police qui existaient en 2019 ou
4 encore en 2021, à moins que ça soit contredit.

5 **COMMISSAIRE HOGUE:** Alors, je veux juste
6 comprendre parce que je ne veux pas ouvrir tout un pan là sur
7 quelque chose qui ne sera pas utile à ce stade-ci. Ce que
8 vous dites, c'est... parce que ce qu'on regarde, c'est
9 l'existence d'ingérence étrangère dans le cadre d'un... juste
10 précédemment ou dans le cadre de la campagne électorale de
11 2019 et 2021, et ce que vous dites, c'est les postes de
12 police auxquels vous faites référence auraient été en
13 existence à ce moment-là?

14 **Me ALAIN MANSEAU:** Absolument.

15 **COMMISSAIRE HOGUE:** Et quel lien faites-vous
16 avec les élections de 2019 et de 2021? Le simple fait qu'ils
17 existaient?

18 **Me ALAIN MANSEAU:** Ils existaient et on peut
19 présumer qu'il y avait de l'ingérence puisqu'effectivement,
20 la GRC a dit qu'on avait fermé ces deux postes de police à
21 cause d'actes illégaux sans nous dire quels étaient les actes
22 illégaux qui avaient été commis à l'époque.

23 **COMMISSAIRE HOGUE:** Et votre question, c'est?

24 **Me ALAIN MANSEAU:** C'est effectivement quels
25 sont ces actes illégaux parce qu'on a dit qu'on intervenait,
26 la GRC, en matière d'ingérence seulement s'il y avait des
27 actes illégaux qui avaient été commis. Alors, jamais on nous
28 a dit quels étaient ces actes illégaux.

1 **COMMISSAIRE HOGUE:** Je pense la question est
2 trop large. Si votre question... si vous reformuliez pour
3 demander s'il y a eu des... à la connaissance évidemment du
4 ministre LeBlanc, s'il y a lieu des actes illégaux commis en
5 lien avec les élections de 2019 ou de 2021, cette question-là
6 je la permettrais. Mais de façon large là, ça, je pense qu'on
7 sort nettement du cadre qu'on a fixé ici.

8 **MR. GREGORY TZEMENAKIS:** Pardon, Madame la
9 Commissaire, according to your terms of reference, if there
10 were ongoing investigations related to this matter, and there
11 is ongoing litigation in relation to this matter, it would
12 not be appropriate. And then my second point is my friend
13 has not provided any information to found the statements that
14 he is making, that these police stations were in existence
15 early, that they were in 2019. And it's somewhat unfair for
16 the witness to be asked questions on the basis of a
17 hypothetical set of circumstances that he may know nothing
18 about.

19 **COMMISSIONER HOGUE:** But this is the reason
20 why I made clear that it's as far as Minister LeBlanc knows.
21 He doesn't have to speculate, but if knows whether some of
22 the ---

23 **Me ALAIN MANSEAU:** À sa connaissance.

24 **COMMISSAIRE HOGUE:** --- alleged activities
25 would have been in relation with the elections, then this
26 question is permitted.

27 But I will not permit that you go very far
28 with this line of questions.

1 **Me ALAIN MANSEAU:** Alors, est-ce que... alors,
2 est-ce qu'effectivement vous avez eu connaissance tout au
3 moins qu'il y aurait eu des actes illégaux qui auraient été
4 commis dans ces deux centres à Brossard et à Montréal au
5 moment des élections de 2019 et 2021?

6 **COMMISSAIRE HOGUE:** Et en lien avec les
7 élections.

8 **Me ALAIN MANSEAU:** Et en lien avec les
9 élections.

10 **L'HON DOMINIC LeBLANC:** C'est ça. Alors,
11 j'hésite de... c'est pas un ministre qui détermine qu'est-ce
12 qui est illégal et qu'est-ce qui n'est pas illégal. Je ne
13 suis pas procureur, policier, ni juge. Je vous crois quand
14 vous citez les commentaires de la GRC supposément, il
15 faudrait que je vérifie qu'est-ce que la GRC avait dit. Je
16 suis connaissant des discussions publiques dans le domaine
17 public sur ces supposés postes de police – je pense c'est
18 important d'utiliser ce mot-là –, mais j'ai pas des détails
19 opérationnels de la GRC, et comme l'avocat pour le
20 gouvernement a dit, je ne suis pas suffisamment confiant
21 qu'il y a pas possiblement des enquêtes en cours
22 présentement. Ça, je ne sais pas. Alors, je suis un peu
23 hésitant à m'aventurer dans ce domaine-là.

24 **Me ALAIN MANSEAU:** Je vous remercie.

25 **COMMISSAIRE HOGUE:** Je pense que vous avez...
26 Merci.

27 Alors, on va prendre la pause. Je sais que
28 l'horaire prévoit que c'est une pause de 5 minutes, en fait,

1 ça sera probablement plus une pause d'à peu près 20 minutes
2 parce qu'il y a des... compte tenu du changement de témoins, il
3 y a aussi certaines mesures de sécurité qui doivent être
4 mises en place, alors je m'attends à une vingtaine de minutes
5 de délai.

6 Merci beaucoup.

7 **L'HON DOMINIC LeBLANC:** Merci à vous.

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

10 This hearing is in recess until 3:25?

11 **COMMISSAIRE HOGUE:** 3:30.

12 **THE REGISTRAR:** 3:30. La séance est en pause
13 jusqu'à 3 heures 30.

14 --- Upon recessing at 3:08 p.m./

15 --- La séance est suspendue à 15 h 08

16 --- Upon resuming at 3:34 p.m./

17 --- La séance est reprise à 15 h 34

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

20 This sitting of the Foreign Interference
21 Commission is back in session. Cette séance de la Commission
22 sur l'ingérence étrangère a repris.

23 **COMMISSAIRE HOGUE:** Alors, Maitre Chaudhury,
24 c'est vous qui menez l'interrogatoire.

25 **MS. SHANTONA CHAUDHURY:** Good afternoon.

26 **COMMISSIONER HOGUE:** Good afternoon.

27 **MS. SHANTONA CHAUDHURY:** Shantona Chaudhury.
28 Lead counsel for the Commission. Our witness this afternoon

1 is Prime Minister Justin Trudeau.

2 Can I ask that the witness be sworn or
3 affirmed?

4 **THE REGISTRAR:** Would you like to be sworn or
5 affirmed for the record?

6 **RT. HON. JUSTIN TRUDEAU:** Sworn, please.

7 **THE REGISTRAR:** Could you please state your
8 name for the record?

9 **RT. HON. JUSTIN TRUDEAU:** Justin Trudeau.

10 **--- RT. HON. JUSTIN TRUDEAU, Sworn/Assermenté:**

11 **THE REGISTRAR:** Thank you very much.
12 Counsel, you may proceed.

13 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR**

14 **MS. SHANTONA CHAUDHURY:**

15 **MS. SHANTONA CHAUDHURY:** Thank you. So,
16 Prime Minister, we'll start with the typical routine
17 housekeeping.

18 Mr. Clerk, can I ask you to pull up WIT 66,
19 please?

20 **--- EXHIBIT No./PIÈCE No. WIT 66:**

21 Interview Summary: Rt. Hon. Justin
22 Trudeau (Prime Minister)

23 **MS. SHANTONA CHAUDHURY:** Prime Minister,
24 you'll recall being interviewed by Commission counsel on
25 February 27th, 2024?

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

27 **MS. SHANTONA CHAUDHURY:** Can you confirm that
28 you've reviewed the summary of that interview, that the

1 summary is accurate, and that you adopt it as part of your
2 evidence before the Commission?

3 **RT. HON. JUSTIN TRUDEAU:** I can.

4 **MS. SHANTONA CHAUDHURY:** Thank you.

5 The next is WIT 67, please, Mr. Clerk.

6 **--- EXHIBIT No./PIÈCE No. WIT 67:**

7 In-Camera Examination Summary: The
8 Right Honourable Justin Trudeau,
9 Prime Minister

10 **MS. SHANTONA CHAUDHURY:** So, Mr. Prime
11 Minister, this is the summary of your *in-camera* examination.
12 You'll recall having been examined *in-camera* by Commission
13 counsel earlier this year?

14 **RT. HON. JUSTIN TRUDEAU:** Yes, I do.

15 **MS. SHANTONA CHAUDHURY:** Okay. And once
16 again, can you confirm that you've reviewed the summary, that
17 the summary is accurate, and that you adopt it as part of
18 your evidence before the Commission?

19 **RT. HON. JUSTIN TRUDEAU:** I can.

20 **MS. SHANTONA CHAUDHURY:** Perfect.

21 We can take that down now, Mr. Clerk.

22 So I'm going to ask you to start today, Prime
23 Minister, by asking a pretty general question, but
24 nevertheless a fundamental one, which is, having been Prime
25 Minister now since 2015, can you paint for the Commission a
26 picture of the foreign interference landscape over your
27 tenure as Prime Minister?

28 And before you answer, I'll just put two sort

1 of precisions on that. One is that we know foreign
2 interference comes in all shapes and sizes, but the kind of
3 foreign interference that interests us most today at this
4 Commission is, obviously, foreign interference in democratic
5 processes and electoral processes and institutions.

6 Second, it goes without saying, but in
7 answering this question and all questions I pose to you,
8 please stick to information that can be safely publicly
9 disclosed.

10 **RT. HON. JUSTIN TRUDEAU:** Indeed. One of the
11 things that we had grown concerned about as a party when we
12 were in opposition before the 2015 election was the lack of
13 oversight by Parliamentarians into what was going on in our
14 national security universe in this country.

15 An example of the Afghan detainee documents,
16 where there wasn't a process whereby Parliamentarians of
17 different parties, of opposition parties, could examine top-
18 secret material was seen as a lacking that Canada had,
19 certainly compared to our other Five Eyes partners, which is
20 why in our 2015 campaign platform we committed to creating a
21 National Security and Intelligence Committee of
22 Parliamentarians whereby parliamentarians of all different
23 parties would be sworn into the highest levels of clearance
24 to be able to oversee, verify, and ascertain that everything
25 that our national security agencies were doing was on the one
26 hand compliant with Canadian values, rules, and the *Charter*,
27 and on the other hand, doing everything necessary to keep
28 Canadians safe.

1 So we started in 2015 with a commitment to
2 strengthen our national security institutions. We did that
3 by the creation of National Security and Intelligence
4 Committee of Parliamentarians. We also combined a number of
5 oversight organisations into NSIRA, which is a more judicial
6 or academic or high level oversight of our national security
7 agencies, as well as, you know, as we began to govern,
8 strengthened our various national security and intelligence
9 agencies and tools.

10 One of the things I did is I changed our
11 national security advisor to a national security and
12 intelligence advisor because it's not just about security.
13 And obviously the work around intelligence was getting more
14 and more complex and important and part of keeping Canadians
15 safe.

16 Over the course of that first mandate, we
17 witnessed the significant foreign interference allegations or
18 threats during the 2016 Presidential Election in the United
19 States, where Russia, certainly through misinformation and
20 disinformation online, attempted to interfere. But also,
21 more interestingly as a key example, in 2017, during the
22 French Presidential Election, there was actually a moment in
23 which officials within the French governmental apparatus
24 actually had to come out and tell the citizens of France that
25 a particular piece of information or news that was about to
26 break was in fact Russian disinformation and should not be
27 given any weight or heed.

28 That got us to reflecting on whether or not

1 Canada had a potential to intercede in an election campaign
2 if there was a significant threat of foreign interference
3 impacting the ability of our elections to actually unfold in
4 a free in and fair way. So we got to work on developing such
5 a mechanism here in Canada, which ended up being two
6 mechanisms, both the SITE panel -- the SITE Task Force that
7 allows our security agencies to monitor very closely the
8 going's on in an election, and the Panel of Five, which is
9 top civil servants who would have the ability, if they deemed
10 it necessary, to actually go public or take other actions to
11 ensure the protection of our democratic institutions and
12 electoral processes from foreign interference.

13 One of the other examples of things that
14 we've -- we did during that time, in 2018, when Canada hosted
15 the G7 leaders meeting in Charlevoix, Quebec, we actually
16 brought forward and created the G7 Rapid Response Mechanism,
17 which was designed to monitor and respond to threats of
18 misinformation and disinformation in our democracies. A tool
19 that has been successfully used over the past year since in a
20 number of different occasions, and indeed was more recently
21 actually strengthened to weigh in a little more on the
22 democracies in Eastern Europe where we're seeing significant
23 interference by Russians, given the conflict in Ukraine.

24 **MS. SHANTONA CHAUDHURY:** Okay. Thank you for
25 that summary. What I'm going to try and get at now is the
26 threats, really, to which all of this responds. So we heard
27 from Minister Gould this morning about the plan to protect
28 Canada's democracy and what it was really designed to do,

1 that process.

2 Mr. Clerk, I'm going to ask you to pull up a
3 document, CAN 019496.

4 So Mr. Prime Minister, this is a document
5 actually from 2017, so before this Commission's mandate per
6 se, but it gives an idea, I think, of the kind of information
7 or at least that was available to you at that time, and
8 that's what I'm going to bring out here. So if we -- this is
9 the memo that was written to you by David Morrison, your NSIA
10 at the time. You received it in June 2017.

11 So the top of that document there talks about
12 the Chinese foreign interference threat, and it says CSIS
13 describes the PRC, essentially, as sophisticated, pervasive,
14 persistent. There are other countries around, but the PRC is
15 the big one.

16 Mr. Clerk, if you can just scroll down a
17 little bit more. Okay. Scroll down, scroll down. I'll tell
18 you when to stop. Keep going. Okay, there we go.

19 So on the third page here, you'll see, Prime
20 Minister, it talks about allies who are facing similar
21 challenges, and refers specifically to Australia in which --
22 I believe what's explained there is they -- in Australia it
23 was found that agents of the Chinese Government were donating
24 millions of dollars across the political spectrum. So your
25 NSIA is informing you of this.

26 And keep scrolling down, please, Mr. Clerk,
27 to the next page.

28 And then brings it back to Canada.

1 Oh, sorry. Scroll down a little bit more,
2 Mr. Clerk, to the next page. PCO comments. There we go.
3 Okay, last page:

4 "Politicians, and elected officials,
5 in particular...provincial,
6 territorial, and municipal levels,
7 are largely unaware of the PRC's (and
8 others) efforts to influence Canada's
9 political landscape, making them more
10 vulnerable to these attempts, either
11 in Canada or when travelling abroad."

12 So there's that.

13 And then scroll down just a little bit more,
14 Mr. Clerk, so we can see the last part of this.

15 So this is -- I'm sorry, I said it was David
16 Morrison. It's actually Daniel Jean:

17 "This is a very sensitive issue, and
18 public efforts to raise awareness
19 should remain general and not single
20 out specific countries to avoid
21 potential bilateral incidents.
22 However, countries that cross the
23 line should be reminded of
24 appropriate conduct and risk of
25 consequences."

26 So Mr. Prime Minister, I'd like you to speak
27 to those points if you can. First of all, the level of
28 knowledge about foreign interference, the level of threat,

1 here we see it coming from the PRC, and also that tension
2 between sort of exposing something about foreign
3 interference, while at the same time having to balance
4 international relations, bilateral incidents, and the like.

5 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,
6 it's a good example, as I spoke about the experiences in the
7 United States and in France, the experience that Australia
8 had, not with Russia but with China, is another excellent
9 example that we were very aware of at the time, and
10 highlighted the fact that there are foreign state actors who
11 are interested in playing a role in our democracies or in
12 disrupting our democracies.

13 The difference between Russia and China is a
14 significant one in that China has a very large diaspora of
15 Chinese Canadians who are often the first targets of
16 interference efforts by a foreign state, by that foreign
17 state. So we were very aware of it.

18 As a politician in Canada for eight years,
19 when I became Prime Minister, I was certainly aware of the
20 various ways officials and different countries, particularly
21 through diasporas, can take an interest in Canadian political
22 processes. But to understand it better, one of the first
23 things we did in 2015, maybe into 2016, was request a
24 briefing from our national security officials that would go
25 at some of the things we had heard, some of the things we
26 knew, or understood as opposition politicians now in a
27 position of being in government. That we wanted to
28 understand more about the role of foreign interference in

1 particular communities, in -- you know, we wanted to know
2 about particular individuals that we had heard things about,
3 and understand what landscape we were actually walking into
4 because we suddenly had access to a very sophisticated and
5 excellent national security apparatus that when one is a
6 simple opposition politician you don't have access to.

7 So from the very beginning, we knew there
8 were things we needed to know about, and we got briefings on
9 that. And this 2017 memo is certainly a continuation of that
10 level of awareness. The issue of it being a sensitive issue
11 is quite germane, and it evolves over time. Back in the
12 early days of our government, we were very much looking to
13 deepen the trade and commercial ties with China, seeing it as
14 an opportunity for exports. One of my biggest files of the
15 day on that was trying to restore the canola shipments that
16 many western grain farmers were relying on that were seeing
17 irregular blockages from the Chinese authorities. So that
18 was part of our work.

19 But even as we were doing that, we were very
20 aware of the areas in which we needed to challenge or contest
21 China, whether it was on issues of human rights, or democracy
22 of Uyghurs, of protection of the rights of our diaspora
23 communities from influence or intimidation. There has always
24 been a complex approach that every government has had to take
25 with China. Over the years, however, this has shifted
26 significantly, as I'm sure we'll get into. The relations
27 with China took a significant turn when they chose to
28 arbitrarily detain two Canadian citizens. And for close to

1 three years, we were not just pushing back hard against China
2 on the arbitrary nature of those detentions and the fact that
3 they needed to release those to Canadians. But we were
4 extremely active around the world in mobilizing other
5 countries to bring up Canada and the plight of the two
6 Michaels during their bilateral conversations, which was
7 something I can say ended up putting a significant amount of
8 strain on our relationship because it was a massive irritant
9 to China that everyone kept talking about these two Michaels,
10 even when they didn't have anything to do with Canada. We
11 heard it regularly. But that was what we continue to do.

12 It perhaps came to the greatest sort of head
13 in terms of being reminded of appropriate contact and risk of
14 consequences in November of 2022 when I was in Indonesia for
15 a G20 meeting where when I saw the President of China, Xi
16 Jinping, at the opening ceremonies. I mentioned to him that
17 I needed China to stop interfering in Canadian democratic
18 processes because that was very much something that people
19 were very concerned about back home at that particular
20 moment.

21 **MS. SHANTONA CHAUDHURY:** Okay. We'll move
22 then to the -- from the general landscape, which we now I
23 think have a decent picture of, to some more precise
24 questions having to do with the Commission's Terms of
25 Reference.

26 Et je vais commencer en français, Monsieur,
27 maintenant.

28 Et on a parlé d'un sujet qui est couvert dans

1 votre résumé d'entrevue et votre témoignage, et c'est la
2 manière dont vous recevez de l'information et du
3 renseignement.

4 Un point clé qui ressort de votre entrevue et
5 de votre témoignage auparavant, c'est que les documents
6 écrits sont peut-être pas la même manière principale dont
7 vous recevez ces informations-là et c'est plutôt les
8 breffages verbaux que vous recevez la plupart de votre
9 information.

10 Alors, est-ce que vous pouvez nous expliquer
11 ça et nous expliciter de façon générale la manière dont on
12 vous fournit les informations dont vous avez besoin.

13 **TRÈS HON. JUSTIN TRUDEAU:** Bien, tout
14 d'abord, tout premier ministre reçoit énormément de breffages
15 et d'informations, pas seulement sur l'ingérence étrangère ou
16 des situations de sécurité nationale, mais sur comment
17 fonctionne l'économie, quels sont les enjeux au niveau de la
18 sécurité publique, quelles sont les préoccupations qu'on a
19 avec nos alliés. Je suis constamment en mode de recevoir de
20 l'information ou d'énormément de différents départements et
21 conseillers à travers le gouvernement.

22 Je suis aussi les nouvelles principales pour
23 être à l'affut de ce que les Canadiens voient dans leur jour
24 à jour, quelles sont les préoccupations des Canadiens dans
25 leur vie quotidienne.

26 Tout ça est présenté de différentes façons,
27 mais malgré le fait que je reçois de l'information écrite des
28 sommaires de la semaine, des documents en matière de sécurité

1 et de renseignement qui sont souvent très « FYI », très
2 « Pour votre information ». La façon... la seule façon sûre de
3 s'assurer que je suis informé d'un enjeu prioritaire, c'est
4 jamais juste de me glisser une note que peut-être je lirai,
5 que peut-être je n'aurai pas le temps de lire si je suis en
6 déplacement, si j'ai un horaire très chargé, c'est d'assurer
7 d'avoir un moment de breffage direct avec ma conseillère en
8 sécurité et renseignement, c'est la NSIA, qui vient me donner
9 des mises à jour sécuritaires, d'habitude sur plusieurs
10 sujets pendant une même séance, de façon assez régulière, des
11 fois une ou deux fois par semaine, plus si nécessaire, des
12 fois juste trois ou quatre fois par mois, ça dépend.

13 Mais la seule façon de garantir ou de
14 s'assurer que je reçois les informations nécessaires, c'est
15 de me donner un briefing en personne ou au téléphone
16 sécurisé, si nécessaire, sur un enjeu quelconque ou
17 prioritaire.

18 **Me SHANTONA CHAUDHURY:** OK. Et vous avez
19 mentionné, bien sûr, la conseillère principale NSIA, la
20 (inintelligible) m'échappe quand même, mais la NSIA, est-ce
21 que c'est vraiment la NSIA dont vous dépendez le plus pour
22 vous fournir les informations dont vous avez besoin dans ce
23 domaine ou c'est la greffière ou c'est un peu les deux?

24 **TRÈS HON. JUSTIN TRUDEAU:** Dans ce domaine-
25 là, c'est la responsabilité de la NSIA de me garder à l'affut
26 de tout ce que j'ai de besoin, et quand j'ai des questions en
27 lien avec la sécurité ou le renseignement, c'est directement
28 vers elle que je me tourne pour avoir des réponses à mes

1 questions.

2 Le greffier ou la greffière a souvent un rôle
3 à jouer pour me souligner des enjeux très importants qui
4 peuvent être des rensei... des enjeux de sécurité ou de
5 renseignement, mais c'est principalement la NSIA qui est
6 chargée de me garder à l'affut sur les enjeux de sécurité et
7 de renseignement.

8 **Me SHANTONA CHAUDHURY:** OK. Et lorsqu'on vous
9 fournit ces informations-là, je vais vous demander de nous
10 expliquer un peu votre réaction et de façon assez précise,
11 parce que nous avons entendu votre Chief of Staff, Madame
12 Telford, hier, votre cheffe de cabinet, elle a témoigné que...
13 elle a mentionné qu'elle lit les produits de renseignement ou
14 qu'elle reçoit ces informations-là parfois avec certaines
15 réserves, sans les prendre nécessairement au pied de la
16 lettre parce que ça contient parfois des erreurs, c'est pas
17 tout à fait juste, et j'aimerais savoir votre perspective ou
18 votre expérience à ce sujet-là.

19 **TRÈS HON. JUSTIN TRUDEAU:** Il y a un principe
20 en politique, surtout pour ceux qui sont en train de donner
21 des notes d'information ou des breffages aux ministres ou au
22 premier ministre, que si vous n'êtes pas certain de ce que
23 vous dites, vous ne devriez peut-être pas le dire. De mettre
24 des faits erronés dans la tête d'un ministre ou d'un premier
25 ministre avant qu'il sorte parler aux médias ou se lever dans
26 la Chambre, ça peut être extrêmement problématique.

27 Alors, quand on me donne des informations sur
28 un incident qui s'est produit, ou une préoccupation

1 quelconque, ou un désastre naturel, ou une situation à
2 laquelle font face les Canadiens, c'est sûr que la véracité
3 de l'information est... que ce soit l'information la plus
4 complète possible, est extrêmement importante.

5 Mais je ferais un peu une exception par
6 rapport à l'intelligence parce que quand on a des
7 renseignements ou de l'intelligence, c'est pas toujours
8 certain, c'est pas toujours corroboré. Dans les milieux
9 juridiques, c'est bien connu que la différence entre ce qui
10 est intelligence et ce qu'on peut montrer en évidence est une
11 grosse distinction.

12 Alors, pour moi, quand je me fais briefed,
13 par écrit ou plus souvent de façon verbale, par les agents de
14 renseignement, la conversation sur la fiabilité de
15 l'information fait partie intégrale de ce qu'on est en train
16 de dire. Par exemple, quand on est... j'ai été briefed sur le
17 fait que l'Iran avait tiré sur l'avion ukrainien contenant
18 une centaine de Canadiens, les premiers rapports étaient un
19 peu plus flous, mais ils ont dit « on a des indications que
20 ceci, cela », et rendu au troisième briefing que j'ai eu là-
21 dessus, ils ont pu être très, très précis que, oui, on sait
22 que c'est les forces armées iraniennes qui ont abattu l'avion
23 ukrainien.

24 Mais ce que je dis, c'est qu'on doit toujours
25 prendre les renseignements et l'intelligence, les documents
26 d'intelligence avec un certain... une certaine conscience que
27 c'est à confirmer ou c'est peut-être pas cent pour cent
28 exact, mais parce que c'est de l'information extrêmement

1 sensible, ça peut être très, très utile pour nous indiquer,
2 par exemple, que la Russie est peut-être à la veille
3 d'envahir l'Ukraine. On agit ou on prend les informations au
4 niveau du renseignement différemment que la façon que je
5 prends un rapport sur le taux de chômage au Canada ou le
6 niveau d'inflation.

7 Donc, il y a toujours un certain niveau pas
8 de scepticisme, mais de pensée critique qui doit s'appliquer
9 à toute information recueillie par nos services de
10 renseignement et d'informations.

11 **MS. SHANTONA CHAUDHURY:** We'll probably come
12 back to some of that as we go along.

13 I'm going to take you to the 2019 election
14 now specifically.

15 Mr. Clerk, can you pull up CAN 005461,
16 please?

17 So Prime Minister, this is, while it's
18 getting pulled up -- yeah, there it is.

19 We know at this point in the evidence before
20 the Commission that on September 28th, 2019 the SITE Task
21 Force and CSIS gave a briefing to the security cleared
22 representative of the Liberal Party about foreign
23 interference in the Don Valley North riding. We also know
24 from Mr. Broadhurst that he then received that information.

25 How did this play out from your perspective?

26 **RT. HON. JUSTIN TRUDEAU:** Late in September,
27 as I was coming through Ottawa, I believe I was on my way out
28 across the country for another stretch of campaigning -- I

1 believe it was on a Sunday, as I was heading out after a
2 Saturday with my family.

3 Mr. Broadhurst met me at the airport in a
4 holding room in a lounge on the government side of the
5 airport, government terminal in the airport to let me know of
6 concerns that he had received from the SITE Task Force and
7 CSIS about the nomination campaign -- the nomination election
8 -- the nomination race contest in Don Valley North.

9 He shared with me that intelligence services
10 had shared with him concerns that Chinese officials in Canada
11 had been developing plans to possibly engage in interference
12 in the nomination contest, specifically by mobilizing buses
13 filled with -- the challenge in this is always trying to pick
14 out what I heard exactly then from what I knew later, but I
15 believe it was either buses full of students or buses filled
16 with Chinese speakers or Chinese diaspora members who would
17 be mobilized to support Han Dong -- who would have been
18 mobilized to support Han Dong in that nomination contest of a
19 few weeks previous.

20 In what ended being probably a 20-minute to
21 half-hour conversation with Mr. Broadhurst, I asked him more
22 specifically about, okay, so they had plans or an intent or
23 capacity to do this. "Do we know that they did? Did you
24 hear from CSIS and the security agencies that this was
25 actually done?"

26 They weren't entirely certain. There was
27 reasons to believe that perhaps it has and perhaps there were
28 -- the indication was that there were buses filled with

1 Chinese speakers at that nomination contest.

2 I asked if -- and as a matter of course,
3 those who are in politics and certainly on the ground riding
4 politics know that it is regular for buses to be mobilized in
5 -- particularly in contested nominations of community
6 organizations, student groups. You know, a particular
7 seniors' residence could bring a minibus full of seniors to
8 participate in a nomination contest. So just the existence
9 of buses wasn't enough -- buses with Chinese speakers or
10 Mandarin speakers in them wasn't enough to be itself alarming
11 or a condemnation, but it was -- there were clear indications
12 that there were concerns by CSIS that China might have been
13 behind this and that those students or those individuals on
14 the bus might have been motivated or mobilized to vote in
15 that way and they were concerns that CSIS had.

16 I asked the extent to which they were certain
17 that it happened, the extent to which they were certain that
18 China was, indeed, behind the mobilizing of the bus or buses,
19 and I also asked whether or not CSIS had information that Han
20 Dong knew about this, whether he was a witting and aware that
21 China had mobilized or Chinese officials had mobilized buses
22 for him or not. And the answers were not clear from CSIS at
23 that point, according to what Mr. Broadhurst told me.

24 I then asked -- I also asked if it was a
25 close nomination, if there was a sense that the actual result
26 of the nomination could have been affected by this bus or
27 buses or what was there, and that wasn't clear at all. CSIS
28 didn't have any conclusions to share at that point.

1 I asked Mr. Broadhurst whether CSIS was
2 making any recommendations or suggestions as to what we
3 should do with this information and it was clear to Mr.
4 Broadhurst that this was very much about just letting us know
5 so that we know and could perhaps take any actions that we
6 deemed appropriate, but they weren't going to be recommending
7 for us to take action one way or another. But they also
8 specified that this was secret information that we could not
9 share with the candidate in question, Mr. Dong, or the public
10 at large in terms of what they were telling us about these
11 concerns and these allegations.

12 I then asked Mr. Broadhurst what the Liberal
13 Party processes that are in place to oversee nominations,
14 particularly contested nominations, had flagged around that
15 nomination contest of a few weeks before.

16 There are Party officials that oversee the
17 voting, the registrations, the voting, the processes, the
18 counting. There are lawyers in place overseeing the count.
19 There are possibilities for the losing contestant or
20 contestants to challenge the result if they feel it was
21 unfair. There are many processes because political parties
22 often have some very complex fights around nomination parties
23 -- nomination contests. All political parties are like that.

24 And Mr. Broadhurst assured me that they had
25 looked into when they heard these allegations or this
26 information from CSIS and SITE, and had no flags on the
27 nomination process.

28 So then I had what was a brief conversation

1 with Mr. Broadhurst after we had established all that to sort
2 of agree that the threshold for overturning a democratic
3 event like an official party nomination to find out who would
4 be the candidate for a general election, particularly during
5 an election -- general election, must have a fairly high
6 threshold for removal of that candidate. And that was really
7 sort of the binary choice we were placed with in that
8 situation.

9 Acting would be removing Han Dong as our
10 official candidate. The other choice would be not to remove
11 that candidate. But even not having removed that candidate,
12 it would be something, given this information, that we would
13 have to revisit. Certainly in the case that that candidate
14 got elected, there would be questions we would have to follow
15 up on after the election to properly understand what happened
16 and what the issues or the risks were in this situation.

17 But understanding that the decision to remove
18 someone needed a high threshold. A threshold that,
19 incidentally, I have met and seen many other cases. As
20 Liberal Party leader, I have, on many, many different
21 occasions, had to ask people to step down, step away, or
22 desist as candidates for the Liberal Party, most recently as
23 the last election, where we did that in the case of a
24 downtown Toronto riding.

25 But in this case, I didn't feel that there
26 was sufficient or sufficiently credible information that
27 would justify this very significant step as to remove a
28 candidate in these circumstances.

1 **MS. SHANTONA CHAUDHURY:** So where does that
2 leave you? So you don't exercise that option, and you put it
3 as a pretty binary choice, but you have this information, you
4 receive this information, it's, as you say, classified
5 information that you can't share. What are you able to do?
6 Where does this leave a political party receiving this
7 information?

8 **RT. HON. JUSTIN TRUDEAU:** Well it meant that
9 after the election, when we were out of Caretaker period,
10 where I went back to being primarily Prime Minister and not
11 simply leader of a political party with 338 candidates across
12 the country, I was able to turn to our intelligence agencies
13 and say, "We need to know more about this. We need to
14 understand what the context is," because the answers that we
15 get on that will have a bearing on choices we could make in
16 the future about different roles or responsibilities for an
17 individual in such a situation.

18 **MS. SHANTONA CHAUDHURY:** Okay. Going to move
19 on to some other things now because we have a lot to cover in
20 75 minutes et je vois le temps qui coule.

21 Okay. So the next topic then. Mr. Clerk,
22 you can pull this up, CAN003116.

23 **--- EXHIBIT No./PIÈCE No. CAN 3116:**

24 SITE TF SITREP: 22 October 2019

25 But Prime Minister, I think I can ask you
26 this question without reference to a document.

27 An incident that was reported by the RRM in
28 the 2019 Election had to do with an article published in the

1 Buffalo Chronicle, some misinformation, false information
2 about you specifically. Is that something that came to your
3 attention in the 2019 Election?

4 **RT. HON. JUSTIN TRUDEAU:** No, it did not.

5 **MS. SHANTONA CHAUDHURY:** No, it did not.

6 Okay.

7 **RT. HON. JUSTIN TRUDEAU:** Sorry, the
8 engagement of the SITE Taskforce, or the Panel, or anyone
9 into that issue was not something that I was aware of at the
10 time. I was, of course, aware of the quite disgusting false
11 conspiracies or allegations being shared by both the Buffalo
12 Chronicle and a significant number of Conservative
13 politicians.

14 **MS. SHANTONA CHAUDHURY:** Okay. So you were
15 aware of the article, but not how, let's say, the apparatus
16 was dealing with it?

17 **RT. HON. JUSTIN TRUDEAU:** I may have been
18 aware of the article. I was certainly aware of the
19 allegations and the accusations that were heinous and untrue
20 in that.

21 **MS. SHANTONA CHAUDHURY:** Okay. I think
22 that's probably what we'll cover for 2019, although I do want
23 to pull up CAN015487, please.

24 **--- EXHIBIT No./PIÈCE No. CAN 15487:**

25 Safeguarding the 2019 General
26 Election

27 **MS. SHANTONA CHAUDHURY:** So, Prime Minister,
28 this is the memo from David Morrison. I misspoke earlier.

1 This is January 14th, 2020, I think when you received this.
2 And it's essentially a report on the 2019 Election. Not on
3 the outcome of the election, but on the operation of the SITE
4 Taskforce and the Panel.

5 Mr. Clerk, can you scroll down to the third
6 bullet, please?

7 **RT. HON. JUSTIN TRUDEAU:** Actually, could I
8 just quickly look at the box?

9 **MS. SHANTONA CHAUDHURY:** Sorry.

10 **RT. HON. JUSTIN TRUDEAU:** Yeah, sorry. The
11 third bullet, yes. That's fine.

12 **MS. SHANTONA CHAUDHURY:** Okay. So what they
13 say here is:

14 "Pre-election intelligence briefings
15 and monitoring provided a baseline
16 assessment [...] suggesting [that]
17 foreign interference would be
18 commensurate to overall interference
19 [campaigns]. While some instances
20 [...] were [noted], and some TRMs [TRM
21 is a threat reduction measure] were
22 [taken], [...] none of these activities
23 met the threshold..."

24 And then, Mr. Clerk, can you keep scrolling
25 down? Next page. Keep going. I'll tell you when to stop.
26 I think we may -- oh, no. There we go. Okay.

27 It says:

28 "As it pertains to [FI] and as

1 reference above, despite concerns
2 that Canada would be targeted..."

3 And then I'm going to go through this quite
4 quickly, but the assessment is:

5 "...there was no foreign cyber threat
6 activity targeting Elections Canada,
7 no [...] instances of foreign
8 interference in the HUMINT space, [...] no
9 significant indications of [FI] in
10 the digital information ecosystem..."

11 And then what Mr. Morrison says is:

12 "Arguably, this [...] places the level
13 of [FI] [...] in GE 2019 below the
14 anticipated baseline..."

15 Is that consistent with the information that
16 was being provided to you about what happened in GE 2019?

17 **RT. HON. JUSTIN TRUDEAU:** Yes. This was a
18 report in January of 2020. So three months after the
19 election. I would have already have been briefed multiple
20 times by the Clerk and by others that their conclusion was
21 that the elections in 2019 were indeed free and fair and the
22 outcome was not affected by foreign interference either
23 overall or in the specific riding contests.

24 **MS. SHANTONA CHAUDHURY:** Okay. So now let's
25 leave 2019 and move to the 2021 Election. I'm going to ask
26 you about a series of some incidents or events that -- about
27 which the Commission has received information. And I'll do
28 the first one with reference to one of the topical summaries

1 that's been produced to the Commission by the Government.

2 So, Mr. Clerk, that's CAN.SUM4.

3 The title of this one is a bit of a tongue
4 twister, but *Possible People's Republic of China Foreign*
5 *Interference-Related Mis or Disinformation*.

6 So what we have here, if you can scroll down
7 past the caveat page, Mr. Clerk, is a summary of essentially
8 allegations of misinformation about the Conservative Party,
9 its leader Erin O'Toole, and I think Kenny Chiu is in there
10 as well, that were circulating during the 2021 Election.

11 So my question to you, Prime Minister, is, is
12 this something that you were aware of as it was occurring in
13 2021?

14 **RT. HON. JUSTIN TRUDEAU:** During the 2021
15 Election, no. Shortly after the 2021 Election when the
16 Conservative Party went public with its concerns in sort of
17 the week that followed, I learned about it through media
18 reports.

19 **MS. SHANTONA CHAUDHURY:** Okay. And were you
20 aware that the Conservative Party had raised those concerns
21 with the Government as well?

22 **RT. HON. JUSTIN TRUDEAU:** Not at the time,
23 but later I would learn that through briefings.

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

25 **RT. HON. JUSTIN TRUDEAU:** Months later.

26 **MS. SHANTONA CHAUDHURY:** The next one then is
27 CAN.SUM13, please, Mr. Clerk.

28 So this is actually a summary about both 2019

1 and 2021, a more germane one, maybe, 2021.

2 Can you scroll down to the information page?

3 Thank you, Mr. Clerk.

4 So what this summarizes, you'll see, is
5 expressions of partisan preferences by certain PRC officials
6 in Canada. And what it says about 2019 is that there was
7 reporting that some PRC officials expressed political
8 preferences which were party agnostic and opportunist at
9 riding levels.

10 So and scrolling down, please, again, Mr.
11 Clerk. In 2021, there was reporting that some individual PRC
12 officials in Canada made comments expressing a preference for
13 a Liberal Party minority government. The rationale was they
14 don't perceive any of the political parties as being
15 particularly pro-China, but perceived minority governments of
16 being more limited in terms of acting -- enacting anti-China
17 policies.

18 So this reporting of an expressed preference
19 by certain PRC officials for a Liberal minority, was that
20 something of which you were aware at the time?

21 **RT. HON. JUSTIN TRUDEAU:** As I said, both the
22 2019 and 2021 elections happen in the context of significant
23 tensions between our government and the government of the
24 People's Republic of China, particularly over the illegal and
25 arbitrary detention of two Canadian citizens, the two
26 Michaels. We were extremely active both in pushing back at
27 Chinese officials on this issue, but also, as I said, active
28 around the world in drumming up support for people for the

1 two -- for different countries, for the two Michaels, but
2 also support for an initiative we were taking around
3 arbitrary detention and how it shouldn't be used as a tool of
4 political pressure or achieving political goals. So, yeah, I
5 can certainly say that while individual officials may well
6 have expressed a preference or another, the impression we got
7 and consistently would get is that the actual People's
8 Republic of China would have no -- it just would seem very
9 improbable that the Chinese government itself would have a
10 preference in the election.

11 **MS. SHANTONA CHAUDHURY:** So I take it from
12 this that whatever intelligence reporting there was on that,
13 it did not reach your ears?

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

15 **MS. SHANTONA CHAUDHURY:** Okay. Thanks. You
16 can take that down now, Mr. Clerk.

17 **RT. HON. JUSTIN TRUDEAU:** And there's also
18 the issue of the difference between foreign interference and
19 attempts by different countries to influence behaviour.
20 Diplomats around the world are in their roles to try and
21 influence favourable behaviours by the countries in which
22 they're serving towards the country they represent. That is
23 a big part of the role of a diplomat, of a foreign official,
24 of all types. Canadians certainly take an active role in
25 furthering our interests, including, from time to time,
26 having certain preferences around what might happen or what
27 might be an outcome of an election or a particular domestic
28 debate in a foreign country.

1 However, foreign interference happens when
2 there is -- and there's a full proper definition of it
3 somewhere, but my understanding is where it's covert, where
4 it's coercive, where it is using pressure, or a particularly
5 untoward means other than having a diplomat express, "I
6 really hope you should sign this trade deal, it'd be good for
7 both our countries," as opposed to trying to strongarm people
8 behind the scenes to get them to sign said trade deal, or
9 whatever one might examine.

10 So for a diplomat to express a preference,
11 whether it would be personal, or tactical, or what have you,
12 is not in itself foreign interference. It may be attempts at
13 influence. It may not be anything other than the regular
14 conduct of diplomacy.

15 **MS. SHANTONA CHAUDHURY:** So it would be the
16 actions they take to further their preference that would
17 constitute potentially foreign interference?

18 **RT. HON. JUSTIN TRUDEAU:** And certainly, in
19 the case of China, we have seen regularly that many examples
20 to this Commission that there are clear actions that would
21 amount to or indicate a willingness to engage in foreign
22 interference.

23 **MS. SHANTONA CHAUDHURY:** The next incident I
24 want to bring you to is CAN 001082, Mr. Clerk. This is
25 another briefing, Prime Minister, that was given to the
26 cleared representative of the Liberal Party at the time.
27 It's the 2021 election this time. You probably, judging from
28 that document, can't say very much about this, but what I'm

1 interested in knowing here is the timing of how this one
2 played out, again, from your perspective. So we know that
3 the briefing it was actually on the 12th of September, I
4 believe, not the 11th as this document indicates, but it was
5 given, again, to the Liberal Party representative and then to
6 Mr. Broadhurst. And we've heard Mr. Broadhurst's evidence on
7 it, so now we'd like yours.

8 **RT. HON. JUSTIN TRUDEAU:** My understanding is
9 -- which I learned after the election was over, was that Mr.
10 Broadhurst made the determination that it wasn't something
11 that he needed to bring to my attention as leader of the
12 Liberal Party, and he did not.

13 **MS. SHANTONA CHAUDHURY:** He did not bring it
14 to your attention?

15 **RT. HON. JUSTIN TRUDEAU:** He did not bring it
16 to my attention.

17 **MS. SHANTONA CHAUDHURY:** During the election?

18 **RT. HON. JUSTIN TRUDEAU:** During the
19 election, yes.

20 **MS. SHANTONA CHAUDHURY:** After the election?

21 **RT. HON. JUSTIN TRUDEAU:** He did not -- or he
22 probably did, but I actually got more official briefings on
23 this matter after the election.

24 **MS. SHANTONA CHAUDHURY:** Okay. I understand.
25 Okay.

26 **RT. HON. JUSTIN TRUDEAU:** He was the vehicle
27 for briefing me theoretically during the election, not
28 officials, because that's the way it would flow through as

1 party leader -- in my party leader role. But afterwards,
2 once I was once again fully Prime Minister, it was officials
3 who would be able to brief me on this.

4 **MS. SHANTONA CHAUDHURY:** Okay. Speaking of
5 briefings, we're going to turn to that topic now. So I'm
6 going to go through a few briefings that we know you -- or we
7 think you received. We do know you received in many
8 instances on foreign interference over the relevant time
9 period. I'll start with February 9th, 2021. This one I
10 don't really have a document to point you to, so I'm just
11 going to ask you for your recollection of it. So this would
12 be, again, February 20 -- February 9th, I'm sorry, 2021. Do
13 you recall receiving a briefing on that date?

14 **RT. HON. JUSTIN TRUDEAU:** Yes. That was a
15 briefing that I got on the phone. I was not in person for
16 that briefing. I was there via teleconference on a secure
17 phone, and, yes, I got a briefing.

18 **MS. SHANTONA CHAUDHURY:** Okay. Do you recall
19 the content of that briefing at all?

20 **RT. HON. JUSTIN TRUDEAU:** It was a, as I
21 recall, a general briefing on a number of issues, including
22 foreign interference.

23 **MS. SHANTONA CHAUDHURY:** Okay. The next one
24 then in time skips to the fall of 2022. Mr. Clerk, can you
25 pull up CAN 015842, please? Okay. This document which has
26 been talked about quite a bit in these proceedings is
27 "Briefing Notes to the Director of CSIS." And, Mr. Clerk,
28 again, can you scroll down just so the Prime Minister can see

1 a bit of the document and its content?

2 So, Prime Minister, my first question is you
3 -- do you remember getting this briefing in the fall of 2022,
4 October 27th?

5 **RT. HON. JUSTIN TRUDEAU:** Yes, my memory's
6 always better when I'm -- when I was physically in the place
7 where I got the briefing, so I remember very clearly this
8 briefing. This briefing was actually an overview of a number
9 of different cases and situations, none of which had to do
10 with federal elections.

11 **MS. SHANTONA CHAUDHURY:** Okay. So would you
12 say that the content of this particular -- these notes, these
13 briefing notes accurately conveys what you were told during
14 that briefing?

15 **RT. HON. JUSTIN TRUDEAU:** Not particularly.
16 Obviously, there are elements in this that are consistent
17 with the briefing that was on different elements of foreign
18 interference, but when it comes to briefings, and others can
19 speak to this and how they make decisions about what to read
20 from their prepared notes during an actual briefing with
21 Ministers or Prime Minister, but it is much more of a
22 conversation than someone reading a prepared text to the
23 Minister that they're briefing.

24 Yeah, there are elements in here that say,
25 for example, having read the briefing notes in preparation
26 for this Inquiry, that talk about how serious foreign
27 interference is and how we need to do more.

28 That wouldn't have been something that the

1 CSIS Director or the National Security Advisors or whoever
2 would have had to spend much time on because they would have
3 known that we did understand how serious foreign interference
4 is and how much we take it seriously and, actually, that was
5 why we would spend more time on specific cases or concerns
6 that were really the meat of the briefing.

7 So while notes are prepared for the briefers,
8 what actually becomes the most important thing that I
9 certainly recall about those briefings was the various and
10 specific cases we went through and how they are examples of
11 concern or not concern that we then have to behave in certain
12 ways or have follow-ups on this or that.

13 I mean, it is much less a large theoretical
14 briefing and much more concrete, this is the situation. And
15 then the discussion about how we deal with this particular
16 situation or example or another would be where the larger
17 theoretical discussion and implications would come in, but
18 they would be concentrated around specific individuals or
19 cases.

20 **MS. SHANTONA CHAUDHURY:** Okay. So maybe
21 we'll pull up now Ms. Telford's notes from that meeting, so
22 that's CAN 009803.

23 They're a little more sparse than Brian
24 Clow's would be, but at least we have a few points here.

25 Do these notes help shed any light on what
26 was dealt with in that briefing for you, Prime Minister? Do
27 they seem familiar?

28 **RT. HON. JUSTIN TRUDEAU:** Yes, I think the 1,

1 2, 3 indicates the different examples that we were -- or
2 situations -- actually, they're cases that we were talking
3 about or individuals we were talking about.

4 And the bragging is not doing, definitely,
5 definitely helps me recall a part of the conversation where
6 there was -- and let me be careful how I say this so it's not
7 identifiable.

8 There was a foreign government official based
9 in Canada who was taking credit for a certain thing having
10 happened in Canada in their reporting to a superior or to
11 their home country and just the fact that a foreign official
12 was taking credit for having delivered a particular outcome
13 in no way meant that anything that particular official did
14 actually created the outcome.

15 Bragging is not doing. So you know, one can
16 imagine a diplomat in a far-off land wanting to write back
17 home to say, "See, look, look what I did. Aren't I good? We
18 got the outcome we wanted", perhaps, when that individual may
19 not have had any actually bearing on the outcome of the
20 particular event.

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

22 **RT. HON. JUSTIN TRUDEAU:** I don't know if
23 that's sufficiently clear for what it was.

24 **MS. SHANTONA CHAUDHURY:** It is, and thank
25 you.

26 The last document, maybe, on this point,
27 4097.

28 794079, sorry. So 4079. My bad.

1 There we go. Okay.

2 So again, these are notes from that day, so
3 if you can have a quick look at these, Prime Minister, the
4 non-redacted parts of these.

5 And what you'll see there is a text box over
6 information that's been redacted but summarized by the
7 Commission.

8 Does this seem familiar as information that
9 was discussed at that meeting?

10 **RT. HON. JUSTIN TRUDEAU:** During that same
11 October meeting?

12 Sorry. Was that the ---

13 **MS. SHANTONA CHAUDHURY:** Yes, yes.

14 **RT. HON. JUSTIN TRUDEAU:** --- October ---

15 **MS. SHANTONA CHAUDHURY:** That's the October
16 meeting.

17 **RT. HON. JUSTIN TRUDEAU:** I couldn't really
18 speak to it. There's too many redactions on a document that
19 I would never have seen.

20 **MS. SHANTONA CHAUDHURY:** Fair enough. Okay.

21 Next one, then, is November 30th, 2022.

22 Can we pull up, please, Mr. Clerk, CAN

23 014285?

24 So this is a memo to you, Prime Minister, of
25 November 30th, 2022.

26 And Mr. Clerk, again, if you can scroll down
27 so the Prime Minister can see the document past the
28 transmittal note.

1 It's a memorandum for you by the NSI copied
2 to the Clerk, "Claims of foreign interference in the 2019
3 General Election for information". And the context of this,
4 Prime Minister, is this is shortly after the media leaks have
5 started about foreign interference, so a memo was written.

6 And we can again scroll through a bit to see
7 the content of that memo.

8 Just keep going a little faster than that.
9 I'm not really going to stop on anything.

10 But I will ask you, now that you've seen it a
11 little bit, to just scroll back up to the summary part, Mr.
12 Clerk.

13 Okay. There we go. "PCO searched its
14 holdings".

15 So what's happening here is the NSIA and PCO
16 are trying to figure out what you were briefed on and when,
17 and so there's a paragraph here:

18 "PCO searched its holdings and
19 engaged security and intelligence
20 partners to identify instances when
21 briefings on suspected interference
22 in the 2019 General Election were
23 provided..."

24 That identified a single PCO information note
25 dated January 14th, 2020, which is the one that we've seen
26 earlier, and then it references the February 9th, 2021
27 briefing.

28 Is that consistent with your recollection of

1 when you were briefed on these issues?

2 **RT. HON. JUSTIN TRUDEAU:** Sorry. This note
3 of November 30th, 2022 was when we were asking, okay, there
4 have been all these leaks on what may have happened during
5 the 2011 -- 2019 election and we were asking, you know, were
6 these things we got briefed on, were these things that we
7 were flagged at that time.

8 And yes, that's the single POC information
9 note dated January 24th, 2020 ---

10 **MS. SHANTONA CHAUDHURY:** And then the
11 February 9th, 2021 briefing.

12 So all I'm asking is whether that's
13 consistent with your recollection of when you were briefed on
14 these issues.

15 **RT. HON. JUSTIN TRUDEAU:** But I wasn't --
16 these were requests I was made -- I made a request to our
17 National Security Intelligence Advisor because there were
18 things being alleged in the leaks that we had not been
19 briefed on, so I'm not entirely certain about the briefing
20 dates there given because there were things, including those
21 11 candidates as a quote, that we had never been briefed on
22 until we saw them in the papers because -- following the
23 leaks.

24 **MS. SHANTONA CHAUDHURY:** Right. So I guess
25 maybe my question wasn't clear.

26 The content of this particular document I'm
27 not asking you about except just to confirm that this is
28 consistent with your recollection of when you were briefed,

1 the January 2020 and the February 2021.

2 **RT. HON. JUSTIN TRUDEAU:** January 2020 ---

3 **MS. SHANTONA CHAUDHURY:** Was the memo that we
4 looked at earlier.

5 **RT. HON. JUSTIN TRUDEAU:** Sorry. That was
6 the David Morrison memo?

7 **MS. SHANTONA CHAUDHURY:** Right.

8 **RT. HON. JUSTIN TRUDEAU:** I never read the
9 David Morrison memo, to my recollection. I got briefed on
10 the contents, which was basically that foreign interference
11 was lower than expected and the elections were free and fair
12 in 2019. Those were the top level conclusions that I was
13 briefed on within days or weeks of the end of the 2019
14 election.

15 By the time we got around to January, it was
16 good to have that report. I ended up reading the -- the Judd
17 Report, I believe, was the full assessment of the work that
18 SITE and the Panel did during the 2019 election, but I did
19 not read that -- I did not receive that January 24th note
20 because I had already been briefed on its entire contents.

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

22 **RT. HON. JUSTIN TRUDEAU:** And then the
23 February 9th, 2021 footnote was that was, that was the phone
24 brief that we spoke about earlier, yes.

25 **MS. SHANTONA CHAUDHURY:** Right. I guess that
26 goes back to your point about oral briefings or what really
27 get to you, not necessarily the written ones.

28 Okay. Can we then pull up, Mr. Clerk,

1 CAN 017673.

2 --- EXHIBIT NO./PIÉCE NO. CAN 17673:

3 CAN 017673 - [Handwritten Notes of B.
4 Clow]

5 **RT. HON. JUSTIN TRUDEAU:** And let me just --
6 I mean, wouldn't want to give people the impression that
7 briefings weren't something particularly -- intelligence
8 briefings we took very, very seriously. But in most of these
9 secure briefings, which we'd go into a skiff, a secure
10 compartmentalised room, where we would be told -- we're told
11 to leave our phones outside, take off our watches and our
12 Fitbits, and make sure were totally secure within a Faraday
13 cage, and then we received the briefings, often being told
14 no, we can't keep any of the documents that are given. We
15 can read the documents that are given, but we then need to
16 return them to the officials.

17 Certainly in the beginning, we were never
18 clear on whether we could take notes on this either because
19 security was important. Fortunately, as we've all seen
20 through various inquiries, it's a good thing Brian Clow does
21 take notes. But you know, there was always a sense that
22 there was lots of written material and lots of tracking of
23 that information, as the government must, and taking very
24 seriously all of these things and very careful controls.

25 But when it came to briefing and taking
26 actions and understanding the context, it happened through
27 secure briefings and conversations that were primarily us
28 receiving information, us asking questions, us directing

1 further actions or research in this area or that area that
2 they would then take away and do.

3 I wouldn't want anyone to think that oh,
4 because the briefings were primarily oral, or for example,
5 that that David Morrison memo I didn't read because it wasn't
6 delivered to me, because I got the content in other
7 conversations with my NSIA, with my Clerk about the fact that
8 the election was -- integrity was upheld.

9 **MS. SHANTONA CHAUDHURY:** Okay. We'll just go
10 to some other notes, then. I think -- I believe these are
11 Brian Clow's notes from November 30th, 2022.

12 Do you recall this briefing or this meeting,
13 Prime Minister?

14 **RT. HON. JUSTIN TRUDEAU:** My notes indicate
15 that this was immediately before Question Period, a briefing
16 that happened over lunch hour as I was preparing to go into
17 deal with some fairly intense questioning on the issue of
18 foreign interference, given the explosive nature of the media
19 stories stemming from unsubstantiated and uncorroborated
20 intelligence shared by a leaker. So these were -- you know,
21 these were conversations around what I could say and what we
22 could and couldn't say around some of these allegations that
23 were in the paper, but would leave us limited on what we
24 could actually rebut, regardless of the fact that there was -
25 - there were inconsistencies, there were uncorroborated
26 information in the leaks. There were also things that were
27 flat out wrong.

28 But I was reminded of the old story of a FBI

1 agent questioning a witness in a organised crime situation
2 and saying, "Well, did you meet with that mobster in LA?"
3 Guy says, "I can't comment." "Did you meet with that mobster
4 in Detroit?" "I can't comment." "Did you meet with that
5 mobster in Miami?" "No, I definitely did not." You know,
6 sometimes in denying something you're giving information you
7 couldn't.

8 And throughout my preoccupation on why these
9 leaks were of such deep concern was that we couldn't actually
10 correct the record without in some cases confirming the
11 tradecraft and the work that women and men in our security
12 agencies, and sources relied upon by our security agencies to
13 keep Canadians, our institutions safe, without putting them
14 at risk, without sharing with adversaries some of the
15 information or the methods that we use to keep Canadians
16 safe.

17 And that's part of the reason for the complex
18 nature of a public inquiry into issues of foreign
19 interference, that if we say certain things or if we
20 contradict or deny other things we could be giving our
21 adversaries tools to actually understand how we go about
22 detecting their interference or illicit ways of engaging to
23 harm Canadians.

24 **MS. SHANTONA CHAUDHURY:** It's a complex
25 problem.

26 So the next -- I'm going to keep going with
27 the briefings, and the post leak world briefings
28 specifically, Prime Minister.

1 Not long left, but CAN 018009, please.

2 So these are notes from -- the date on the
3 notes is March 19th, but we know it was actually March 20th.
4 So this is March 20th, 2023, a meeting at which you were
5 present and I believe your staff was present and a number of
6 senior national security officials.

7 So if we scroll down so again, Mr. Prime
8 Minister, you can see the content of this document or the
9 unredacted content. Are you able to tell us your
10 recollection of what was happening at this meeting based on
11 these notes?

12 **RT. HON. JUSTIN TRUDEAU:** Yes. I remember
13 this meeting well.

14 If you actually scroll back up, please,
15 Mr. Clerk, to -- yeah, a little higher so we get both --
16 there. Right there is fine.

17 PM, that's me, speaking of nominations. We
18 were talking about -- thank you.

19 **(LAUGHTER/RIRES)**

20 **RT. HON. JUSTIN TRUDEAU:** We were talking
21 about nominations in there, and I don't remember what they --
22 what the next -- who the next speaker was, that's redacted,
23 but the emphasis on *Charter* rights or the bringing up of
24 *Charter* rights, and further down, "PM - no June 2019
25 meeting".

26 Those are two examples of us working
27 constructively with CSIS and the intelligence agencies to
28 better understand and validate certain pieces of information.

1 For example, in the information we were seeing, we've seen
2 that CSIS had a source that said that there was a June 2019
3 meeting that I was at that I can clearly and unequivocally at
4 the time and since then confirm never happened. I did not
5 have the meeting that the source had said.

6 Now, this doesn't mean that CSIS got it
7 wrong, it meant that CSIS was now able to validate that what
8 their source had said in this situation was wrong, and
9 therefore, that puts a particular understanding or colour on
10 their ability to interpret other statements of fact, supposed
11 fact that that source made.

12 And that's part of how intelligence work
13 happens. When you know for sure -- when a source says
14 something that you can verify is true, that's make them more
15 reliable. A source says something that you can then verify
16 was wrong, that also gives you more information about that
17 source. So it was important for us to highlight for example
18 in that meeting that there was no meeting, as was described
19 by that source.

20 Similarly, on the question of *Charter* rights,
21 that was a slightly different tweak where in the CSIS
22 analysis, the analyst had highlighted that there was possible
23 violations of people's Charter Rights in a particular
24 situation. And we had asked and pressed for more sort of
25 legal or judicial analysis of that assertion within, because
26 it didn't quite ring true to our instincts as political
27 actors in terms of the analysis that CSIS was making.

28 Again, it's part of the process that one goes

1 through as you engage with the experts in foreign
2 intelligence and security in an active way to try and make
3 sure we're understanding, getting the accurate picture, and
4 able to then continue to keep both Canadians and our
5 institutions safe through the various jobs we do.

6 **Me SHANTONA CHAUDHURY:** Madame la
7 Commissaire, I think I'm out of time. Vous me permettez une
8 dernière question?

9 **COMMISSAIRE HOGUE:** Certainement.

10 **MS. SHANTONA CHAUDHURY:** Mr. Prime Minister,
11 I'm going to sort of ask you to conclude this by addressing
12 the following question.

13 So we've heard about the existence of foreign
14 interference, the pervasiveness of the threat, and various
15 measures that, as you've said, have been put in place to
16 combat this.

17 You may know that earlier in these
18 proceedings we heard from a number of individuals who found
19 themselves sort of in the receiving end, being targeted by
20 potential foreign interference in some ways. And there have
21 been calls for the Government to do more than it's done
22 already to address this and to protect Canadians.

23 And in particular, I'm going to take you --
24 I'll just read you a small excerpt of former MP Kenny Chiu
25 when he was testifying here. He said that experiencing what
26 he had gone through in terms of the potential PRC, well, we
27 don't know PRC, but potentially PRC related misinformation,
28 disinformation, potential foreign interference, he said:

1 "...it's almost like I was drowning,
2 and they are watching, and the best
3 they could do, by the way, is to let
4 know that I'm drowning. I don't need
5 their notification. I need their
6 help."

7 **RT. HON. JUSTIN TRUDEAU:** H'm.

8 **MS. SHANTONA CHAUDHURY:** So, Prime Minister,
9 I'd like to hear your response to that, and essentially maybe
10 in providing this response, help set the stage for the second
11 phase of the Commission's work?

12 **RT. HON. JUSTIN TRUDEAU:** Starting by perhaps
13 taking a bit of a step back, and the idea that, you know, we
14 need to do more. I agree.

15 When we took office in 2015, there was very
16 little, if any, mechanisms to counter foreign interference.
17 Yes, our intelligence agencies did good work, but the idea or
18 the priority of protecting our democracy, particularly when
19 it comes to misinformation, disinformation, active engagement
20 in various diaspora communities, or electoral events, was not
21 on the radar at all when we took office. It hadn't been
22 something that the previous government or any previous
23 government had done much on at all.

24 So we started from a standing start. We
25 created the National Security Intelligence Committee of
26 Parliamentarians. We created NSIRA, we moved forward with
27 the Rapid Response Mechanism, and we've continued to do more.
28 Yes, the Panel for the 2019 to 2021 Elections, SITE. But

1 we've continued to continue to do more. The -- we recently
2 brought in a National Security Committee, National Security
3 Council of Cabinet to address sort of strategic threats on a
4 larger level. We're continuing to give more tools and powers
5 and learning from what the P5 was able to do in 2019 and
6 2021, that they'll be able to apply in the 2025 Election when
7 it's likely to come.

8 There is always more to do, and one of the
9 things I'm very much looking forward to, coming from the work
10 this Commission is doing, is to make recommendations on how
11 we can strengthen even further the protection of institutions
12 and of our democracy.

13 But that's only half of it. The other half
14 is giving Canadians confidence in their institutions and
15 their democracy. And whether it's a diaspora member worried
16 about stepping up to running for elected office in this
17 country because they're worried about the impact that might
18 be real or perceived from a country they chose to leave many
19 years ago for whatever reasons. There are real concerns and
20 feelings involved.

21 And ultimately, democracy only works when
22 people are confident in its ability to keep them safe, but
23 also be the articulation of what they want for their
24 community and their country. That's where confidence in the
25 integrity of the elections in 2019 and 2021 is so important
26 and something that we have emphasized throughout this
27 process, that the -- every briefing I've ever got from all my
28 intelligence and security experts is that those elections

1 were indeed free and fair and nothing we have seen and heard,
2 despite, yes, attempts by foreign states to interfere, those
3 elections held in their integrity, were decided by Canadians.

4 But the feeling that individuals can have
5 that maybe our institutions aren't so strong, maybe they are
6 impacted by foreign actors who wish to do ill to Canada and
7 to Canadians, is something that we need to be very, very
8 thoughtful about.

9 And one of the ways, ultimately, to keep
10 ensuring that our democracy is safe is to make sure that
11 citizens themselves are engaged, active, critical thinkers
12 who are empowered to see what is information, what is
13 misinformation or disinformation, and be robust in their
14 right to choose whatever direction they want for the country.

15 And we've seen with the intensity of
16 misinformation and disinformation, not just from foreign
17 actors, but just on social media generally in many topics,
18 that it's not automatic. Democracy requires constant
19 vigilance and constant hard work. It didn't happen by
20 accident. It doesn't continue without effort. It's not just
21 effort of Commissioners, and politicians, and spooks, it's
22 efforts of every single individual to feel like they have the
23 full ability to engage in our democratic processes and to
24 feel that they are safe and protected as they engage, whether
25 it's as a voter, or a candidate, or an elected Member of
26 Parliament, of Provincial Parliament or wherever.

27 These are things that we all need to continue
28 to work together on.

1 And I am in constant awe of everyone across
2 this country who continues to put up their hand and step
3 forward in a time where it's getting more and more difficult
4 and more and more challenging to be part of public and
5 political discourse, to say, "No, I want to build my country
6 for the better. I want to contribute to my community and I'm
7 going to step forward into a place where I'm going to take
8 slings and arrows," particularly members of diaspora
9 communities.

10 But bringing in that diversity of Canadian
11 experiences is the only way to make sure that we're actually
12 building the kind of country we need to be for the future.
13 So I salute everyone who steps up and will continue to commit
14 myself to making sure that those feelings of confidence and
15 of safety as we involve -- engage as citizens or more, as our
16 democracy, are protected.

17 **Me SHANTONA CHAUDHURY:** Madame la
18 Commissaire, ce sont mes questions.

19 **COMMISSAIRE HOGUE:** Merci. J'en ai quelques-
20 uns pour vous, Monsieur le Premier Ministre.

21 **TRÈS HON. JUSTIN TRUDEAU:** Bien sûr.

22 **COMMISSAIRE HOGUE:** À votre connaissance,
23 existe-t-il un mécanisme ou une procédure en place pour faire
24 en sorte que la NSIA -- moi aussi je cherche le mot en
25 français -- soit... ait toujours accès et reçoive toujours
26 l'information qui circule en matière d'ingérence étrangère?

27 **TRÈS HON. JUSTIN TRUDEAU:** La NSIA a le rôle
28 de rassembler et d'aller chercher toute l'information dans...

1 pour nos différentes agences de sécurité, que ce soit à la
2 défense, que ce soit aux Affaires étrangères ou à SCIS, CSE,
3 ou la GRC. C'est vraiment la personne qui est à mes côtés
4 pour coordonner tout cet univers-là. Alors, elle a la
5 capacité et le pouvoir d'aller chercher ses réponses.

6 D'ailleurs, quand je me suis réveillé ce
7 matin et voyant des rapports dans les médias qui amenaient
8 certaines préoccupations, je me suis immédiatement tourné
9 vers ma NSIA pour dire « peut-tu faire un suivi sur ce que je
10 suis en train de lire ce matin et me revenir avec des
11 informations », et moi, j'ai confiance que quel que soit
12 l'univers ou l'endroit dans l'univers de sécurité et
13 renseignement où l'information se trouve, elle a accès à tout
14 cet univers-là. C'est la personne vers laquelle tout est
15 éventuellement conjugué.

16 **COMMISSAIRE HOGUE:** Et je veux bien
17 comprendre, donc elle a accès à tout, mais est-ce que, par
18 ailleurs, tous, que ça soit les agences, que ça soit les
19 différents ministères, systématiquement transmettent
20 l'information relative à l'ingérence étrangère à la NSIA?

21 **TRÈS HON. JUSTIN TRUDEAU:** Je suis confiant
22 qu'elle reçoit l'information que les différentes agences
23 trouvent pertinente, mais comme on a vu, il y a toujours des
24 améliorations à faire sur la façon que différents
25 départements et différents secteurs du gouvernement
26 travaillent ensemble, et l'existence même de la NSIA permet
27 d'avoir un point d'autorité et de capacité d'aller exiger des
28 réponses et des informations de partout.

1 **COMMISSAIRE HOGUE:** OK. Lorsque vous recevez
2 des renseignements, et au sens d'intelligence là...

3 **TRÈS HON. JUSTIN TRUDEAU:** Oui.

4 **COMMISSAIRE HOGUE:** ...qui ne sont peut-être
5 pas encore corroborés, mais qui sont susceptibles d'être
6 extrêmement importants d'avoir un impact significatif, est-ce
7 que vous pouvez demander aux agences en établissant une liste
8 de priorités de compléter ou de poursuivre les enquêtes qui
9 sont entreprises?

10 **TRÈS HON. JUSTIN TRUDEAU:** Absolument, mais
11 souvent et presque dans toutes les situations, quand je dis
12 il faudrait faire un suivi là-dessus, ce que j'entends, c'est
13 « on est en train de le faire et voici ce qu'on est en train
14 de faire ». Évidemment, le travail que font les agences ne
15 dépend pas d'un premier ministre pour dire « ah, vous devriez
16 vraiment faire un suivi là-dessus », ils vont suivre les
17 enjeux préoccupants. Oui, un gouvernement ou un premier
18 ministre peut accorder plus d'emphase, peut mettre de la
19 pression pour aller plus vite, peut envoyer plus de
20 ressources, mais nos systèmes de... et nos agences de sécurité
21 et de renseignement ont les mandats et les responsabilités
22 pour pouvoir faire des suivis sur des enjeux préoccupants.

23 **COMMISSAIRE HOGUE:** Et vous pouvez le faire
24 en changeant les priorités qui peuvent être à ce moment-là
25 déjà établies.

26 **TRÈS HON. JUSTIN TRUDEAU:** Oui, on peut
27 modifier, on peut accroître certainement. On a une réflexion
28 régulière sur les priorités en matière de sécurité pour le

1 pays. L'emphase qu'on met sur la cybersécurité, par exemple,
2 c'était pas ce que c'était il y a dix ans, par exemple. Le
3 monde est en train d'évoluer, la réalité d'un monde où les
4 grands pouvoirs sont en train de changer d'orientation, où la
5 Russie est devenue extrêmement problématique et pas juste un
6 peu problématique comme elle l'était il y a dix ans. On
7 s'ajuste constamment et les élus ont un rôle important à
8 jouer là-dedans, mais certainement le travail que font nos
9 agences de renseignement et de sécurité procèdent de façon
10 robuste de toute façon.

11 **COMMISSAIRE HOGUE:** Lorsque votre directeur
12 de campagne, monsieur Broadhurst, vous informe qu'il y a des
13 allégations voulant que des personnes aient été transportées
14 par autobus pour voter à une investiture, est-ce que vous
15 demandez, vous, que des vérifications additionnelles soient
16 effectuées?

17 **TRÈS HON. JUSTIN TRUDEAU:** Par rapport aux
18 partis, oui, j'ai demandé d'abord qu'est-ce qu'on a comme
19 information là-dessus et « est-ce que tu peux faire un suivi...
20 est-ce que vous pouvez faire un suivi avec... », que le parti
21 fasse un suivi avec Élections Canada pour voir les rapports
22 qui ont été remplis, pour voir les conclusions, voir si on a
23 d'autres informations. Mais la réalité, c'est dans des
24 nominations contestées, il y a presque toujours des autobus.
25 Dans certaines situations, ces autobus sont payés par le
26 candidat soi-même et comme ça ils seront sur la liste de
27 dépenses soumise à Élections Canada, mais dans d'autres
28 situations, comme j'ai dit, c'est des autobus qui

1 appartiennent à un centre d'âge d'or qui sont utilisés ou qui
2 sont utilisés par d'autres, qui sont commandés par d'autres,
3 et là, il n'y aurait peut-être pas de reçus là-dessus.

4 Moi, dans mon propre concours à la nomination
5 en février-mars, mars-avril peut-être, 2007, il y avait
6 plusieurs autobus d'Italiens et de Grecs parce que c'était la
7 réalité pour mon comté de Papineau. C'est quelque chose qui
8 est assez commun et ça n'aurait pas été assez pour que
9 quelques regardants comment se déroulait la nomination
10 automatiquement disent « ah, il faudrait faire un suivi
11 immédiat là-dessus ». On n'est pas une organisation de...
12 we're not a forensic organisation. C'est de regarder à ce
13 point-là en termes d'un parti qui fonctionne principalement
14 par bénévoles, on est limités dans ce qu'on peut aller
15 regarder trois semaines plus tard.

16 **COMMISSAIRE HOGUE:** Et vous avez, si j'ai... si
17 mes notes sont justes, vous avez indiqué que c'était une
18 question be revisited after the elections.

19 Est-ce que la question a été « revisited
20 after the elections »?

21 **TRÈS HON. JUSTIN TRUDEAU:** Oui.

22 **COMMISSAIRE HOGUE:** Oui? Par le parti?

23 **TRÈS HON. JUSTIN TRUDEAU:** Par le parti, je
24 suis pas sûr qu'il y avait une norme, puis je suis sûr que
25 oui, il y avait eu des vérifications, mais les vérifications
26 ont été faites de façon assez complète, j'en suis sûr,
27 immédiatement après qu'ils auraient été avisés par le SITE
28 Task Force. Je suis pas certain qu'il y aurait beaucoup plus

1 de recherches qui auraient pu découler pendant des mois par
2 la suite ou même des semaines parce que on avait
3 l'information qu'on avait et on n'en avait pas beaucoup plus
4 que ça.

5 S'il y avait eu des enquêtes d'Élections
6 Canada à cause d'irrégularités, ça, il y aurait eu des
7 suivis, mais ça, c'est Élections Canada qui pourrait en
8 parler.

9 Pour moi, les suivis, c'était au niveau de
10 l'engagement possible d'autorités chinoises ici au Canada qui
11 auraient pris un intérêt actif dans un candidat particulier,
12 dans un processus de nomination particulier. C'est à ce
13 niveau-là où on aurait fait des suivis pas pour voir, OK,
14 est-ce qu'on peut savoir la vérité sur ce qui s'est passé
15 dans la nomination, parce que ça, c'est peut-être très
16 difficile à voir, mais est-ce qu'on peut établir un peu plus
17 de clarté sur le rôle ou l'intérêt potentiel qu'une autorité
18 chinoise aurait eu par rapport à ce candidat particulier.

19 **COMMISSAIRE HOGUE:** Merci.

20 **TRÈS HON. JUSTIN TRUDEAU:** Merci.

21 **COMMISSAIRE HOGUE:** Alors, avant... before the
22 cross-examination, we are supposed to take a break, and I
23 think we will take a break.

24 So -- but we are running a late a little bit,
25 so I suggest a 10-minutes break. So we'll come back at 5:15.

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

28 This sitting of the Foreign Interference

1 Commission is in recess until 5:15. Cette séance de la
2 Commission sur l'ingérence étrangère est en pause jusqu'à
3 17 h 15.

4 --- Upon recessing at 5:07 p.m./

5 --- La séance est suspendue à 17 h 07

6 --- Upon resuming at 5:30 p.m./

7 --- La séance est reprise à 17 h 30

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

10 This sitting of the Foreign Interference
11 Commission is back in session. Cette séance de la Commission
12 sur l'ingérence étrangère a repris.

13 **COMMISSIONER HOGUE:** So the first one to
14 conduct cross-examination is counsel for Michael Chong.

15 **--- RT. HON. JUSTIN TRUDEAU, Resumed/Sous le même serment:**

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

17 **MR. GIB van ERT:**

18 **MR. GIB van ERT:** Prime Minister.

19 **RT. HON. JUSTIN TRUDEAU:** Gib.

20 **MR. GIB van ERT:** You've already heard Ms.
21 Chaudhury telling you that we had Mr. Broadhurst in
22 yesterday.

23 And I'll just ask the court reporter to turn
24 up the document that you've already seen and that we went
25 through with Mr. Broadhurst, and that's CAN 5461, please.

26 And so this is the document that we looked at
27 earlier. I took Mr. Broadhurst through it because I wanted
28 to have his evidence about what he told you. And of course,

1 the value of this document is that it sticks to things that
2 we can talk about in an open proceeding like this.

3 And so I just want to show you the key
4 points. Of course, the first one is that there were
5 allegations of foreign interference by China in the Don
6 Valley North nomination contest.

7 And then secondly, if you'll just scroll down
8 a little bit, please, this is the redacted bit. Thank you.

9 The summary of the redaction is:

10 "Buses being used to bring
11 international students to the
12 nomination process in support of Han
13 Dong at the direction of PRC
14 officials in Canada."

15 And so it's that second paragraph that I want
16 to focus on to begin with.

17 And I just want to begin by noting that
18 there's nothing in this summary that indicates what language
19 the students were speaking. They're described as
20 international students.

21 And the reason why I'm noting that is that in
22 your evidence earlier and also in the witness statements that
23 you adopted at the beginning, you referred to people on the
24 bus, the students, at points as being "Chinese speaking
25 peoples" or "Chinese speakers". Do you recall that?

26 I can take you to the passages, if you like.

27 **RT. HON. JUSTIN TRUDEAU:** No, no. No, I
28 appreciate that.

1 One of the challenges that I have is
2 remembering what I knew at a particular moment when months
3 later or even years later I would find out more information
4 about this means that I'm never 1000 percent precise on what
5 it is that I knew at a particular moment.

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

7 **RT. HON. JUSTIN TRUDEAU:** I do remember at
8 one point when we were talking about whether or not CSIS
9 understood how nomination races worked and how community
10 organizations would regularly bring buses, there was a quote
11 -- or there was -- someone relayed to me that one of CSIS's
12 concerns was they were bus filled with Chinese speakers
13 showing up at the nomination. And my response, as I sort of
14 alluded to in my previous testimony, was, "Well, I had buses
15 filled with Greek speakers and Italian speakers because in my
16 nomination in Papineau those were the communities that were
17 mobilized".

18 That phrase stuck in my head, but I will
19 admit that I do not specifically remember whether or not the
20 Chinese speakers or Mandarin speakers element was part of
21 that what I call the airport briefing, that briefing on this
22 particular Sunday during the campaign, or not.

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

24 **RT. HON. JUSTIN TRUDEAU:** But it certainly is
25 consistent with this.

26 **MR. GIB van ERT:** All right. No, that's very
27 helpful.

28 And I will ask the court reporter to turn up

1 WIT 067 on this. And if you'll go, Mr. Clerk, to paragraph
2 30, which is -- sorry, starting at paragraph 29, please.

3 Paragraph 29. There we are.

4 Right. Thank you.

5 And so the last sentence is the concern was
6 that buses of Chinese speakers had arrived at the nomination
7 or possibly been brought into the nomination.

8 And if we go to paragraph 30 and just over
9 the page, the top of the next page. A little further. There
10 we are.

11 Prime Minister, you see the last sentence:

12 "The central issue of concern was
13 that buses filled with Chinese
14 speakers could have been
15 international students directed by
16 the PRC."

17 So the point that I want to make with you,
18 Prime Minister, and it sounds to me like perhaps you've
19 already got it, is that the central concern of the service
20 here, as I understand it, is not that they were Chinese
21 speakers.

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

23 **MR. GIB van ERT:** It's that they were
24 directed by the PRC.

25 Had these people been students from
26 Switzerland rather than China but were brought at the behest
27 of China and to do China's bidding, I say the service's
28 concerns would have been absolutely the same, which is ---

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

2 **MR. GIB van ERT:** --- that this would be
3 foreign interference.

4 **RT. HON. JUSTIN TRUDEAU:** Yes. Entirely.

5 It is not the nature of that -- that is part
6 of what I remember as context around the Service's concerns
7 that China might have mobilized individuals, yes.

8 **MR. GIB van ERT:** Thank you. And I
9 appreciate you acknowledging that. And I'll tell you why.
10 And it's because, as you'll recall, there have been times
11 where you have, let us say, cautioned us all as the news
12 about the allegations in Don Valley North came out and as
13 other allegations concerning Han Dong came out. You have, as
14 I say, let us say, cautioned Canadians not to fall into anti-
15 Chinese or anti-Asian stereotypes around this.

16 And what I want to press on you here is that
17 the ethnicity or the language of these students has never
18 been the issue, either for the Service or for any right-
19 thinking Canadian. The concern instead is that PRC was
20 directing people, whoever they were, to go do their bidding
21 and to help Han Dong into his seat in Parliament.

22 And you can have that concern, and worry
23 about that, and worry about the consequences for our
24 democracy, without having an ounce of racial prejudice
25 running through your veins. Do you agree with me on that?

26 **RT. HON. JUSTIN TRUDEAU:** Entirely. And that
27 was actually the point that I made to the Service, that I
28 made in response to them saying -- or the suggestion that,

1 oh, the concern was the bus filled with Chinese speakers. I
2 said, "That has nothing absolutely no bearing on anything."

3 **MR. GIB van ERT:** And I want to be clear
4 though, I hope it is your evidence that you did not feel that
5 the Service itself was acting in some racially prejudiced
6 way?

7 **RT. HON. JUSTIN TRUDEAU:** No. My concern was
8 more that perhaps the Service didn't understand, as deeply as
9 political actors do, the prevalence of bussing of different
10 community groups in nomination campaigns.

11 **MR. GIB van ERT:** Right. And let's come to
12 that point as well.

13 If we could go to WIT 66, please?

14 That's your other statement.

15 Paragraph 24, please. Thank you. And
16 actually, it's at the top of page 7, so keep scrolling a
17 little. Yes. Stop there.

18 In the middle of the page, Prime Minister:

19 "The fact that there were buses of
20 Chinese-speaking people at the
21 nomination meeting did not
22 necessarily corroborate the
23 allegation that the PRC was
24 responsible."

25 And in fact, I should have read the sentence
26 before as well. He, meaning you, Prime Minister:

27 "...also remembered that the
28 intelligence was only an allegation,

1 [...] included no evidence that the
2 people being bussed to the polls were
3 supported by PRC officials.”

4 Right. And you go on to say, Prime Minister,
5 that you remembered asking whether the Service understood
6 that busing is part of the nomination process. Is that
7 right?

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

9 **MR. GIB van ERT:** Okay. Thank you. And
10 again, going back to the reporting I just showed you, there's
11 obviously a reference to bussing there. But what I want to
12 suggest to you is that the emphasis again wasn't on the mode
13 of travel for these people. They took busses this time. All
14 right. They could have come some other way and it wouldn't
15 terribly matter for the Service's perspective because their
16 concern was that they were directed by PRC and assisted in
17 getting to the nomination place in order to, allegedly, help
18 one candidate over the other. So the way they got there
19 doesn't matter one way or another. I understand your point
20 that you wanted to make sure CSIS understood that busses per
21 say are not a problem, but my proposition to you, sir, is
22 that when you read that statement, that the emphasis is on
23 "direction by China". Yes, they got there by busses. That's
24 the allegation. They could have got there by tricycles. It
25 doesn't terribly matter. The point is, they were directed by
26 China.

27 **RT. HON. JUSTIN TRUDEAU:** I would suggest
28 that it might be more difficult for a foreign actor to

1 organize fleets of individuals showing up on tricycles,
2 rather than filling them into a bus.

3 **MR. GIB van ERT:** I expect that's right. But
4 one way or another, let's say they managed that miracle, CSIS
5 would still be concerned, and rightly so?

6 **RT. HON. JUSTIN TRUDEAU:** Absolutely.

7 **MR. GIB van ERT:** Yes. All right. I would
8 like to take you to the David Johnston report for a moment
9 now.

10 That's at COM 104. And if you'll go to page
11 23, please? Now, I forgot that this is in two columns, so
12 I'm not sure where I'm going to find my quote.

13 Let me read it to you. I don't think it's
14 controversial. You may recall that Mr. Johnston, I hope we
15 can find it in here somewhere, but Mr. Johnston concluded in
16 respect of the Don Valley North allegations, he said:

17 "...there is a well-grounded suspicion
18 that the irregularities were tied to
19 the PRC Consulate in Toronto..."

20 Do you recall that, sir? I can try to find
21 it for you, if you don't. One moment.

22 **RT. HON. JUSTIN TRUDEAU:** Yes, there it is.
23 "Irregularities were observed..."

24 **MR. GIB van ERT:** Yes. And then there we
25 are, and there's -- thank you very much, Prime Minister:

26 "...and there is a well-grounded
27 suspicion that the irregularities
28 were tied to the PRC Consulate in

1 Toronto..."

2 That's what I wanted to ask you about.

3 Now, I fully appreciate, sir, that that was
4 not a conclusion you were able to make or prepared to make in
5 September 2019.

6 But my question for is today, now that we've
7 had Mr. Johnston's report and he's come to that conclusion,
8 do you accept, first, that there were irregularities in that
9 nomination contest, and secondly, that they were likely tied
10 to the PRC Consulate in Toronto?

11 **RT. HON. JUSTIN TRUDEAU:** I'd suggest that
12 irregularities being observed is not itself enough to
13 overturn a democratic event. And I'd also suggest that a
14 well-grounded suspicion is certainly warranting more
15 reflection and follow-ups, but also might not hit the
16 necessarily very high threshold for overturning the result of
17 a democratic event.

18 **MR. GIB van ERT:** Yes, but I don't think
19 that's what Mr. Johnston is speaking to. He's just saying
20 that there is a well-grounded suspicion that the
21 irregularities, which he seems to have found, were tied to
22 the Consulate. And what I want to know is, do you accept
23 those conclusions today?

24 **RT. HON. JUSTIN TRUDEAU:** Yeah, sorry, if
25 you're not asking me about how -- I accept there is a
26 suspicion that PRC officials in Canada were engaged in some
27 way with that nomination. I can't speak to irregularities.
28 Perhaps you know what irregularities specifically Mr.

1 Johnston was talking about?

2 **MR. GIB van ERT:** No, not as well as some
3 people in this room. All right. Well you do accept though,
4 and you say that there's a suspicion. Do you accept that
5 it's well-grounded? That was Mr. Johnston's view.

6 **RT. HON. JUSTIN TRUDEAU:** I can't speak to
7 analysis made by others. I certainly -- and again,
8 distinguishing what I knew in 2019 from what I may have
9 learnt later leaves me in an awkward position around
10 answering this.

11 **MR. GIB van ERT:** All right. I'll move to my
12 next document, and that is CAN15842, please.

13 And you've seen this already. It is the
14 October -- late October 2022 briefing.

15 You've already given evidence that your
16 briefings are oral, you didn't see this document per say, and
17 I've got that point, sir.

18 But I do want to go to page 2 of the
19 document. And scrolling down a little further? There we
20 are. Thank you.

21 My question for you is, did the Director say
22 words to the effect of, or convey the message that, as you
23 see here:

24 "Canada has been slower than our Five
25 Eyes allies to respond to the
26 [foreign interference] threat..."

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

28 **MR. GIB van ERT:** All right. And if you

1 continue on in that same passage:

2 "...such as proactively publicizing
3 successful disruption [...] activities..."

4
5 Was that something that the Director conveyed
6 to you?

7 **RT. HON. JUSTIN TRUDEAU:** No. When I spoke
8 to this before, I believe I said that the briefing notes
9 prepared for the Director didn't particularly align with the
10 actual briefing we got.

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

12 **RT. HON. JUSTIN TRUDEAU:** The briefing was
13 spent almost entirely on specific cases, and all of these
14 notes prepared for the Director generally saying, "Yes,
15 foreign interference is serious. India. China. Serious,"
16 would have taken up the first 30 seconds of what the Director
17 said, because ---

18 **MR. GIB van ERT:** Understood.

19 **RT. HON. JUSTIN TRUDEAU:** --- he would have
20 gotten right into the cases. So this is not ---

21 **MR. GIB van ERT:** I'm just going to show you
22 one more point from this. I do have your point about that.

23 It's page 3. Yes, thank you. Yes.

24 It's the bullet point that begins with the
25 word "ultimately":

26 "Ultimately, state actors are able to
27 conduct [foreign interference]
28 successfully in Canada because there

1 are no consequences, either legal or
2 political. [Foreign interference] is
3 therefore a low-risk and high-reward
4 endeavour."

5 Did the Director convey, in those words or in
6 some similar words, that message, that this is an -- a
7 low-risk, high-reward endeavour because there are no
8 consequences?

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

10 **MR. GIB van ERT:** Thank you. That's very
11 helpful.

12 **COMMISSIONER HOGUE:** Thank you.

13 Counsel for Jenny Kwan.

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

15 **MR. SUJIT CHOUDHRY:**

16 **MR. SUJIT CHOUDHRY:** Prime Minister, good
17 afternoon. So Prime Minister, it's a matter of public record
18 that MP Kwan has alleged that she may have been the target of
19 foreign interference by the Communist Party of China in the
20 2021 general election. So based on that premise, there's --
21 time permitting, there is three sets of issues I hope we
22 could discuss.

23 The first is how MP Kwan came to know from
24 CSIS that she was a target for foreign interference; the
25 second is why she might be a target; and the third is how
26 foreign interference be occurring against her in Canada.

27 So you're aware, Prime Minister, that MP Kwan
28 received a confidential briefing from CSIS on May 26, 2023.

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

2 **MR. SUJIT CHOUDHRY:** And you're aware that
3 she has not shared publicly any of the classified information
4 she received in that briefing.

5 **RT. HON. JUSTIN TRUDEAU:** I believe that to
6 be correct, yes.

7 **MR. SUJIT CHOUDHRY:** But you're aware she
8 stated that she was told that she is an evergreen target for
9 the Communist Party of China and for the rest of her life,
10 even after she leaves politics.

11 **RT. HON. JUSTIN TRUDEAU:** I can't speak to
12 directly what she was told, but that seems consistent with
13 what they might have told her, yes.

14 **MR. SUJIT CHOUDHRY:** So Prime Minister, are
15 you able in this setting to share with us whether you had any
16 role in the decision to brief MP Kwan about foreign
17 interference?

18 **RT. HON. JUSTIN TRUDEAU:** When there were --
19 when there are allegations or information brought to me
20 regarding a particular Member of Parliament or a particular
21 individual, often one of our first responses in my office,
22 and my response, is to ask CSIS, or the security agency
23 involved, to engage directly with the individual. The nature
24 of that engagement, often we find that CSIS is already
25 preparing to do that. Sometimes us encouraging it allows it
26 -- or encourages it to happen more quickly. It's certainly
27 something CSIS can make decisions about on its own as well,
28 but I believe in this case, we encouraged those briefings to

1 happen.

2 **MR. SUJIT CHOUDHRY:** And so you encouraged
3 them to happen. And if you're able to comment, was one of
4 the reasons why you and your office encouraged the briefing
5 to happen was to enable MP Kwan to herself identify foreign
6 interference that might be occurring and to take steps, if
7 she could, to counter foreign interference?

8 **RT. HON. JUSTIN TRUDEAU:** The challenge of
9 foreign interference exists for, as we've heard, for just
10 about every elected official at every different order of
11 government has a potential threat, but we also know that
12 diaspora communities, particularly from certain countries of
13 origin, are more susceptible to be targets on that. So
14 whether it's defensive briefings or threat reduction
15 measures, which are two different approaches that CSIS and
16 others can use in terms of briefing, it is their design to
17 both inform, make aware, and hopefully help the individual in
18 avoiding the kind of interference that is of concern.

19 **MR. SUJIT CHOUDHRY:** And so one -- so one
20 goal is to help individuals avoid foreign interference if
21 it's occurring, so a self-help remedy, if we could, but
22 surely another purpose would be to urge an individual to come
23 forth with concerns about potential foreign interference to
24 CSIS or the RCMP or the Commissioner of Canada Elections or
25 some other federal authority. Is that ---

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

27 **MR. SUJIT CHOUDHRY:** --- right? Right. And
28 so the -- and of course, for anyone to come forward, a Member

1 of Parliament or any Canadian who might be targeted for
2 foreign interference, the expectation would be that if they
3 presented such a complaint or a concern that it would be
4 investigated thoroughly.

5 **RT. HON. JUSTIN TRUDEAU:** That it would be
6 given the attention that it merits, yes.

7 **MR. SUJIT CHOUDHRY:** And so I want to ask --
8 dig in a bit to why MP Kwan might have been targeted and what
9 your thoughts are. So you're aware that MP Kwan's testified
10 here that she believes she has been targeted for foreign
11 interference because of her outspoken criticism over many
12 years of the human rights record of the People's Republic of
13 China. Are you aware of that?

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

15 **MR. SUJIT CHOUDHRY:** Yeah. And so she's --
16 you know -- you're aware of her criticisms of the Tiananmen
17 Square massacre?

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

19 **MR. SUJIT CHOUDHRY:** And the Hong Kong
20 National Security Law?

21 **RT. HON. JUSTIN TRUDEAU:** Yes, like many,
22 many Canadians of all different origins, but particularly,
23 progressive Canadians of Chinese origin, there are some very,
24 very strong and outspoken and brave individuals who speak up
25 against the government of their country of origin.

26 **MR. SUJIT CHOUDHRY:** And she made some of
27 those criticisms as a parliamentarian ---

28 **RT. HON. JUSTIN TRUDEAU:** M'hm.

1 **MR. SUJIT CHOUDHRY:** --- on the floor of the
2 House of Commons.

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

4 **MR. SUJIT CHOUDHRY:** So for example, when she
5 spoke in favour and voted in favour of the resolution on the
6 Uyghur genocide. And so it's clear, then, in making these
7 criticisms she was actually exercising her right to free
8 speech. You'd agree?

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

10 **MR. SUJIT CHOUDHRY:** And that she was
11 exercising her parliamentary privilege when she ---

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

13 **MR. SUJIT CHOUDHRY:** --- had made those
14 criticisms? And so no Canadian ---

15 **RT. HON. JUSTIN TRUDEAU:** But I'd also say
16 more.

17 **MR. SUJIT CHOUDHRY:** Yeah.

18 **RT. HON. JUSTIN TRUDEAU:** She was fulfilling
19 her responsibilities as a Member of Parliament to represent
20 her constituents and her community in our Parliament.

21 **MR. SUJIT CHOUDHRY:** Agreed. And that no
22 Canadian, MP or not, should be subject to foreign
23 interference for expressing their political views?

24 **RT. HON. JUSTIN TRUDEAU:** Indeed. Yes.

25 **MR. SUJIT CHOUDHRY:** So I want to then take
26 you, then, if I may, Prime Minister, to how foreign
27 interference by the CCP might be occurring in Canada. And so
28 we have had testimony that the CCP's foreign interference

1 activities occur through the United Front, an arm of the
2 Chinese Communist Party. You're aware of that.

3 **RT. HON. JUSTIN TRUDEAU:** Not exclusively.

4 **MR. SUJIT CHOUDHRY:** Right. Not -- but
5 including through the United Front?

6 **RT. HON. JUSTIN TRUDEAU:** Yes. There are
7 many different ways, and the United Front is one of the ways
8 in which the Communist Party of China exerts either
9 influence, or perhaps in other cases, interference.

10 **MR. SUJIT CHOUDHRY:** And the other -- are you
11 able to comment on the other ways?

12 **RT. HON. JUSTIN TRUDEAU:** Chinese police
13 stations are a perfect example of something that's been in
14 the news recently that our friend from the Bloc asked about
15 earlier today.

16 **MR. SUJIT CHOUDHRY:** And of course -- and
17 they often -- the United Front often operates through proxies
18 we've learned. You agree that that's correct.

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

20 **MR. SUJIT CHOUDHRY:** And I think the words
21 you used to describe foreign interference in your examination
22 in-Chief were "covert", "coercive", "deceptive". And so
23 would it surprise you if you were told that the United Front
24 might funnel funds to Chinese proxies in Canada?

25 **RT. HON. JUSTIN TRUDEAU:** I am wary of
26 getting into too much of what I know in an open forum here,
27 but I think there has been evidence submitted along the lines
28 of that.

1 **MR. SUJIT CHOUDHRY:** Okay. And so -- and
2 you're aware that CSIS has confirmed that the United Front
3 uses proxies to disinvite or deplatform regime opponents from
4 invitations to important community events.

5 **RT. HON. JUSTIN TRUDEAU:** I -- again, I would
6 encourage you to go directly to the source of these reports
7 and allegations. I can say that yes, I am kept very, very
8 highly briefed on various ways of interference. I am not
9 always sure which ones I can talk about that I know about
10 that others may not know about.

11 **MR. SUJIT CHOUDHRY:** Right.

12 **RT. HON. JUSTIN TRUDEAU:** But if you're
13 talking about public record things, then it's good that
14 you're putting them into the record.

15 **MR. SUJIT CHOUDHRY:** Sure. And so as a
16 politician of course, part of the -- some of the rituals of
17 Canadian political life involve attending events hosted by
18 different ethnic communities that are potentially quite
19 significant, so the Sakhi would be one, I'm sure, that you
20 might be familiar with.

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

22 **MR. SUJIT CHOUDHRY:** And so there is a
23 certain significance, then, to having been invited for many
24 years to an event and then suddenly disinvited in a public
25 way. That would be designed to send a message, wouldn't you
26 agree?

27 **RT. HON. JUSTIN TRUDEAU:** I think publicly
28 disinviting someone, as wrong as it would be, might fall into

1 the category of influence rather than interference. If a
2 diplomat is hosting an event that the Chinese government is
3 behind or through proxies, it's a fairly open and visible way
4 and perhaps meant to be open and visible to exclude an
5 individual.

6 That sounds like -- as wrong or as
7 unfortunate or much as we might disagree with it, it sounds
8 like something that is not covert or surreptitious, but more
9 very direct disapproval.

10 **MR. SUJIT CHOUDHRY:** But if it's a community
11 event organized by a Canadian organization ---

12 **RT. HON. JUSTIN TRUDEAU:** I think we're
13 getting into hypotheticals here, but I understand your point,
14 that it is unfortunate that China in general tries to silence
15 critics of its regime, including, you know, high-profile
16 Members of Parliament.

17 **MR. SUJIT CHOUDHRY:** Okay. So a couple of
18 concluding questions, if I may, Prime Minister.

19 So the GAC panel testified that if the
20 People's Republic of China or, for that matter, any other
21 foreign state were engaged in foreign interference in Canada,
22 it would violate international law. Do you have any reason
23 to disagree with that evidence?

24 **RT. HON. JUSTIN TRUDEAU:** No, I'm -- yes.
25 The foreign interference is violation of Canadian law and
26 international law.

27 **MR. SUJIT CHOUDHRY:** And you'd agree, then,
28 it's a violation of Canadian sovereignty.

1 RT. HON. JUSTIN TRUDEAU: Yes.

2 MR. SUJIT CHOUDHRY: Thank you, Prime
3 Minister.

4 COMMISSIONER HOGUE: Thank you.

5 Mr. Jarmyn, representing Erin O'Toole.

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

7 MR. THOMAS JARMYN:

8 MR. THOMAS JARMYN: Thank you, Prime Minister
9 -- or thank you, Commissioner.

10 Prime Minister, my name's Tom Jarmyn. I
11 represent Erin O'Toole.

12 Just building on a question that my colleague
13 was asking, Mr. O'Toole, similar to Ms. Kwan, has also
14 received a defensive briefing from CSIS. And was that done
15 with the permission or direction of your office?

16 RT. HON. JUSTIN TRUDEAU: Again, it is not
17 something that CSIS needs to get permission from the Prime
18 Minister's Office to do, but in this case, we certainly
19 encouraged it.

20 MR. THOMAS JARMYN: And has your office given
21 general direction when MPs come under this sort of, I guess,
22 scrutiny or attack that they should be made aware of that?

23 RT. HON. JUSTIN TRUDEAU: That is in general
24 our approach on things, yes.

25 MR. THOMAS JARMYN: But has your office given
26 direction to that effect?

27 RT. HON. JUSTIN TRUDEAU: It is not to us to
28 direct CSIS on what threat reduction or defensive briefings

1 it gives or doesn't give, but certainly our posture has been
2 one of encouraging CSIS to keep all Parliamentarians informed
3 and aware of not just threats against them, but of issues of
4 foreign interference.

5 **MR. THOMAS JARMYN:** Thank you.

6 I guess if we could go to CAN 4495.

7 And this is a document that supposedly
8 relates to a briefing which was intended to occur some time
9 in late February of 2023. It was prepared by CSIS.

10 Commission counsel has shown it to you and I
11 believe you also saw it during your witness interview.

12 If you could scroll down to the third page.
13 A little further, please. Thank you.

14 So I understand from your witness interview
15 that you were not advised of this -- these events concurrent
16 to them happening in the election in 2021, but I would ask
17 after February 21st of 2023, have you ever been briefed by
18 either CSIS or the NSIA with respect to conclusions similar
19 to this that:

20 "...observed online media activities
21 aimed at discouraging Canadians,
22 particularly of Chinese heritage,
23 from supporting Conservative Party of
24 Canada, leader Erin O'Toole, and
25 particularly Steveston-Richmond East
26 candidate Kenny Chiu.

27 ...the timing of these efforts to
28 align with Conservative polling

1 improvements; the similarities in
2 language with articles published by
3 PRC state media; and the partnership
4 agreements between these Canada-based
5 outlets and PRC entities; all suggest
6 that these efforts were orchestrated
7 or directed by the PRC.”

8 **RT. HON. JUSTIN TRUDEAU:** I think on this I'd
9 like to turn to the summary prepared of evidence on this one.
10 I believe it's ---

11 **MR. THOMAS JARMYN:** I think it's WIT 66,
12 paragraph 49.

13 **RT. HON. JUSTIN TRUDEAU:** Sorry. I'm talking
14 about the intelligence summaries, not the interview
15 summaries. The prepared summaries.

16 **MR. FREDERICK SCHUMANN:** Madam Commissioner,
17 I think the Prime Minister's referring to the multi-source
18 topical summary on ---

19 **RT. HON. JUSTIN TRUDEAU:** That one, topical
20 summaries. Yes.

21 **MS. ERIN DANN:** I believe it's number 4, if
22 that assists, .4.

23 **RT. HON. JUSTIN TRUDEAU:** Yes, thank you.
24 That's it.

25 **MR. THOMAS JARMYN:** So that's the topical
26 summary, but going back to my question, which was, has any
27 official, either the NSIA or Director of CSIS or anyone on
28 your staff, briefed you with respect to the conclusions that

1 were in CAN 4495?

2 **MR. FREDERICK SCHUMANN:** And just to be fair
3 to the witness, perhaps he could be allowed look at those
4 conclusions one by one rather than ---

5 **MR. THOMAS JARMYN:** Sure.

6 **MR. FREDERICK SCHUMANN:** --- en masse.

7 **MR. THOMAS JARMYN:** So possibly he can go
8 back to CAN 4495.

9 **RT. HON. JUSTIN TRUDEAU:** Yes, I have the
10 summary, so if we can go back on the page to the document you
11 brought up.

12 **MR. THOMAS JARMYN:** Thank you.

13 Scroll down. Thank you.

14 Just a little bit further. Thank you.

15 So the overall statement is observed online
16 media activities aimed at discouraging Canadians,
17 particularly of Chinese heritage, from supporting the
18 Conservative Party leader, Erin O'Toole, and particularly
19 Steveston-Richmond East candidate Kenny Chiu.

20 **RT. HON. JUSTIN TRUDEAU:** Yeah. What I will
21 go to is the bottom of that -- the last line in the second
22 paragraph there and refer to the general summary there, point
23 6, that says no PRC state direction of the incident was
24 detected or reported.

25 **MR. THOMAS JARMYN:** Yes, I realize that's
26 what that document says.

27 But my question is, did anyone brief you with
28 respect to those allegations that are in CAN 4495? And if

1 your answer is no, that's fine.

2 **RT. HON. JUSTIN TRUDEAU:** The -- first of
3 all, these are briefing notes that I never saw. These are
4 briefings for a briefer who then gave a briefing that, as
5 we've seen, may or may not have included all of these things.

6 I am and was, however, aware of the elements
7 in the summary that talked about whether it's following the
8 publication of the article in the Hill Times. There was a
9 number of different media organizations that picked up and
10 ran with those things, but again, getting to the bottom line,
11 no, you know, Chinese state direction of the incident was
12 detected or report.

13 **MR. THOMAS JARMYN:** Thank you.

14 And I'd like to turn now to COM 008, which is
15 the Cabinet directive from 2021 with respect to the Critical
16 Election Incident Public Protocol.

17 **--- EXHIBIT No./PIÈCE No. COM 8:**

18 Cabinet Directive on the Critical
19 Election Incident Public Protocol

20 **MR. THOMAS JARMYN:** And this is the standing
21 directive right now. It is -- unlike 2019, this is an
22 ongoing thing. Is that correct?

23 **RT. HON. JUSTIN TRUDEAU:** Yes, this is the
24 existing directive now. Yes.

25 **MR. THOMAS JARMYN:** And we've heard from
26 various witnesses, Madam Drouin, who said that the threshold
27 for intervention by the Panel of Five would either be high or
28 very high, were the words she used. Minister Gould used

1 "observed with certainty" and Minister LeBlanc used the "high
2 threshold" as well. Is that consistent with your
3 understanding of how the directive is meant to apply?

4 **RT. HON. JUSTIN TRUDEAU:** The directive is
5 meant to apply, and the Panel is meant to kick in when there
6 are threats to Canada being able to hold a free and fair
7 election. That must necessarily be a significantly high
8 threshold because just the act of engaging for the Panel
9 could itself have an impact on the unfolding of the election.

10 So the expertise and the experience and the
11 professional judgment of the people on the Panel is what we
12 lean on significantly for whether and how they intervene.

13 I will highlight that not every intervention
14 by the P5 would be to convene a supper hour press conference
15 to tell Canadians about something in the middle of an
16 election campaign. It could involve, as it has, apprising
17 different parties of concerns; it could be -- involve asking
18 or working with a social media giant to take down a
19 particular piece of misinformation. Like, there are
20 different things that would have different thresholds, in
21 terms of what is required to do to ensure that the election
22 remains free and fair for Canadians.

23 **Mr. THOMAS JARMYN:** Can we scroll down in the
24 directive itself, please, and into 5? There we are, the
25 Process. Actually, we need -- sorry; I have go to back up
26 again. So they say -- paragraph 3, please.

27 You say, Minister -- or Prime Minister,
28 rather, that this can be engaged by threats. The Panel of

1 Five has testified that it must be an event that has occurred
2 which affects a free and fair election, at which they would
3 give notice to Canadians. Is it your evidence that the Panel
4 can act on a perceived threat as opposed to an event?

5 **RT. HON. JUSTIN TRUDEAU:** I'd ask, actually,
6 to scroll down to -- go to 4.0 or -- no, next one, 5.0.
7 There we go:

8 "...lays out a process through which
9 Canadians would be notified of an
10 incident that threatens Canada's
11 ability to have a free and fair
12 election, should notification be
13 necessary."

14 I suppose an incident could be an event, but
15 I think if there is an imminent threat to Canada's ability to
16 have free and fair election, I have no doubt that the Panel
17 would engage with that, whether or not the incident or event
18 had happened or was just imminently about to happen.

19 **MR. THOMAS JARMYN:** Okay.

20 Just one last question, please, Commissioner.

21 **COMMISSIONER HOGUE:** Sure.

22 **MR. THOMAS JARMYN:** And that threat could
23 crystallize at the general election level, at the riding
24 level, or indeed, among a diaspora community level that's
25 spread out over across several ridings.

26 **RT. HON. JUSTIN TRUDEAU:** Sorry; and what's
27 your question?

28 **MR. THOMAS JARMYN:** That threat could

1 crystallize ---

2 **RT. HON. JUSTIN TRUDEAU:** Good. Yes.

3 **MR. THOMAS JARMYN:** --- at either the general
4 election level, an individual riding level, or among a
5 broader community that's spread out over several ridings.

6 **RT. HON. JUSTIN TRUDEAU:** Yes, as long as it
7 threatens Canada's ability to have a free and fair election,
8 either at the riding level or in the aggregate general
9 election, which is just the sum of 338 individual riding
10 elections.

11 **MR. THOMAS JARMYN:** Thank you. Thank you.

12 **RT. HON. JUSTIN TRUDEAU:** Thank you, Tom.

13 **COMMISSIONER HOGUE:** Thank you.

14 Mr. de Luca, acting on behalf of the
15 Conservative Party.

16 **(SHORT PAUSE/COURTE PAUSE)**

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

18 **MR. NANDO de LUCA:**

19 **Mr. NANDO de LUCA:** Good evening, Mr. Prime
20 Minister.

21 Could I have -- just give me a moment. Could
22 I have TRN 6 called up, please?

23 And while that's being called up, Mr. Prime
24 Minister, in preparation for your testimony here today, have
25 you been aware that MP Han Dong confirmed under oath at this
26 Inquiry that he spoke to PRC officials on multiple occasions
27 about the two Michaels while they were held in captivity in
28 China?

1 **RT. HON. JUSTIN TRUDEAU:** I believe so, yes.

2 **MR. NANDO de LUCA:** Okay. And am I correct
3 that the two Michaels had been taken into custody and
4 detained in China commencing in December 2018 until they were
5 released at the end of September 2021?

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

7 **MR. NANDO de LUCA:** Okay. Would you agree
8 with me that the detention of the two Michaels was a very
9 high profile and very sensitive matter, both in Canada and
10 abroad?

11 **RT. HON. JUSTIN TRUDEAU:** It was certainly
12 very high profile, and it was a detention that caused us to
13 mobilize broadly. It was certainly a very difficult
14 experience for the two Michaels and their families, but it
15 was also something that mobilized an awful lot of not just
16 Canadians but our partners around the world.

17 **MR. NANDO de LUCA:** Thank you.

18 We've heard evidence, and seen evidence at
19 this Inquiry, that at least one of the conversations between
20 Mr. Dong and PRC General Consul -- Consul General in Toronto
21 was intercepted and monitored, that it touched upon the two
22 Michaels in some respect, and that at least a summary of the
23 intercepted conversation exists, and I have a couple of
24 questions for you regarding this intercepted conversation.

25 **MR. FREDERICK SCHUMANN:** Just before my
26 friend does, I'm not sure whether -- of the details he is --
27 or the assertion he's making is one that can be found in the
28 public record, but I'm happy to hear from him about that. I

1 would urge him to refer to the summary, the topical summary
2 on this issue.

3 **MR. NANDO de LUCA:** I'm going to come to the
4 topical summary, but if I could ask the Prime Minister
5 generally, when were you first made aware that Mr. Dong had
6 been having conversations with the PRC Consul General
7 regarding the two Michaels?

8 **RT. HON. JUSTIN TRUDEAU:** I can't recall
9 offhand at what point that was.

10 **MR. NANDO de LUCA:** Do you remember what
11 year, sir?

12 **RT. HON. JUSTIN TRUDEAU:** Perhaps there's
13 documents that refer to the meeting that I can talk about
14 publicly, various briefings that I've had when these
15 allegations came out. I believe -- actually, I believe they
16 -- this was the source -- this was a matter disclosed in the
17 leaks in the fall of 2022, and it was only subsequent to
18 those leaks that I became aware of those conversations. So
19 it would have been late in 2022.

20 **MR. NANDO de LUCA:** You don't believe you
21 were made aware of any such conversations prior to that?

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

23 **MR. NANDO de LUCA:** And could I ask that
24 CAN.SUM 2 be called up, please?

25 And I believe Ms. Chaudhury took you through
26 tis document, to some extent, earlier. This is a summary of
27 intelligence held by CSIS and the intelligence agencies
28 relating to Han Dong and some communications with the

1 People's Republic of China relating to the two Michaels. And
2 I take it from your answers earlier, you reviewed this
3 document in preparation for your testimony here today?

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

5 **MR. NANDO de LUCA:** And there's a summary of
6 five points relating to this intelligence. Can you confirm
7 -- and I think you may have -- that aside from your review of
8 this particular document in preparation for today, that you
9 have received intelligence briefings and information that is
10 reflected in each of these five points?

11 **RT. HON. JUSTIN TRUDEAU:** I have six points
12 on mine.

13 **MR. NANDO de LUCA:** I may have misspoken,
14 you're correct. Quite correct, six points.

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

16 **MR. NANDO de LUCA:** Okay. Can I turn your
17 attention to point 4? Perhaps you can review that, and while
18 you are, the second sentence says:

19 "MP Dong expressed the view that even if the PRC released the
20 'Two Michaels' at that moment,
21 opposition parties would view the
22 PRC's action as an affirmation of the
23 effectiveness of a hardline Canadian
24 approach to the PRC."

25 You see that?

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

27 **MR. NANDO de LUCA:** When were you first made
28 aware of MP Dong expressing that view?

1 **RT. HON. JUSTIN TRUDEAU:** As I said, this was
2 subsequent to leaks. But let me also just say that it's
3 aware of information alleging that MP Dong expressed these
4 views. As has been previously stated, there have been
5 significant questions around both translation and summary of
6 the actual exchange that -- you know, I don't think I need to
7 read the first page filled with *caveats* around incomplete,
8 single-sourced, varying degrees of reliability, you know, not
9 necessarily indicating corroboration or reliability of
10 sources. So there's a lot of uncertainty around even the
11 things that we're saying in -- that we're seeing in the
12 summaries.

13 **MR. NANDO de LUCA:** Can I ask you, Prime
14 Minister, have you personally reviewed that summary?

15 **RT. HON. JUSTIN TRUDEAU:** This summary?

16 **MR. NANDO de LUCA:** No, the summary of the
17 intercepted conversation.

18 **MR. FREDRICK SCHUMANN:** Madam Commissioner,
19 I'm concerned that we're getting into a sensitive area. I'm
20 frankly not sure ---

21 **RT. HON. JUSTIN TRUDEAU:** I can say yes to
22 that. Yes, I have. But there's not much more I can say
23 about it.

24 **MR. NANDO de LUCA:** That's fine. Thank you.
25 Can we call up COM 118, which is the Special
26 Rapporteur's first report that was produced or dated May 23,
27 2023?

28 **THE COURT OPERATOR:** COM 118?

1 **MR. NANDO de LUCA:** Yes.

2 **THE COURT OPERATOR:** Just one moment.

3 --- EXHIBIT No./PIÈCE No. COM 118:

4 First Report The Right Honourable
5 David Johnston Independent Special
6 Rapporteur on Foreign Interference

7 **MR. NANDO de LUCA:** And I'd like to go to
8 page 26, small roman numeral viii.

9 There's an analysis of a piece of reporting
10 that Han Dong advised the PRC Consulate to extend the
11 detention of the Two Michaels, Global News, March 22, 2023.
12 Do you see that?

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

14 **MR. NANDO de LUCA:** Okay. And immediately
15 before that, Mr. Johnston comments on how there has been
16 considerable media attention about an alleged transcript of
17 this conversation. Do you see that?

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

19 **MR. NANDO de LUCA:** And he then says:

20 "I have reviewed the same
21 intelligence report that was provided
22 to the Prime Minister relating to
23 this allegation, which I am advised
24 is the only intelligence that speaks
25 to this issue. I can report the
26 following..."

27 And we're going to come to the following.

28 But my question now though is, Mr. Johnston tells us that he

1 reviewed the same intelligence report that you did and that
2 this is the only report that exists that speaks to this
3 issue.

4 So my question for you is the following. Is
5 the intelligence report that Mr. Johnston is referring to
6 there CAN.SUM002 that we just looked at? Or is it something
7 else?

8 **MR. FREDRICK SCHUMANN:** I'm not sure the
9 witness can answer that in this setting.

10 **COMMISSIONER HOGUE:** So we'll note the
11 question.

12 **MR. NANDO de LUCA:** And are there other
13 reports that, for now we'll go with written reports, either
14 hardcopy or electronic, that you're aware of that perhaps
15 were not shared with Mr. Johnston that might relate to
16 precisely what was or wasn't said between Mr. Dong and the
17 PRC official?

18 **RT. HON. JUSTIN TRUDEAU:** I'm not certain I
19 can answer that question.

20 **MR. NANDO de LUCA:** For the same reasons ---

21 **RT. HON. JUSTIN TRUDEAU:** Reasons of security
22 and confidentiality.

23 **MR. NANDO de LUCA:** Thank you.

24 **RT. HON. JUSTIN TRUDEAU:** National security.

25 **MR. NANDO de LUCA:** Thank you. Have those
26 reports, if there are any such reports, have they been
27 provided to the present Commission?

28 **RT. HON. JUSTIN TRUDEAU:** Again, I'm not sure

1 I can -- I cannot confirm or infirm the existence of any
2 other reports that I cannot speak to here.

3 **MR. NANDO de LUCA:** Thank you very much. Mr.
4 Johnston then gives his assessment of that particular
5 allegation as follows. He says:

6 "The allegation is false. Mr. Dong
7 discussed the Two Michaels with the
8 PRC official but did not suggest to
9 the official that the PRC extend
10 their detention. The allegation that
11 he did make that suggestion has had a
12 very adverse effect." (As read)

13 Do you agree with that assessment, sir?

14 **RT. HON. JUSTIN TRUDEAU:** Yes. We know that
15 the media reports and the allegations made in rather a
16 spectacular fashion about Mr. Dong were false.

17 **MR. NANDO de LUCA:** Okay. But would you
18 agree with ---

19 **RT. HON. JUSTIN TRUDEAU:** In regards to what
20 he said or didn't say about the Two Michaels.

21 **MR. NANDO de LUCA:** Okay. Would you agree
22 with me, sir, that all that Mr. Johnston was commenting on
23 was what is contained in that heading? That particular
24 allegation? Mr. Johnston didn't comment one way or the other
25 about whether -- what else Mr. Dong might have said to the
26 PRC Consul re: the Two Michaels was correct. So for example,
27 in CAN.SUM02, the conversation is stated slightly
28 differently.

1 **MR. FREDRICK SCHUMANN:** I'm not sure the
2 witness can comment on what Mr. Johnston was or was not
3 commenting on.

4 **MR. NANDO de LUCA:** Mr. Prime Minister, I
5 have very many more questions, as you might imagine, but I
6 simply don't have the time. Thank you very much.

7 **COMMISSIONER HOGUE:** Thank you, Mr. De Luca.
8 Counsel for Han Dong?

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

10 **MR. MARK POLLEY:**

11 **MR. MARK POLLEY:** Thank you, Commissioner.
12 Prime Minister, I am Mark Polley, and as you
13 heard, I represent Han Dong.

14 I'm going to start with the same issue that
15 Mr. De Luca finished with, and that is the allegations that
16 were made in the -- in Global, at least, relating to the Two
17 Michaels.

18 And we -- as you know, we heard yesterday
19 from Mr. Clow, among others, and Mr. Clow told us about how
20 after the leaks came out, there were discussions about what
21 to do, what -- how to respond, whether there could be any
22 response, and in particular, he said there were a number of
23 discussions about how to get the truth out that the story was
24 wrong. And he explained that up until yesterday, he was not
25 able to say that publicly.

26 Are you able to, first of all, tell us, did
27 you have conversations like that as well about whether there
28 was anything the government could do, whether -- anything you

1 could do?

2 **RT. HON. JUSTIN TRUDEAU:** Well, further, what
3 we actually did was engage the Special Rapporteur, who had
4 the opportunity to go through the evidence and state quite
5 categorically that the allegations were false. We felt that
6 having the Special Rapporteur able to engage on that and
7 qualify those allegations as false was perhaps more
8 reassuring to concerned Canadians than having officials of
9 the same -- elected officials of the same party as Mr. Dong
10 categorizing that the same way.

11 **MR. MARK POLLEY:** And so does that -- well,
12 aside from ultimately making that decision, did you, like Mr.
13 Clow, have discussions about whether there was anything that
14 could be released before that, like immediately, to respond?

15 **RT. HON. JUSTIN TRUDEAU:** There were many
16 discussions following the leaks on this issue, but on a
17 number of the issues that were leaking. As we highlighted
18 and attempted to highlight a few times in the media, there
19 were clear falsehoods and inaccuracies in the media
20 reporting. But the challenge of protecting national security
21 meant that we were very much limited in our ability to
22 contradict the false allegations being made by the leaker.

23 **MR. MARK POLLEY:** And that difficulty you're
24 describing, although we've heard, as I say, Mr. Clow talking
25 about finally being able to say something publicly yesterday,
26 you're speaking about it today to some extent, but I take it
27 that same tension continues? That there's only so much, as
28 we can see, that you can -- you're able to say?

1 **RT. HON. JUSTIN TRUDEAU:** But, you know,
2 given, as Mr. Clow pointed out yesterday, we are now in a
3 position to express and to repeat the way it was
4 characterized in the media was wrong.

5 **MR. MARK POLLEY:** So let me turn to busses.
6 The ongoing discussion about busses. We heard about you
7 being briefed by Mr. Broadhurst in September of 2019, and you
8 talked about him flagging concerns and describing this
9 scenario of students being brought to Don Valley North
10 nomination meeting. And you asked whether the intelligence
11 agency understood this thing that bussing people to
12 nomination meetings is standard, or I think you said regular
13 earlier. Is that right?

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

15 **MR. MARK POLLEY:** And ---

16 **COMMISSIONER HOGUE:** This will be your last
17 question.

18 **MR. MARK POLLEY:** Thank you.

19 And you -- sorry, let me make sure. And you
20 raised the issue of whether the intelligence agency
21 understood this basic issue that someone like you who knows
22 politics and nomination campaigns knows, and did you figure
23 out an answer to that? Whether the people at the Agency who
24 were reporting this had that context?

25 **RT. HON. JUSTIN TRUDEAU:** Oh, certainly.
26 Listen, our intelligence agencies, even though they don't
27 organise nomination meetings themselves as, you know,
28 political parties do, you know, regularly turn to experts

1 and, you know, learn about the things that they don't know
2 about when they need to. So I am very confident that our
3 intelligence agencies now know a lot more about the unfolding
4 of nominations, which is important because they need to be
5 able to ensure that those nominations, like all electoral
6 events, are decided by, you know, by the residents and indeed
7 by ensuring that our democratic processes are free and fair
8 and absent interference by foreign actors.

9 **MR. MARK POLLEY:** Okay.

10 **COMMISSIONER HOGUE:** Thank you.

11 **MR MARK POLLEY:** Thank you.

12 **COMMISSIONER HOGUE:** Human Rights Coalition?

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

14 **MS. SARAH TEICH:**

15 **MS. SARAH TEICH:** My name is Sarah Teich, and
16 as the Commissioner stated, I'm representing the Human Rights
17 Coalition. I understand, Mr. Prime Minister, that you have a
18 lot of confidence in your NSIA's ability to receive
19 information from the national security agencies, but I want
20 to ask about your level of confidence in the agencies'
21 abilities to receive information from those most vulnerable,
22 namely, members of targeted diaspora communities. So let me
23 just start with this, were you aware, Mr. Prime Minister,
24 that the RCMP's National Security Information Network is only
25 available in English and French?

26 **RT. HON. JUSTIN TRUDEAU:** I was not.

27 **MS. SARAH TEICH:** Were you aware that the
28 CSE's online reporting tool, as well as CSIS's reporting

1 tool, and the OCE's complaints form on the website are also
2 available in only English and French?

3 **RT. HON. JUSTIN TRUDEAU:** But I am also aware
4 that all those agencies use in language individuals who are
5 able to reach into and engage with communities, but I take
6 your word for it that the online forms are only in English
7 and French.

8 **MS. SARAH TEICH:** I appreciate that. And we
9 also heard on March 27th with the diaspora panel, that was
10 the first day of these hearings, that community members
11 oftentimes don't feel empowered to reach out to the agencies.
12 They feel that they won't be heard. They feel it's a waste
13 of time, for whatever reason. Given these limitations, how
14 can you expect the agencies themselves to really know, and,
15 therefore, how can you expect the NSIA to really know if
16 coercion, harassment, or intimidation of diaspora community
17 members is happening including in the context of elections?

18 **RT. HON. JUSTIN TRUDEAU:** This is certainly a
19 challenge, and it is something that we've been working on
20 over the past years to try and improve and increase the --
21 not just the diversity within our various agencies, but also,
22 the ability of those agencies to reach into people who are
23 often most vulnerable to interference, particularly in
24 diaspora communities, but also, at the same time, often with
25 good reason, most suspicious of authorities and enforcement
26 agencies that have not always treated them fairly in the
27 past.

28 **MS. SARAH TEICH:** Thank you. Given these

1 limitations, does this plant even a seed of doubt in your
2 mind in terms of the integrity of the 2019 and 2021 general
3 elections?

4 **RT. HON. JUSTIN TRUDEAU:** I think those are
5 two different things. The challenge of any democracy is
6 ensuring that people who perhaps disagree with the outcome of
7 a given election still have faith that that is indeed the
8 will of the people, the will of citizens. And that's where
9 having a panel in place, both in 2019 and 2021, that can say
10 that they have determined, or they have concluded that the
11 election was free and fair is a really important step. Now
12 nobody can say that about the 2015 election, for example, or
13 elections before because those panels didn't exist. At the
14 same time, what we've learned from the 2019 election was
15 applied to the 2021 election and will continue to be applied
16 and expanded and become more -- perhaps more sensitive or
17 alert to various vulnerabilities that are more difficult to
18 go into, particularly when you talk about racialized or
19 marginalised communities. So there is more to do, but I do
20 have confidence in the ability of our intelligence agencies
21 and our panel to have drawn the conclusion that the elections
22 in 2019 and in 2021 were indeed free and fair.

23 **MS. SARAH TEICH:** All right. Thank you.

24 **COMMISSIONER HOGUE:** Thank you.

25 Mr. Doody for the Ukrainian Canadian Congress
26 -- or, yes. No, it's the Sikh Coalition, I'm sorry.

27 You'll be next.

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

1 **MR. PRABJOT SINGH:**

2 **MR. PRABJOT SINGH:** Thank you, Commissioner.
3 Mr. Trudeau, my name is Prabjot Singh. I'm appearing on
4 behalf of the Sikh Coalition. So I don't have a whole lot of
5 time, but I want to start by asking whether you would agree
6 that your government missed key opportunities to hold India
7 to account for its interference in Canada. And to be more
8 specific so we can narrow down a precise answer, that there
9 were attempts made by the government to minimise the threat
10 that India posed throughout this relevant period and actually
11 tried to hide the severity of the threat from Canadians.
12 Would you agree with that assessment?

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

14 **MR. PRABJOT SINGH:** Mr. Operator, if we can
15 bring up COM 155? So, Mr. Trudeau, this is a copy of the
16 2019 annual report of NSICOP, which you mentioned was a body
17 created by your government in the hopes of creating some
18 oversight and transparency on security and intelligence
19 issues.

20 And, Mr. Operator, if we can go to page 73
21 of the PDF? So as you know, this report deals with concerns
22 about foreign interference. Is that 73 of the PDF? Or,
23 yeah, 55 of the actual document. And so this is a section
24 that deals with foreign interference specifically. And if we
25 can continue to scroll down until 79, please? You can go a
26 little bit faster.

27 And right there if you can hold for a second.
28 If you can scroll up, please? So there is mentioned

1 specifically of foreign interference by the People's Republic
2 of China. Continue scrolling. There's mention of the
3 Russian Federation. And if we can pause right there and it
4 specifically says, "other states engaged in foreign
5 interference". And if you continue scrolling, that entire
6 section has been redacted.

7 Mr. Operator, if we can go to page 108 of the
8 PDF? And if you continue scrolling until 113, we see these
9 are instances of Canada's response to foreign interference in
10 relation to China. And then it goes into instances of a
11 response to Russian interference. And if we scroll down, and
12 this entire section again is redacted.

13 So, Mr. Trudeau, I'm going to suggest that
14 the redacted sections of this report outline details of
15 Indian electoral interference and coercive activities against
16 the Sikh community, as well as outlining governmental
17 failures in combating the specific threat. And so I
18 understand that you may not be able to address this in a
19 public setting for national security reasons, and if that's
20 the case, you can indicate that to the Commissioner, so can
21 you confirm that that is the substance that's been redacted
22 in this report?

23 **RT. HON. JUSTIN TRUDEAU:** Obviously, in a
24 public setting, I can't speak to redactions made for national
25 security, but I will say that the principle that anyone who
26 comes to Canada from anywhere in the world has all the rights
27 of a Canadian, to be free from extortion, coercion,
28 interference from a country that they left behind, and how we

1 have stood up for Canadians, including in the very serious
2 case that I brought forward to Parliament of the killing of
3 Nijjar, demonstrates our government's commitment to defending
4 the rights and freedoms of Canadians for whom we have --
5 which are the reasons for which so many people crossed oceans
6 and continents to come live in this country and build this
7 country. And the suggestion that we haven't and we won't do
8 everything we can to defend Canadian rules and values and
9 defend Canadians from foreign interference is simply
10 misplaced.

11 **MR. PRABJOT SINGH:** And so I take your point
12 there and I have very limited time, but I do want to confirm
13 that it was you that approved the redactions in this report;
14 is that correct, based on suggestions from public servants
15 that you received?

16 **RT. HON. JUSTIN TRUDEAU:** Redactions are made
17 by professional public servants, and we sign off on them, but
18 we do not modify them.

19 **MR. PRABJOT SINGH:** But you do have the
20 authority, the ultimate approval, and you do have the
21 possibility to push back against excessive redactions.

22 **RT. HON. JUSTIN TRUDEAU:** Redactions are made
23 by professional public servants, not by the political wing.

24 **MR. PRABJOT SINGH:** And does the Prime
25 Minister have the authority to push back on the suggestions
26 that are made in cases where there may be excessive
27 redactions?

28 **RT. HON. JUSTIN TRUDEAU:** That gets into the

1 entire question of declassification of information. And in
2 the American system, the President can, you know, declassify
3 in ways that are not replicated in our system here in Canada.

4 **MR. PRABJOT SINGH:** So just very simply, I
5 have one last question I want to ask after this, does the
6 Prime Minister have the authority and the ability to push
7 back against those suggestions when there's excessive
8 redaction?

9 **RT. HON. JUSTIN TRUDEAU:** The Prime Minister
10 has an ability to engage in discussions and ask for reasons,
11 but like I said, as Prime Minister and as a government, our
12 habit and our approach has always been to allow the
13 professional public service to make determinations around
14 what needs to be redacted in the name of national security
15 and confidentiality.

16 **MR. PRABJOT SINGH:** Madam Commissioner, I
17 have one final question if that's okay?

18 **COMMISSIONER HOGUE:** Very quick.

19 **MR. PRABJOT SINGH:** Sure. I think you would
20 agree that the lack of meaningful steps to expose and stop
21 foreign interference activities when they first arise,
22 including deliberate actions to redact any failures that may
23 have been included in the NSICOP report, could play a role in
24 India's increasingly aggressive interference and repressive -
25 - repression activities over this period. So that would be a
26 consequence of failing to act effectively and failing to
27 bring the threat of Indian foreign interference to Canadians'
28 attention earlier; is that correct?

1 **RT. HON. JUSTIN TRUDEAU:** I think that's
2 certainly a question one needs to ask of the previous
3 Conservative government that was known for its very cozy
4 relationship with the current Indian government; whereas, our
5 government has always stood up to defend minorities in Canada
6 and the rights of minorities to speak out, even if it
7 irritates their home countries overseas.

8 **MR. PRABJOT SINGH:** Thank you. Those are all
9 ---

10 **COMMISSIONER HOGUE:** Thank you.

11 **MR. PRABJOT SINGH:** --- my questions.

12 **COMMISSIONER HOGUE:** So, Mr. Doody, it's your
13 turn.

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

15 **MR. JON DOODY:**

16 **MR. JON DOODY:** Good evening, Prime Minister.
17 It's Jon Doody. I'm counsel for the Ukrainian Canadian
18 Congress. We've heard that Russia's foreign interference
19 activities, foreign elections, was the catalyst for the plan
20 to protect Canada's democracy, and that Russia was a foreign
21 nation the Canadian government was concerned could
22 potentially interfere in Canadian elections; correct?

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

24 **MR. JON DOODY:** Okay. And we've also heard
25 from the SITE Task Force and the Panel of Five that neither
26 identified any foreign interference activity by Russia in
27 either of the 2019 or the '21 general election. It would
28 seem possible that Russia was not interested in interfering

1 with Canadian elections in those years, or equally possible
2 that they did, and the Canadian government failed to detect
3 it. Would you agree that it's possible that Russia
4 interfered in one or both the elections and the Canadian
5 government simply failed to notice it?

6 **RT. HON. JUSTIN TRUDEAU:** I would highlight
7 that, of course, it is always possible that the entire body
8 of our national security intelligence agencies, our very
9 sophisticated cyber and security communications establishment
10 detected absolutely nothing or got it wrong. But I would
11 also suggest that undermining Canadians' confidence in their
12 elections being free and fair is probably something that
13 Russia would love to see in Canada, so I would be very wary
14 about saying that, oh, you know, despite the fact you didn't
15 find any evidence of it, it still might have happened.

16 I think we have seen the extent to which
17 Russia is engaged in misinformation, disinformation and
18 actions of sowing chaos and destabilising democracies around
19 the world, including attempts at cyber attacks and successful
20 cyber attacks in Canada. But I think one of the big
21 differences between Russia and a number of other hostile or
22 challenging state actors is the significant lack of a
23 critical mass of either Russian diaspora or Russian speakers
24 in Canada, as you contrast with the situation in the Ukraine,
25 or in Latvia, or elsewhere where there is an easier threshold
26 for them to interfere in democratic processes.

27 **MR. JON DOODY:** You spoke about the need for
28 Canadians to be confident that the government is doing what

1 it can to keep Canadians safe. How confident are you in the
2 SITE Task Force and Panel of Five's conclusion that Russia
3 did not interfere with either election?

4 **RT. HON. JUSTIN TRUDEAU:** We know Russia is
5 responsible for significant amounts of propaganda, of
6 misinformation, of disinformation, and certainly attempts at
7 interference are no doubt ongoing from Russia. They are a
8 hostile actor, hostile to Canada, hostile to our values,
9 hostile to our support of the Ukraine and hostile to our
10 democracy. But to say -- to reach a threshold at which there
11 is a belief that Russia posed a threat to the integrity of
12 our elections, to the outcome of our elections is certainly
13 not something that either the SITE or the Panel determined.

14 **MR JON DOODY:** And finally, would you expect
15 members of the Canadian-Ukrainian community to have a high
16 level of confidence in that conclusion as well?

17 **RT. HON. JUSTIN TRUDEAU:** Yes, I think the
18 Canadian-Ukrainian community, like all Canadians, can have a
19 high degree of confidence in the conclusions by all of our
20 national security experts and top public servants that the
21 elections in 2019 and 2021 are free and fair. At the same
22 time, I think Ukrainian Canadians, like all Canadians, need
23 to remain vigilant to Russian disinformation and to the
24 amplification of pro-Russian narratives in context and coming
25 from places that one wouldn't suspect pro-Russian narratives
26 to be amplified. I'm very pleased to see that Ukraine just
27 passed the updated Canada Ukraine Free Trade Agreement, yeah,
28 over the past days, and I am -- continue to be bewildered of

1 the fact that the Conservative Party voted against that
2 update because they fell prey to pro-Russian narratives that
3 are undermining Canada's support for Ukraine amongst
4 Conservative Canadians which I know is a thing of deep
5 distress for many Ukrainian-Canadians and rightly so.

6 **MR. JON DOODY:** Thank you, Prime Minister

7 **COMMISSIONER HOGUE:** Me Sirois for the RCDA,
8 Russian Canadian Democratic Alliance.

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

10 **MR. GUILLAUME SIROIS:**

11 **Me GUILLAUME SIROIS:** Bonjour, Monsieur le
12 Premier Ministre.

13 **TRÈS HON. JUSTIN TRUDEAU:** Bonjour.

14 **Me GUILLAUME SIROIS:** Madame la commissaire.
15 Guillaume Sirois, avocat pour l'Alliance
16 démocratique des Canadiens russes.

17 On a entendu un témoignage à l'effet qu'une
18 certaine campagne de désinformation pouvait avoir coûté
19 quelques sièges à un certain parti politique lors de
20 l'élection de 2021. Je pense que vous savez à quoi je fais
21 référence, mais j'aimerais dépolitiser l'enjeu, si possible,
22 pour parler plus de désinformation.

23 **TRÈS HON. JUSTIN TRUDEAU:** Sauf que la
24 conclusion a été, de nos experts en sécurité nationale et du
25 Panel chargé d'assurer l'intégrité de nos élections, qu'il
26 n'y a eu aucun impact de l'ingérence étrangère dans les
27 résultats, que ce soit au niveau des 338 comtés ou au niveau
28 de l'élection générale. Donc, oui, il y a eu des attentats

1 d'ingérence, mais nos élections ont demeuré intègres dans
2 leurs résultats.

3 **Me GUILLAUME SIROIS:** Ma question, c'est :
4 est-ce que ce genre de tentatives là affecte seulement un
5 seul parti ou un seul chef de parti ou elles peuvent affecter
6 des partis de toutes les couleurs, des chefs de parti de
7 toutes les couleurs, dont le Parti libéral du Canada ou..

8 **TRÈS HON. JUSTIN TRUDEAU:** Et certainement
9 des... l'engagement ou l'ingérence étrangère pourrait affecter
10 juste un parti ou tous les partis, ou différents partis,
11 selon non seulement le pays, mais... le pays d'origine, mais
12 aussi et le comté, la région dans laquelle il se trouve.

13 **Me GUILLAUME SIROIS:** Et est-ce que c'est
14 quelque chose que vous avez témoigné en tant que premier
15 ministre lors des élections de... en tant que chef du Parti
16 libéral, pardon, lors des élections de 2019 ou de 2021?

17 **TRÈS HON. JUSTIN TRUDEAU:** En termes de chef
18 de parti, moi, ma job, c'était de faire campagne, de parler
19 au plus de Canadiens possible, et de faire élire le plus de
20 libéraux possible. Je me fiais aux institutions qu'on a
21 bâties, le SITE Task Force, le P5 Panel, pour s'assurer que
22 l'intégrité des élections tienne, et effectivement, ils ont
23 conclu dans les élections de 2019 et 2021 que les élections
24 ont été libres et justes.

25 **Me GUILLAUME SIROIS:** J'aimerais mettre de
26 côté un peu l'institution pour l'instant, mais vraiment vous
27 poser la question en tant que chef de parti qui fait la
28 campagne électorale en 2019, 2021, puis savoir qu'est-ce que

1 vous avez vu ou entendu de vos propres yeux et oreilles. Est-
2 ce que c'est des choses comme des campagnes de désinformation
3 visant les libéraux ou vous-même en tant que chef de parti,
4 c'est quelque chose que vous avez entendu ou vu pendant l'une
5 ou l'autre des campagnes électorales?

6 **TRÈS HON. JUSTIN TRUDEAU:** Ah, des campagnes
7 de désinformation, on en a vu énormément, plus en 2021 qu'en
8 2019, mais que ce soit au niveau des théories de complot par
9 rapport à la vaccination, que ce soit au niveau des théories
10 de complot par rapport au Forum économique mondial ou
11 d'autres, ou des attaques personnelles contre moi et ma
12 famille, oui, il y a eu de la mésinformation et de la
13 désinformation pendant cette campagne-là... ces campagnes-là.

14 **Me GUILLAUME SIROIS:** Mais ça ne doit pas
15 être une situation super facile, surtout quand ça touche la
16 famille, mais ma question, c'est concernant... vous connaissez
17 la puissance des médias sociaux, évidemment, vous avez fait
18 la campagne en 2015 grâce aux médias sociaux justement, ça
19 vous a certainement aidé dans cette campagne-là. Je me
20 demande est-ce que vous pensez que les campagnes de
21 désinformation que vous dites qui semblaient être importantes
22 en 2019, 2021, pensez-vous que ça a eu un effet sur les
23 électeurs lors de ces campagnes?

24 **TRÈS HON. JUSTIN TRUDEAU:** Bien, tous les
25 partis politiques utilisaient des médias sociaux comme moyen
26 d'aller chercher des votes et chercher des électeurs. Donc,
27 certainement les médias sociaux ont joué un rôle important
28 dans ces deux élections-là.

1 **Me GUILLAUME SIROIS:** Mais je parle des
2 campagnes de désinformation spécifiquement. Pensez-vous que
3 celles-ci ont pu influencer la décision de certains
4 électeurs?

5 **TRÈS HON. JUSTIN TRUDEAU:** Bien, je pense
6 qu'on voit que la mésinformation et la désinformation ont un
7 impact sur énormément de gens. Les milliers de Canadiens qui
8 croyaient que la vaccination était plus dangereuse que la
9 maladie de COVID-19 elle-même sont un exemple de gens qui ont
10 été affectés, des fois de façon mortelle, fatale, par la
11 désinformation.

12 **COMMISSAIRE HOGUE:** Votre dernière question,
13 Maitre Sirois.

14 **Me GUILLAUME SIROIS:** Oui. Il me reste encore
15 30 secondes. Je vais vous poser ma question, c'est : si vous
16 avez témoigné des campagnes de désinformation qui pouvaient
17 potentiellement influencer des électeurs, pourquoi vous
18 n'avez pas soulevé cette question-là avec des organismes, des
19 institutions justement du gouvernement qui sont mandatées
20 pour agir sur ces campagnes de désinformation là ou lorsqu'il
21 y a des atteintes à l'intégrité des élections?

22 **TRÈS HON. JUSTIN TRUDEAU:** Parce que ces
23 institutions-là, et, au contraire, j'en parle régulièrement
24 avec mes conseillers en sécurité nationale de l'impact de la
25 mésinformation, de la désinformation, juste à regarder la
26 situation des convois à Ottawa et d'autres pour savoir que ça
27 a un impact réel, mais c'est pas à moi de dire au Panel qu'il
28 faut veiller contre la mésinformation et la désinformation,

1 ça fait partie de leur job pour s'assurer de l'intégrité des
2 élections. C'est une job qu'ils ont bien fait en 2019, 2021,
3 mais on reconnaît qu'en 2025, ça va être encore plus
4 difficile et ils vont devoir faire une... continuer leur
5 excellent travail.

6 **Me GUILLAUME SIROIS:** Donc, juste ma dernière
7 question, s'il vous plaît, Madame la commissaire.

8 Si vous, en tant que chef de parti qui fait
9 la campagne, remarquez des campagnes de désinformation
10 sérieuses lors des élections, vous pensez que c'est pas
11 nécessaire de rapporter ça au SITE Task Force ou au Panel des
12 5 en tant que chef du Parti libéral parce que vous avez
13 confiance qu'ils font leur travail?

14 **TRÈS HON. JUSTIN TRUDEAU:** Non. Si j'ai
15 bloqué ça... j'ai confiance qu'ils vont faire leur travail,
16 mais ça fait partie de notre responsabilité à tous, qu'on
17 soit citoyens, qu'on soit candidats, qu'on soit chef de parti
18 ou de parti politique, de travailler avec le Panel, avec le
19 SITE Task Force pour souligner la mésinformation et la
20 désinformation, ça fait partie de ce qu'on va faire en
21 travaillant avec le Panel pour soulever des enjeux, mais le
22 Panel ne dépend pas de nous pour faire leur travail non plus.
23 Mais oui, on peut absolument participer et on devrait.

24 **Me GUILLAUME SIROIS:** Merci.

25 **COMMISSAIRE HOGUE:** Merci.

26 Du côté du Procureur général du Canada?

27 **MR. FREDERICK SCHUMANN:** Nothing from the
28 Attorney General. Thank you very much, Madam Commissioner.

1 **COMMISSIONER HOGUE:** Nothing.

2 Re-examination?

3 **MS. SHANTONA CHAUDHURY:** No, thank you,
4 Commissioner.

5 **COMMISSAIRE HOGUE:** Merci beaucoup.

6 **TRÈS HON. JUSTIN TRUDEAU:** Merci, Madame la
7 commissaire.

8 **COMMISSAIRE HOGUE:** Alors, si je dois dire
9 que vous êtes libre de quitter, mais je vais me permettre de
10 vous le dire que vous êtes libre de quitter.

11 **TRÈS HON. JUSTIN TRUDEAU:** Merci beaucoup,
12 Madame.

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

15 This sitting of the Foreign Interference
16 Commission has adjourned. Cette séance de la Commission sur
17 l'ingérence étrangère est levée.

18 --- Upon adjourning at 6:51 p.m.

19 --- La séance est levée à 18 h 51

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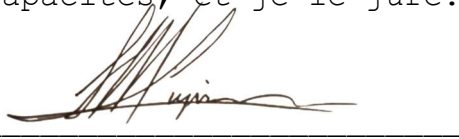
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C E R T I F I C A T I O N

1
2
3 I, Sandrine Marineau-Lupien, a certified court reporter,
4 hereby certify the foregoing pages to be an accurate
5 transcription of my notes/records to the best of my skill and
6 ability, and I so swear.

7
8 Je, Sandrine Marineau-Lupien, une sténographe officielle,
9 certifie que les pages ci-hauts sont une transcription
10 conforme de mes notes/enregistrements au meilleur de mes
11 capacités, et je le jure.

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14 Sandrine Marineau-Lupien
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