



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

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

Public Hearing

Audience publique

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

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Lucy Watson

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Neil Chantler

Erin O'Toole

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Ottawa, Ontario

--- Upon commencing on Friday, April 5, 2024 at 9:37 a.m.

L'audience débute le vendredi 5 avril 2024 à 9 h 37

THE REGISTRAR: Order, please. Ordre s'il vous plaît.

This sitting of the Foreign Interference Commission is now in session. Commissioner Hogue is presiding. Cette séance de la Commission sur l'ingérence étrangère est maintenant en cours. La Commissaire Hogue préside. The time is 9:37 a.m. Il est 9h37.

COMMISSIONER HOGUE: Alors, bonjour tout le monde. Une autre journée qui débute.

Alors, is there any housekeeping or you're ready to go?

MS. LYNDA MORGAN: No housekeeping today.

COMMISSIONER HOGUE: No housekeeping? Okay. So you can go ahead.

MS. LYNDA MORGAN: Thank you. So the first witness today is Allen Sutherland. I'd ask that he be either affirmed or sworn, please.

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

MR. ALLEN SUTHERLAND: Sworn.

THE REGISTRAR: Okay. Could you please state your name and spell your last name for the record?

MR. ALLEN SUTHERLAND: Name is Allen Sutherland, S-U-T-H-E-R-L-A-N-D.

THE REGISTRAR: Thank you.

1 --- MR. ALLEN SUTHERLAND, Sworn/Assermenté:

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

3 MS. LYNDA MORGAN:

4 **MS. LYNDA MORGAN:** Mr. Sutherland, I
5 understand that you have been the Assistant Secretary to the
6 Cabinet machinery of government and Democratic Institutions
7 at the Privy Council Office since the fall of 2016. Is that
8 right?

9 **MR. ALLEN SUTHERLAND:** That's correct.

10 **MS. LYNDA MORGAN:** So short form, which I may
11 use, is PCODI. Is that right?

12 **MR. ALLEN SUTHERLAND:** Okay.

13 **MS. LYNDA MORGAN:** I'd ask that document
14 WIT 40 be put on the screen, please.

15 --- EXHIBIT No./PIÈCE No. WIT 40:

16 A. Sutherland Public Summary of
17 Classified Interview

18 **MS. LYNDA MORGAN:** And Mr. Sutherland, you
19 were interviewed by Commission Counsel on February 7, 2024 in
20 a classified space. Is that correct?

21 **MR. ALLEN SUTHERLAND:** It is.

22 **MS. LYNDA MORGAN:** And have you reviewed a
23 copy of the summary that is in front of you?

24 **MR. ALLEN SUTHERLAND:** I have.

25 **MS. LYNDA MORGAN:** Do you agree that the
26 summary accurately reflects the substance of your evidence
27 that can be made public?

28 **MR. ALLEN SUTHERLAND:** I do.

1 **MS. LYNDA MORGAN:** Any changes to be made to
2 that document?

3 **MR. ALLEN SUTHERLAND:** No.

4 **MS. LYNDA MORGAN:** And do you adopt that
5 summary as part of your evidence today before the Commission?

6 **MR. ALLEN SUTHERLAND:** I do.

7 **MS. LYNDA MORGAN:** Just as a starting point,
8 can you explain, briefly, the role of Democratic
9 Institutions?

10 **MR. ALLEN SUTHERLAND:** Sure. Democratic
11 Institutions Secretariat is a group of non-partisan
12 professional public servants who provide policy advice to the
13 Minister responsible for democratic institutions. Sometimes
14 it's formally in the title, sometimes it's not. And the
15 Secretariat also provides support to the Prime Minister on
16 issues related to democratic institutions, things like the
17 *Elections Act*, debates commission, and over recent years,
18 protecting Canada's democracy.

19 **MS. LYNDA MORGAN:** Thank you. And I
20 understand you were involved in the development of the Plan
21 to protect Canada's democracy, which was developed in 2018.
22 Is that right?

23 **MR. ALLEN SUTHERLAND:** Correct.

24 **MS. LYNDA MORGAN:** What was your role in
25 relation to the development of that Plan?

26 **MR. ALLEN SUTHERLAND:** So I provided advice
27 and support to Minister Gould, who at that time was the
28 Minister responsible for Democratic Institutions.

1 **MS. LYNDA MORGAN:** Thank you. And I will
2 move on to ask you some specific questions about the Plan
3 itself, but in terms of its development, was the Plan
4 developed in consultation with any of the other political
5 parties?

6 **MR. ALLEN SUTHERLAND:** Not to my knowledge.
7 It may well have been that there were discussions at the
8 political level, but I did not participate in any of those.

9 **MS. LYNDA MORGAN:** So I'm going to refer to
10 this as "the Plan" moving forward, being the Plan to protect
11 Canada's democracy.

12 I'd like to understand from you,
13 Ms. Sutherland, kind of what the Plan is and what it was
14 meant to accomplish. I'm going to take you to a document
15 first, just to situate that conversation.

16 Can I have CAN 10432 pulled up, please.

17 **--- EXHIBIT No./PIÈCE No. CAN 10432:**

18 Briefing to political parties on
19 Threats to Canada's electoral process
20 - Talking points for the assistant
21 secretary to cabinet (machinery of
22 government and democratic
23 institutions)

24 **MS. LYNDA MORGAN:** And so this is a Briefing
25 To Political Parties. The date is 2021. Have you seen this
26 document before?

27 **MR. ALLEN SUTHERLAND:** Yes, I have.

28 **MS. LYNDA MORGAN:** And if we can scroll down

1 on that page, just stopping there.

2 We can see Pillar 1. I'm going to ask you
3 about the pillars. Did the pillars of the Plan change from
4 2018 to 2021?

5 **MR. ALLEN SUTHERLAND:** There was a slight
6 change to Pillar 4. In 2019, Pillar 4 was -- had a
7 expectation that social media companies will respond,
8 expectations on social media companies. By 2021, it had a
9 more broader -- a broader definition that was more about
10 issues around engagement of civil society, but it did include
11 -- still included social media platforms.

12 **MS. LYNDA MORGAN:** Okay. So with that
13 qualification, if we look at -- I just want to touch briefly
14 on the four pillars of the Plan.

15 So the first pillar that you can see on the
16 screen here is Enhancing Citizen Resilience.

17 **MR. ALLEN SUTHERLAND:** Yeah.

18 **MS. LYNDA MORGAN:** And this includes
19 underneath it the Critical Election Incident Public Protocol
20 (the Protocol). What does that relate to, high level?

21 **MR. ALLEN SUTHERLAND:** The Protocol itself,
22 or the pillar?

23 **MS. LYNDA MORGAN:** The Protocol itself under
24 that pillar.

25 **MR. ALLEN SUTHERLAND:** So the Critical
26 Election Incident Public Protocol is a Cabinet directive that
27 was first developed and approved by Cabinet in 2019, in the
28 summer of 2019. And what the Protocol does is it -- what's

1 important -- there are a couple of important things to know
2 about the Protocol. One, it's a time-limited protocol. It -
3 - in 2021, it referred to the -- it was in operation during
4 the Caretaker Convention.

5 So the Caretaker Convention is from the
6 dropping of the writ, or the start of the election, to the
7 formation of a new government, usually understood to be
8 formation of a new Cabinet, but if the election result is
9 clear, the Caretaker Convention dissolves away on election
10 night if the results are known.

11 So the Panel was meant to provide a solution
12 to something that was called the Obama Dilemma inside
13 Democratic Institutions Secretariat. The Obama Dilemma
14 refers to in 2016, in the U.S. election, when the U.S.
15 understood that there had been interference in their
16 elections, but the President did not feel that he was able to
17 intervene publicly without being seen to be interfering in
18 the election itself.

19 So the intention of the Protocol is to create
20 a non-partisan way of, if there is interference in Canadian
21 elections, provides a non-partisan way for Canadians to be
22 informed of what has happened, and then also provides
23 agreement to give advice as to how Canadians can protect
24 themselves. So the Panel itself has a very -- a fine mandate
25 for a short period of time.

26 **MS. LYNDIA MORGAN:** And we see that under the
27 pillar of Enhancing Citizen Resilience. What's the kind of
28 link between the concept you've just described and the

1 pillar?

2 **MR. ALLEN SUTHERLAND:** Yeah. From the very
3 beginning, Minister Gould's vision of protecting democracy
4 was that it ought to be citizen centred. That, you know, the
5 strongest bulwark against electoral interference is a
6 critical-thinking informed citizenry. And really, the
7 Panel's authority is one of informing citizens in the event
8 of an exceptional interference in our democracy. So it --
9 it's connected to informing citizens because if the Panel is
10 required to act its job is to inform citizens.

11 **MS. LYNDA MORGAN:** Okay.

12 And I'll ask that we scroll down in this
13 document, please.

14 I'm not going to take you through every
15 bullet under this pillar. I'll keep....

16 If we can keep scrolling down.

17 The second pillar is described as Improving
18 Organizational Readiness. Can you describe kind of high
19 level what that pillar means within the concept of the Plan
20 itself?

21 **MR. ALLEN SUTHERLAND:** Sure. This reflects
22 sort of a broader view of how do you protect the system writ
23 large. We understood that a narrow vision would be just the
24 election, but a broader vision would incorporate other parts
25 of Canadian society.

26 What you see there is kind of different
27 members, if I can put, of a kind of democratic ecosystem that
28 also need to be protected. For instance, political parties

1 are vital parts of our democracy, and also vulnerable parts
2 of our democracy because they are large volunteer
3 organisations. So outreach to them to ensure that they were
4 aware of the threats facing them was an important part of the
5 Plan.

6 As well, Elections Canada. Keep in mind that
7 some of the threats that other countries had faced across the
8 OECD were direct on to the electoral event. So engagement
9 with Elections Canada was seen as crucial to protecting our
10 democratic process as a whole. And so there has been
11 substantial engagement with Elections Canada since -- in fact
12 prior to the announcement of the pillars, but it was
13 re-emphasised as part of protecting democracy plan.

14 You see other elements, engagement of
15 political parties, because what we saw in other countries,
16 such as Germany, is that there were attacks on sitting
17 parliamentarians and cyber attacks. Similarly, in Australia
18 had similar events. And we've seen as time goes on that
19 parliamentarians are a target, so part of the Plan was to
20 inform parliamentarians the threat facing them and the steps
21 they can take to protect themselves. And similarly, the
22 cyber security hotline if just one incident, if something had
23 happened, you -- parliamentarians or political parties had
24 someone they could speak with.

25 **MS. LYNDA MORGAN:** And you have described the
26 Protocol as being limited to the caretaker period.

27 **MR. ALLEN SUTHERLAND:** Correct.

28 **MS. LYNDA MORGAN:** Was -- is Pillar 2, the

1 Improving Organizational Readiness prong, time limited in the
2 same way?

3 **MR. ALLEN SUTHERLAND:** So there are different
4 elements to the Plan. Certainly, the briefing of political
5 parties, there is an aspect of that that only occurs during
6 the caretaker period. Direct briefings during the electoral
7 event with cleared staff from the different political
8 parties, but other elements would occur 24/7. As we have
9 understood the nature of the threat, it's increasingly seen
10 as one that doesn't just exist in the electoral period.

11 You know, obviously, during an electoral
12 period is a time of heightened vulnerability, but
13 increasingly, we view it as throughout the entire cycle, not
14 just the election and the election event.

15 **MS. LYNDA MORGAN:** So if we move to pillar 3,
16 which is Combatting Foreign Interference, there's reference
17 here to the security and intelligence threats to intelligence
18 task force SITE.

19 **MR. ALLEN SUTHERLAND:** Yeah.

20 **MS. LYNDA MORGAN:** What is SITE, and are you
21 able to describe, again, high level, SITE's primary purpose
22 and function?

23 **MR. ALLEN SUTHERLAND:** Yeah, happy to.

24 So -- and if you'll permit me a machinery
25 comment, when you start to develop a plan, you start with the
26 assets you have. And the assets we had were the national
27 security agencies, in particular the RCMP, the Canadian
28 Security and Intelligence Service, Canadian Security

1 Establishment and one that was created subsequently was the
2 Rapid Response Mechanism within Global Affairs Canada.

3 So you start with the assets you have and
4 what you try and do, and this is where the innovation comes
5 in, you direct them to a common issue, electoral
6 interference, and you ask them to work within their mandates,
7 so that's what was happening with the SITE Task Force. It
8 was originally set up to feed the panel with information and
9 to provide an oversight of the -- of kind of the democratic
10 ecosystem during the election time period.

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

12 And if we can scroll down to pillar 4, and
13 you touched upon this already, but pillar 4, Supporting a
14 Healthy Information Ecosystem formally expecting social media
15 platforms to act. And you'd already described that this
16 pillar of the plan was modified slightly between 2019 and
17 2021; right?

18 **MR. ALLEN SUTHERLAND:** Yeah.

19 So if I might -- if you'll permit me, there
20 is a comment that I didn't see on -- as you were scrolling
21 about the Rapid Response Mechanism.

22 I think that that's a very important part of
23 combatting foreign interference. It's a Canadian innovation
24 that arises from the Charlevoix Summit of 2018, and what it
25 does is it empowers Global Affairs Canada to take a view of
26 open source online disinformation that emanates from foreign
27 sources.

28 It's a Canadian innovation. It is used by

1 the G7 and it is also -- a number of countries have adopted
2 observer status to be part of it. It's a sharing of best
3 practices, and it's a way of kind of providing a defence
4 system, an early warning system against foreign interference
5 that might come through social media, which became a growing
6 concern as time has gone on.

7 On pillar 4, the Canadian Declaration of
8 Electoral Integrity Online, this was a voluntary agreement
9 the Government of Canada signed with social media companies.
10 In 2019, there were four social media companies that were
11 participants, Microsoft, Twitter, Facebook and Google. And
12 what it did was it set out expectations for the social media
13 companies to do their part in enforcing their community
14 standards. It created an information link, an information
15 sharing between the two parties.

16 And as -- in practice, it has been something
17 where we have had better engagement with the social media
18 companies as a result of the declaration because it basically
19 put it on the radar of very big multinational corporations
20 that there's an election in Canada, there are expectations
21 that are -- have been registered. They were reinforced by
22 Minister Gould in particular in 2019, expectations that the
23 social media platforms would do their part to ensure the
24 integrity of the election.

25 **MS. LYNDA MORGAN:** And I understand that
26 Minister Gould attended multiple briefings ---

27 **MR. ALLEN SUTHERLAND:** Yes.

28 **MS. LYNDA MORGAN:** --- in 2018-2019. Did you

1 attend at those briefings with the Minister?

2 **MR. ALLEN SUTHERLAND:** With the social media
3 companies, you mean?

4 **MS. LYNDA MORGAN:** Just in -- starting just
5 generally, did you typically attend briefings with the
6 Minister?

7 **MR. ALLEN SUTHERLAND:** I attended many of the
8 briefings she had, yes.

9 **MS. LYNDA MORGAN:** And in -- what was your
10 understanding of the purpose of those various briefings?

11 **MR. ALLEN SUTHERLAND:** Well, early on, they
12 were briefings with different social media companies to get
13 their agreement to the protocol. There was also a trip that
14 occurred to Microsoft headquarters which proved to be very
15 important because it really helped open our eyes as to kind
16 of the nature of the evolving threat.

17 Now, of course, Minister Gould attends lots
18 of briefings, and I'm not in every briefing that she has.

19 **MS. LYNDA MORGAN:** Did you attend
20 intelligence briefings with Minister Gould?

21 **MR. ALLEN SUTHERLAND:** No. I'm not a regular
22 consumer of national security intelligence and most of the
23 briefings that she had with different parts of the national
24 security community, she attended without me.

25 **MS. LYNDA MORGAN:** Okay. So I'd like to ask
26 you some further questions about the Panel of Five.

27 **MR. ALLEN SUTHERLAND:** Sure.

28 **MS. LYNDA MORGAN:** Was this a concept that

1 existed in another country that was looked to as an example
2 or was this a kind of Canadian concept?

3 **MR. ALLEN SUTHERLAND:** This is a made in
4 Canada protocol. It draws on the Caretaker Convention.

5 The Caretaker Convention is a protocol that
6 exists in Westminster countries. It was first made public by
7 Prime Minister Harper in 2015, I believe, and was
8 subsequently updated and made public by Prime Minister
9 Trudeau prior to the last two elections.

10 What it does is -- you know, the essential
11 problem during an election is that there's -- Parliament is
12 dissolved, and when Parliament is dissolved there's no one to
13 hold the government to account and so -- and the government
14 can't assume that it will have the confidence of the House
15 that emerges after the election. So as a result of that,
16 during the Caretaker period government is asked to act with
17 restraint, limit its activities to routine business or things
18 that are urgent and in national interest. And a common part
19 of that is the delegation of Ministerial authorities to the
20 public service.

21 And so the Critical Election Incident Public
22 Protocol draws on the Caretaker Convention that's well
23 established. It's established for a very good purpose of
24 ensuring democratic continuity from one government to
25 another, and that was kind of the basis of the Cabinet
26 directive and subsequent panel.

27 **MS. LYNDIA MORGAN:** And were you involved in
28 determining the identity or the composition of the panel

1 members?

2 **MR. ALLEN SUTHERLAND:** Well, I was one of the
3 advisors in that space, yes.

4 **MS. LYNDY MORGAN:** And so how would you
5 describe the composition that was eventually -- that was
6 settled upon for the purpose of the plan?

7 **MR. ALLEN SUTHERLAND:** So I would say that --
8 so it's a panel of five members. The members are the Clerk
9 of the Privy Council, the National Security and Intelligence
10 Advisor to the Prime Minister, the Deputy of Public Safety,
11 the Deputy of Foreign Affairs, or GAC, and the Deputy
12 Attorney General and Deputy Minister of Justice, so some of
13 Canada's most accomplished, seasoned and experienced public
14 servants.

15 Why did we choose them? Well, they had
16 actually complementary experiences that we thought in the
17 development of the panel -- we thought and the Minister
18 thought would be important.

19 One, an understanding of national security,
20 including the limits of national security intelligence. They
21 knew to ask the right questions. As is very apparent,
22 national security intelligence is not always clear. There
23 are ambiguities. Its authenticity is not always obvious.
24 This panel and members of this panel had the background to
25 understand national security intelligence.

26 They also had an understanding, deep
27 understanding in the form of the Clerk of the public service
28 and also -- including its democratic institutions. So

1 there's an understanding of democratic institutions as well.

2 In the person of the Deputy Minister of
3 Foreign Affairs, there's a deep understanding of
4 international relations, diplomacy and the issues surrounding
5 them.

6 And then kind of the very interesting element
7 of protocol is drawing a Deputy who's not normally seen to be
8 part of the national security community, the Deputy Attorney
9 General, but someone who is versed in Canada's democratic
10 rights and freedoms, *Charter* rights, including democratic
11 rights. So it was important to have that aspect in the
12 panel.

13 I'd further say that panel members are --
14 they're our most accomplished, non-partisan professional
15 public servants. They are experienced in nuanced judgement,
16 judgement under uncertainty, and judgement under pressure.
17 So it's thought it's a difficult task that was given to them,
18 it would require nuanced judgement, and it was thought that
19 this Panel of Five was appropriate to that task.

20 **MS. LYNDA MORGAN:** And did the plan
21 developers consider any different types of panel
22 constitution? For instance, using a group of retired judges?

23 **MR. ALLEN SUTHERLAND:** Yes. Different
24 configurations as we were brainstorming were considered,
25 including retired judges.

26 You know, one of the issues that -- I think
27 the benefit you get from the Panel of Five is you have people
28 who are current in National Security, deeply versed in it,

1 and who also command their organizations. They can get
2 information sources from their own organizations that could
3 inform their deliberations. So it was thought, you know,
4 retired judges are some of our most accomplished Canadians.
5 It was a serious investigation of that, that we felt that
6 particularly if you consider the Panel's remit of the
7 Caretaker Convention, the use of Canada's top public servants
8 in this capacity was the appropriate one and was ultimately
9 agreed to by Cabinet.

10 **MS. LYNDA MORGAN:** And in terms of kind of
11 debating the possible forms or composition of the Panel, was
12 there any outrage to other political parties?

13 **MR. ALLEN SUTHERLAND:** Not to my knowledge.

14 **MS. LYNDA MORGAN:** Did PCO -- so if we go
15 into how the Panel operates during the writ period, ---

16 **MR. ALLEN SUTHERLAND:** Yeah.

17 **MS. LYNDA MORGAN:** --- did PCO DI have a role
18 on the Panel? Did PCO DI participate in the panel at all?

19 **MR. ALLEN SUTHERLAND:** So I had a secretariat
20 function as Co-Secretariat of Meetings. I didn't participate
21 in Panel meetings, but I did prepare the agenda and I did
22 provide support to the Panel of Five throughout both
23 elections.

24 **MS. LYNDA MORGAN:** And the Panel, they had
25 kind of different tasks, but one of their primary tasks, if I
26 can put it this way, was to determine whether a threat rose
27 to the level of impacting the integrity of the election, such
28 that a public announcement might be warranted?

1 **MR. ALLEN SUTHERLAND:** That's correct.

2 **MS. LYNDA MORGAN:** So and that's what's
3 described as the threshold; right?

4 **MR. ALLEN SUTHERLAND:** Yes.

5 **MS. LYNDA MORGAN:** Did you participate in any
6 discussions with the Panel about what that threshold meant in
7 practice?

8 **MR. ALLEN SUTHERLAND:** So I'm not a member of
9 the Panel, but I was at the discussions of kind of examining
10 what the threshold would mean.

11 It was understood from the very beginning
12 that this would require nuanced judgement on the part of the
13 Panel. And so one of the tasks that I certainly felt as
14 Secretary to the Meetings of the Panel was to help the Panel
15 think through what might be an event that might reach the
16 threshold? Like, how -- what are the considerations they
17 might have? What are the challenges they might face, given
18 that it's likely that there's incomplete information?

19 So I did try and help the Panel with the task
20 of exercising their judgement as to whether a threshold event
21 had occurred.

22 **MS. LYNDA MORGAN:** And I understand that
23 ultimately, I mean, the threshold is interpreted to be quite
24 high? Is that right?

25 **MR. ALLEN SUTHERLAND:** Yes. And has been
26 since the beginning.

27 **MS. LYNDA MORGAN:** When that threshold was
28 developed and the plan was developed, was there any

1 particular type of event that was envisioned? Like, was this
2 designed to respond to a particular predicted or possible
3 event?

4 **MR. ALLEN SUTHERLAND:** Yeah, so certainly in
5 the run up to the development of the plan, there had been, as
6 I mentioned, these events across OECD countries, or
7 democratic countries. At the time, we're talking about 2018,
8 it was understood that about half of OECD countries had had
9 some form of known electoral interference in their systems.
10 The ones that really stuck out though were the American 2016
11 Election, the Brexit Election of 2016, and the 2017 Macron
12 leaks. And so those really helped inform them.

13 Typically in the first instance in 2019, it
14 was seen to be kind of Russian cyber interference. It was
15 seen to be in the electoral event and with a view to
16 determining -- trying to determine the winner of an election.

17 **MS. LYNDA MORGAN:** And was the threshold
18 designed to consider impact on electoral integrity at a
19 riding level or at the national level?

20 **MR. ALLEN SUTHERLAND:** So this was an issue
21 that was discussed by both panels. You know, what is the
22 nature of something that would cause a threshold event? Does
23 it have to be national in scope? Can it be more localized?
24 And they had many discussions on this point. And ultimately,
25 I think they were looking at the -- so we started with, you
26 know, in the development of the threshold and understanding
27 of Russian cyber interference, I would say that that quickly
28 evolved as kind of the nature of the threat was more broadly

1 known. And so the Panel had many discussions about, kind of,
2 is it one riding? Could it be two ridings? Or does it have
3 to be national? How deep is the impact? There are all sorts
4 of considerations, very context specific, and the Panel did
5 have those discussions.

6 **MS. LYNDA MORGAN:** Okay. And in the design
7 as well, was it envisioned that a nomination process would
8 fall under the Panel's mandate?

9 **MR. ALLEN SUTHERLAND:** In the original
10 development?

11 **MS. LYNDA MORGAN:** Yes.

12 **MR. ALLEN SUTHERLAND:** The Panel's remit is,
13 you know, the election period in 2019 or the caretaker period
14 in 2021. The difference is the two weeks, or two or three
15 weeks from the election day to formation of the Cabinet.

16 Most nomination contests fall before then,
17 but it is something that is sort of adjacent to the electoral
18 process. And it was an issue that -- it was discussed by the
19 Panel.

20 **MS. LYNDA MORGAN:** I'm going to show you a
21 document, CAN 457.

22 **--- EXHIBIT No./PIECE No. CAN 457:**

23 Critical Election Incident Public
24 Protocol - the Panel

25 **MS. LYNDA MORGAN:** So the title at the top is
26 *Critical Election Incident Public Protocol - the Panel*. Do
27 you recognize this document?

28 **MR. ALLEN SUTHERLAND:** I sure do. Yes.

1 **MS. LYNDA MORGAN:** And you seem quite
2 familiar with it?

3 **MR. ALLEN SUTHERLAND:** Yes.

4 **MS. LYNDA MORGAN:** How are you familiar with
5 this document?

6 **MR. ALLEN SUTHERLAND:** So it was a Democratic
7 Institution Secretariat that created this. We created it to
8 try and help the Panel understand its responsibilities. It's
9 the Panel that's responsible for the determination of the
10 threshold. As I think I've tried to explain, that is
11 something that requires nuanced judgement. This was an
12 attempt to try and help them think through different
13 dimensions of it.

14 So if we look at it, you know, on the left-
15 hand side you have kind of different types of incidents that
16 might be contemplated, from disinformation and deepfakes, to
17 cyber attacks, to person-to-person espionage, something that
18 David Vigneault made clear, I think at one of the first two
19 meetings of the Panel, that this was something that he
20 thought was particularly important.

21 When you look at the middle category, here's
22 where we're trying to help the Panel think through that if
23 something hits them, and it will hit them in real time, how
24 might they consider whether or not it is something that
25 breaches the threshold?

26 So if I just take you through the kind of
27 left-hand side of that, you know, the issues that might be
28 considered are well, is it something that is a really small

1 event? Or does it become viral? Does it -- is it something
2 that quickly comes out of control?

3 One of the features in our social media era
4 is that seemingly small bits of information can explode on to
5 the scene very quickly. So understanding that was a
6 consideration the Panel would have to make.

7 As you suggested earlier, the scale of it.
8 Is it localized or is it a national event is a consideration
9 for the Panel. The source. Is this something that is
10 domestic or foreign?

11 And the reason that's important is while it's
12 ultimately the interference that matters, there's less scope
13 given to foreign interference. Like, there's more leeway as
14 part of our democratic system, is that if it's kind of
15 domestic information, sometimes that's just democracy. And
16 democracy is messy. And it was understood from the very
17 beginning, and it's in the Cabinet Directive itself that, you
18 know, Canada's best served by robust discussion. And there's
19 no sense in which the Panel would be arbitrating the truth.
20 That is not their responsibility.

21 Issues around the credibility of the
22 information. Someone can say something that's wrong, but if
23 no one believes it, it doesn't impact the electoral event.
24 So that's a consideration as well.

25 Whether it's relevant to elections or not is
26 something that is also important. Considerations of the
27 lifespan. We know that in our 24/7 news cycle that events
28 can seem important and disappear very quickly, and by

1 election day are not on anyone's radar. And similarly -- and
2 this is really the -- a very important one because I think it
3 underpins the protecting democracy plan, is the idea of self-
4 correction. The democratic ecosystem in Canada has people,
5 whether it's the media, whether it's some of our think tanks
6 or academics, whether it's the political parties themselves
7 who can call out misinformation. That's part of the
8 democratic debate. And we have seen instances where the
9 debunking of false information has been essential. And if
10 the ecosystem can cleanse itself in that way, that really is
11 the best outcome. The best outcome is that there's no
12 interference and the Panel doesn't have to happen. And so
13 that's a consideration as well.

14 On the right-hand side, you just see kind of
15 the range of types of announcements, so we're trying to help
16 the Panel think through, okay, if there is an announcement,
17 is it necessarily a Panel announcement, or is it some other
18 communications device, like, one of -- or communications
19 product. You know, one of the things that's very important
20 to understand is that all the national security agencies
21 still have all their existing authorities. So they can act
22 independent of the Panel. Too much focus -- it's easy to put
23 too much focus on the Panel. It's actually quite a specific
24 and limited tool.

25 **MS. LYNDA MORGAN:** Thank you. I'm going to
26 move onto one last topic with you, which relates to briefing
27 to political parties. We've spoken about that a bit earlier
28 today. And in your witness summary as well you discussed the

1 importance of briefings to the political parties during
2 elections.

3 **MR. ALLEN SUTHERLAND:** Yeah.

4 **MS. LYNDIA MORGAN:** Were you involved in
5 coordinating or scheduling any of those briefings?

6 **MR. ALLEN SUTHERLAND:** Yes, I was.

7 **MS. LYNDIA MORGAN:** And can you comment on the
8 circumstances in which those briefings would be organized?
9 Like, was there -- would they need to be precipitated by a
10 certain event? Were they regularly scheduled?

11 **MR. ALLEN SUTHERLAND:** So they could be
12 precipitated by a specific event. It's probably worth
13 knowing that these were people that were parts of the
14 national election campaigns typically who were cleared at the
15 secret level. So the parties were asked to nominate people.
16 They received security clearances, so they could get secret
17 level briefings. The meetings were generally weekly
18 throughout the campaign. And generally, I'd say, they lasted
19 about two hours each.

20 **MS. LYNDIA MORGAN:** Did you attend? Did you
21 generally attend those briefings?

22 **MR. ALLEN SUTHERLAND:** I did. I was kind of
23 a host, co-chair of the meetings. And in terms of, you know,
24 kind of what was discussed, we were trying to do a couple of
25 things. One is we were trying to explain the Panel and the
26 connection to the political parties. Because in the event
27 that there is a Panel announcement that would take place,
28 each of the parties gets contacted, and so that they know

1 that -- and they would simply be informed that this is --
2 that the threshold had been breached and there will be an
3 announcement. This includes the Prime Minister in his
4 capacity as leader, but the briefing that he would receive is
5 the same as that would be given to either the political party
6 heads of the other parties or their kind of nominated cleared
7 participant. So explaining the Panel was important.

8 It was also important, because it's
9 understood that parties, as I think I mentioned, are large,
10 voluntary organisations. They ramp up really quickly. And
11 from a security perspective, that does present risks. And so
12 informing them of the risks -- cybersecurity isn't going to
13 be the top thing on political party's agenda. They have a
14 purpose and that is to be in power. Part of what we were
15 trying to do is explain that, you know, issues around
16 cybersecurity were important, they needed to be attended to,
17 and that's one reason why some of the parties I believe had
18 their IT person participate in the meetings.

19 **MS. LYNDIA MORGAN:** And were specific
20 recommendations provided in relation to the cybersecurity ---

21 **MR. ALLEN SUTHERLAND:** I'm sure they were.
22 For instance, you know, as most of us know, issues around
23 two-factor authentication, I believe that topic came up. So
24 there was advice given and there was the offer of additional
25 help too. Another important part of it was SITE briefings at
26 the secret level.

27 **MS. LYNDIA MORGAN:** Okay. I have a couple
28 more questions for you. I know we're running short on time,

1 so I will just ask you, in 2019 we know there was a briefing
2 that involved just the Liberal Party representative. Are you
3 able to shed some light on the basis on which a decision
4 might be made to brief a particular party rather than
5 briefing the group?

6 **MR. ALLEN SUTHERLAND:** It was on invitation.
7 If they felt they wanted a specialized briefing, then one was
8 provided. Everyone understood that -- and, by the way, I
9 would say that all of our political party representatives
10 came to the table, came to our meetings as democrats. And so
11 there was this understanding that, you know, it was a
12 democratic service they were providing. That said, they're
13 also partisans, and there would be some things that they
14 might want to do in private, and we understood that and tried
15 to be responsive to it.

16 **MS. LYNDA MORGAN:** And in your witness
17 summary, you describe attending one meeting with Mr. Walled
18 Soliman, the chair of the Conservative Party after the 2021
19 election. Do you remember when that meeting took place in
20 relation to the election?

21 **MR. ALLEN SUTHERLAND:** So it took place a
22 couple days after, so September 24th, and I believe the
23 election was September 21st. So it was a couple days after
24 the election.

25 **MS. LYNDA MORGAN:** And do you recall being
26 involved in any discussions about the WeChat misinformation -
27 --

28 **MR. ALLEN SUTHERLAND:** At ---

1 **MS. LYNDA MORGAN:** --- issue?

2 **MR. ALLEN SUTHERLAND:** --- at that phone
3 call?

4 **MS. LYNDA MORGAN:** At that meeting?

5 **MR. ALLEN SUTHERLAND:** He did explain that he
6 felt that there had been some issues that had arisen during
7 the election in relation to WeChat. It's obviously a very
8 sensitive topic. He promised to provide more information.
9 He didn't have the information with him. I believe there was
10 another person at the meeting as well from the Conservative
11 Party. He didn't have information with him, and he promised
12 to get back to us. I would simply anticipate some of your
13 questions, follow-up questions, just this was clearly a
14 national security intelligence area, so while I attended the
15 first meeting, I didn't attend the subsequent two.

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

17 **COMMISSIONER HOGUE:** I had a question for you
18 ---

19 **MR. ALLEN SUTHERLAND:** Sure.

20 **COMMISSIONER HOGUE:** --- Mr. Sutherland. At
21 the time that the Panel of Five was created or designed,
22 let's say designed ---

23 **MR. ALLEN SUTHERLAND:** Yeah.

24 **COMMISSIONER HOGUE:** --- did you look at the
25 possibility of creating this body through a statute rather
26 than through a directive, or through amendments to a natural
27 statute?

28 **MR. ALLEN SUTHERLAND:** It was probably

1 considered early on. We -- I think it was felt that the
2 Cabinet directive model was an appropriate one. It's not a
3 model that's used very often. There are about six Cabinet
4 directives in existence, but they tend to focus on
5 enterprise-wide things, like, regulations or law making or
6 modern treaty. So they tend to encompass the entire public
7 service. So we thought it was actually a very good tool to
8 be using to basically send a signal to the entire public
9 service of a direction by Cabinet that the Panel would be in
10 operation and had some responsibilities and to set them out
11 clearly.

12 **COMMISSIONER HOGUE:** And did you also look at
13 the possibility of having a permanent body instead of the
14 Panel of Five, with people that will be chosen by and agreed
15 upon by all the political parties? Was it something that was
16 contemplated at the time?

17 **MR. ALLEN SUTHERLAND:** So the idea of a
18 permanent body was something that was contemplated. I guess
19 what I'd say to that is you need to look at what happens
20 outside the caretaker period, which is it's ministerial
21 authorities. And so Ministers have responsibility outside
22 the caretaker period. And that was understood that they
23 could handle issues for that other period. It was only
24 during the caretaker period where Ministers, by virtue of the
25 election, were not appropriate for that task.

26 So while it was contemplated, it was -- like,
27 for especially such a short and specific period of time the
28 idea of creating a permanent body was seen as less optimal.

1 **COMMISSIONER HOGUE:** Thank you.

2 So cross-examinations. The first cross will
3 be conducted by RCDA.

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

5 **MR. GUILLAUME SIROIS:**

6 **MR. GUILLAUME SIROIS:** Good morning.

7 **Mr. ALLEN SUTHERLAND:** Good morning.

8 **MR. GUILLAUME SIROIS:** I'm Guillaume Sirois
9 from the RCDA, the Russian Canadian Democratic Alliance.

10 Was it a significant investment of time and
11 resources to create the plan to protect Canada's democracy,
12 the Critical Election Incident Public Protocol and the SITE
13 Task Force?

14 **MR. ALLEN SUTHERLAND:** It involves
15 significant resources, but the actual creation of the plan
16 was primarily done, you know, for the Minister by her public
17 -- her non-partisan professional public servants, and the
18 Democratic Institution Secretariat is about between 10 and 20
19 people, depending on the timeframe we're talking about.

20 We did, of course, engage across government
21 for good ideas because the plan to protect democracy wasn't
22 just a democratic institutions -- it wasn't just within the
23 authorities of democratic institutions, it involved kind of
24 different parts of government. So that would have involved
25 some of their time to bring forward their ideas on how they
26 can provide support.

27 **MR. GUILLAUME SIROIS:** I just want to know
28 that creating those structures; like, those structures

1 require a lot of investment from government, or significant
2 investment from government, right?

3 **MR. ALLEN SUTHERLAND:** Yes, I -- yes, I would
4 agree with that.

5 **MR. GUILLAUME SIROIS:** Okay.

6 **MR. ALLEN SUTHERLAND:** But not compared to
7 many policies, I would argue.

8 **MR. GUILLAUME SIROIS:** Okay, thank you.
9 Yeah, it's just my introduction to the following questions.

10 **MR. ALLEN SUTHERLAND:** Sure. Sorry.

11 **MR. GUILLAUME SIROIS:** I just want to know
12 that -- in your witness summary you say that this creation of
13 these institutions, these plans, this group, was made in
14 anticipation of a repeat of the Russian interference, similar
15 to what occurred during the 2016 US presidential election,
16 but in Canada.

17 **MR. ALLEN SUTHERLAND:** That was one of the
18 factors, right. So the system was designed with that in
19 mind, but not only that in mind. And that is quickly -- can
20 quickly be seen by the deliberations of the Panel were
21 broader than Russia; they involved electoral interference,
22 both foreign and in the domestic space.

23 **MR. GUILLAUME SIROIS:** But initially the
24 government was worried that Russia might interfere in the '19
25 elections.

26 **MR. ALLEN SUTHERLAND:** Correct.

27 **MR. GUILLAUME SIROIS:** Okay. And why Canada?

28 **MR. ALLEN SUTHERLAND:** Well, Canada's a G7

1 country of significant size, and it is also a democratic
2 country who has understood that Russia had a geopolitical
3 desire to unsettle democracies.

4 It was originally understood that Russia
5 focused on the electoral event and would try to pick a
6 winner. We've subsequently -- or increasingly of the view
7 that in fact they have -- it's more of a destabilized
8 democracies, and less about a particular winner.

9 **MR. GUILLAUME SIROIS:** And this goal of
10 destabilizing democracies, when would it be the more
11 efficient or effective; would it be during election period or
12 at any other time?

13 **MR. ALLEN SUTHERLAND:** I think that it was
14 generally viewed that the electoral time period was a time
15 period of particular vulnerability.

16 **MR. GUILLAUME SIROIS:** For Russian
17 interference.

18 **MR. ALLEN SUTHERLAND:** For interference,
19 period, including Russian interference, sure.

20 **MR. GUILLAUME SIROIS:** And so that's why the
21 government was worried and created these structures because
22 it was worried of destabilization during the election period?

23 **MR. ALLEN SUTHERLAND:** Correct.

24 **MR. GUILLAUME SIROIS:** Okay. And these
25 reasons for potential Russian interference remain true for
26 2019 and 2021 elections?

27 **MR. ALLEN SUTHERLAND:** In broad strokes, yes.

28 **MR. GUILLAUME SIROIS:** Okay. So can we say

1 that Russia had -- possibly had the intention of interfering
2 in the 2019 and 2021 elections?

3 **MR. ALLEN SUTHERLAND:** So that's probably a
4 question better asked of the National Security intelligence
5 folks from the National Security community. There was
6 nothing viewed by the panel that broke the threshold
7 emanating from Russia.

8 **MR. GUILLAUME SIROIS:** Okay, and that would
9 be my last question. From a policy perspective, you
10 mentioned that Canada was a democratic nation; that it was
11 part of the G7.

12 **MR. ALLEN SUTHERLAND:** Yeah.

13 **MR. GUILLAUME SIROIS:** I'm putting to you
14 it's common knowledge that it's part of NATO.

15 **MR. ALLEN SUTHERLAND:** Yeah.

16 **MR. GUILLAUME SIROIS:** It's also part of the
17 Five Eyes, so those are all good reasons to destabilize
18 Canadian democracy.

19 **MR. ALLEN SUTHERLAND:** I would agree.

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

21 **COMMISSIONER HOGUE:** Thank you.

22 Next one is counsel for Human Rights
23 Coalition.

24 **(SHORT PAUSE/COURTE PAUSE)**

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

26 **MS. SARAH TEICH:**

27 **MS. SARAH TEICH:** Good morning, Mr.
28 Sutherland.

1 **MR. ALLEN SUTHERLAND:** Good morning.

2 **MS. SARAH TEICH:** You talked about briefing
3 the panel on different types of incidents that they might
4 encounter in the run-up to the general election. Did you
5 consider a scenario in which members of targeted diaspora are
6 pressured to vote a certain way or refrain from voting?

7 **MR. ALLEN SUTHERLAND:** Certainly there were
8 scenarios developed that engaged issues around diaspora
9 groups. I can't, off the top of my head, recall whether one
10 was specifically developed on the issue you stated, but that
11 is the sort of thing that would be the subject of a scenario.

12 **MS. SARAH TEICH:** Do you recall the results
13 of that render? If you can share the results with me of
14 course.

15 **MR. ALLEN SUTHERLAND:** No, I don't. It's --
16 what's important to understand about the scenarios is it
17 allowed the Panel to think through the implications of
18 different things. So it would be very context-specific. So
19 taking your scenario, you know, the issues of the certainty
20 of the National Security intelligence might be quite
21 prominent, or what is the scale of it; you know, what riding
22 did it happen in. Those sorts of things would be, you know,
23 what additional questions might the Panel ask if, given this
24 original kind of inject of intel, is there something else
25 that they would need to know, and who would they get the
26 information from in order to make a timely decision. That
27 was -- the scenario was a chance for them to kind of try out
28 a situation that they might actually face in real life.

1 **MS. SARAH TEICH:** All right, thank you.

2 Yesterday we heard from Mr. Vigneault, and he
3 explained that the process for determining Canada's
4 intelligence priorities is coordinated by the Privy Council
5 office; is that correct?

6 **MR. ALLEN SUTHERLAND:** If he said that it is,
7 yeah.

8 **MS. SARAH TEICH:** What does coordination
9 involve?

10 **MR. ALLEN SUTHERLAND:** So there is a National
11 Security and Intelligence Advisor, is one of our most senior
12 public servants, is the current NSIA, is also the Deputy
13 Clerk; her name is Nathalie Drouin.

14 So when the priorities are set, and let's say
15 -- and David may have mentioned this, but maybe they're set
16 on an annual or 18-month basis, I don't know. It would be
17 done in discussion with the NSIA. So, you know, different --
18 I would assume different National Security agencies would
19 come forward with their priorities, and there would be a
20 discussion and conclusions would be reached and priorities
21 would be developed.

22 **MS. SARAH TEICH:** All right. No further
23 questions. Thank you.

24 **COMMISSIONER HOGUE:** Thank you.
25 Counsel for Michael Chong.

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

27 **MR. GIB van ERT:**

28 **MR. GIB van ERT:** I'll ask the Court Operator

1 to put up Witness 040, please. And if you go to the bottom
2 of page 6 to start, please.

3 Mr. Sutherland, I'm interested in the
4 comments at the bottom of this paragraph, starting about -- I
5 guess it's four lines from -- five lines from the bottom. It
6 says:

7 "Mr. Sutherland opined that the Panel
8 had to be cautious in setting the
9 threshold too low because doing so
10 could play into the objectives of
11 adversaries attempting to sow doubt
12 about Canadian democracy. If the
13 Panel intervened too often, the
14 public would stop listening..."

15 My question for you is, did the Panel
16 intervene at all? Was there -- were there any interventions?

17 **MR. ALLEN SUTHERLAND:** There were no public
18 interventions in either 2019 or 2021.

19 **MR. GIB van ERT:** Thank you. Do I understand
20 you to be saying there were no public interventions; there
21 may have been others but you're not at liberty to speak to
22 those?

23 **MR. ALLEN SUTHERLAND:** That's correct.

24 **MR. GIB van ERT:** Thank you. And if you go
25 -- I'll ask the Court Operator, please, to go to page 9 the
26 bottom of the page, the last paragraph. And just before I
27 take you to this, you mentioned in your evidence in-chief
28 that you had -- you were an observer to the panel.

1 **MR. ALLEN SUTHERLAND:** Correct.

2 **MR. GIB van ERT:** Did you observe any Chinese
3 language ability amongst the members of the panel?

4 **MR. ALLEN SUTHERLAND:** Not that I know of. I
5 would say, though, that they received briefings from SITE
6 Task Force and certainly they would draw on people who had
7 capacity in Mandarin.

8 **MR. GIB van ERT:** Right. And so if there was
9 a need to bring to the panel's attention misinformation that
10 was in Mandarin, it would have to be translated to be
11 presented to the panel? Am I understanding that right?

12 **MR. ALLEN SUTHERLAND:** That sounds right.

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

14 And so coming to this passage, you're
15 explaining here a difference in approach between a story that
16 appeared in the Buffalo Chronicle about the Prime Minister --
17 which I'm assuming was in English, by the way.

18 **MR. ALLEN SUTHERLAND:** Correct.

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

20 And a different kind of misinformation on
21 WeChat. And the part that I'm interested in is, you've said
22 that there were two differences, the nature of the
23 misinformation and, secondly, the fact that it was written in
24 Mandarin meant that the content would likely only reach
25 Chinese diaspora readers. Do you see that?

26 **MR. ALLEN SUTHERLAND:** I do.

27 **MR. GIB van ERT:** Is that to say that -- I'm
28 not sure if you're speaking for PCO or the panel here, but

1 there was less concern about misinformation targeted at the
2 Chinese diaspora than the English-speaking public?

3 **MR. ALLEN SUTHERLAND:** So I just simply draw
4 you to the last sentence, which is, the latter situation --
5 these factors do not mean that the latter situation was less
6 important, only that it had different features.

7 The context of this part of the interview was
8 kind of how does the democratic ecosystem cleanse itself.
9 And so I was trying to show that different types of potential
10 misinformation had different features to them and so I talked
11 about the Buffalo Chronicle article as being something that
12 was highly inflammatory and was seen that it might go viral
13 and become a national event.

14 I was simply observing that in the case of
15 WeChat, the ability of that to go viral in a national scale
16 is different. It doesn't mean -- I do not want to leave you
17 with the impression that it was treated with any less
18 seriousness. I'm only observing that it had different
19 qualities.

20 **MR. GIB van ERT:** Right. It's less likely to
21 go national. It can have impacts in ridings with large
22 Mandarin language populations, but it's less likely to go
23 national.

24 **MR. ALLEN SUTHERLAND:** Yes, generally
25 speaking.

26 **MR. GIB van ERT:** Thank you. That's very
27 helpful.

28 **COMMISSIONER HOGUE:** Thank you.

1 Next one is counsel for Jenny Kwan.

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

3 MS. MANI KAKKAR:

4 MS. MANI KAKKAR: Good morning, Mr.
5 Sutherland.

6 MR. ALLEN SUTHERLAND: Good morning.

7 MS. MANI KAKKAR: My name is Mani Kakkar.
8 I've just got a couple of questions for you on a single
9 point.

10 And please let me know if I misunderstood
11 your testimony, but I understand you to be saying that for
12 the Critical Election Incident Public Protocol, the threshold
13 is quite high.

14 MR. ALLEN SUTHERLAND: Correct.

15 MS. MANI KAKKAR: And that was purposefully
16 done.

17 MR. ALLEN SUTHERLAND: Correct.

18 MS. MANI KAKKAR: And so far in this Inquiry,
19 we've heard about instances of election interference that may
20 seem somewhat small, perhaps. Maybe it is a WeChat post,
21 maybe it is a campaign event.

22 Would you agree that instances like that may
23 not meet the very high threshold that the protocol has set?

24 MR. ALLEN SUTHERLAND: Yeah, in principle,
25 yes. If something is -- has very little impact and very
26 little scope, it would not meet the threshold.

27 MS. MANI KAKKAR: Okay. And so that
28 potentially means that the threshold could either over or

1 under-react to situations and, in comparison to other
2 contexts in which, in Canada or other OECD countries, there's
3 more of a sliding scale. And so ones that I'm thinking of
4 sort of on the top of my head are national terrorism threat
5 levels. There's sort of a very low, low, medium, high,
6 critical or ones that we probably know from media like the
7 DEFCOM, the defence readiness conditions. There's levels 1
8 to 5.

9 Is there a reason why -- well, let's start
10 with, were there discussions of having the threshold be more
11 of a sliding scale as opposed to just a single threshold?

12 **MR. ALLEN SUTHERLAND:** So discussions that
13 were had kind of focused on just how significant an
14 intervention panel announcement might be, and so it was
15 understood that it would only be done as kind of a last
16 resort when the democratic ecosystem didn't cleanse itself,
17 that there wasn't someone debunking the information, that it
18 was persistent and that it was believed that it would have
19 impact on people's electoral decisions.

20 The reason for that is -- and it was alluded
21 to in my testimony, is too frequent interventions in itself
22 would kind of create -- it was worried that it would create
23 an impression that Canada's democratic institutions lack
24 integrity. In fact, we have seen instances where foreign
25 adversaries have simulated a hack. It hasn't actually
26 happened, and they're trying to destabilize us by saying that
27 something's been done in the hopes that we will overreact to
28 it.

1 And so that sort of situation was
2 anticipated, and so it was believed that our democracy is
3 robust, it needs robust discussion, and so an announcement by
4 the panel was really seen as kind of the last resort and not
5 a first resort.

6 **MS. MANI KAKKAR:** Okay. And so just to
7 solidify that understanding, and if it's possible to pull up
8 CAN 457. This was put to you during your examination by
9 Commission counsel.

10 I see what looks sort of like a wrench on the
11 far right of ---

12 **MR. ALLEN SUTHERLAND:** Yeah.

13 **MS. MANI KAKKAR:** --- the screen.

14 **MR. ALLEN SUTHERLAND:** Yeah.

15 **MS. MANI KAKKAR:** And so it sort of discusses
16 the varying degrees of messaging that could come depending on
17 if the threshold is trigger.

18 **MR. ALLEN SUTHERLAND:** Yeah.

19 **MS. MANI KAKKAR:** Do I understand that
20 correctly?

21 **MR. ALLEN SUTHERLAND:** Yeah, it's a good
22 interpretation of it, so that's nice that it's clear.

23 One thing I would say just in response, and
24 perhaps it reflects on your earlier question, the panel isn't
25 the only game in town. The national security agencies are
26 operating under their existing authorities and are able to
27 take action as well.

28 And I just want to make that clear, that it -

1 - the panel's threshold event, yes, the threshold's high, but
2 it's not the only way in which these issues can be addressed.

3 **MS. MANI KAKKAR:** I certainly appreciate
4 that.

5 During the course of the testimony that we've
6 heard in this Inquiry, there have been instances where some
7 of those other measures may have fallen through, and so I
8 appreciate that there are other possible measures for sure.
9 But what I would like to understand is, in your view, if
10 there's sort of a sliding scale of the kind of responses that
11 could take place, would it be appropriate to then also have a
12 sliding scale of thresholds that could mirror when a certain
13 lower response is required versus perhaps something higher up
14 on the wrench that would be workable or helpful given the
15 nature of foreign interference?

16 **MR. ALLEN SUTHERLAND:** So it's a very
17 interesting point, and it's one that came out of the
18 Rosenberg recommendations following the 2021 election where
19 he said that it should be -- that there should be
20 contemplation as to whether it is appropriate to have
21 government announcements of some sort that might be below the
22 threshold. So I would say that that is something that
23 certainly, in his opinion, merits further consideration.

24 **MS. MANI KAKKAR:** I note that my time is up,
25 and I appreciate the answers you've given me today. Thank
26 you very much for your time.

27 **MR. ALLEN SUTHERLAND:** Thank you.

28 **COMMISSIONER HOGUE:** Thank you.

1 So next one is counsel for the Conservative
2 Party, Me De Luca. He's probably on Zoom.

3 **MR. NANDO de LUCA:** Yes, thank you,
4 Commissioner. Can you hear me?

5 **COMMISSIONER HOGUE:** Yes.

6 **MR. NANDO de LUCA:** Thank you.
7 Can you see me as well?

8 **COMMISSIONER HOGUE:** Just a moment. I think
9 the ---

10 **MR. ALLEN SUTHERLAND:** Oh, there you are.

11 **COMMISSIONER HOGUE:** Yes. You see him?

12 **MR. ALLEN SUTHERLAND:** Yes.

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

14 **MR. NANDO de LUCA:**

15 **MR. NANDO de LUCA:** Thank you.

16 Mr. Sutherland, a few questions. I'm going
17 to start with, at the end of your testimony with Ms. Morgan,
18 did I hear you correctly indicate -- she was asking you in
19 what circumstances SITE or the security agencies -- I think
20 it was SITE -- might brief a political party on a one-on-one
21 basis. Do you recall that question? And I think ---

22 **MR. ALLEN SUTHERLAND:** Yes. Yes.

23 **MR. NANDO de LUCA:** And I -- was your
24 evidence that it would be at the invitation of the political
25 party?

26 **MR. ALLEN SUTHERLAND:** That would be one way
27 it could happen. Certainly as part of the political
28 briefings, parties were invited that if they had questions

1 that they would like to take offline and didn't want to have
2 in forum, they could speak directly with us.

3 Now, of course, working within their
4 established mandates, national security agencies could
5 contact political parties as well.

6 **MR. NANDO de LUCA:** Okay. And I believe
7 Ms. Morgan referenced one particular briefing with the
8 Liberal Party. And was your evidence that, that that
9 briefing was at the invitation of the Liberal Party?

10 **MR. ALLEN SUTHERLAND:** I have no knowledge of
11 that briefing. I did not participate in it. It would make
12 sense to me, however, that it was done at the Liberal's
13 request, but I don't know that for sure.

14 **MR. NANDO de LUCA:** Were you present at that
15 briefing?

16 **MR. ALLEN SUTHERLAND:** I was not.

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

18 Can I ask you -- can I ask the registrar, or
19 whoever is taking care of the documents, to call up CAN 1082.

20 **--- EXHIBIT No./PIÈCE No. CAN 1082:**

21 Liberal Party Representatives SITE
22 Briefing

23 **MR. NANDO de LUCA:** Now, this is a document.
24 Is this the briefing that you understood, or was this one of
25 the same briefing that you were discussing with Ms. Morgan?

26 **MR. ALLEN SUTHERLAND:** I -- I'm not sure,
27 sir.

28 **MR. NANDO de LUCA:** Okay. And can you

1 comment on -- this is a document that's been provided by, I
2 believe, CSIS, and it indicates it's a summary of -- it's a
3 redacted summary of a briefing that was provided.

4 **MR. ALLEN SUTHERLAND:** Yeah.

5 **MR. NANDO de LUCA:** Can you comment on the
6 contents of this document? Because here, it suggested it was
7 at the request of CSIS and not at the request of the Liberal
8 Party.

9 **MR. ALLEN SUTHERLAND:** I have no information
10 to give you. And as you can see from the document, it
11 doesn't tell you very much either, so it's hard to divine
12 anything from it.

13 **MR. NANDO de LUCA:** Well, what we're both
14 looking at now, it says Liberal Party. Under the heading, it
15 does say:

16 "We have asked to meet with you
17 today..."

18 **MR. ALLEN SUTHERLAND:** Yeah.

19 **MR. NANDO de LUCA:** And this is a CSIS
20 document.

21 **MR. ALLEN SUTHERLAND:** Yeah.

22 **MR. NANDO de LUCA:** That certainly suggests
23 that this was at CSIS's request.

24 **MR. ALLEN SUTHERLAND:** It would make sense.

25 **MR. NANDO de LUCA:** Okay. Can I ask you -- I
26 believe you confirmed with my friend earlier that the Panel
27 of Five never actually made an announcement for either the
28 2019 or 2021 election; correct?

1 **MR. ALLEN SUTHERLAND:** Correct.

2 **MR. NANDO de LUCA:** And I take it it's
3 because in the deliberations in connection with both of those
4 elections it wasn't believed, on a collective basis at least,
5 that the threshold had been met?

6 **MR. ALLEN SUTHERLAND:** Correct.

7 **MR. NANDO de LUCA:** Okay. And can you review
8 for us again, generally, what the threshold that they were
9 considering was?

10 **MR. ALLEN SUTHERLAND:** So it's as per the
11 Cabinet directive, and you know, speaking colloquially about
12 it, it's whether an incident or incidents create -- threaten
13 the ability of Canadians to have a free and fair election.

14 **MR. NANDO de LUCA:** Okay. In its
15 implementation, the implementation of that threshold, at
16 least, for those two elections, was that -- was the election
17 or -- that was being considered the election writ large at a
18 national level or at a local level?

19 **MR. ALLEN SUTHERLAND:** So the Panel gave that
20 considerable thought throughout its deliberations. It looked
21 at issues that would hit at the riding level, and it also
22 looked at issues that were at a broader level.

23 **MR. NANDO de LUCA:** So if it -- is it fair to
24 assume that if no announcements were made in connection with
25 either election on a collective basis, the Panel didn't think
26 that in either election the integrity of the elections at
27 either the national or at a riding level warranted the -- or
28 warranted the issuance of an announcement?

1 **MR. ALLEN SUTHERLAND:** I think that's
2 generally fair. They would have considered -- you know, they
3 would have considered what information they received. They
4 were considering small, if I can use the term, localised
5 examples of potential mis and disinformation, but they were
6 also considering ones that had a broader scope to them. And
7 since they didn't act, in their view, there was no breaching
8 of the threshold.

9 **MR. NANDO de LUCA:** Thank you. Those are my
10 questions.

11 **COMMISSIONER HOGUE:** Thank you.
12 Counsel for Han Dong.

13 **MS. EMILY YOUNG:** Good morning,
14 Madam Commissioner. I'm on Zoom, but we have no questions.

15 **COMMISSIONER HOGUE:** No, we don't hear you.
16 Okay. Can you just speak louder?

17 **MS. EMILY YOUNG:** Certainly. We have no
18 questions for this witness.

19 **COMMISSIONER HOGUE:** No questions.

20 **MS. EMILY YOUNG:** Thank you.

21 **COMMISSIONER HOGUE:** AG?

22 **MR. BARNEY BRUCKER:** We have no questions for
23 this witness.

24 **COMMISSIONER HOGUE:** Re-examination?

25 **MS. LYNDA MORGAN:** Just a moment,
26 Commissioner.

27 **COMMISSIONER HOGUE:** Sure.

28 **MS. LYNDA MORGAN:** No. Thank you.

1 **COMMISSIONER HOGUE:** Thank you.

2 Mr. Sutherland, so you are ---

3 **MR. ALLEN SUTHERLAND:** Thank you.

4 **COMMISSIONER HOGUE:** --- free to go.

5 **MR. ALLEN SUTHERLAND:** Okay. Thanks very
6 much.

7 **(WITNESS IS EXCUSED/ TÉMOIN EST EXCUSÉ)**

8 **COMMISSIONER HOGUE:** Before we -- because
9 we'll have to organise the next panel, I just want to let all
10 of you know that a represent of the RCRS will take part on
11 the next two panels, and their identity will be protected.
12 But I want to emphasise that I know who they are, so I'm in
13 the position to make any kind of evaluation that I may see
14 fit.

15 So we'll take a break for five minutes; five
16 or maybe ten, depending.

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

19 This hearing is in recess until 10:50. La
20 séance est en pause jusqu'à 10h50.

21 --- Upon recessing at 10:44 a.m./

22 --- La séance est suspendue à 10h44

23 --- Upon resuming at 10:57 a.m./

24 --- La séance est reprise à 10 h 57

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

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

1 sur l'ingérence étrangère a reprise.

2 **COMMISSIONER HOGUE:** Good morning.

3 **MS. LYNDA MORGAN:** Good morning,
4 Commissioner.

5 **COMMISSIONER HOGUE:** Good morning.

6 **MS. LYNDA MORGAN:** So we have five witnesses
7 on this panel. Four in person and one remotely. I'd ask
8 first that we affirm or swear the witnesses who are SITE 2019
9 members. If we swear or affirm those witnesses first,
10 please?

11 **THE REGISTRAR:** I'll start with you, Mr.
12 Gordon. Would you prefer to be affirmed or sworn?

13 **MR. ERIC GORDON:** I'll swear.

14 **THE REGISTRAR:** Swear okay. Can you please
15 state your name and spell your last name for the record?

16 **MR. ERIC GORDON:** My name is Eric Gordon. G-
17 O-R-D-O-N.

18 **--- MR. ERIC GORDON, Sworn/Assertmenté:**

19 **THE REGISTRAR:** Thank you.

20 Ms. Dobner, I'll start with you. Would you
21 prefer to be sworn or affirmed?

22 **MS. GALLIT DOBNER:** Affirmed, please.

23 **THE REGISTRAR:** Okay. Could you please state
24 your name and spell your last name for the record?

25 **MS. GALLIT DOBNER:** Sure. Gallit Dobner. D-
26 O-B-N-E-R.

27 **--- MS. GALLIT DOBNER, Affirmed/Sous affirmation solennelle:**

28 **THE REGISTRAR:** Thank you very much.

1 And for yourself, please Denham. Could you
2 please state your name and your spell your last name for the
3 record?

4 **MS. TARA DENHAM:** Tara Denham. Spelled D-E-
5 N-H-A-M.

6 **THE REGISTRAR:** Thank you. And do you want
7 to be ---

8 **MS. TARA DENHAM:** Affirmed.

9 **THE REGISTRAR:** Affirmed. Okay.

10 **--- MS. TARA DENHAM, Affirmed/Sous affirmation solennelle:**

11 **THE REGISTRAR:** Thank you very much.

12 And Mr. King.

13 **MR. LYALL KING:** Good morning.

14 **THE REGISTRAR:** Would you like to be affirmed
15 or sworn?

16 **MR. LYALL KING:** Affirmed, please.

17 **THE REGISTRAR:** Okay. Could you please state
18 your name and spell your last name for the record?

19 **MR. LYALL KING:** Lyall King. K-I-N-G.

20 **--- MR. LYALL KING, Affirmed/Sous affirmation solennelle:**

21 **THE REGISTRAR:** Thank you very much.

22 Counsel, you may proceed.

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

24 And Commissioner, I understand we have
25 counsel, Justin Roy, I believe, he's present to confirm the
26 affirmation or swearing of the other witness who is appearing
27 remotely.

28 **CSIS REPRESENTATIVE:** Yes. Hello. Can you

1 hear me?

2 **MS. LYNDA MORGAN:** Yes, we can hear you.

3 **CSIS REPRESENTATIVE:** Excellent. So I'm
4 Justin Roy. Called to the Bar of Ontario in 2020 and I'm a
5 Commissioner of Oaths. I confirm that I verified the
6 witness' identity and I've administered the affirmation.

7 The witness has affirmed and is now prepared
8 to testify before you.

9 I'll confirm the identity of the witness in
10 confidence in due course.

11 **--- CSIS REPRESENTATIVE, Affirmed/Sous affirmation**
12 **solennelle :**

13 **COMMISSIONER HOGUE:** Thank you.

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

15 **COMMISSIONER HOGUE:** We can proceed.

16 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MS.**
17 **LYNDA MORGAN:**

18 **MS. LYNDA MORGAN:** Thank you. So I'm just
19 going to start with some preliminary housekeeping matters,
20 which I'll try to run through quickly.

21 If we could pull up WIT 45, please?

22 **--- EXHIBIT No./PIÈCE No. WIT 45:**

23 L. King, T. Denham, G. Dobner, E.
24 Gordon and CSIS Representative Public
25 Interview Summary

26 **MS. LYNDA MORGAN:** And I'll ask you each
27 collectively the same question. You were interviewed in a
28 panel format by Commission counsel on February 12th, 2024 in

1 a classified space. I think one of you can answer the lead
2 up questions, and then I'll eventually ask whether each of
3 you are prepared to adopt the summary.

4 So Mr. King, perhaps you can ---

5 **MR. LYALL KING:** Yes.

6 **MS. LYNDA MORGAN:** --- confirm that first
7 statement?

8 **MR. LYALL KING:** I confirm that. Yes.

9 **MS. LYNDA MORGAN:** And I understand that each
10 of the panel members has had an opportunity to review the
11 publicly disclosable version of that evidence? Is that
12 right?

13 **MR. LYALL KING:** That is correct.

14 **MS. LYNDA MORGAN:** And can I confirm whether
15 anyone has changes that need to be made to this document?

16 **MR. LYALL KING:** I do not.

17 **MS. TARA DENHAM:** I do not.

18 **MS. GALLIT DOBNER:** I do not.

19 **MR. ERIC GORDON:** I do not.

20 **CSIS REPRESENTATIVE:** I do not.

21 **MS. LYNDA MORGAN:** Thank you. And do you
22 each agree that the summary accurately reflects the substance
23 of your evidence that can be made public and are you prepared
24 to adopt that summary as part of your evidence before the
25 Commission today?

26 **MR. LYALL KING:** I do agree and I do adopt
27 it.

28 **MS. TARA DENHAM:** I agree and adopt.

1 MS. GALLIT DOBNER: Agree and adopt.

2 MR. ERIC GORDON: I agree and adopt.

3 CSIS REPRESENTATIVE: Agree and adopt.

4 MS. LYNDA MORGAN: Thank you. And I'll do
5 this with one more document, WIT 44, please.

6 --- EXHIBIT No./PIÈCE No. WIT 44:

7 SITE TF 2019 Public Summary of
8 Classified Examination

9 MS. LYNDA MORGAN: And for this summary, Ms.
10 Dobner was not present. For the remaining members of the
11 panel, can you confirm that you were examined by Commission
12 counsel in a panel format during an in-camera hearing on
13 March 1st, 2024? Is that correct?

14 MR. LYALL KING: That is correct. Yes.

15 MS. LYNDA MORGAN: And the document that
16 appears on the screen is a publicly disclosable version of
17 that classified transcript. Do you each agree that the
18 summary accurately reflects the substance of your evidence
19 that could be made public and are you prepared to adopt the
20 summary as part of your evidence before the Commission today?

21 MR. LYALL KING: Yes, I agree. And I adopt.

22 MS. TARA DENHAM: Agree and adopt.

23 MR. ERIC GORDON: I agree and adopt.

24 CSIS REPRESENTATIVE: Agree and adopt.

25 MS. LYNDA MORGAN: And I will note one
26 correction. It's just a date on the second line. It
27 indicates that the examination occurred on March 1st, 2023.
28 I think we can agree the examination occurred on March 1st,

1 2024. Is that right?

2 **MR. LYALL KING:** Yes. Absolutely correct.

3 Yes.

4 **MS. LYNDA MORGAN:** And sorry, one more
5 document to pull up is WIT 37.

6 **--- EXHIBIT No./PIÈCE No. WIT 37:**

7 Public Summary of the Classified
8 Interview of: Global Affairs Canada
9 (Marta Morgan, Cindy Termoshuizen,
10 Philippe Lafortune, Tara Denham,
11 Gallit Dobner)

12 **MS. LYNDA MORGAN:** And this is a GAC, or
13 Global Affairs, public summary of a classified interview.
14 This question is for Ms. Dobner and Ms. Denham. Again, you
15 were interviewed in a panel format with others on February
16 9th, 2024 in a classified space? Is that correct?

17 **MS. TARA DENHAM:** Yes.

18 **MS. LYNDA MORGAN:** And the document in front
19 of you is a publicly disclosable version of that classified
20 summary. Have you both had an opportunity to review that
21 summary?

22 **MS. TARA DENHAM:** Yes, we did.

23 **MS. LYNDA MORGAN:** Yeah. Okay. Any changes
24 to be made?

25 **MS. TARA DENHAM:** No changes.

26 **MS. GALLIT DOBNER:** No changes.

27 **MS. LYNDA MORGAN:** Okay. And are you both
28 prepared to accept that summary as part of your evidence

1 before the Commission?

2 **MS. TARA DENHAM:** Yes. Happy to do that.

3 **MS. GALLIT DOBNER:** Yes.

4 **MS. LYNDA MORGAN:** Okay. Thank you. Now we
5 will get into the substance of what I'm going to ask you
6 about today.

7 So the five of you were, at various times,
8 representatives on the 2019 SITE Taskforce in the leadup to
9 or during GE 43. The acronym SITE stands for the Security
10 and Intelligence Threats to Elections Taskforce. And I'll be
11 referring to that as either SITE or SITE TF as we move
12 through today's examination.

13 And SITE is made up of four members, CSE,
14 CSIS, GAC, and RCMP? Is that correct?

15 **MR. LYALL KING:** That is correct. Yes.

16 **MS. LYNDA MORGAN:** And Mr. King, are you able
17 to describe the primary purpose or purposes of SITE TF?

18 **MR. LYALL KING:** Yes, absolutely. We do have
19 a terms of reference document that might be useful to refer
20 to. It outlines specifically the intent and purpose of the
21 SITE Taskforce. But generally speaking, ---

22 **MS. LYNDA MORGAN:** Would you like me to pull
23 it up now?

24 **MR. LYALL KING:** It might be helpful, just
25 for people to see.

26 **MS. LYNDA MORGAN:** Can we have CAN 8287,
27 please?

28 --- EXHIBIT No./PIÈCE NO. CAN 8287:

1 SITE TF - Lessons Learned Summary

2 MR. LYALL KING: But generally speaking, I
3 would just basically describe SITE Taskforce as an
4 information sharing and coordination group, effectively,
5 which combine those four members, as you stated.

6 MS. LYNDIA MORGAN: Okay. Thank you. And if
7 we scroll down on this page, is this the document you were
8 thinking of?

9 MR. LYALL KING: That is correct. I mean,
10 could you scroll up, just -- please. Sorry, the four --
11 there's a paragraph, the second one, the four pillars of
12 SITE's mandate. There's a helpful description of the types
13 of activities that we engaged in and why we were created.
14 Ultimately, as it states to:

15 "Provide government partners engaged
16 in elections-related work with a
17 clear point of engagement..."

18 The reason why is because in 2018, you know,
19 it was not long after the U.S. 2016 Election, there had been
20 instance of foreign interference there, incidents of foreign
21 interference in Europe, Germany and France specifically. And
22 so a lot of discussion. And there was the U.S. 2018 midterms
23 that were approaching. So a lot of conversation in and
24 around what foreign interference was and what was happening
25 in various groups and committees within the Government of
26 Canada.

27 So one principal reason for creating SITE was
28 to kind of pull that dispersed conversation into a more

1 coordinated single space and have a smaller collective of
2 security and intelligence professionals looking at that
3 particular issue. So really to coordinate and be a central
4 point of contact. Equally to review what our collection was?
5 What did we know? Do we need to adjust that? Improve
6 collection to better understand foreign interference
7 activities. As part of information sharing, to inform others
8 so it wasn't just us talking amongst ourselves, but very much
9 so informing other partners within government and outside of
10 government. And finally, to promote the use of intelligence.
11 So we didn't want to be seen as just looking at an issue, but
12 when we had an ability to be able to take an action, we
13 wanted to be able to do so.

14 I'll maybe just briefly underline maybe a
15 misconception about SITE as well. SITE in and of itself does
16 not have any sort of authority or separate sort of structure
17 like that. We get our authorities to act from the member
18 parties.

19 So to be very clear, SITE might discuss an
20 issue if CSE, for example, thought we might be able to take
21 an action, for example, a cyber operation, I wouldn't be
22 going to SITE to ask permission to do that. CSE would act
23 under its own mandates and authorities to take that action.
24 Likewise for the other parties: CSIS, Global Affairs, and
25 RCMP. So SITE, in and of itself, didn't have any special
26 authorities or mandate in that sort of sense. It's very much
27 a discussion space, coordination space, information sharing
28 space.

1 **COMMISSIONER HOGUE:** And SITE will not
2 participate to the action taken by CSE or by ---

3 **MR. LYALL KING:** Not necessarily.

4 **COMMISSIONER HOGUE:** --- another
5 organization?

6 **MR. LYALL KING:** There may be, certainly, a
7 need to coordinate potentially between one or two partners.
8 For example, on a cyber operation, we would naturally be
9 consulting with as part of the process Global Affairs Canada.
10 We, sorry, CSE, excuse me, would be coordinating with Global
11 Affairs. So there is a need to highlight, share and
12 deconflict at times in that sense.

13 **MS. LYNDA MORGAN:** Okay. And before we take
14 this document down, in terms of the four pillars of SITE's
15 mandate, do you have any other comments on kind of the
16 mandate itself?

17 **MR. LYALL KING:** I think, generally speaking,
18 it was a -- you know, it was a unique construct, not
19 something that we had done before; that is to say, in terms
20 of coordinating across different agencies that have different
21 capabilities. It was over and above existing relationships
22 between our organizations. So, for example, CSIS and the
23 RCMP have longstanding engagements and relationships. CSE
24 does as well with CSIS, and Global Affairs likewise. So SITE
25 wasn't intended to take over those existing channels or
26 relationships, it was meant to add an extra layer on top of
27 that, looking thematically at foreign interference to give us
28 a broad view of the issue. So instead of CSE just talking to

1 CSIS maybe about actor X or actor Y, this was for all of us
2 to see the full range of actors, what they were doing and
3 understanding in that space. It was intended to broaden out
4 our understanding in that sense.

5 **MS. LYNDA MORGAN:** So I'd like to pull up CAN
6 12788, please.

7 **--- EXHIBIT No./PIÈCE No. CAN 12788:**

8 SITE TF - Partner Roles - Leading to
9 Election 2019

10 **MS. LYNDA MORGAN:** So this is a -- if there's
11 a way to make that whole page visible on the screen, it'd be
12 helpful, unless it becomes too small. But this is a kind of
13 one-page chart outlining the partner roles on SITE. So I'd
14 like to ask you each individually with reference to this
15 table what your specific role was on SITE. And, again, we're
16 just focussing on the timeframe in 2019, what was your role
17 and who were you representing on the SITE Task Force. And
18 I'll start with you, Mr. King.

19 **MR. LYALL KING:** Certainly. So I had two
20 functions, effectively, on the SITE Task Force. I was the
21 chair of the SITE Task Force from 2018 up until 2022. That
22 role really was me managing the group administrating -- or
23 administering our activities, making sure that we were
24 prepared for an election from an operational perspective,
25 from a communications perspective, establishing a work plan,
26 follow throughs, keeping records of discussion, et cetera, so
27 that administrative function I served. I was also the
28 principal CSE representative to SITE. At that time, I was a

1 Director within the Directorate General of Intelligence at
2 CSE, so I had broad view of the intelligence that we were
3 producing. And as you can see on that particular chart that
4 we are looking at, we would bring to that table -- I would
5 bring to the SITE table information related to our foreign
6 intelligence collection, our signals intelligence mandate,
7 that is. I would bring information related to our cyber
8 security or information insurance activities as well to that
9 table. There's a third component there listed, which is
10 CSE's support to federal security and intelligence partners.
11 That's just a way for us to assist in a technical means if
12 RCMP, for example, of CSIS needed our support. So I could
13 help broker that, but there are existing processes for that
14 relationship.

15 **MS. LYNDA MORGAN:** Thank you. And, Ms.
16 Denham, are you able to explain your role on SITE 2019?

17 **MS. TARA DENHAM:** Yes, so at the time, I was
18 the Director of the Centre for International Digital Policy
19 at Global Affairs Canada, and that's the team that houses the
20 G7 Rapid Response Mechanism, as you see there often referred
21 as the RRM. So it was a -- within the Rapid Response
22 Mechanism, this was a new function within Global Affairs, so
23 there had been -- there's many existing relationships within
24 Global Affairs and the various entities as part of SITE, but
25 the RRM is specifically focussed on the social media
26 environment and disinformation. So the role was as the
27 representative of GAC and as the lead for the RRM. We were
28 able to bring information not only from our G7 partners on

1 threats or tactics that we were seeing, but also, we would
2 monitor the social media environment. And at that time
3 period, I was -- I actually was in that role from 2016 to
4 August 2019, so I helped set up the RRM and helped set up the
5 SITE Task Force and then changed positions in August 2019.

6 **MS. LYNDA MORGAN:** Thank you. And I will
7 have some further questions for you specific to RRM, but I'll
8 continue just for now with Ms. Dobner in relation to your
9 role.

10 **MS. GALLIT DOBNER:** Great, thanks. So I
11 replaced Tara Denham as Director of the Centre for
12 International and Digital Policy at the end of August, so I
13 became the Global Affairs Canada representative on SITE. And
14 so as Ms. Denham said, we would have -- I led the Rapid
15 Response Mechanism Canada team, and we would have brought
16 with us perspectives from G7 and other foreign government
17 partners. And I would just add that we also had a rich
18 network of relationships with civil society, academia and
19 industry as well that helped us to better understand the
20 online ecosystem. So we would have brought that breadth of
21 knowledge to the SITE table.

22 **MS. LYNDA MORGAN:** Thank you. And, Mr.
23 Gordon?

24 **MR. ERIC GORDON:** Good morning. In 2019, I
25 was a Director of Federal Policing National Intelligence. I
26 was tasked with participating on the Task SITE Force. As
27 described in the document there, I think it pretty clearly
28 explains the breadth of the RCMP's responsibilities as the

1 principal investigating agency for criminal threats to
2 national security in Canada across a broad number of domains,
3 whether that's cyber, counterterrorism, threats to democratic
4 institutions, and also, in some cases, economic integrity.
5 We are also responsible for a significant protective role,
6 particularly during the writ period, and that's the physical
7 personal protection of party leaders, and also, certain
8 designated individuals. So that's a role that we have, as
9 well as a role through a memorandum of understanding with the
10 COCC with the Commissioner of Elections Canada to provide
11 technical and specialist investigative assistance on an ad
12 hoc basis. So my role within the SITE Task Force was to help
13 coordinate information sharing between the security
14 intelligence partners and the RCMP using and leveraging
15 existing mechanisms to share that information between the
16 agencies.

17 **MS. LYNDIA MORGAN:** Thank you. And I'll ask
18 the same question of CSIS representative 2019 as well.

19 **CSIS REPRESENTATIVE:** Hi. In 2019, I was the
20 principal representative on SITE for CSIS. What CSIS's role
21 that they brought to SITE was our ability to collect, assess
22 and advise on threats to national security, and where
23 appropriate, reduce those threats. Internally here, we had a
24 working group on FI that would have brought forward all of
25 our relevant intelligence on foreign interference.

26 **COMMISSIONER HOGUE:** We are losing ---

27 **MS. LYNDIA MORGAN:** Can I stop you for one
28 moment? With two comments, one, the audio was starting to

1 get quite low, but also, if you're able to slow down in your
2 response a bit as well, I think that would help.

3 **CSIS REPRESENTATIVE:** Yes, are you able to
4 hear me now?

5 **MS. ERIN DANN:** Could I just have a moment,
6 Commissioner?

7 **COMMISSIONER HOGUE:** Yeah, sure.

8 **MS. ERIN DANN:** I think we should -- we can
9 try again. I think the issue has been resolved.

10 **COMMISSIONER HOGUE:** Okay. Can you speak?

11 **CSIS REPRESENTATIVE:** Hi, are you able to
12 hear me now?

13 **COMMISSIONER HOGUE:** Yes, thank you.

14 **CSIS REPRESENTATIVE:** Okay. Sorry, I can
15 start again. So I was the principal representative on SITE
16 for CSIS. What that involved was working with the internal
17 foreign interference working group within CSIS to ensure that
18 all of the relevant intelligence and pieces of information
19 were coming forward to the SITE table. I would have brought
20 those to the SITE table, in addition to bringing forward any
21 of the activities the service would have been undertaking
22 during that timeframe.

23 **MS. LYNDY MORGAN:** Thank you. So before we
24 get into some of the day-to-day functioning of SITE, I also
25 just want to get a broader understanding of RRM, which you've
26 started to discuss in some detail.

27 So are you able to describe what role RRM
28 played in relation to monitoring the online environment?

1 **MS. TARA DENHAM:** Sure. So perhaps I'll
2 first start by giving context into the creation of the RRM.
3 So the Rapid Response Mechanism, the RRM, was created in
4 2018. So this was one of Canada's flagship initiatives
5 during our G7 presidency.

6 And it's been mentioned a few times, but at
7 that time there was a lot of international concern and across
8 G7 members about threats to democracy, what we were seeing.
9 And again to the context, we had seen the U.S. elections, we
10 had seen interference in France and Germany. So within the
11 G7, there was a lot of interest to understand what those
12 threats looked like, and a particular interest in the
13 disinformation landscape that was becoming a new phenomena,
14 just the volumes that we were seeing, you know, millions of
15 hits and information being spread through different campaigns
16 that had been researched.

17 So when the RRM was announced, there was an
18 agreement across the G7 that they -- we wanted to be able to
19 share information, share information quickly across the RRM
20 members, across the G7 members, about that threat landscape,
21 and at that time, a particular focus on disinformation.

22 In order to share information quickly, we
23 also focussed on open source information. So any of the
24 information that we were researching was always publicly
25 available. Anyone with access to the internet would be able
26 to find that same information and openly available tools, and
27 that is what enabled us to be able to share quickly. And of
28 course, in a social media environment anyone can see it,

1 what's happened.

2 So within the context of SITE, the RRM was a
3 new mechanism. It was a new capability within Government of
4 Canada, it was a new capability within Global Affairs. But
5 our focus was then to begin to understand the tactics behind
6 disinformation, in particular, and disinformation by foreign
7 actors.

8 Perhaps I'll just remind on the distinction
9 between mis and disinformation. The misinformation being,
10 you know, unintentional. It could be not factual but it's
11 unintentional. I think all of us may have experienced
12 believing something that we see online and forwarding it, but
13 we don't know that it's inaccurate.

14 Disinformation is deliberately inaccurate or
15 non-factual information, but with a malign intent, an intent
16 to do harm, and disinformation in that social media
17 environment, a number of actors could be conducting this.
18 You know, foreign actors, but also Canadians, different
19 groups, anyone who sort of participates in the social media
20 environment.

21 So I want to be clear that our mandate was,
22 as a grouping, to look for disinformation, so malign,
23 inaccurate information, with indicators that it was being
24 directed or linked to a foreign state. We were not mandated
25 to look at the whole information environment, and if we were
26 ever -- if we were not able to make that link to foreign
27 entities, we would stop looking, i.e. that is, conversations
28 in an online space, which can be messy, but it could be -- it

1 is unable to -- with a foreign link, you don't want to
2 impinge on Canadians or others' freedom of expression, so you
3 stop.

4 **MS. LYNDA MORGAN:** And so what options are
5 available if the information RRM identified kind of met the
6 criteria you have just outlined?

7 **MS. TARA DENHAM:** So within the SITE Task
8 Force or outside?

9 **MS. LYNDA MORGAN:** Let's start just with RRM.

10 **MS. TARA DENHAM:** Sure. So within the RRM,
11 again what we're really trying to research and share across
12 the members is the tactics that we're seeing. So we're not
13 there to sort of say whether something is truth or factual,
14 we're trying to identify the content and then look behind it
15 to see if there's indicators of potential foreign
16 interference.

17 So I can walk-through some of the indicators
18 if you'd like, but what we're able to do over time is by that
19 sharing with other G7 members we're all increasing our
20 understanding collectively of what disinformation by foreign
21 actors starts to look like in a very complicated social media
22 environment. And so that's what we're aiming to build over
23 time, is those -- the tactics is what you're looking for.
24 These are -- we're not aiming, we're not after -- the intent
25 is not to decide what is true or not true, we're trying to
26 see if there are actors that are using those types of
27 tactics, and specifically foreign actors.

28 If you walk-through and you see a number of

1 the indicators, then within the RRM, obviously an option is
2 to share that. We -- as Gallit mentioned, the RRM actually
3 has a wide network, so there's obviously the G7 members, but
4 we also have a wide network of academics. Every member of
5 the G7 would have networks with academics and researchers.
6 The whole intent is to increase the collective understanding
7 so we can share that information. And we're sharing that
8 back and forth.

9 In some instances, again I'm not speaking
10 during a writ period, but we have also published reports. So
11 we can publish reports domestically, within Canada. France
12 has also published reports on what they saw after the Macron
13 leaks in 2017. The U.S. has published reports on what they
14 saw after 2016, again, after two years of research. So you
15 can publish domestically to shine a light on that, and then
16 we can agree, in some instances, to agree on public
17 statements.

18 And then that, I would say an example would
19 be RRM reports, G7 RRM reports. The first one was the 2022
20 report, and that represents the collective of the G7 members
21 who have shared information about the tactics they're seeing.
22 We bring it together, we agree that we have seen or we
23 understand those tactics to be happening, and we all publish
24 it as a collective, which is a powerful statement for the
25 RRM, for the G7 to agree and publish a report. I think all
26 of those reports are available online.

27 **MS. LYNDIA MORGAN:** And what's the purpose of
28 sharing the information? Like to what end?

1 **MS. TARA DENHAM:** The purpose is to shine
2 light on the tactics. That would be one, first and foremost;
3 right? So as we are all learning about it, not just as
4 governments, but as a whole society, everyone acknowledges
5 that it's not just governments that can address
6 disinformation, you need a whole of a society approach, and
7 that means everyone's increasing their understanding. So by
8 publishing and making -- by publishing information, first and
9 foremost, you're exposing it. You're shining light, you're
10 educating populations, you're educating everyone.

11 Secondly, it's a strong statement by a
12 grouping of governments to name countries and call out that
13 behaviour. So there's multiple impacts, but I would say
14 those would be two of the main purposes of publishing
15 information.

16 **MS. LYNDA MORGAN:** And I'll ask you one RRM
17 specific related question. But kind of within the RRM
18 mandate, is there any type of activity that requires action
19 or that is actionable?

20 **MS. TARA DENHAM:** I'm not sure I understand
21 the question.

22 **MS. LYNDA MORGAN:** Like if within ---

23 **MS. TARA DENHAM:** Like if we see something
24 can we take action?

25 **MS. LYNDA MORGAN:** Yes.

26 **MS. TARA DENHAM:** Okay. Yeah, so if we're
27 looking at the disinformation environment, and we work
28 through the various indicators, and we can see certain

1 activities that meet multiple of the indicators. So you --
2 it's not just one, it's not just what the content is, but you
3 have to actually see do we have indicators of where it's
4 coming from or any links to a foreign state, do we have
5 volume, do we have -- you know, who is being targeted. If
6 you see multiple of those, and you can validate with a higher
7 level of confidence, then you can call out that; right?

8 **MS. LYNDA MORGAN:** And in terms of the GAC
9 kind of RRM relationship with SITE ---

10 **MS. TARA DENHAM:** M'hm.

11 **MS. LYNDA MORGAN:** --- specifically, can you
12 describe high level what type of RRM information was shared
13 with the Panel?

14 **MS. TARA DENHAM:** High level. So we were in
15 SITE from the beginning. So we did participate in the
16 sharing and learning about each others' mandates, but we were
17 also doing a baseline for the year in advance to study the
18 Canadian ecosystem in the information environment so that we
19 would understand what "normal" looks like, specifically on
20 topics of political relevance. Again, we're not scanning all
21 of social media, but you're creating a baseline.

22 So we helped contribute to an understanding
23 of what the baseline environment looks like in Canada from a
24 disinformation landscape. And then as you move -- so we
25 would share reports, we would share *ad hoc* reports, we would
26 -- our technical analysts would engage with other technical
27 analysts so that we could understand each others' language
28 and what we're seeing.

1 As you're then moving closer to the election
2 period, and Ms. Dobner can share further, but at a high-level
3 we would be contributing to the daily and weekly SITE sitreps
4 reflecting and sharing any information that we were seeing in
5 the social media landscape. And perhaps here I would say
6 because it's the social media landscape and you may not
7 always know, it takes -- we may not always know if there's a
8 foreign link or if it's disinformation.

9 We would -- you have to sort of cast your net
10 a little wider, so we may report and look at something for a
11 day or two, but until -- as -- if there's a point that you
12 can't make a link to a foreign entity, you will see in some
13 of the reports that we weren't able to make that and we would
14 stop looking and we would stop reporting. But at a high
15 level, we would contribute to the daily and weekly report.

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

17 And so you -- oh, sorry.

18 **COMMISSIONER HOGUE:** Just one question.

19 When you see this information or
20 misinformation on social media, is it always possible to find
21 who is the originator?

22 **MS. TARA DENHAM:** Excellent question. No.

23 Social media is a very difficult environment
24 and I would say it's become more and more difficult. So I
25 think that's why it's really important and that we stress
26 that you have to look at many indicators so that you can
27 increase your level of confidence, but there will be times
28 where we're just not able to.

1 Some accounts -- as many people may know,
2 some accounts may be online but you can't -- there's ways to
3 disguise it as to where that account is actually located,
4 right. So you may not know which country it's coming from,
5 you may not know who's behind that account or you may see
6 many, many accounts. So it's really difficult, so we do our
7 best to use those indicators to build that confidence, and I
8 would say confidence also has increased over time.

9 There's more academics and other researchers,
10 not just within the RRM, that are also understanding those
11 tactics and that's where the information sharing is so
12 crucial because if we see similar tactics -- if we see
13 tactics, other countries are seeing similar tactics and it's
14 been validated perhaps by an expert, an outside expert or an
15 academic that's seen similar tactics, you can see how your
16 confidence would increase, but it's -- you have to balance
17 all of this before and as you're increasing your level of
18 confidence. It's very difficult environment to work in.

19 **COMMISSIONER HOGUE:** Thank you.

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

21 And so you'd referenced building up this
22 baseline in advance of the election. So just to confirm,
23 SITE was up and operational more than a year before the 2019
24 election. Is that correct?

25 **MR. LYALL KING:** That's correct, yes.

26 **MS. LYNDIA MORGAN:** And so unlike the Panel of
27 Five who's kind of -- its focus, its functioning comes within
28 the writ period, SITE TF is operational outside of that

1 timeframe. Is that right?

2 **MR. LYALL KING:** That's correct. We -- to be
3 very specific, we began in August 2018, have continued
4 throughout, so we don't stop looking at the issues. The
5 frequency and pace of meetings might change depending on if
6 we're in a writ period or not, but there's regular and
7 continuous engagement.

8 **MS. LYNDA MORGAN:** And I understand that you
9 met roughly weekly in the lead-up to the writ period. Does
10 that sound right?

11 **MR. LYALL KING:** That's correct, yes.

12 **MS. LYNDA MORGAN:** And what, typically, in
13 that kind of year leading up to the election -- what was the
14 purpose or the content of those regular meetings?

15 **MR. LYALL KING:** Sure.

16 I would describe generally that the first few
17 months of SITE's existence was really us trying to understand
18 one another, understand what foreign interference was. I
19 mean, we all come to it with different kind of views, so have
20 a consolidated view and definition of that, creating
21 foundational documents, as I mentioned, the Terms of
22 Reference to guide our activities, a work plan to delineate
23 what we were going to try to achieve over an arc of time to
24 include things like engagement through RRM or through our
25 individual contacts with allies to learn from their
26 experiences, building a baseline from intelligence of what
27 the foreign threat looked like as well. Again, just to have
28 an understanding of the type of activity we see on a

1 persistent basis.

2 So there was a lot of organization in the
3 first few months.

4 Every SITE meeting would typically have, for
5 example, an update from each of the partners on what they
6 might be observing from their own collection or partner
7 spaces when it came to foreign intelligence so that we had a
8 constant update of information from different sources. And
9 then, really, follow-on and discussion about what we needed
10 to achieve, so following up on actions, establishing and
11 talking about visiting our U.S. partners, for example, to
12 discuss foreign interference. So it was a very -- that's the
13 sort of nature on a weekly basis that we discussed.

14 And yeah, again, I think the first phase was
15 very much learning and educating as well within the
16 Government of Canada, so we began with, I believe, monthly
17 briefings initially focused towards the Minister of
18 Democratic Institutions, Karina Gould, at the time, to at
19 least highlight what we were doing, what our plans were and
20 what the general threat environment looked like.

21 So there was quite a significant amount of
22 work that happened in the lead-up to the election.

23 **COMMISSIONER HOGUE:** I have another question.

24 **MR. LYALL KING:** Yes.

25 **COMMISSIONER HOGUE:** Was it within SITE's
26 mandate to brief the political parties and/or the
27 politicians?

28 **MR. LYALL KING:** So referring back to that

1 Terms of Reference, we had in mind a view to at least educate
2 and share broadly. I wouldn't say at the outset that we were
3 specifically thinking of briefings to political parties, but
4 as we went along that route, that was certainly something
5 that came up.

6 I will just underline that Privy Council
7 Office played a crucial role in terms of being a point and
8 coordinating those political party briefings. It was not
9 something that SITE, our member departments, did
10 independently. That was always done through Privy Council
11 Office.

12 So the intent was to share with whom we
13 needed to share, but there was no explicit, I think, thought
14 at the outset that we need to brief political parties, but we
15 did, in fact, go down that route.

16 **COMMISSIONER HOGUE:** Thank you.

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

18 And Commissioner, I'm going to move into kind
19 of information flow. I'm not sure if now is a good time to
20 take the break.

21 **COMMISSIONER HOGUE:** Time for the break.

22 Yes.

23 We'll take the morning break and we'll come
24 back at 11:50, 55.

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

27 This hearing is in recess until 11:55. La
28 séance est en pause jusqu'à 11 h 55.

1 --- Upon recessing at 11:36 a.m./

2 --- La séance est suspendue à 11 h 36

3 --- Upon resuming at 11:56 a.m./

4 --- La séance est reprise à 11 h 56

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

7 This sitting of the Foreign Interference
8 Commission is back in session. Cette séance de la Commission
9 sur l'ingérence étrangère a reprise.

10 **MR. ERIC GORDON, Resumed/ Sous le même serment:**

11 **MS. GALLIT DOBNER, Resumed/ Sous la même affirmation:**

12 **MS. TARA DENHAM, Resumed/Sous la même affirmation:**

13 **MR. LYALL KING, Resumed/Sous la même affirmation:**

14 **CSIS REPRESENTATIVE, Resumed/Sous la même affirmation:**

15 **COMMISSIONER HOGUE:** Good. Go on.

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

17 Can I just confirm our remote witness is back
18 as well?

19 **CSIS REPRESENTATIVE:** Yes, I'm here.

20 **MS. LYNDA MORGAN:** Thank you. And I'll just
21 ask the Registrar to run a -- continue running the timer as
22 well. Thank you.

23 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MS.**

24 **LYNDA MORGAN(cont'd/suite):**

25 **MS. LYNDA MORGAN:** So I'd like to start kind
26 of at a concept level, and then we'll move into some of the
27 specifics from 2019. But if we picture SITE as this
28 information-sharing group, which is how it's been described;

1 first, how does information and from where does information
2 make its way into SITE -- and I'll ask this first during the
3 writ period -- and where can information go out of SITE, and
4 what are those different information flow routes available?

5 **MR. LYALL KING:** Sure, I can begin.

6 Generally speaking, information coming into
7 SITE comes from its constituent members. So as we described
8 before the break, I, as the CSE rep, would bring to the table
9 information from our CSE's intelligence collection, whether
10 that was from the signals' intelligence perspective, or maybe
11 cyber security threats, and likewise the other members would
12 contribute in that fashion.

13 We did have engagements with other partners;
14 I've already mentioned with the US, I believe. So we could
15 get information flow coming through that type of engagement.

16 That is on top of what would be existing
17 regular channels for intelligence sharing that already
18 exists. So we can talk more about that if you like, but
19 there's existing channels for sharing intelligence. Then the
20 SITE meetings we would bring and highlight specific pieces to
21 one another through that mechanism.

22 Generally speaking, in terms of the
23 information flow outwards, we shared what we had. I've
24 already talked about creating a baseline threat assessment
25 and describing our activities for the Minister of Democratic
26 Institutions. We had a lot of briefings in that first year
27 to senior government officials to describe that. So we would
28 provide briefings in that sense. That could be to one

1 Minister; that could be to committees, such as the Election
2 Security Coordination Committee, the ESCC, or other parties.

3 And then more formally we would write
4 documentation and pull our information together in documents
5 to be shared, either through the general threat summaries, or
6 during the writ period we talk about SITREPs, those are
7 situational reports; that's what SITREP means. That was a
8 mechanism for sharing.

9 **MS. LYNDIA MORGAN:** And when you speak about
10 briefings, you touched on briefings to the Minister of
11 Democratic Institutions.

12 **MR. LYALL KING:** Yes.

13 **MS. LYNDIA MORGAN:** What other -- who else did
14 you provide briefings to?

15 **MR. LYALL KING:** So I recall specifically
16 briefing the Minister of Democratic Institutions. I think
17 certainly twice. I briefed my Minister, the Minister of
18 National Defence. I won't speak on behalf of my colleagues,
19 but I believe they would have provided briefings upwards
20 through their own organizations to their Deputy Ministers or
21 Ministers as well. We briefed Deputy Minister committees.

22 We certainly worked with Privy Council Office
23 as well, before, and as the Panel started to be set up, to
24 combine not just SITE information but information from other
25 sources; for example, Privy Council Office, Democratic
26 Institutions, to Allen Sutherland's space. That information
27 was collated by PCO to brief up to the Panel later on. So
28 there's a lot of opportunities for briefings.

1 **MS. LYNDA MORGAN:** And are you able to
2 describe in any detail what type of information you were
3 receiving from PCO, DI?

4 **MR. LYALL KING:** What type of information I
5 was receiving?

6 **MS. LYNDA MORGAN:** Or what type -- sorry;
7 what type of information was -- what you've just described,
8 information incoming into SITE, as I understand it.

9 **MR. LYALL KING:** Sure. What I was just
10 referring to, just to clarify, that was a mechanism for
11 briefing. We started briefing the Minister of Democratic
12 Institutions on what SITE was doing. Privy Council Office
13 wanted to make sure that -- there was other activities
14 happening across government and they wanted to make sure that
15 was getting folded into those discussions, those Privy
16 Council Office pulling broader information from, for example,
17 PCO and DNI and perhaps their engagements, for example, with
18 social media companies and the like. So that was being
19 pulled together to brief up to the Panel.

20 So we did, by nature, I suppose, see that
21 information as well but that wasn't necessarily intended as
22 an inflow specifically to SITE. I hope that's clear; sorry.

23 **MS. LYNDA MORGAN:** And in terms of
24 information flow into SITE, ---

25 **MR. LYALL KING:** Yes.

26 **MS. LYNDA MORGAN:** --- was there a direct
27 information pathway from Elections Canada or OCCE?

28 **MS. LYNDA MORGAN:** So we did have a couple of

1 engagements as a group, SITE, with Elections Canada and OCCE,
2 just to share, again, awareness of what we were doing and
3 create a communications path. But there were already
4 preexisting linkages between Elections Canada, OCCE, and for
5 example, CSIS and the RCMP. But I would defer to my
6 colleagues to describe the nature of that engagement.

7 **MS. LYNDA MORGAN:** Okay. So perhaps I'll
8 follow up with you, Mr. Gordon, on that point specifically?

9 **MR. ERIC GORDON:** Yeah, so in the lead up to
10 the 2019 election, we did have specific meetings and
11 engagements, briefings, together with Elections Canada, their
12 security teams, and the OCCE to get to know each other's
13 mandates, capabilities, make those connections on how we
14 could communicate in the event that we needed to contact each
15 other and share information.

16 And again, with the OCCE we did have that
17 underpinning memorandum of understanding, which outlines what
18 the mutual responsibilities are in the event that a formal
19 request is received to assist on an investigation.

20 **MS. LYNDA MORGAN:** And, CSIS Representative
21 2019, are you able to provide a response as well?

22 **CSIS REPRESENTATIVE:** Yes. So we worked with
23 -- prior to the writ period, we had brought both the Chief
24 Electoral Officer and the Commissioner of Canada Elections in
25 to provide them foreign interference briefings to sensitize
26 and educate them to the broader threat landscape we were
27 seeing.

28 Above and beyond that, our intelligence

1 reports, as they related to FI in a broad array of the
2 democratic institution space, so again, not just at the
3 federal electoral space, but we wanted them to see the types
4 of intelligence reporting we were seeing in, you know,
5 provincial level or municipal level politics as well so that
6 they could get an understanding of the trade, craft, and
7 methodologies of the different threat actors. So we would
8 bring them in for reading sessions and they would read, you
9 know, chunks of intelligence reports at a time. Both -- we
10 did that both for Elections Canada and the OCCE. And we
11 certainly had direct engagement with them if they had
12 questions back or if they wanted to bring an issue to us, or
13 we wanted to bring an issue to them, we had some formal
14 sharing arrangements with them.

15 **MS. LYNDA MORGAN:** Thank you. So we talked
16 about the inflow of information to SITE. If we look first at
17 the writ period, from SITE, if we're kind of looking at the
18 concept of pushing information upwards, where could and did
19 information get shared?

20 **MR. LYALL KING:** So principally, during the
21 writ, we created an established basically a daily situation
22 report, knowing that we wanted to have something quick,
23 tactical, brief, and rapid, and up to date, as soon as
24 possible, getting up to the panel. So that was the principal
25 purpose for the SITREP, was to provide the Panel of Five with
26 collective inputs from SITE.

27 So my job as the Chair of SITE was to collate
28 those inputs into the SITREPs, not to edit them, not to

1 reassess what was provided. The demand was for each of the
2 partners to provide whatever input they had to me by a
3 certain point in time, in the morning, I believe it was 10:00
4 a.m. We would collate that, CSE would collate that into the
5 document and send that -- and disseminate that over email
6 through secure networks, and also through the use of client
7 relations officers to deliver those to individuals that did
8 not necessarily have access to the secure networks.

9 **MS. LYNDA MORGAN:** Okay. I'm going to pull
10 up one of the SITREPS ---

11 **MR. LYALL KING:** Sure.

12 **MS. LYNDA MORGAN:** --- so we can take a look
13 at it.

14 So CAN 9397, please.

15 **--- EXHIBIT No./PIÈCE No. CAN 9397:**

16 SITE TF SITREP: 09 September 2019

17 **MS. LYNDA MORGAN:** So is this the standard
18 form of a SITREP that you have described?

19 **MR. LYALL KING:** Yes. Correct. Yes.

20 **MS. LYNDA MORGAN:** And this one is two days
21 before the writ period, or before the writ dropped.

22 **MR. LYALL KING:** Okay.

23 **MS. LYNDA MORGAN:** And but let me just walk
24 you through kind of the contents of each of these SITREPs.

25 And first, I understand these are produced
26 daily, but not on the weekends, during the writ period?

27 **MR. LYALL KING:** That's correct. Yes.

28 **MS. LYNDA MORGAN:** And so we can see the date

1 at the top, obviously, ---

2 **MR. LYALL KING:** Yes.

3 **MS. LYNDA MORGAN:** --- quite visibly. And
4 below that, you can see "2019 Federal Election - Threat
5 Trend: STABLE".

6 **MR. LYALL KING:** Yes.

7 **MS. LYNDA MORGAN:** What is the kind of
8 purpose and meaning of that threat trend?

9 **MR. LYALL KING:** Yes, that was something we
10 wanted to try to be able to flag if we felt there was a
11 significant shift in the broad activity that we were seeing.

12 I've described earlier that we already
13 created a threat baseline. Ms. Denham describes doing the
14 same for the online information space so that we could get a
15 sense of what appeared to be quote unquote normal levels of
16 observable foreign interference.

17 So the notion here was, well, we might need
18 an indicator if we feel like it's getting much, much worse.

19 So it was really intended to capture in the
20 broad range over an arc of time if we were starting to see
21 something really shift during the election period. That was
22 the intent.

23 **MS. LYNDA MORGAN:** And shift specific to --
24 just to make sure we've covered this, all of the information
25 intelligence that ---

26 **MR. LYALL KING:** Right.

27 **MS. LYNDA MORGAN:** --- SITE is dealing with
28 relates specifically to what type of information?

1 **MR. LYALL KING:** Really to foreign
2 interference as it pertains to the Federal Election. Now,
3 foreign interference is a broad category. And I can
4 describe, if you'd like, but we had broken that out into
5 different categories of foreign intelligence -- sorry,
6 foreign interference, excuse me.

7 **MS. LYNDA MORGAN:** I will -- I will take you
8 ---

9 **MR. LYALL KING:** Okay.

10 **MS. LYNDA MORGAN:** --- through a document ---

11 **MR. LYALL KING:** Okay.

12 **MS. LYNDA MORGAN:** --- that goes through the
13 breakdown with you. But let's finish with the SITREP first.
14 So in terms of applying, though, the "Threat
15 Trend: STABLE", ---

16 **MR. LYALL KING:** Yes.

17 **MS. LYNDA MORGAN:** --- what were some of the
18 other threat trend options available?

19 **MR. LYALL KING:** Yeah, this is one where I
20 look back and think, "Huh," you know, I'm not sure I would do
21 it the same way.

22 To be honest, we didn't really spend an awful
23 lot of time. I'm trying to think of -- I don't recall the
24 different grades, if we had "stable", "severe", I really
25 genuinely don't recall. It was intended to be a bit of a
26 general sense, a bit of a quote thumb in the air sense of
27 what was happening. So there was no hard science behind it.
28 it would have really been when we kind of feel it and know

1 it, then we would really recognize it, in that sense.

2 So there was no -- I do not remember, at this
3 point in time, what the different options and words we would
4 have used outside of "stable".

5 **MS. LYNDIA MORGAN:** Okay. And then we look
6 just below the threat trend. There's the dissemination list,
7 which indicates here:

8 "Please share with members of: SITE
9 TF ADMs; SITE TF DMs; [and] Panel of
10 5".

11 Can you just kind of describe in lay terms
12 who was on the dissemination list and, two, did the
13 dissemination list generally remain the same for the daily
14 SITREPs?

15 **MR. LYALL KING:** Yes. I think in terms of
16 the Assistant Deputy Ministers and Deputy Ministers, that was
17 really intended for the core SITEs group, but there are
18 others, certainly, that would be interested in that space. I
19 can't think off the top of my head. I'm sure we have
20 documentation as well that shows the specific dissemination,
21 the specific individuals that would have received those.

22 But really, it was for that core group within
23 the SNI community that had that responsibility, all the way
24 from our level and below, up to the Deputy Ministers, and
25 then of course the Panel of Five.

26 There would certainly be other individuals on
27 the recipient list, and as I described, those were generally
28 included to help facilitate the delivery of the SITREP. So a

1 chief of staff, an executive assistant, or a client relations
2 officer, for example. But it was fairly stable throughout.

3 **MS. LYNDA MORGAN:** Thank you. And if you
4 look down the page, there's a category of "Threat Updates"
5 and then a category of "Operational Responses and Updates"
6 with a series of bullets.

7 I understand, Mr. King, you were the one
8 physically responsible for assembling the SITREPs?

9 **MR. LYALL KING:** Yes. I had a team of
10 people. So I would partake in that. But yes.

11 **MS. LYNDA MORGAN:** You would oversee the ---

12 **MR. LYALL KING:** Yes.

13 **MS. LYNDA MORGAN:** --- preparation of ---

14 **MR. LYALL KING:** Yes.

15 **MS. LYNDA MORGAN:** --- SITREPs? And ---

16 **MR. LYALL KING:** Correct.

17 **MS. LYNDA MORGAN:** --- was there any
18 filtering of information that you received from partners
19 before it ended up on a SITREP?

20 **MR. LYALL KING:** We, CSE, would not filter
21 anything. As I've noted, the expectation was to ensure that
22 we had a quick turnaround that, for example, RCMP or Global
23 Affairs, if they had an input, they would provide us the
24 exact form of words, and under which category that would
25 fall. So threat updates being really about what we're seeing
26 in terms of adversary or potentially adversary behaviours,
27 and operational responses and updates being, well, is there
28 an action or something we can do about that? And what is

1 that?

2 So it was really entirely up to the
3 constituent members to provide in the form, from their own
4 approvals, what they wanted to be reflected in there. For
5 me, it was simply take it, put it in, offer my staff to take
6 it, put it in, and then send it out the door.

7 **MS. LYNDA MORGAN:** And I understand there was
8 some information that might be too sensitive to include in a
9 SITREP, and if that was the case, how was particularly
10 sensitive information disseminated beyond use of a clients
11 relation officer (sic), which you've described?

12 **MR. LYALL KING:** Certainly. I think I can
13 speak very generally, and then I would refer to the CSIS
14 Representative to perhaps speak because largely it fell in
15 that space.

16 If information was too sensitive to put in
17 there, it might be noted as, for example, a serial number for
18 a report, with maybe a very general descriptor of what that
19 serial -- what that piece of intelligence might be about,
20 just to ensure that -- because again, there is individuals on
21 that recipients' list, like client relations officers and
22 others, that may not have a real need to know of that
23 information. So it would be acknowledged, generally
24 speaking, in some way, with a flag to a report, and then
25 delivered through a regular mechanism slot.

26 But I would defer to my CSIS colleague for
27 any further information on it.

28 **MS. LYNDA MORGAN:** Right.

1 And CSIS Representative, do you have any
2 additional information on this point?

3 **CSIS REPRESENTATIVE:** So generally speaking,
4 any of the items we were adding to a SITREP would have had an
5 accompanying intelligence report of some kind with it. And
6 if we had deemed that even giving in the SITREP any
7 information about that report, even just the title of the
8 report was too sensitive, we would reference a report number,
9 rather than any other information.

10 And that report would have been disseminated
11 for our normal dissemination practises, which during the writ
12 period, and even before that, was all of the five deputy
13 ministers who sat on the Panel of Five received that
14 information directly, electronically. Again, it might have
15 been to a chief of staff or an executive assistant, but they
16 were directed to them, those reports, or through a client
17 relations officer that we would have asked for it to be
18 disseminated that way.

19 So there was no chance that information on a
20 SITREP that said this item's too sensitive wouldn't have also
21 reached individuals who needed to see it by other means.

22 **MS. LYNDIA MORGAN:** And can I make sure I
23 understand your evidence on the issue of dissemination of the
24 underlying reports. Were intelligence reports also regularly
25 sent directly to Panel members?

26 **CSIS REPRESENTATIVE:** Yes. So once the Panel
27 was established, and membership of it was known, which I
28 think was at some point after January of 2019, if I recall

1 correctly, we added all of our foreign interference
2 Democratic Institution reporting with a fairly low bar for
3 relevance to -- we added the Panel members themselves to our
4 dissemination list.

5 In some cases, they might have already been
6 regular recipients of our intelligence, but in others, it was
7 unlikely that they would have been receiving our
8 intelligence, would have -- they likely wouldn't have been a
9 client normally. And so we made certain that they were
10 receiving that intelligence regularly.

11 **MS. LYNDA MORGAN:** And that started in
12 January of 2019 or just in the writ period?

13 **CSIS REPRESENTATIVE:** No. I think that
14 started -- it started as soon as the Panel membership was
15 established, which I believe was January of 2019.

16 **MS. LYNDA MORGAN:** Okay, thank you.

17 And so apart from SITREPs and circulating
18 intelligence reports electronically, I understand there was
19 also some direct briefings to the Panel. Is that correct?

20 **MR. LYALL KING:** Yes, that is correct; yes.

21 **MS. LYNDA MORGAN:** And are you able to
22 describe mechanically who conducted those briefings, what the
23 purpose was, and how regularly those briefings occurred?

24 **MR. LYALL KING:** Yes. I mean, I would first
25 state that I didn't always participate in those briefings,
26 though I was aware of them and be -- often contributed
27 material to them. There were a number of briefings designed
28 to bring the SITE, or sorry, excuse me, the Panel of Five up

1 to speed on a range of issues, including what SITE's
2 activities were, including what the overall threat nature
3 looked like.

4 So we, SITE, would certainly combine our
5 information to share upwards to be delivered to the Panel.
6 Typically, that was delivered at the deputy minister level.
7 So representing SITE broadly speaking in 2019, that would
8 have been Shelly Bruce, the Chief of CSE, and David
9 Vigneault, the Director of CSIS, who delivered those
10 briefings verbally to the Panel based on material that SITE
11 would have prepared related to the threat of foreign
12 interference.

13 **MS. LYNDIA MORGAN:** And who initiated those
14 briefings?

15 **MR. LYALL KING:** In terms of initiation, the
16 Privy Council Office was really the anchor there in terms of
17 coordination, agenda setting, and the like.

18 **MS. LYNDIA MORGAN:** Was -- like so were the
19 in-person briefings linked specifically, though, to a
20 particular piece of intelligence, or were they more of a kind
21 of diarised regular activity?

22 **MR. LYALL KING:** I see. Those -- and I'll
23 draw a distinction, perhaps. I know we are doing 2021 later,
24 but there was a bit of a difference I think in the frequency
25 of briefings to the Panel between 2019 and 2021.

26 As I recall in 2019, these were kind of the
27 monthly briefings in the lead up to the election for the
28 Panel, and then we shifted to daily SITREPs. I cannot

1 recall, and you'll have to excuse me because it's getting on
2 five years, if there were any other additional weekly types
3 of briefings to the Panel. I know that certainly happened in
4 2021. I'm not entirely sure -- actually, forgive me. I'm
5 sure we have records of the timings and dates.

6 **MS. LYNDA MORGAN:** But -- so just to be clear
7 what the answer is. It's more based on regularly scheduled
8 briefings, rather than a particular urgency with a piece of
9 intelligence, for instance?

10 **MR. LYALL KING:** Generally speaking, yes. In
11 the lead up to the writ period, they were more like a monthly
12 briefing so the Panel could understand, get together, discuss
13 their own business, and a portion of that included threats.
14 So that was around structured, set Panel briefings, rather
15 than at the -- for one particular piece of intelligence.
16 Though, again, I will defer to any of my colleagues if they
17 have a better recollection than mine for 2019.

18 **MS. LYNDA MORGAN:** So I'll ask if anyone does
19 before I move on to the next topic. Okay.

20 So can I pull up CAN 13638, please.

21 **--- EXHIBIT No./PIÈCE No. CAN 13638:**

22 Progress Update to ADMs - SITE Task
23 Force

24 **MS. LYNDA MORGAN:** And down to page 5,
25 please. Down one more page as well, and another. Okay, so
26 if you can stop there.

27 This slide shows a document that's described
28 as SITE Response Matrix. Is that document familiar?

1 **MR. LYALL KING:** Yes, it is.

2 **MS. LYNDA MORGAN:** And it says "Draft" at the
3 top, but is this -- does this appear to be a relatively
4 complete version?

5 **MR. LYALL KING:** I believe so, yes. That
6 looks like a later or possibly the last draft version.

7 **MS. LYNDA MORGAN:** And can you describe,
8 briefly, because we have time limits on us ---

9 **MR. LYALL KING:** Understood.

10 **MS. LYNDA MORGAN:** --- but can you describe,
11 briefly, what this document is, what it means in terms of
12 SITE's mandate?

13 **MR. LYALL KING:** Understood. It served a
14 couple of purposes. It really was for to educate ourselves.
15 At the end of day foreign interference, or excuse me, that's
16 parlance we use a lot at the CSE. Foreign interference has a
17 range of different activities. We wanted to try to be able
18 to capture and understand what those could be.

19 Across the top, you will see numbers 1 to 5
20 from left to right. Those are different categories or types
21 of foreign interference that we felt we might see from the
22 very specific cyber attacks targeting electoral
23 infrastructure all the way to covert public interference, and
24 then outside of that space, not interference but overt
25 influence.

26 So you have to look at the full range of
27 activities to see sort of where something might sit. We
28 wanted to understand how to, when information was coming in,

1 quickly identify it, what it might be, and who might have the
2 responsibility or a leading role in either responding to it
3 or sharing information.

4 So the rest of that document underneath those
5 categories tries to identify the types of activities that
6 SITE might be engaged in relative to a category. So under
7 cybersecurity threats, we have monitor, defend, disrupt, then
8 expose. Those are potential tools we could use if we had
9 enough of a threshold of information to be able to, for
10 example, attribute to a specific state actor that wasn't too
11 sensitive either. It was intended as a guide to say what
12 type of activity we might conduct and who might be a leading
13 partner in taking that activity. This was constructed and
14 based on tabletop exercises that we had conducted as a group,
15 as SITE, earlier in 2019, I believe, where we ran through
16 different scenarios like what might happen if there is a
17 cyber attack, for example, what would our responses be, what
18 would our relative authorities be? That was the intention.
19 Walk through tabletop exercises, talk through scenarios, and
20 this is a distillation of that into one chart. I'll be very
21 clear, it's not, like, a hundred per cent capture of maybe
22 all the options or all the things we might do. It's intended
23 as a general guide -- it was intended as a general guide for
24 the SITE Task Force and our operations.

25 **MS. LYNDIA MORGAN:** And just to be clear on
26 the meaning of kind of "disrupt", for instance ---

27 **MR. LYALL KING:** Correct, yeah.

28 **MS. LYNDIA MORGAN:** --- you're not suggesting

1 that SITE would instruct one of the members to disrupt, for
2 instance; right?

3 **MR. LYALL KING:** That's correct. So if we
4 look at that category of disrupt on the far left that has CSE
5 and RCMP, that is really specific to what our authorities and
6 mandates might be, and the leaders of those individual
7 organizations might be able to bring to bear to address the
8 issues, so not SITE, which might be confusing because it's
9 called a SITE response matrix, so I understand maybe there's
10 some confusion there. This is for SITE to understand that
11 world, but really, it refers to an individual authority, one
12 of the constituent members to be able to take an action.

13 **MS. LYNDA MORGAN:** And to take that action,
14 would the member need to take the information back to their
15 body or is SITE the one that can say here's what I need you
16 to do RCMP?

17 **MR. LYALL KING:** Right. No, SITE would not
18 approve. It would be likely an instance in a cyber attack
19 where I would bring the information to the SITE table, I
20 would describe what it was, and I might say we are going to -
21 - we, CSE, is going to take a cyber operation to disrupt this
22 activity. It was not to seek authority, not to seek
23 approval. It was for sharing and coordinating if we needed
24 to. I believe I described earlier that in a cyber operation
25 there would be some joint discussions between the CSE and
26 Global Affairs. It would be able to trigger that sort of
27 awareness and then coordination where required.

28 **MS. LYNDA MORGAN:** So I'd like to take you

1 now to some specific intelligence flow during the 2019
2 election. And just to be clear, I'm basing these on the
3 topical summaries, which I understand the SITE members have
4 had an opportunity to review and may have in front of you.
5 Although I'll start first with one that is not in those,
6 which is the Buffalo Chronicle. So I understand that there
7 was an issue relating to the Buffalo Chronicle that was
8 identified by the RRM in 2019; is that correct?

9 **MS. GALLIT DOBNER:** Yes, that's correct.

10 **MS. LYNDA MORGAN:** And are you able to
11 explain the issue and who, if anyone, that information was
12 shared with?

13 **MS. GALLIT DOBNER:** Sure, yeah, I'm happy to
14 do that. So I think it's important to begin by saying that
15 we didn't observe any evidence of foreign state sponsored
16 disinformation vis-à-vis the Buffalo Chronicle. I think
17 that's important to put out there. The Buffalo Chronicle was
18 a US-based news website that posted all sorts of content.
19 And it really hit RM Canada's radar a few days before the
20 election in 2019 when we saw media reports from the Toronto
21 Star and BuzzFeed indicating that 8 out of 10 of the most
22 popular articles posted on the Buffalo Chronicle included
23 salacious content, or rumours, or presumed disinformation
24 targeting political leaders in Canada, particularly, the
25 Prime Minister. There was also another organization that
26 posted online a petition calling on the RCMP to investigate.

27 So my team at that point looked into the
28 Buffalo Chronicle to see if we could confirm some of these

1 news reports. And what the team found is that, yes, 8 out of
2 10 of the news stories in the Buffalo Chronicle were indeed
3 about Canadian politics and included what seemed to be a
4 number of false narratives. What we also saw was that the
5 Buffalo Chronicle was using a number of very poor
6 journalistic practices, so no bylines, anonymous sources, and
7 the folks that they listed on their website as contributing
8 authors in no way affiliated themselves with the newspaper.

9 Another thing that we noted was that the
10 website was not for commercial gain. So when I say that,
11 what we would usually see in instances like this is click
12 bait. So you would go on a news site because they had some
13 kind of salacious content, you would click, and the news site
14 would gather funds from the advertisers on the website. In
15 this instance, some of the advertising didn't go anywhere, it
16 didn't link to anything else, and businesses that were
17 advertised didn't seem to even be aware that they were being
18 advertised on the website. So there were some of these
19 indicators.

20 However, when we looked at the amplification
21 of these stories on Facebook principally, we did not see any
22 evidence of foreign state sponsored accounts amplifying the
23 stories. So there was no evidence to suggest that there was
24 a foreign state that was behind the stories. So at that
25 point, of course, we reported on it. It was in our daily
26 sitrep. We also did a little bit of a deep dive report, so
27 that we could discuss it with colleagues at the SITE table,
28 but that was where we stopped since, as Ms. Denham said

1 earlier, when we do not see any suggestion of foreign state
2 sponsored activity, it's no longer our mandate.

3 **MS. LYNDA MORGAN:** Thank you. And it's in a
4 sitrep, so it was -- am I right it was shared with the Panel
5 of Five?

6 **MS. GALLIT DOBNER:** That's correct.

7 **MS. LYNDA MORGAN:** Okay. I'm going to ask
8 you now very high level about some other groups of
9 intelligence, so that we can move on to two other topics that
10 I want to cover with SITE. So I understand that SITE
11 received intelligence on alleged foreign interference in a
12 Don Valley North nomination contest that took place during
13 the 2019 federal election; is that accurate?

14 **MR. LYALL KING:** Yes.

15 **MS. LYNDA MORGAN:** And is that information
16 that was shared with the Panel of Five?

17 **MR. LYALL KING:** Yes.

18 **MS. LYNDA MORGAN:** Did SITE TF receive any
19 intelligence concerning the PRC favouring particular
20 political candidates in Greater Vancouver?

21 **MR. LYALL KING:** Yes.

22 **MS. LYNDA MORGAN:** And was that information
23 shared with the Panel of Five?

24 **MR. LYALL KING:** Yes, it was.

25 **MS. LYNDA MORGAN:** Was SITE TF made aware of
26 a threat reduction measure conducted before GE 43 to reduce
27 the foreign interference threat posed by government?

28 **MR. LYALL KING:** Yes, it was.

1 **MS. LYNDA MORGAN:** And was that information
2 shared with the Panel of Five?

3 **MR. LYALL KING:** Yes.

4 **MS. LYNDA MORGAN:** And was SITE made aware of
5 allegations relating to the transfer of roughly \$250,000 from
6 PRC officials in Canada, possibly for FI related purposes?

7 **MR. LYALL KING:** Yes.

8 **MS. LYNDA MORGAN:** And was that information
9 shared with the Panel of Five?

10 **MR. LYALL KING:** Yes.

11 **MS. LYNDA MORGAN:** I'd like to move on to the
12 topic of political party briefings. So and I understand that
13 SITE gave secret level briefings to cleared members of
14 political parties during the 2019 election; is that accurate?

15 **MR. LYALL KING:** That's correct, yes.

16 **MS. LYNDA MORGAN:** And I think you told the
17 Commissioner earlier this morning that those briefings were
18 facilitated through PCO?

19 **MR. LYALL KING:** Yes.

20 **MS. LYNDA MORGAN:** What was the desired
21 outcome or purpose of those briefings?

22 **MR. LYALL KING:** Certainly the desired
23 outcome was to really educate, I think, the baseline to say
24 provide a little bit more information than what might be
25 found in open sources because what we did share was at the
26 secret level; therefore, based on classified information, but
27 it was really intended to inform political parties and
28 specifically the -- many of the individuals who were involved

1 in the campaigns about the tactics and the techniques used by
2 foreign adversaries in the course of engaging in foreign
3 interference activities, so that they could have a better
4 understanding, raise their own awareness, much as Tara
5 describes RM activity, sharing that with other partners, so
6 they might be able to identify in their own spaces as well
7 where this could be happening. The other reason for the
8 engagement was to open up, you know, the two-way
9 communication with those parties, so not just intended for us
10 to be downloading information on to them, but open up a path
11 where if they had a concern or felt there was an issue, that
12 they could relay that information back through to us as well.

13 **MS. LYNDA MORGAN:** And when sharing
14 information at the secret level, are there limitations on
15 what type or kinds of information can be shared?

16 **MR. LYALL KING:** Yes, there absolutely is.
17 There are different levels of classification based on the
18 respective level of injury that might be caused if such
19 information gets out into a public space. So there's
20 naturally the lower of classification you go to, the less
21 specificity you might find in the information in and of
22 itself. So at the secret level, we are able to speak about
23 not just trends, but a bit more specific about tactics and
24 techniques used, but we may not refer to the specific source
25 of the intelligence, we may not refer to specific
26 individuals, for example, we may have to generalize to an
27 extent.

28 **MS. LYNDA MORGAN:** And in terms of the --

1 like, physically how these briefings occurred, how was the
2 information conveyed to the cleared political party
3 representatives?

4 **MR. LYALL KING:** The information that SITE
5 Taskforce presented, which would have been a combination of
6 secret information, some unclassified, if it related to the
7 online information space, this was briefed verbally to
8 political parties.

9 **MS. LYNDA MORGAN:** And were the parties able
10 to take notes?

11 **MR. LYALL KING:** No, we had a discussion, or
12 PCO led a discussion in and around how to manage the
13 information, in a sense. They could not take notes. It was
14 really there for them to listen and to try to understand,
15 rather than taking specific information back on a piece of
16 paper.

17 **MS. LYNDA MORGAN:** And to the extent that
18 representatives received classified information, what, if
19 anything, were they permitted to do with that information?

20 **MR. LYALL KING:** Again, that was to make them
21 aware. So to contextualize, maybe in greater detail, what
22 foreign interference was, how it was conducted, and in what
23 spaces it was being conducted, so that they would be able to
24 look in their own campaigns and their own spaces to try to
25 see if they could potentially identify activities of that
26 kind. So it was really an education and awareness
27 perspective. That's what we were trying to get across.

28 **MS. LYNDA MORGAN:** And did SITE provide any

1 advice or guidance to the parties about what they could do
2 with the information? How they could action it, for
3 instance?

4 **MR. LYALL KING:** We did. I think we -- going
5 back and thinking, again, we weren't providing them with a
6 level of information that was so specific as to take an
7 immediate action; right? It was really, "This is for your
8 awareness. This is for you to understand at a deeper level
9 what foreign interference is. This is for you to understand
10 how it happens. And for ultimately to help you try to
11 identify that in your own spaces." And therefore, if they
12 did see something, or potentially had a concern, to come back
13 and talk to the governments -- to SITE and PCO about that.

14 **MS. LYNDA MORGAN:** There's one briefing in
15 2019 on September 28th, 2019 which was a briefing to the
16 secret-cleared Liberal Party member only. And that was a
17 specific issue briefing not shared with any of the other
18 political party representatives. Is that right?

19 **MR. LYALL KING:** Yes.

20 **MS. LYNDA MORGAN:** Do you know, do any of the
21 members know who made the decision to brief the Liberal Party
22 Representative?

23 **MR. LYALL KING:** So I will defer to our CSIS
24 representative to answer that question.

25 **CSIS REPRESENTATIVE:** So from my
26 recollection, this was -- there was some information that had
27 come to us that we recognized needed to be shared both with
28 the panel, with our SITE colleagues. I'm not sure I

1 recollect the exact decision point. I believe seniors had
2 discussions, meaning at a Deputy Minister level, the Director
3 and others would have had discussions about what to do with
4 the information.

5 At some point, CSIS -- there was a decision
6 made that CSIS would brief the Liberal Party, alongside PCO,
7 separate and apart from the other political parties, in order
8 to give them some of this intelligence that we thought it was
9 important was shared.

10 **MS. LYNDA MORGAN:** And are you able to shed
11 any further light on who made that decision?

12 **CSIS REPRESENTATIVE:** No, I'm sorry, I don't
13 recollect exactly how the decision was made. I think there
14 was probably some combination of internally in our
15 organization, but probably with consultation with panel
16 members as well.

17 **MS. LYNDA MORGAN:** Thank you. And the
18 Commission has heard evidence of concerns that some of the
19 information shared by SITE with political party
20 representatives was generic, difficult to action, for
21 instance. Do you have any responses or comments on those
22 criticisms?

23 **MR. LYALL KING:** Yeah, I can begin. And I
24 can understand, certainly, to an extent, where some of that
25 sentiment comes from. This was a new thing for us, to be
26 quite frank, for SITE to be briefing political parties. It
27 was new for us to be clearing individuals in that space, to a
28 secret level, and new for us to be sharing classified

1 information with them. So there's a learning processes on
2 both sides.

3 As I've described, by nature, when you -- and
4 some of our intelligence does come from highly classified
5 sources, so to be able to downgrade it to a level to be able
6 to share, we'd naturally have to obfuscate certain
7 information, remove certain specificities so it can be become
8 generalized in that sense.

9 So that's where I think the common of the
10 generalization is.

11 Equally, it was never intended as a way for
12 us to share, like, "Here's, like, a list of 50 names of
13 individuals for you to go talk to." That's not the space
14 that we were in. We didn't necessarily have information to
15 that level of specificity either, to be quite clear. It was
16 to really educate.

17 So I can understand, in a sense, where some
18 of the concern over generalized statements are.

19 Equally, I think we would just flag that what
20 is known now in 2024 and what was known publicly back in 2019
21 are quite different things. So there is a lot more awareness
22 now of what foreign interference is. In part from the public
23 documents that have been shared by both CSE and CSIS in terms
24 of what foreign interference is and the activities that
25 happen. It's -- there's a greater awareness now.

26 So what we would have deemed secret back in
27 2019 may in fact be much more common knowledge and out in the
28 open now. So I think in recollecting and looking back, I can

1 equally understand how one could see that and say, "Well,
2 this is known now, so this wasn't really secret." Well, to
3 us it still was.

4 I will underline one last thing briefly if
5 you'll permit me, is that sometimes there is information in
6 opensource, in the news, or from other sources, that is out
7 there and people can access, but equally, if the message is
8 coming from a security or intelligence agency and it is
9 derived from classified information, it's still classified.
10 It might be out in a public domain from a different source,
11 but the fact that we might know of or be looking at something
12 can still be classified, even though it might be mirrored to
13 a certain extent in the public domain.

14 **MS. LYNDIA MORGAN:** Thank you. Now, we've
15 spoken about information flow high level. I want to take you
16 just to one specific example of concerns around information
17 flow.

18 So can I pull up CAN3128, please?

19 Mr. king, these questions will be for you.

20 **--- EXHIBIT No./PIÈCE No. CAN 3128:**

21 RE: CNSB RSESN 22/19 - 2019 10 29 -
22 CSIS National Security Brief (CNSB) /
23 Rapport du SCRS sur les enjeux de
24 sécurité nationale (RSESN)

25 **MR. LYALL KING:** Yes.

26 **MS. LYNDIA MORGAN:** This is an email chain
27 ranging from October 29th to November 1st, 2019. So that's
28 about a week after the election. Do you recognize this email

1 chain?

2 **MR. LYALL KING:** I do, yes.

3 **MS. LYNDA MORGAN:** Okay. And you were one of
4 the participants in this email chain?

5 **MR. LYALL KING:** I certainly was.

6 **MS. LYNDA MORGAN:** Okay. So if we start on -
7 - if you can scroll down a bit, please? If we stop there?

8 This is a discussion, you can see in the
9 subject line, about a CNSB. Can you just -- what's the
10 acronym, CNSB?

11 **MR. LYALL KING:** That would be a CSIS
12 national security brief, I believe. It's a CSIS product.

13 **MS. LYNDA MORGAN:** So it discusses the
14 receipt of that particular product with a date of
15 October 29th, 2019.

16 **MR. LYALL KING:** Yes.

17 **MS. LYNDA MORGAN:** And if we look at your
18 email, you note that you were surprised to receive it, and
19 you write that, quote:

20 "The document is massively
21 problematic from my perspective."

22 **MR. LYALL KING:** Correct; yes.

23 **MS. LYNDA MORGAN:** The Commission heard
24 evidence yesterday from Cherie Henderson, who was shown this
25 email, and who described the referenced report as
26 "identifying potential FI by a politically connected
27 Canadian. That person had not previously been identified as
28 acting on behalf of a foreign state, but appeared to have

1 been doing so in the period leading up to the 2019 election."

2 And the report initially assessed it likely
3 that the actor, quote:

4 "...has already had an impact on the
5 2019 federal election, and will
6 remain a foreign interference threat
7 after the election." (As read)

8 End quote.

9 Would you agree that what I read to you is an
10 accurate summary of a document that we are not going to be
11 getting into?

12 **MR. LYALL KING:** Yes.

13 **MS. LYNDIA MORGAN:** And in the first bullet
14 point on page 1, you also note that:

15 "SITE had no visibility of this
16 reporting."

17 And that, quote:

18 "It is possible some components of
19 the story were passed, but they were
20 not clearly linked into a coherent
21 narrative."

22 End quote.

23 And so if I summarise the main point of your
24 statement there, you were concerned that information had been
25 passed along in a piecemeal fashion?

26 **MR. LYALL KING:** Partially, yes. That was
27 partially my concern.

28 **MS. LYNDIA MORGAN:** And -- so what's the other

1 part of the concern?

2 **MR. LYALL KING:** It was equally sort of the
3 timing and the bottom-line statements, as you had just read
4 out. I note in this email that I'm pretty certain we had
5 received bits and pieces of the intelligence over an arc of
6 time, but certainly over a number of months, or it's years,
7 potentially. One can lose the thread, I suppose, in a sense;
8 right? You're hearing it bit by bit coming through.

9 When that report was issued, it was probably
10 the first time that I had seen it all together with, you
11 know, an assessment statement attached to it as well, which
12 when seeing it in that format was quite interesting. My
13 concern was with the dissemination. Not that it -- like it
14 went to people that should have and needed to see it, to be
15 very clear. It was that it was it went to them at the same
16 time as it went to SITE, and given the nature of it, just
17 after the election, and the bottom-line statement seemed to
18 have some disagreements with what we were saying from a SITE
19 perspective with regarding the nature of the foreign
20 interference, I was concerned about the messaging being
21 conflicting and going up to seniors.

22 And I felt, well, really, effectively, I
23 would liked to have had a chance to talk through it and to
24 understand at the end of the day. Not that I wouldn't
25 ultimately have agreed with what the assessment was, but at
26 first glance, SITE was saying one thing, and this report
27 seemingly said something different. So that's where I felt
28 it was problematic in that sense.

1 **MS. LYNDA MORGAN:** And if we scroll down to
2 the next page, please.

3 The second bullet, "Dissemination of
4 intelligence", you've already touched on some of this, but
5 you raise specific concerns about timing, quote:

6 "...one week after the election..."

7 And as you've just stated:

8 "...when this information was clearly
9 known beforehand and built up over
10 time."

11 In addition to what you've already told us,
12 are you able to tell us anything further about your concern
13 respecting dissemination and timing?

14 **MR. LYALL KING:** Yeah. I think it touches on
15 a point there with respect to, you know, the sensitivity of
16 some intelligence. And you know, we have to acknowledge that
17 some sources are very sensitive and must be guarded. And I
18 will note that even within the SITE group itself, we have
19 differences in the way that we operate, differences in
20 culture and approach, and the like, but we each protect our
21 information in certain ways.

22 So really, for me, ultimately, I was looking
23 at this as SITE being a pretty small group of individuals,
24 you know, ultimately the people that you see here with a few
25 others that would support us, I was hoping that we could make
26 sure that we saw a more complete version of the intelligence
27 than that we had seen. So it speaks a little bit -- a number
28 of issues at the end of the day, and indeed, the challenge of

1 intelligence in looking at certain issues over an arc of
2 time, the sensitivity, pulling it together, and statements
3 and assessments.

4 In a nutshell, I would say, you know, this
5 sort of thing does happen from time to time. I describe
6 often the relationship with my intelligence partners at CSIS
7 as like siblings. We don't always get along, we don't always
8 see eye to eye. We have disagreements from time to time, but
9 we always are able to work through him.

10 And so on that last point, I would say that
11 certainly the issues of some of the sensitivity of
12 intelligence and the issues of dissemination reporting, we
13 certainly discussed it and tried to address that when we
14 went into 2021, reflecting that into our lessons learned, and
15 then ultimately, folding some of that into updating our
16 documentation and terms of reference, et cetera.

17 **MS. LYNDA MORGAN:** I'll take you to one more
18 email just to complete this chain, as I know we are running
19 out of or out of time.

20 **MR. LYALL KING:** Yeah.

21 **MS. LYNDA MORGAN:** Is doc CAN 3126.

22 **--- EXHIBIT No./PIECE No. CAN 3126:**

23 Email: Response from CSIS

24 **MS. LYNDA MORGAN:** This is an email from
25 November 3rd, 2019. Again, do you recognise this email,
26 Mr. King?

27 **MR. LYALL KING:** I do.

28 **MS. LYNDA MORGAN:** Okay. And you reference

1 the issue, which is the issue that was just set out in the
2 email chain that we just looked at.

3 **MR. LYALL KING:** Correct.

4 **MS. LYNDA MORGAN:** You reference that issue
5 being "nonchalantly dismissed by Cherie." What, if anything,
6 can you tell us about the concern that you raise in this
7 email?

8 **MR. LYALL KING:** I think when I -- I had
9 delineated, and as you saw in the previous email, a very
10 purposeful manner sort of what my concerns were, so I just
11 wasn't happy with what the initial response back was, to be
12 quite frank. This is an emotional email for sure. But my
13 initial response was "Well, I don't think they really
14 understood what I was trying to get across. It was -- it
15 hasn't been dealt. And to be fair, I wasn't part of those
16 conversations.

17 so ultimately that was an initial reaction to
18 an initial response, but again, I will go back to what I just
19 stated is that we did have conversations about after -- we
20 did have conversations about how to improve the sharing, and
21 we did roll that up into our lessons learned in our after
22 action reports. So an acknowledgement that there were
23 challenges and we needed to address them.

24 **MS. LYNDA MORGAN:** And I notice, well, just
25 again to complete this exchange, the report was modified
26 later, removing the assessment regarding the actor's impact
27 on the 2019 election. Were you part of discussions relating
28 to that modification?

1 **MR. LYALL KING:** No, I had no visibility into
2 that. And to be very clear, my intent wasn't to try to
3 influence that, my intent was to try to have a conversation
4 about something that I thought could be problematic so we
5 could understand what the perspectives were.

6 Again, the ultimate sentiment that was in the
7 original document didn't quite align with our broader view.
8 That doesn't mean those two things and two views couldn't
9 co-exist, but it was more trying to understand on how to
10 communicate that if that was the fact.

11 But bottom-line, I didn't have visibility of,
12 I didn't have knowledge of, until it was re-issued, of what
13 had happened with that report, that entirely and internal
14 CSIS discussion and response.

15 **MS. LYNDIA MORGAN:** And time permitting, I
16 would ask one more question in relation to the after action
17 report? Thank you.

18 It's CAN 8973.

19 **--- EXHIBIT No./PIÈCE No. CAN 8973:**

20 SITE Task Force After Action Report -
21 2019 Federal Election

22 **MS. LYNDIA MORGAN:** So this is a version of
23 the SITE After Action Report 2019.

24 **MR. LYALL KING:** Yes.

25 **MS. LYNDIA MORGAN:** This is a version from
26 August 2020.

27 Go down to PDF page 13, please. Close to the
28 bottom of the page under Overall Threat Assessment. If you

1 could stop there, please.

2 Starting five lines from the bottom, we see
3 the conclusion:

4 "...SITE TF did observe foreign
5 interference activities targeting
6 certain ridings and candidates in
7 relation to the election, directed
8 largely from China and to a lesser
9 extent from India and Pakistan...SITE
10 TF assessed that none of these
11 foreign interference activities were
12 part of a broad-based electoral
13 interference campaign and did not
14 have an impact on the overall outcome
15 of the election. In addition, none
16 of the activities met the threshold
17 to pursue criminal investigations."

18 Is -- does that accurately summarise the
19 Panel 2019's conclusion in relation to foreign interference
20 activities?

21 **MR. LYALL KING:** That accurately includes the
22 SITE's view of activities, which would have been briefed up
23 to the Panel.

24 **MS. LYNDA MORGAN:** And was the fact that SITE
25 observed FI-related activities in certain ridings and
26 candidates briefed to this -- the secret cleared political
27 party representatives?

28 **MR. LYALL KING:** The specifics of I'm not --

1 I would like to defer to my service colleague, simply because
2 much of that information came from the service. I believe
3 so, but I would defer to the service on that.

4 **MS. LYNDA MORGAN:** Yes, thank you.

5 **CSIS REPRESENTATIVE:** So I think that there
6 were a couple of engagements with individual political
7 parties, the one with the Liberal Party that you have noted
8 already, and there was one additional engagement that -- with
9 another political party that happened separate and apart from
10 the broad briefings, where a specific item was discussed at
11 the party's request. But beyond that, and beyond what was
12 provided in the broad classified political party briefings,
13 there wasn't for 2019 additional engagements that would have
14 gone into specifics.

15 **MS. LYNDA MORGAN:** Thank you. Yes?

16 **MS. GALLIT DOBNER:** Sorry, I just wanted to
17 add one precision here. In the bottom-line judgment at the
18 end where it says that SITE TF assessed that none of these
19 foreign interference activities were part of a broad-based
20 electoral interference campaign, indeed, that was SITE Task
21 Force's assessment. The second part of the sentence that
22 opines on the impact on the overall outcome of the election
23 was more of a reference to what the Panel of Five ultimately
24 determined. The SITE after-action report came out well after
25 the election. So that was a reflection of what the Panel of
26 Five felt because it was not within SITE's purview to
27 determine the impact of the activities that we observed. It
28 was to share that information with the Panel of Five to then

1 determine what the potential impact could be on the Canadian
2 election.

3 **MS. LYNDA MORGAN:** Okay. Thank you. Thank
4 you.

5 **COMMISSIONER HOGUE:** Thank you.

6 We will be supposed to start cross-
7 examination. We have 45 minutes before lunch. Is it better
8 to take lunch now? No, we -- okay. We'll -- I'm looking at
9 the -- I'm very obedient so.

10 Okay. So first cross-examination will be
11 Michael Chong.

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

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

14 **MR. GIB van ERT:**

15 **MR. GIB van ERT:** Good afternoon, Panel.
16 I'll ask the Court Operator to pull up the document we were
17 just looking at, CAN 8973. If you go to page 3, about the
18 middle of the page, this is in fact, I think -- if you'd make
19 it a little larger? It's under Foreign Interference Threats.
20 There we are. Thank you. Actually, forgive me -- oh, hang
21 on a moment. I want to make sure I'm on the right document
22 here. Yes, there we are. So I think this is the same
23 passage that we were looking at from page 13, but just placed
24 as a summary here. So let's make sure we're on the same page
25 here. It's the passage just above the longer redaction that
26 says,

27 "However, SITE TF did observe foreign
28 interference activities targeting

1 certain ridings and candidates in
2 relation to the election, directed
3 largely from China, [...] lesser
4 extent [...] India and Pakistan.
5 SITE TF assessed that none of these
6 foreign interference activities were
7 part of a broad-based electoral
8 interference campaign, and [did --]
9 did not[, rather,] have an impact on
10 the overall outcome of the election."

11 So I wanted to ask you about that, and, of
12 course, I've heard witness Dobner has just said about the
13 overall outcome. So to clarify, even though this sentence
14 says that SITE TF assessed certain things and goes on about
15 the overall impact, the overall impact is not a SITE
16 assessment? Have I understood you correctly?

17 **MS. GALLIT DOBNER:** That's correct. It
18 wasn't within the purview of SITE Task Force to opine on the
19 impact of what we were seeing. That was the role of the
20 Panel of Five.

21 **MR. GIB van ERT:** Okay. So this is -- and
22 this is dated August 2020, if I recall, so we know by then
23 what the Panel of Five has determined and this is reflecting
24 that?

25 **MS. GALLIT DOBNER:** Correct.

26 **MR. GIB van ERT:** Thank you very much. Are
27 you able -- and I may have to ask the Panel of Five this,
28 given what you've just said, but are you able to enlighten us

1 at all about the phrase "overall outcome of the election"?
2 For instance, does that -- did you understand that to mean
3 who would form the government?

4 **MR. LYALL KING:** So -- and it's a good
5 question and I'm trying to recall how we came to formulate
6 these words. It has been a few years, of course. Generally
7 speaking, I think that is a pretty accurate reflection, I
8 think, of the thought. It's in a very broad general sense
9 was there any real dramatic shift than what we thought would
10 have happened, but, again, to Gallit's point, you know,
11 putting this statement in, even that in and of itself in
12 hindsight, you know, probably not the right thing to do, and,
13 in fact, we didn't do that on the 2021 after-action report.
14 We really tried to steer towards just what we had observed
15 rather than weighing in on statements and impact because it
16 is very difficult to determine impact in this space as well.
17 But it was meant to capture a very broad sense of the
18 outcome.

19 **MR. GIB van ERT:** Right. Okay. Thank you
20 very much. Some questions about the RRM for Ms. Denham. I
21 heard you say that the idea was to be able to share
22 information about threats, especially disinformation, and to
23 do so quickly. And, in fact, I've seen some documents. these
24 may be from 2021, but you'll tell me if it's the same in
25 2019, where they were literally called RRM Canada Daily
26 Briefs. Were these produced daily?

27 **MS. TARA DENHAM:** If it was during a writ
28 period, I'll just ask Gallit to confirm.

1 **MR. GIB van ERT:** I did mean during the writ
2 period, yeah.

3 **MS. GALLIT DOBNER:** So pardon me, without
4 seeing the document in front of me, I can't confirm with a
5 hundred per cent certainty, but I recall during the 2021
6 election writ period ---

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

8 **MS. GALLIT DOBNER:** --- my team produced sort
9 of daily sitreps, which is the information that then went
10 into the sitreps that were produced for the Panel of Five.

11 **MR. GIB van ERT:** All right. And do you
12 recall whether the same was done in 2019?

13 **MS. GALLIT DOBNER:** I don't believe we
14 produced as fulsome a daily report. I think it was simply
15 bullets that we then shared with CSE as chair of SITE to
16 include in the daily sitrep ---

17 **MR. GIB van ERT:** Oh.

18 **MS. GALLIT DOBNER:** --- if my memory serves.

19 **MR. GIB van ERT:** Understood. And you've
20 explained that these were open source and, therefore,
21 unclassified?

22 **MS. GALLIT DOBNER:** That's correct.

23 **MR. GIB van ERT:** Right. And so given their
24 lack of classification, they could be shared with anyone
25 essentially; is that right?

26 **MS. GALLIT DOBNER:** So within the Government
27 of Canada, just because a document isn't classified, it
28 doesn't mean that it can be shared with anyone.

1 **MR. GIB van ERT:** Okay.

2 **MS. GALLIT DOBNER:** And so I'm sure folks
3 will have seen examples, for instance, in Access to
4 Information Requests when documents are unclassified but
5 redactions are made nonetheless, because just because
6 information isn't classified, it doesn't mean it's not
7 sensitive.

8 **MR. GIB van ERT:** Well, let me ask you this.
9 Is there any reason why the RRM information that you were
10 gathering about disinformation or potential disinformation
11 from open-source sources could not have been sent to campaign
12 managers during GE 2019?

13 **MS. GALLIT DOBNER:** So the construct at the
14 time was that SITE was collecting information to then share
15 in turn with the Panel of Five to make a deliberation, as we
16 all know, with regard to the threshold. And I think it's
17 been explained in the past that the threshold was set fairly
18 high because folks didn't want to create a situation where
19 the government itself is contributing to the discourse and
20 then potentially having an impact on the outcome of the
21 election. So the construct was simply that we shared
22 information at the SITE Task Force, and that was onward
23 shared with the Panel of Five to make a determination. And
24 it wasn't shared outwards. For instance, we didn't share
25 that information with G7 partners. We didn't share it with
26 civil society partners. It was particular to the SITE
27 construct.

28 **MR. GIB van ERT:** So I think I understand all

1 of that. All I was getting at was that there was no national
2 security reason that would prevent a sharing to political
3 campaigns, if that had been the model.

4 **MS. GALLIT DOBNER:** I think that's probably
5 correct, but again, I'd have to go back to the point that
6 just because information isn't classified, it doesn't mean
7 that it's not sensitive.

8 **MR. GIB van ERT:** All right. So it's not
9 being put on your website, for instance?

10 **MS. GALLIT DOBNER:** No, it wasn't put on our
11 website.

12 **MR. GIB van ERT:** Thank you. And last ---

13 **COMMISSIONER HOGUE:** I think she wanted to
14 answer.

15 **MR. GIB van ERT:** Oh, sorry.

16 **MS. TARA DENHAM:** I just wanted to add in as
17 well to a conversation that we had earlier, which is in that
18 social media environment, it is really, really difficult to
19 identify if it's just misinformation or disinformation. And
20 so the purpose for the RM, as was identified, is to feed that
21 information in, we have a broader scope we're reporting in.
22 But to share that before a full analysis or understanding of
23 what's happening, particularly indicators of foreign --
24 potential links to foreign, again, that would put us into a
25 very difficult situation.

26 **MR. GIB van ERT:** I see.

27 **MS. TARA DENHAM:** In fact, there could be
28 assumptions made that it was a foreign campaign when in fact

1 the daily SITREPs are real time in a politically charged
2 environment, and it could be Canadians speaking to
3 information and we are not -- we don't have conclusive
4 evidence.

5 So that's why during a writ period this
6 information, as Ms. Dobner has relayed, is shared for context
7 to track what's happening, but in 2019 we were never able to
8 confirm foreign links.

9 **MR. GIB van ERT:** Right. So those are policy
10 concerns against this idea, but I was just looking at whether
11 there was not sec reason against it. But you've explained,
12 well, there might be other reasons not to do it in any case.

13 **MS. TARA DENHAM:** Yes, and we're speaking to
14 the writ period and because the RM Canada is able to share
15 information outside of writ period. But in writ period, all
16 of these sensitivities needs to be taken ---

17 **MR. GIB van ERT:** Different considerations;
18 understood.

19 And my final question, which is also for you,
20 Ms. Denham, is to do with *The Buffalo Chronicle* matter. And
21 we've already heard that it wasn't state sponsored; it was
22 published outside the country. So I've got that. I also saw
23 from the report that in fact the story was debunked by third
24 parties, Snopes and other places, right? I see you nodding,
25 thank you.

26 Now, this morning Mr. Sutherland was here
27 giving evidence, and he gave evidence that he, at the
28 direction of the Clerk of the Privy Council at the time, Mr.

1 Shugart, asked Facebook to remove the article, and Facebook
2 did so. And my question for you is, are you aware of the
3 Clerk having given any similar directions in respect of
4 disinformation concerning Conservative Party of Canada
5 platforms or candidates?

6 **MS. TARA DENHAM:** I myself -- I was not in
7 the seat during the writ period so again, I'll have Gallit
8 speak to that.

9 **MR. GIB van ERT:** Yes, are any of you aware?

10 **MS. GALLIT DOBNER:** No, I was not aware.

11 **MR. LYALL KING:** I'm not aware.

12 **MS. TARA DENHAM:** I'm not aware.

13 **MR. ERIC GORDON:** I'm not aware.

14 **MR. GIB van ERT:** And I trust that the
15 witness I can't see is also unaware?

16 **CSIS REPRESENTATIVE:** Correct, I was also
17 unaware.

18 **MR. GIB van ERT:** Thank you. Those are my
19 questions.

20 **COMMISSIONER HOGUE:** Thank you.

21 Next one is counsel for Jenny Kwan.

22 **(SHORT PAUSE/COURTE PAUSE)**

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

24 **MS. MANI KAKKAR:**

25 **MS MANI KAKKAR:** Hi. Good afternoon to the
26 panel. My name is Mani Kakkar, and as the Commissioner
27 indicated, I'm counsel to Jenny Kwan.

28 I just have some questions where I want to

1 focus on information flows specifically from the SITE Task
2 Force to perhaps political parties or Members of Parliament.
3 And I understand that as a Task Force you may not be doing
4 that, it may be your individual agency's decisions to pursue
5 that sort of action. So I'd appreciate understanding both
6 where it is the Task Force and alternatively where it is a
7 specific agency, if that panellist could speak and let me
8 know.

9 From the Inquiry so far, what we've
10 understood of foreign interference again is that it can be
11 sort of smaller instances or occurrences, whether it's a
12 post, WeChat, or online, or an article, or a campaign event.
13 And so what I wanted to understand was how the Task Force or
14 the specific agencies understand the aggregated impact of
15 these smaller events. Because maybe in isolation, in a
16 single SIT Report on a particular week, it might look like
17 that was a very small event and therefore the situation is
18 still stable, but by week four you've had six of these and
19 perhaps collectively the picture looks different. So I
20 wanted to understand how the Task Force, or the agencies deal
21 with that sort of aggregation.

22 **Mr. LYALL KING:** Maybe I can begin, and I'll
23 maybe start with that second one because you raise a really
24 excellent point, in fact, and it is a challenge, from an
25 intelligence collection perspective, in that you do see bits
26 and pieces of information over time that are not always --
27 not always immediately apparent that it is related
28 specifically to foreign interference; as you've noted, it

1 might be some nature activity, and it is only over an arc of
2 time that you begin to see potentially a pattern of other
3 information that might corroborate and confirm these things.

4 So what you've described is just, in a sense,
5 the nature of intelligence collection and assessment. When
6 we assess issues, we assess foreign interference, we assess
7 foreign adversary behaviours. We're not looking at a very
8 narrow band of time. Typically, we're trying to understand
9 it over a very large arc of time, and it is, in fact, one of
10 the reasons why SITE exists outside of the writ period. The
11 intent is to be able to look at and discuss and track these
12 things over time, and then incorporate that information into
13 our overarching assessments, which is what we have done, and
14 which we can probably speak to somewhat as well in 2021.

15 So individual departments and agencies might
16 do that in different ways, but we quite simply do track,
17 understand, and then try to build the knowledge over time of
18 adversary, or suspected adversary behaviour. So it is the
19 process of intelligence in that sense.

20 I will maybe pivot to your first question, in
21 terms of information flow from SITE to political parties,
22 hopefully I'm answering this for you in the right way.
23 Essentially, SITE as a group briefed political parties
24 verbally before the writ and a few times during the writ.
25 This is both in 2019 and 2021. There were verbal briefings
26 to communicate the SITE's view of the threat, what SITE's
27 role was, et cetera, et cetera. That was a formal scheduled
28 set of briefings that was managed by Privy Council Office, so

1 they were always the coordinator of those, they were always
2 the Chair of those meetings. We were components of those
3 briefings to political parties. Other entities were there
4 from CSE, the Cyber Centre would have briefed in, from PCO,
5 Democratic Institutions, Al Sutherland would have a role to
6 brief in. So that's how SITE fed into those formal
7 preestablished set ones.

8 And then as you've heard from our CSIS
9 representative, there were times separate conversations, just
10 with maybe one political party, rather than all four, given
11 the sensitivity of the particular issue. Those were not
12 regularly scheduled, but those would have really involved
13 CSIS again, in coordination with the Privy Council Office in
14 managing that engagement.

15 **MS. MANI KAKKAR:** I appreciate your answer.
16 I don't know if there's any ---

17 **MS. GALLIT DOBNER:** I was just going pitch
18 in, if I might, on that in terms of how we, as a SITE Task
19 Force, addressed sort of traditionally piecemeal nature of
20 foreign interference because, indeed, from the lessons we've
21 learned from other government partners, foreign interference
22 doesn't begin and end during elections.

23 So I'd say there were three things that we
24 did to address that challenge, because it is a very real
25 challenge, and it makes our work difficult. Number one, it
26 was the work that we did in the run-up to elections, so the
27 threat assessments, the threat pictures that we put together
28 that we briefed-up, that we shared with others to try to

1 educate and understand what the pattern of behaviour was,
2 even before an election.

3 Number two, it was the low bar that we
4 applied to the information that we shared in the SITREPs.
5 So, for instance, RM Canada would include reports of
6 information that we were seeing in the online space, even
7 though we weren't detecting a foreign state-sponsored
8 disinformation campaign at that point, we recognized that
9 these sorts of things can start very small. So there was a
10 very low bar for the information that we shared.

11 And then third of all, I would say the oral
12 briefings of the P5, this was something, in particular, I
13 think we did well in the 2021 election, which we'll talk
14 about in the afternoon. But this was an opportunity for
15 leads from all of the four SITE members, or their Deputy
16 Ministers, to piece together the picture in a very coherent
17 way and explain to P5 members, in context, what it is that we
18 were seeing.

19 **MS. MANI KAKKAR:** I very much appreciate your
20 fulsome answer on the question. And sort of shifting, then,
21 to what I've come to view as foreign interference taking
22 place at sort of the campaign level, because many of the
23 examples we see are either targeting particular candidates,
24 particular political parties, and so it seems, at least to
25 me, and I'd like to hear from the panel, that the front lines
26 of foreign interference are really at the campaign level.
27 Would you agree with that sort of assessment?

28 **MR. LYALL KING:** I would say it's hard to --

1 sorry, I thought somebody was saying something there. Was
2 that a sneeze?

3 **MS. MANI KAKKAR:** It was a very loud sneeze.

4 **MR. LYALL KING:** I guess the way we would
5 state it, and again, my CSIS colleague may want to chime in
6 here, is that foreign interference does happen and it's in
7 many spaces. It's in all different sorts of levels of
8 government as well. We've described, I think, you know,
9 municipal, provincial, territorial. It's in a lot of
10 different spaces. So I -- what you're saying is correct in
11 that is a space, but it is pervasive in a lot of different
12 areas in society. So I don't know if my CSIS colleague wants
13 to comment on that?

14 **CSIS REPRESENTATIVE:** Yes. So you know, I
15 think one of the purposes of giving the political party
16 secret cleared representatives some access to secret
17 information that allowed them to see trade, crafts, and
18 methodologies of threat actors is so that if at that campaign
19 and riding level there were things coming to their attention
20 that might have aligned with some of the threat briefings
21 they had had, that they had a place to come back with that.

22 And certainly in the one instance I spoke of
23 with, you know, a political party coming forward, it was to
24 bring a concern forward about something they believed was
25 happening in a campaign. And so that allowed us to take in
26 that information, run it to ground, and respond back to them.

27 So your point is that, you know, these are
28 happening potentially at campaign levels, and to my colleague

1 from CSE's point that, you know, it is quite pervasive and
2 happening in all elements of society inside and outside of
3 elections. Foreign interference is certainly, you know, a
4 considerable threat to Canada and to Canadians.

5 I think that there were mechanisms that we
6 were trying to establish that would have allowed that
7 information to flow forward to us to be helpful to try and
8 address some of those concerns.

9 I hope that answers your question.

10 **MS. MANI KAKKAR:** It does. And it leads into
11 what I believe is going to be my last question, given the
12 time.

13 And if I could just ask for CAN13638 to be
14 pulled up? And specifically, page 5 of both the PDF and the
15 document. And again, if you're able to tilt it so that it's
16 -- or rotate it so that it's readable, that would be
17 appreciated. Okay. Perfect.

18 So I believe this is the same document in
19 black and white it's the SITE Response Matrix. And again, I
20 understand that SITE might have more limited capacity than
21 any of its particular agencies, so if your answer could
22 include both the SITE responsibility, Response Matrix, as
23 well as an individual agency's capacity, that would be
24 appreciated.

25 But the CSIS representative had mentioned
26 that there were ways to have that information flow out. And
27 when it comes to Members of Parliament, candidates, or
28 political parties, I wanted to understand, on this Matrix and

1 this Response Matrix, where they would be the recipients of
2 that information or response? I can understand, for example,
3 under "DISRUPT" for CSIS, you know, the TRM process may
4 include that. Is there anywhere else on this graphic where
5 the Response Matrix would include information going out to
6 MPs, candidates, foreign -- or political parties, sorry?

7 **MR. LYALL KING:** Yeah, I'll start there. I
8 think -- I mentioned earlier that this isn't necessarily a,
9 you know, 100 percent complete view of things and was built
10 on the back of tabletop exercises, and ergo, really meant as
11 an internal general guide for us.

12 What I will say is, from an overall SITE
13 activity and responsibility, what you might not see on this
14 is just the act of informing. That is an action taken.

15 SITE, as a collective, would be really
16 informing our Senior Deputy Ministers and the Panel. That
17 was really the core of where that information would go.

18 Then it devolves into individual agency and
19 department responsibilities, mandates, and authorities.

20 So from a Cyber Centre -- CSE, sorry, the
21 Cyber Centre is a component of CSE, there was outreach and
22 documentation prepared with respect to how to protect oneself
23 from cyber threats, how to protect campaigns from
24 specifically cyberthreats and how to manage information.

25 So we, as the Cyber Centre, have, in our
26 authorities and our mandate, the ability to provide advice
27 and guidance. And that was done through that activity. So
28 each component member would be potentially able or not able,

1 depending on the nature of the information, to share.

2 And that may be an important point as well.
3 This is a broad scope of potential things we could bring to
4 bear, given one particular piece of information that may not
5 be enough for us to take an action. There might need to be
6 an accumulation of information, for example, or a combination
7 of different sources to confirm, as Ms. Dobner mentioned
8 before. So there's a number of factors that we have to
9 consider.

10 But largely speaking, SITE would be informing
11 the Panel and our Deputy Ministers. And in that sense,
12 certainly during the writ, but then it would kind of devolve
13 down to the individual components, members, to bring their
14 authorities to bear, depending on, again, the thresholds they
15 have for individual actions.

16 **MS. MANI KAKKAR:** So just so I understand, on
17 this graphic, you would say that there's no where else that
18 information would be flowing from either SITE to the Members
19 of Parliament, and then -- or candidates and political
20 parties, and otherwise it would be the individual agencies
21 themselves that would make that decision?

22 **MR. LYALL KING:** Generally speaking, I would
23 just -- with that note of caution that this is not intended
24 to be a complete 100 percent capture of everything. Like,
25 there are other spaces we -- like, again, the informing from
26 SITE isn't necessarily mentioned there. But generally
27 speaking, that is correct.

28 **MS. MANI KAKKAR:** Thank you so much.

1 **MR. ERIC GORDON:** If I might just add? Oh,
2 I'm sorry.

3 **MS. MANI KAKKAR:** Oh, sorry about that, Mr.
4 Gordon.

5 **MR. ERIC GORDON:** Just to add a comment. If
6 an incident or a collection of incidents did meet a criminal
7 threshold, that would, just by the nature of criminal
8 investigations and the court process, bring it out into the
9 open sphere, and a candidate or an entity that was a victim
10 of this criminal activity would be a witness in that process
11 and then would, just by definition, be involved, if we got to
12 that, understanding that criminal investigations take time.

13 So although this is framed as a SITE Response
14 Matrix, if there were criminal investigations stemming from
15 activities, even if they occurred during the writ period, it
16 could extend well beyond that period for the amount of time
17 it could take to reach some kind of a judicial conclusion.

18 **Ms. MANI KAKKAR:** I appreciate your answer,
19 Mr. Gordon.

20 And even though I have some follow-ups, I
21 will have some self-restraint and realize my time is up.
22 Thank you.

23 **COMMISSIONER HOGUE:** Thank you.

24 So next one is counsel for Han Dong.

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

26 **MS. EMILY YOUNG:**

27 **MS. EMILY YOUNG:** Good afternoon,
28 Commissioner, and good afternoon to the panelists.

1 We have a couple of brief questions for the
2 CSIS representative on this panel in relation to the evidence
3 they provided before the Commission on March 1st, 2024.
4 Although we are, of course, happy to receive comments from
5 other panel members if they wish to add anything.

6 So to the CSIS representative, you gave
7 evidence on March 1st that CSIS sometimes adds caveats
8 related to concerns over motivation, which can appear in
9 intelligence reports.

10 Were you referring to concerns CSIS might
11 have over the motivations of a source of intelligence?

12 **CSIS REPRESENTATIVE:** I can't answer that
13 question.

14 **MS. EMILY YOUNG:** Are you able to provide the
15 Commission with anymore information about the kinds of
16 motivation CSIS might have concerns about? Just in general
17 terms.

18 **CSIS REPRESENTATIVE:** So I think that in this
19 space and my role on SITE, so I don't think I would be able
20 to speak to the exact question you're asking.

21 **MS. EMILY YOUNG:** Okay. And I take it you
22 probably won't be able to respond to my following question,
23 but I just want to put it on the record. Is it the case that
24 a concern about motivation could have an impact on the
25 reliability of intelligence information?

26 **CSIS REPRESENTATIVE:** In a very broad general
27 sense, yes, that is correct.

28 **MS. EMILY YOUNG:** And in some cases, it could

1 make the reliability of intelligence weaker?

2 **CSIS REPRESENTATIVE:** Again, that's not
3 necessarily the case. I think that in many ways, the -- you
4 can have truthful information and corroborated information
5 and still have some degree of uncertainty on the motivations.

6 **MS. EMILY YOUNG:** Okay. There could be a
7 possibility that in some cases, obviously, depending on the
8 circumstances, and we wouldn't ask you to go into specific
9 circumstances, but it's possible that in some cases it could
10 reduce reliability?

11 **CSIS REPRESENTATIVE:** Yes, I guess that is
12 correct.

13 **MS. EMILY YOUNG:** Okay. Thank you. Those
14 are our questions.

15 **COMMISSIONER HOGUE:** Thank you. Next one is
16 counsel for Conservative Party.

17 **MR. NANDO de LUCA:** Yes, can you hear me,
18 Commissioner?

19 **COMMISSIONER HOGUE:** Yes, I do.

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

21 **MR. NANDO de LUCA:**

22 **MR. NANDO de LUCA:** Thank you. Could I ask
23 that CAN.DOC 000011 be called up, please, or quadruple 0 11,
24 Institutional Report of the Privy Council Office.

25 **--- EXHIBIT No./PIÈCE No. CAN.DOC.11:**

26 Institutional Report for PCO

27 **COMMISSIONER HOGUE:** I think it's coming.

28 **MR. NANDO de LUCA:** Thank you. So on pages

1 2, bottom of page 2, top of page 3, there's a -- of this
2 report, there is a description of the composition of the
3 Panel of Five, and also how it receives and acts on
4 information from the SITE Task Force. Do you want to perhaps
5 just review those paragraphs? This is a general question.
6 And maybe I'll ask it this way while you're reviewing it. In
7 the last paragraphs on paragraph two, the last three
8 paragraphs, there is an indication of an incident or
9 incidents being reported to the Panel of Five and then
10 possibly being acted upon by the Panel of Five if it met the
11 threshold that we heard about earlier today. And, again,
12 this is a general question. Can you tell me, as used in this
13 report, does the word "incident" refer to any particular type
14 or level of foreign interference information, or does
15 "incident" simply mean the totality of the information
16 communicated in the daily SITE rep briefings, or does it mean
17 something else?

18 **MR MATTHEW JOHNSON:** Madam Commissioner?

19 **COMMISSIONER HOGUE:** Yeah.

20 **MR MATTHEW JOHNSON:** Madam Commissioner. I
21 am not clear what chart of this report, or which paragraphs
22 my friend is referring the panelists to, and I would
23 appreciate if that can be clear before they're asked to
24 answer any questions ---

25 **MR. NANDO de LUCA:** Sure. Bottom of ---

26 **COMMISSIONER HOGUE:** Can you just make sure,
27 Me De Luca, to point out exactly to what part ---

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

1 **COMMISSIONER HOGUE:** --- you're referring to.

2 **MR. NANDO de LUCA:** Surely. If you review
3 the last three paragraphs? I'm looking at it on my screen
4 because it's smaller on -- of page 2, there's a reference to
5 the information that the Panel of Five receives, and there's
6 a couple of times the word -- so, for example, in the third-
7 last paragraph, "single incident or an accumulation of
8 separate incidents". And then again in the last paragraph,
9 it talks about,

10 "If advised of an incident, on a
11 consensus basis and with consultation
12 [of] the Panel of Five will determine
13 whether the threshold to inform the
14 public has been met."

15 And my question really is if the Panel knows,
16 as you -- the word "incident" here, is it being used as a
17 term of art, or as something in particular, or is it just
18 another word for the collective of information that the SITE
19 Task Force gathers and reports.

20 **MR. LYALL KING:** I can -- simply from a SITE
21 Task -- and when you mentioned asking the panel, I'm assuming
22 you mean the SITE Task Force Panel, just to be clear?

23 **MR. NANDO de LUCA:** Yes, yes. Yes, I'm
24 sorry.

25 **MR. LYALL KING:** No, that's fine. I really
26 can't comment. This is not a SITE document. We did not
27 create this document. So I wouldn't really want to comment
28 explicitly on what the use and the intended -- the use of

1 that word incident is. I could comment on it if I had
2 written it myself, but I'm not comfortable doing so on this
3 case.

4 **MR. NANDO de LUCA:** Okay. And would I be
5 correct in assuming that in connection with the 2019 general
6 election, the SITE Task Force in its regular reporting to the
7 Panel of Five did not flag any specific piece of information
8 or intelligence that the Panel of Five should consider for
9 possible disclosure or further action?

10 **MR. LYALL KING:** Just to be clear, my answer
11 is that we flagged -- we reported up -- sorry, we reported a
12 lot of information up to the Panel of varying degrees of
13 specificity, et cetera, and from different sources. I --
14 nothing that went up to the Panel went with any sort of
15 recommendation, to be very clear. It was just simply a
16 statement of SITE has observed X or Y. It was entirely the
17 Panel's review, and they did it in isolation of the SITE Task
18 Force how they really ingested and internalized and made
19 decisions on that so.

20 **MR. NANDO de LUCA:** Thank you. I heard a
21 couple of times in the evidence both in-Chief and in the
22 cross-examination references to -- and I don't think this is
23 contentious -- that one of the roles of the 2019 SITE Task
24 Force was to share information as appropriate with the
25 political parties or their representatives that had secured,
26 or that had clearance. Is that correct?

27 **MR. LYALL KING:** Yes, that is correct.

28 **MR. NANDO de LUCA:** Okay. And there was a

1 suggestion, I thought, and I just want to put a pin on it,
2 that there were multiple meetings with -- during the writ
3 period with one or more of the political parties?

4 **MR. LYALL KING:** To be ---

5 **MR. NANDO de LUCA:** This is for 2019.

6 **MR. LYALL KING:** Yeah. To be clear, there
7 were set meetings that were organized by PCO that involved
8 SITE as one contributor to, so I believe there were 3 or 4 in
9 2019, a couple before, and a couple during the writ. So that
10 was a -- you know, set a couple weeks in advance, so that we
11 could ensure that the cleared party members were able to
12 attend because they were getting very -- naturally very busy.
13 Outside of that, there were, and my CSIS colleague referred
14 to certainly one engagement separate from the broader
15 groupings. Typically, that would have involved CSIS, but
16 again, coordinated by PCO, and I would again defer to my CSIS
17 colleague if I have misrepresented that.

18 **CSIS REPRESENTATIVE:** No, that's correct.
19 There were -- there was one meeting that has been already
20 discussed with the Liberal Party that was separate and apart,
21 and then there were two meetings on the same incident with
22 another political party, one to receive the information about
23 their concern and one to relay that information responding to
24 their concern.

25 **MR. NANDO de LUCA:** Okay. And just as a
26 quick follow up to that, I take it from the nature of the
27 answer you can't disclose who that political party was in the
28 second incidence?

1 **CSIS REPRESENTATIVE:** Yes, that's correct.

2 **MR. NANDO de LUCA:** Okay. So just coming
3 back to my general question, it -- has the SITE Task Force
4 produced a document in -- to the Commission that outlines the
5 occasions or dates in which the SITE briefings to the
6 political parties were undertaken? Because I have one from
7 the Privy Council Office, which we'll go to next, but I just
8 want to know if there's another document that you're aware
9 of.

10 **MR. LYALL KING:** Well, forgive me, over the
11 course of a number of months and a number of different
12 discussions I've certainly tried to collate from my own
13 recollection, my own speaking notes and my own calendars a
14 timeline of when briefings occurred. I don't know if there
15 is one document that contains all of those that SITE
16 produced. I've certainly contributed to my understanding of
17 those so.

18 **MR. NANDO de LUCA:** Okay. So let's deal with
19 what I am aware of. So can we have CAN 13303 put up, please?

20 **--- EXHIBIT No./PIÈCE No. CAN 13303:**

21 Briefings on Foreign Election

22 Interference

23 **MR. NANDO de LUCA:** So this is from the Privy
24 Council Office, and among other things, contains a listing of
25 briefings, which the -- that PCO had indicates had
26 coordinated. So I'd like to turn to -- sorry, I'm just --
27 I'm going to go to my screen as well. So there's a summary
28 of briefings to and meetings with political party

1 representatives, page 3 of 4.

2 **COMMISSIONER HOGUE:** Here.

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

4 So if I understand this correctly, this
5 document suggests that, or only gives an indication of one
6 briefing to the political parties during the writ period for
7 GE 2019. Is that correct?

8 **MR. LYALL KING:** I believe that is correct.
9 The September 4th one I believe is the one you're speaking
10 about.

11 **MR. NANDO de LUCA:** I was actually ---

12 **MR. LYALL KING:** Oh, sorry.

13 **MR. NANDO de LUCA:** I think September 4 is
14 before the writ period. I was actually speaking of
15 September 28, 2019. And that's -- I believe that's the one
16 meeting we've already discussed in some terms to the Liberal
17 Party of Canada.

18 So I'm wondering, is this list incomplete, or
19 is this the only briefing that was conducted by SITE or SITE
20 members to the political parties during the writ period for
21 GE 2019?

22 **CSIS REPRESENTATIVE:** I have a document that
23 indicates there was an October 2nd, 2019 briefing as well
24 that is not captured there.

25 **MR. NANDO de LUCA:** Are you able to share the
26 document number, or is that -- do you know if that's the
27 document ---

28 **CSIS REPRESENTATIVE:** Yeah. It's CAN 2327.

1 --- EXHIBIT No./PIÈCE No. CAN 2327:

2 Political Parties Classified Briefing

3 - 2019-10-02

4 **MR. NANDO de LUCA:** So other than those two
5 instances during the writ period for GE 2019, were there any
6 other briefings provided by SITE or the SITE members in
7 relation to foreign election interference to the political
8 parties?

9 **CSIS REPRESENTATIVE:** So the two meetings I
10 mentioned with the same political party don't appear on that
11 list. And I don't recall the dates that those happened, but
12 it was within the writ period.

13 **MR. NANDO de LUCA:** Okay. Thank you very
14 much. Those are my questions. Thank you very much.

15 **COMMISSIONER HOGUE:** Thank you.

16 So last one before we break for lunch is the
17 Human Rights Coalition.

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

19 **MS. SARAH TEICH:**

20 **MS. SARAH TEICH:** Good afternoon, everyone.
21 I know I'm standing between us and lunch, so I'll try to keep
22 this very short.

23 If I could ask the court operator to please
24 pull up CAN.DOC 7. I think there is five zeroes before that
25 seven.

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

27 Global Affairs Canada (GAC)

28 Institutional Report - UNCLASSIFIED

1 regime, was (and still is) on the
2 Atlantic Council's board of directors
3 and executive committee. External
4 pressure eventually forced the
5 Council to reveal that its major
6 donors included police states like
7 Azerbaijan and Saudi Arabia."

8 Were you familiar with these allegations when
9 RRM Canada contracted the group to assist in its work in the
10 lead up to the 2019 general election?

11 **MS. TARA DENHAM:** No. No. I'm not familiar
12 with this reporting, no.

13 **MS. SARAH TEICH:** If we can jump down to the
14 bottom of page 4.

15 I'll just read another paragraph:

16 "The Atlantic Council's latest
17 dalliance with a dictator unfolded
18 this summer when Frederick Kempe and
19 his staff decided to bestow a 'Global
20 Citizen Award' on the dictator of
21 Gabon..."

22 Were you familiar with this allegation when
23 RRM Canada contracted the group?

24 **MS. TARA DENHAM:** No.

25 **MS. SARAH TEICH:** Finally, at the bottom of
26 page 13, there are two paragraphs I'd like to draw your
27 attention to, and I'll again just read them out loud. It
28 starts at the bottom of page 13, of course goes on to

1 page 14:

2 "Beyond Gabon, it must be noted that
3 the most despicable work done by the
4 Atlantic Council is on behalf of the
5 Eritrean regime. Known as the 'North
6 Korea of Africa,' Eritrea has been
7 ruled for decades by the dictator
8 Isaias Afwerki. He exerts tight and
9 brutal control of his people and
10 exiles dissidents to island prisons
11 in the middle of the Red Sea. The
12 United Nations has recently accused
13 him of crimes against humanity,
14 detailing in particular his methods
15 of enslavement, rape, and torture.

16
17 But Atlantic Council deputy Africa
18 director Bronwyn Bruton..."

19 I don't know if I'm pronouncing that right:

20 "...wrote in the New York Times in
21 June 2016 that 'it's bad in Eritrea,
22 but not that bad.' The article—
23 merely the latest in a long line of
24 whitewashing—downplays the abuses of
25 the dictatorship, argues that the
26 U.N. should not sanction the regime,
27 and makes the case for engagement.
28 Here the Atlantic Council is taking a

1 brazen stand for a regime that can
2 only be described as a malevolent
3 force for evil. And nowhere in the
4 article do they disclose that
5 Canada's Nevsun Resources, with
6 extensive mining interests in
7 Eritrea, a six-figure Atlantic
8 Council donor."

9 Were you familiar with these allegations when
10 RRM Canada contracted the Atlantic Council app to assist in
11 its work in the lead up to the 2019 general election?

12 **MS. TARA DENHAM:** No.

13 **MS. SARAH TEICH:** Those are all my questions.

14 Thank you.

15 **MS. TARA DENHAM:** Could I -- could I just add
16 a bit ---

17 **COMMISSIONER HOGUE:** Yes.

18 **MS. TARA DENHAM:** --- to my answer?

19 So I just -- I haven't read this full
20 article, and we weren't aware of that at the time. As you
21 said, this was from an article in 2016. But I'm also not
22 familiar with any responses that have taken place since or
23 how or if the Atlantic Council has responded, but I would say
24 that what we did know at the time is that their digital
25 forensics lab is one of the leading experts in terms of
26 understanding the disinformation landscape. And so through
27 our contracting processes, which are quite extensive, we're
28 focussed on that, but from a content, we're looking for the

1 strongest experts in the environment. So I can speak to what
2 we knew about the Atlantic Council and DFR, but I can't speak
3 to these articles, nor how the Atlantic Council may have
4 responded in the few years between this and our contracting
5 of the organisation.

6 **MS. SARAH TEICH:** All right. Thank you.

7 **COMMISSIONER HOGUE:** Thank you.

8 So have a good lunch, everyone, and we'll
9 come back at three. It's already 20 to 2; at two o'clock
10 (sic).

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

13 This hearing is in recess until three
14 o'clock. La séance est en pause jusqu'à trois heures.

15 --- Upon recessing at 1:39 p.m./

16 --- La séance est suspendue à 13h39

17 --- Upon resuming at 2:50 p.m./

18 --- La séance est reprise à 14 h 50

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

21 This sitting of the Foreign Interference
22 Commission is back in session. Cette séance de la Commission
23 sur l'ingérence étrangère a reprise.

24 **COMMISSIONER HOGUE:** So we are continuing the
25 cross-examinations. The next one, I think, is UCC.

26 **--- MR. ERIC GORDON, Resumed/Sous le même serment:**

27 **--- MS. GALLIT DOBNER, Resumed/Sous la même affirmation:**

28 **--- MS. TARA DENHAM, Resumed/Sous la même affirmation:**

1 --- MR. LYALL KING, Resumed/Sous la même affirmation:

2 --- CSIS REPRESENTATIVE, Resumed/Sous la même affirmation:

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

4 MR. JON DOODY:

5 MR. JON DOODY: Good afternoon, panel. My
6 name is Jon Doody; I'm counsel for the Ukrainian-Canadian
7 Congress.

8 When SITE was created leading up to the 2019
9 general election, it was known that there were allegations
10 that Russia had interfered with the American 2016 election;
11 correct?

12 MR. LYALL KING: Correct, yes.

13 MR. JON DOODY: Okay. And so that would have
14 been a concern at the time that Russia may try and interfere
15 in our 2019 general election.

16 MR. LYALL KING: That is correct, yes.

17 MR. JON DOODY: Okay. But, ultimately, the
18 SITE Task Force was of the opinion that Russia did not
19 interfere with our Canadian 2019 general election.

20 MR. LYALL KING: Correct, from our observed
21 -- from our observations, yes.

22 MR. JON DOODY: Okay. In your witness
23 statement summary -- I'm not going to take you there; I just
24 want to read one sentence from it. It read that:

25 "Russia has the capability to
26 interfere in Canadian democratic
27 structures, but it appears that
28 Russia has little interest in doing

1 so." (As read)

2 And so my question is, is that the position
3 of the SITE Task Force in 2019, or is that the position
4 looking back now, five years later, that Russia had little
5 interest in doing so?

6 **MR. LYALL KING:** That was from the -- just to
7 clarify, from the 2019 summary?

8 **MR. JON DOODY:** Yes.

9 **MR. LYALL KING:** Yes. The way I would
10 describe that, that's probably changed a little bit over
11 time, in fairness. When we first set out and established our
12 group and then began to look at the overall threat landscape,
13 we certainly had concerns over Russia, as you've noted,
14 because of the US Election, and we've referenced others in
15 Europe.

16 But over time, like, we were looking for
17 different elements of what they might bring to bear and that
18 the intent is an important aspect of that. And ultimately
19 we're looking at what we can see as well. But as I recall,
20 over a certain period of time, Russia was also engaged and
21 interested in other issues at the time, if I may put it that
22 way. So I think the lights, generally speaking, were shining
23 less on an interest in Canada, in a broader perspective than
24 it was in their own spaces their -- what we would term, their
25 "Near abroad," for example, using that phraseology.

26 **MR. JON DOODY:** Okay. In your SITE Task
27 Force after-action report -- I'm not going to take you to it.
28 I'm just going to read a sentence under the section "A Final

1 Takeaway", the report reads:

2 "Overall, a key concern was the
3 observation by the SITE Task Force of
4 long-term and often non-distinct
5 activities (such as ongoing diaspora
6 community influenced activities."

7 So my question is, is that saying that the
8 Task Force made observations of those types of long-term and
9 non-distinct activities or is that simply a type of those
10 activities that the Task Force could not make observations
11 on?

12 **MR. LYALL KING:** I would say that it's a
13 recognition that that's a space that needs to be monitored on
14 an ongoing basis, so you know, we could certainly extrapolate
15 from, I think, what we would have seen and it's in our
16 report. We talk a fair bit about the People's Republic of
17 China and activities and how that plays out in those spaces,
18 but it's an acknowledgement that that's a space that needs to
19 be looked at continually.

20 **MR. JON DOODY:** And you may not be able to
21 answer this, but did the Site Task Force observe any of those
22 long-term non-distinct activities affecting diaspora
23 communities in the 2019 election?

24 **MR. LYALL KING:** There were -- I have to be
25 careful about what I say, I guess. I'm trying to remember
26 what's certain domains. And to be quite frank, it may be
27 best for me to leave that observation to my colleague from
28 the service simply, again, because my organization doesn't

1 look at the domestic space, CSE, that is. So I will defer to
2 my colleague from the service to potentially make a remark on
3 that regardless.

4 **CSIS REPRESENTATIVE:** With apologies. I
5 thought we were coming back at 3:00 and I missed the
6 question.

7 **MR. JON DOODY:** I'll repeat it for you.

8 In the SITE Task Force after-action report
9 under the heading "A Final Takeaway", the report reads:

10 "Overall, a key concern was the
11 observation by the SITE Task Force of
12 long-term and often non-distinct
13 activities (such as ongoing diaspora
14 community influenced activities."

15 So the question was, during the 2019 General
16 Election, did the SITE Task Force make those long-term --
17 observation of long-term and non-distinct activities
18 specifically?

19 **CSIS REPRESENTATIVE:** So I guess my answer to
20 that would be that CSIS has observed that for decades at this
21 point, and I think some of that was raised by the panel --
22 the CSIS panel yesterday. Those aren't observations.
23 They're longstanding ones.

24 **MR. JON DOODY:** And specifically, was there
25 any observations made during the lead-up to or the writ
26 period of the 2019 election?

27 **CSIS REPRESENTATIVE:** So again, SITE's remit
28 was specifically related to the democratic institutions

1 portion of it, so where those overlapped, certainly those
2 reports would have come forward or those pieces of
3 information on intelligence would have been brought forward.
4 So I mean, we were looking specifically in that election
5 space. We had a very low bar for what was included, but if
6 there was overlap between those two things, yes, those would
7 have been brought forward.

8 **MR. JON DOODY:** And then my final question is
9 with respect to the RRM.

10 And so as I understand it, the RRM was
11 observing media stories and then making attempts to determine
12 if there was a state-sponsored -- foreign state sponsor
13 behind this story in order to identify it as foreign
14 interference.

15 **MS. GALLIT DOBNER:** So we were looking for
16 foreign state-sponsored amplification of narratives in the
17 online space, correct.

18 **MR. JON DOODY:** And so if there was a
19 domestic story that contained misinformation or
20 disinformation that was repeated or highlighted by a foreign
21 state media, would that constitute foreign interference?

22 **MS. GALLIT DOBNER:** So that could. That was
23 a new tactic at the time that we were observing, and that's
24 developed over time, where foreign state actors don't simply
25 spread lies but they take narratives out of a domestic
26 context but they might amplify them using inauthentic means,
27 so they take them out of context and amplify them for a
28 specific end. So that could constitute, based on our

1 understanding, foreign interference, yes.

2 **MR. JON DOODY:** Thank you. Those are my
3 questions.

4 **COMMISSIONER HOGUE:** Thank you.

5 Next one is counsel for RCDA, Me Sirois.

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

7 **MR. GUILLAUME SIROIS:**

8 **MR. GUILLAUME SIROIS:** Madame la
9 commissionaire.

10 Guillaume Sirois, counsel for the RCDA. I'm
11 going to ask my questions in English, but feel free to
12 respond in the official language of your choice, obviously.

13 During David Vigneault's testimony yesterday,
14 I put numerous documents before the CSIS Director showing
15 that Russia has been conducting significant foreign
16 interference activity during 2019 to 2021 period. And after
17 I showed these documents to David -- Mr. David Vigneault, he
18 conceded that Russia has had significant interest in
19 interfering in Canada's democratic institutions during that
20 period.

21 My question to you is, how do you reconcile
22 that testimony that we heard yesterday with the statement
23 contained in your witness summary stating that Russia has
24 little interest in interfering in Canada's democratic
25 institutions?

26 **COMMISSIONER HOGUE:** I think as a matter of
27 fairness, I think you should refer to specifically what has
28 been said by Mr. Vigneault just for the panel to know exactly

1 what was said and not to get something paraphrased by
2 yourself.

3 **MR. GUILLAUME SIROIS:** Certainly. It will
4 take a few seconds if you ---

5 **COMMISSIONER HOGUE:** No, it's fine. Take
6 your time to find it.

7 **MR. GUILLAUME SIROIS:** Thank you.
8 Can we pull the transcripts of yesterday?
9 They're not on the party database, the
10 transcripts?

11 **MS. ERIN DANN:** Just give us one moment.
12 We'll see if ---

13 **COMMISSIONER HOGUE:** If it's available.

14 **MS. ERIN DANN:** It's not yet.

15 **COMMISSIONER HOGUE:** Do you want to break for
16 just ---

17 **MS. ERIN DANN:** I was going to say, we can
18 get a ---

19 **COMMISSIONER HOGUE:** Because I think as a
20 matter of fairness for the panel, we have to make sure that
21 what is reported is what was said. I have no reason to
22 doubt, but just as a matter of procedure, I think that's the
23 way we should go.

24 **MS. ERIN DANN:** I am getting -- sorry,
25 receiving in real-time here an update that it may be on the
26 party database. We're just ---

27 **MR. GUILLAUME SIROIS:** TRN 10.

28 Can we scroll to David Vigneault's testimony,

1 please, and specifically the cross-examination of David
2 Vigneault by me?

3 **COMMISSIONER HOGUE:** You would have said some
4 cross-examination?

5 **MR. GUILLAUME SIROIS:** Yes.

6 **COMMISSIONER HOGUE:** So it means it's much
7 more toward the end of the transcript.

8 **MR. GUILLAUME SIROIS:** Yes, I see it's --
9 yeah.

10 May I ask the Commissioner for a two minutes'
11 break just so that we can organize?

12 **COMMISSIONER HOGUE:** Yes, sure.

13 **MR. GUILLAUME SIROIS:** Thank you so much.

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

16 This hearing is in recess for five minutes.
17 La séance est en pause jusqu'à cinq minutes.

18 --- Upon recessing at 3:02 p.m./

19 --- La séance est suspendue à 15 h 02

20 --- Upon resuming at 3:06 p.m./

21 --- La séance est reprise à 15 h 06

22 **THE REGISTRAR:** Order please. À l'ordre,
23 s'il 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 reprise.

27 **--- MS. GALLIT DOBNER, Resumed/ Sous la même affirmation:**

28 **--- MS. TARA DENHAM, Resumed/Sous la même affirmation:**

1 --- MR. LYALL KING, Resumed/Sous la même affirmation:

2 --- CSIS REPRESENTATIVE, Resumed/Sous la même affirmation:

3 COMMISSIONER HOGUE: You found it?

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

5 MR. GUILLAUME SIROIS (cont' d/suite) :

6 MR. GUILLAUME SIROIS: Yes. Thank you.

7 Merci pour le temps, Madame la Commissaire.

8 So the transcript is in both official
9 languages and I was asking my questions in French, but I will
10 try to translate roughly for the benefit of the panel and the
11 public. Or can I say it in French?

12 MS. TARA DENHAM: Oui.

13 MR. GUILLAUME SIROIS: Is it good? French?

14 Okay.

15 Je vais le dire en français alors, c'est plus
16 facile. Donc, c'est ça, plus haut dans le témoignage, je
17 parlais des trois documents sur l'ingérence russe dans nos
18 institutions démocratiques au Canada. Ensuite, David
19 Vigneault a confirmé :

20 « La Russie a l'intention de causer
21 de l'interférence dans nos
22 institutions démocratiques. »

23 Il explique un petit peu plus :

24 « Leur objectif est surtout de
25 pouvoir diviser les sociétés, de
26 créer de la dissension et de diminuer
27 la paix [de] la démocratie dans le
28 monde occidental [...]. »

1 Et je demande à monsieur David Vigneault :
2 « Est-ce qu'on peut qualifier un peu
3 cette intention? Est-ce que c'est
4 une grande intention? Une faible
5 intention? Une moyenne? »

6 Et monsieur David Vigneault confirme que... la
7 dernière phrase ici, on voit bien :

8 « Donc, je pense qu'on peut dire que
9 c'est une priorité du régime russe. »

10 J'aimerais comprendre un peu pourquoi on dit
11 que, dans ce contexte... là je vais vous référer à votre résumé
12 d'entrevue, c'est WIT 45... Witness Summary 45 at paragraph 30.

13 And that's where you say that Russia -- we
14 can put it up to be fair to the witness also, just to make
15 sure that they have the proper -- that I quoted them
16 correctly, quoted the summary correct. It's Witness Summary
17 45, paragraph 30, please.

18 So yes, here we see at the last sentence of
19 the paragraph:

20 "Russia has the capability to
21 interfere in Canadian democratic
22 structures, but it appears that
23 Russia has little interest in doing
24 so."

25 **MR. LYALL KING:** So I will just first point
26 out that is the CSIS representative's statement. So I will
27 certainly let my CSIS colleague interject.

28 But perhaps just to nuance that a little bit,

1 is I don't disagree what Mr. Vigneault states in terms of
2 Russia and its broad sort of range of activities that it
3 pursues. I think it's how we're looking at it in the very
4 specific context of the election period, the writ, and
5 activities directed towards that specific space and time,
6 rather than Russia in a general sense, I think, in terms of
7 its interest and getting into these spaces more generally.
8 So like in opensource, in social media, disinformation spaces
9 like that. So I think it might just be a difference and a
10 very particular thing we're looking at. Russia's intention
11 with respect to the Canadian Federal Election and the
12 activity we were focused on that time, to summarize that, for
13 -- because our statement was in and around, like, the
14 election itself, rather than a broader statement.

15 But I will, again, defer to my CSIS colleague
16 since that is their -- technically their statement in that
17 witness summary.

18 **CSIS REPRESENTATIVE:** No. Thank you. I
19 absolutely agree with my colleague. I think that the
20 statement that I had made in the summary was in relation
21 specifically to the Federal Election, as opposed to their
22 broad intentions, which is what Mr. Vigneault had spoken to.
23 So both are correct.

24 **MR. GUILLAUME SIROIS:** So am I to understand
25 that Russia has -- one of the priorities, as the term used by
26 David Vigneault, of the Russian regime is to sow division in
27 democratic institutions of Canada -- sow division in Canada,
28 including to interfere with our democratic institutions, but

1 that during the election period, which we all agree it's the
2 most, perhaps, vital aspect of our democratic institution,
3 Russia's interest somehow disappears?

4 **MR. LYALL KING:** I will again let my CSIS
5 colleague interject, but I think we're talking about looking
6 at Russia as an actor on the global stage. We see it active
7 in a lot of different spaces, a lot of different democracies,
8 a lot of different processes.

9 So generally speaking, that type of activity,
10 that type of intent, is there. We did not observe, from our
11 perspective, that activity happening. From our observations,
12 mind you, as well, which, you know, no one agency or
13 department has a 100 percent view of what's happening
14 everywhere at all times. But certainly from our perspective,
15 we did not see that happening.

16 So I will leave that from my perspective, but
17 I will defer again to my Service colleague.

18 **CSIS REPRESENTATIVE:** Yes. I concur with
19 that. And just reminding that this is information from five
20 years ago and what was in the 2019 space, as opposed to the
21 ongoing trend of what Russian's intentions are.

22 **MR. GUILLAUME SIROIS:** I'm sorry, but --
23 okay. So just to return on Mr. King's evidence, you say that
24 you did observe interference by Russia, which leads you to
25 believe that Russia has no interest. It's not, like, a
26 separate assessment of Russia's intention; correct?

27 **MR. LYALL KING:** I think we need to be
28 careful about words as well. There's interest, intent is one

1 that we use. Was there a specific intent to meddle in the
2 Canadian Federal Election in 2019 by the Russian Federation
3 from our observances? And as we've stated, certainly you can
4 see in the documentation, we did not observe that.

5 So in terms of the intent, maybe I can nuance
6 that also, is to say that it's not that Canada is of zero
7 interest, but it may not be the priority interest of the
8 Russian Federation when it comes to that activity.

9 **MR. GUILLAUME SIROIS:** And that statement is
10 in terms of what you observed, or your analysis of the
11 regime?

12 **MR. LYALL KING:** That is reflective of a
13 broader analysis of what we would have seen over an arc of
14 time as well.

15 **MR. GUILLAUME SIROIS:** And this is despite
16 the statement of Mr. Vigneault's yesterday, saying that
17 interfering in Canadian democratic institutions was a
18 priority for the Russian regime.

19 **MR. LYALL KING:** I'm not going to -- will you
20 forgive me. Like I don't know the specific documents that
21 you presented to Mr. Vigneault. I can't really comment, and
22 you know, I can only tell you what I've seen from my own
23 activities and what we've stated in the report. It's not to
24 say that Russia has zero interest, it's that it's less,
25 perhaps, when you compare it to other spaces, other nations.
26 And I'll put the United States out there, being the global
27 power that it is, there is more time and effort and light
28 shed on that specific space than there is on our specific

1 space, generally speaking.

2 So -- and all I can go back to is the
3 statement that, you know, what we observed and what did not
4 observe. We didn't observe something doesn't necessarily
5 mean it didn't happen either, we just didn't necessarily
6 observe it. So there's a few nuances here maybe to build to
7 make the summary of this picture.

8 **MR. GUILLAUME SIROIS:** Perfect. Thank you.
9 And I will conclude on that point.

10 So you say that it's a question of degree.
11 It's not that Russia has zero interest in Canada, it's that -
12 - you can qualify it as little priority, but at least Russia
13 has some intent or interest in interfering in Canadian
14 democratic institutions, and it has a lot of capabilities to
15 do such interference.

16 **MR. LYALL KING:** Yes.

17 **MR. GUILLAUME SIROIS:** My question is, during
18 the 2019 election, is it possible -- or also, the 2021
19 election because you're -- you were there as well, is it
20 possible that Russia did not press the button of interference
21 fully, like it did in the U.S. in 2016, but maybe pushed the
22 button a little bit so that interference happened in Canada,
23 but perhaps not to the degree of the -- what happened in the
24 United States in 2016?

25 **MR. LYALL KING:** I wouldn't describe it in
26 the way that you have, but certainly activities are possible.
27 Again, I go back to what we observed, what we're able to see.
28 And the difficulties, even, as we've discussed, of trying to

1 identify this type of activity in these spaces, it's foreign
2 interference takes many shapes and forms and in many
3 different spaces as well, as we've kind of talked through
4 this morning.

5 So is it possible they were doing things?
6 Yes, it is possible, but I can't tell you with anything
7 definitive that certainly from my perspective I observed that
8 we would have commented and documented and reported on that.

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

10 **MR. LYALL KING:** Yeah.

11 **MR. GUILLAUME SIROIS:** Merci, Madame la
12 Commissaire.

13 **COMMISSIONER HOGUE:** Thank you.

14 AG?

15 **MR. MATTHEW JOHNSON:** Thank you,
16 Madam Commissioner.

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

18 **MR. MATTHEW JOHNSON:**

19 **MR. MATTHEW JOHNSON:** My name is Matthew
20 Johnson. I'm counsel for the Attorney General of Canada.

21 I just have a few questions for the CSIS
22 Representative. And I'd like to ask some clarification
23 questions.

24 So I'll begin. In answering questions about
25 political party briefings in 2019, you said that you had one
26 briefing with the Liberal Party and two briefings with
27 another party. Am I correct in that recollection?

28 **CSIS REPRESENTATIVE:** Yes, that's correct.

1 **MR. MATTHEW JOHNSON:** And I think what you
2 said was, and I'll -- one of the lines that I wanted to
3 clarify is I had noted down that you had said, "at one point
4 there was one meeting already discussed with the Liberal
5 Party and two others about the same incident." Do you
6 remember saying that?

7 **CSIS REPRESENTATIVE:** Yes. I see that that
8 could be -- have been misinterpreted.

9 **MR. MATTHEW JOHNSON:** Yes. And so I just
10 want to ask you if you could clarify that when you referred
11 to two others about the same incident, are you saying that
12 the two others were about the same incident that was the
13 subject of the briefing with the Liberal Party, or was it two
14 incidents that were separate but were the same between them?
15 I -- that was not the -- two briefings to that party that
16 were on the same issue. Is that -- which one of those two
17 scenarios would you -- were you trying to say?

18 **CSIS REPRESENTATIVE:** I had two briefings
19 with a political party that were about their issue that they
20 brought to us. The first meeting was them bringing an issue
21 and wanting to discuss it, and it was distinct and separate
22 from whatever had been briefed to the Liberal Party that was
23 a concern they had in -- with respect to potential foreign
24 interference in one of their campaigns. And the second
25 meeting with that same party was then to discuss and respond
26 to their initial query.

27 Is that clear?

28 **MR. MATTHEW JOHNSON:** Yes, it is. Thank you.

1 And when -- in a subsequent question, you
2 answered that you couldn't identify the party; correct?

3 **CSIS REPRESENTATIVE:** That's correct.

4 **MR. MATTHEW JOHNSON:** And during that
5 exchange, you had identified a document related to a briefing
6 which you identified as CAN 002327; correct? Do you recall
7 that?

8 **CSIS REPRESENTATIVE:** Right. Yes, that
9 referred to an October, I believe it was an October 2nd
10 political party briefing that was a briefing to all of the
11 political parties together.

12 **MR. MATTHEW JOHNSON:** And I'm going to ask
13 that that document be brought up.

14 And is this the document that you were
15 referring to?

16 **CSIS REPRESENTATIVE:** Yes, it is.

17 **MR. MATTHEW JOHNSON:** And you mentioned the
18 date, and I see October 2nd, 2019. That's what you're
19 referring to as well?

20 **CSIS REPRESENTATIVE:** Yes.

21 **MR. MATTHEW JOHNSON:** And I'm going to ask
22 that the document go to page 3, please.

23 Does this document refer to....

24 And if you go to the top of the page. Yes,
25 just right there is fine.

26 Does this document in this briefing on
27 October 2nd, is that one of the two briefings that you're
28 referring to?

1 **CSIS REPRESENTATIVE:** Yes, it is.

2 **MR. MATTHEW JOHNSON:** And the party that
3 received that briefing was the Conservative Party of Canada?

4 **CSIS REPRESENTATIVE:** Yes. My apologies. I
5 hadn't realised it had been released.

6 **MR. MATTHEW JOHNSON:** And then just more
7 generally, you spoke about giving briefings to political
8 parties. We obviously have this document in front of us that
9 has information in it. How did you convey that information
10 to the parties, and I'm not speaking about the -- this
11 page 3, but generally on the briefings that we have seen, how
12 was that information conveyed to the political parties in
13 those meetings?

14 **CSIS REPRESENTATIVE:** Verbally, and the set
15 of notes ---

16 **MR. MATTHEW JOHNSON:** Verbally.

17 **CSIS REPRESENTATIVE:** --- the set of notes
18 that would have been compared would have been read to them.

19 **MR. MATTHEW JOHNSON:** And when you say read
20 to them, did you read it verbatim or did you read parts of
21 it?

22 **CSIS REPRESENTATIVE:** No, I would have
23 conveyed all the information in there. There wouldn't have
24 been additional or information left out.

25 **MR. MATTHEW JOHNSON:** So you read the whole
26 thing.

27 **CSIS REPRESENTATIVE:** Yes.

28 **MR. MATTHEW JOHNSON:** Thank you very much.

1 Madam Commissioner, those are my questions.

2 **COMMISSIONER HOGUE:** Thank you.

3 So I think two of you will leave, except if
4 you want to sit in the room, you're welcome, and two are
5 going to stay.

6 So we'll take a few minutes for switching at
7 least the two witnesses.

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

10 The hearing is in recess until 1525. La
11 séance est en pause jusqu'à 15h25.

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

13 --- La séance est suspendue à 15h22

14 --- Upon resuming at 3:31 p.m.

15 --- La séance est reprise à 15 h 31

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

18 This sitting of the Foreign Interference
19 Commission is back in session. Cette séance de la Commission
20 sur l'ingérence étrangère a reprise.

21 **COMMISSIONER HOGUE:** Good afternoon.

22 **Me JEAN-PHILIPPE MacKAY:** Bonjour, Madame la
23 commissaire. Jean-Philippe MacKay...

24 **COMMISSAIRE HOGUE:** Bonjour.

25 **Me JEAN-PHILIPPE MacKAY:** ...pour la
26 Commission.

27 I will be conducting the examination of the
28 SITE Task Force 2021 witnesses. Mr. King and Ms. Dobner are

1 still with us for this panel examination. We have Ms. Lisa
2 Ducharme for the RCMP and we also have a CSIS Representative
3 who should be with us virtually.

4 **CSIS REPRESENTATIVE:** I am here. Can you
5 hear me?

6 **MR. JEAN-PHILIPPE MacKAY:** And this -- I
7 don't know if the CSIS Representative is with us. Can you
8 say something, please?

9 **CSIS REPRESENTATIVE:** I am here. Can you
10 hear me?

11 **MR. JEAN-PHILIPPE MacKAY:** Yes, thank you.

12 I would like the witnesses to be sworn or
13 affirmed. And for the CSIS Representative, we'll be
14 following the same procedure as we did this morning.

15 **--- MS. GALLIT DOBNER, Resumed/Sous la même affirmation:**

16 **--- MR. LYALL KING, Resumed/Sous la même affirmation:**

17 **THE REGISTRAR:** Can you please state your
18 name and your full name -- spell your full name for the
19 record, please?

20 **MS. LISA DUCHARME:** Lisa Jane Ducharme.

21 **THE REGISTRAR:** And spell your last name,
22 please.

23 **MS. LISA DUCHARME:** D-u-c-h-a-r-m-e.

24 **--- MS. LISA DUCHARME, Sworn/Assermentée:**

25 **--- CSIS REPRESENTATIVE, Affirmed/Sous affirmation**
26 **solennelle:**

27 **MR. JEAN-PHILIPPE MacKAY:** And for the CSIS
28 Representative, I understand we have a Commissioner of Oaths

1 who's attending with the CSIS Representative at this moment.
2 Is that correct?

3 **MR. JUSTIN ROY:** Yes, that's right. So I
4 confirm I've verified the witness' identity and I've
5 administered the affirmation. The witness has affirmed and
6 is now prepared to testify before you.

7 I will confirm the identity of this witness
8 in confidence in due course.

9 **COMMISSIONER HOGUE:** Thank you.

10 **MR. JEAN-PHILIPPE MacKAY:** And just for the
11 record, what is your name?

12 **MR. JUSTIN ROY:** My first name is Justin,
13 last name Roy, called to the bar of Ontario in 2020.

14 **MR. JEAN-PHILIPPE MacKAY:** Thank you very
15 much.

16 **MR. JUSTIN ROY:** Thank you.

17 **MR. JEAN-PHILIPPE MacKAY:** So we'll begin
18 with the usual housekeeping, Madam Commissioner.

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

20 **MR. JEAN-PHILIPPE MacKAY:**

21 **MR. JEAN-PHILLIPE MacKAY:** I'll ask the
22 Registrar to bring up WIT 47, please, which is the Interview
23 Summary -- the public version of the Interview Summary of Mr.
24 King, Ms. Dobner, CSIS Representative, and Ms. Ducharme.

25 **--- EXHIBIT No./PIÈCE No. WIT 47:**

26 SITE TF 2021 Public Summary of
27 Classified Interview

28 **MR. JEAN-PHILLIPE MacKAY:** Have you had --

1 well, our witnesses, do you recall being interviewed by
2 Commission counsel in a classified space on the 9th of
3 February, 2024?

4 **MR. LYALL KING:** Yes.

5 **MR. JEAN-PHILLIPE MacKAY:** This summary is a
6 publicly disclosable version of the interview summary. Have
7 you had a chance to review it before today?

8 **MR. LYALL KING:** Yes.

9 **MR. JEAN-PHILLIPE MacKAY:** And is it --
10 insofar as it represents the publicly disclosable evidence
11 that can be included in that summary, is it accurate to the
12 best of your information and belief?

13 **MR. LYALL KING:** Yes, it is.

14 **MR. JEAN-PHILLIPE MacKAY:** And do you have
15 any corrections, additions, or deletions that you would like
16 to make to this document?

17 **MR. LYALL KING:** I do not.

18 **MR. JEAN-PHILLIPE MacKAY:** Okay. For the
19 other witnesses, do you have the same answer for this
20 document?

21 **MS. GALLIT DOBNER:** Same answer.

22 **MS. LISA DUCHARME:** Same.

23 **CSIS REPRESENTATIVE:** Same answer.

24 **MR. JEAN-PHILIPPE MacKAY:** Do you all adopt
25 this summary as part of your evidence before the Commission
26 today?

27 **MR. LYALL KING:** Yes, I do.

28 **MS. GALLIT DOBNER:** I do.

1 **MS. LISA DUCHARME:** I do.

2 **CSIS REPRESENTATIVE:** I do.

3 **MR. JEAN-PHILIPPE MacKAY:** Thank you.

4 Now can we bring up WIT 46, please?

5 **--- EXHIBIT No./PIÈCE No. WIT 46:**

6 SITE TF 2021 Public Summary of
7 Classified Examination

8 **MR. JEAN-PHILIPPE MacKAY:** I'm sorry, Madam
9 Commissioner, I just realized something. Because the CSIS
10 representative who is with us today was not, as you remember,
11 was not the same CSIS representative who testified in-camera,
12 the CSIS representative who is with us today was not -- did
13 not participate in the interview. So because this person is
14 not with us today, maybe it's difficult to see and to
15 distinguish between the two documents. So the -- as it's
16 mentioned in this summary, the in-camera examination summary,
17 the CSIS representative who is with us today is the CSIS
18 representative who was examined in-camera before you and the
19 CSIS representative who participated in the interview will
20 file -- will sign an affidavit in the near future which will
21 be produced to us and we will introduce it into the record.

22 But just for the record -- to correct the
23 record, ---

24 **COMMISSIONER HOGUE:** Fine.

25 **MR. JEAN-PHILIPPE MacKAY:** --- the CSIS
26 representative who is with us today cannot attest to the
27 accuracy of the interview because they did not participate in
28 the interview.

1 And I'm sorry for that. this is an important
2 point to make.

3 Now we have the in-camera examination
4 summary, WIT46. So the same questions to our witnesses.
5 This is a publicly disclosable version of the summary. Did
6 you have the chance to review it today for accuracy?

7 **MR. LYALL KING:** Yes.

8 **MR. JEAN-PHILIPPE MacKAY:** Okay. Is it the
9 same answer for all of the panelists?

10 **MS. GALLIT DOBNER:** Yes.

11 **MS. LISA DUCHARME:** Yes.

12 **CSIS REPRESENTATIVE:** Yes.

13 **MR. JEAN-PHILIPPE MacKAY:** Does it reflect
14 your evidence, to the best of your knowledge, information,
15 and belief?

16 **MR. LYALL KING:** Yes, it does.

17 **MS. GALLIT DOBNER:** Yes, it does.

18 **MS. LISA DUCHARME:** Yes.

19 **CSIS REPRESENTATIVE:** Yes.

20 **MR. JEAN-PHILIPPE MacKAY:** And do you have
21 corrections, additions, deletions to make to this document
22 before you adopt it as part of your evidence?

23 **MR. LYALL KING:** I do not.

24 **MS. GALLIT DOBNER:** I do not.

25 **MS. LISA DUCHARME:** I do not.

26 **CSIS REPRESENTATIVE:** I do not.

27 **MR. JEAN-PHILIPPE MacKAY:** Thank you. So now
28 that's being -- that's been done.

1 Could you please introduce yourself briefly,
2 Mr. King and Ms. Dobner, concerning the roles that you had in
3 2021 within your respective agencies and in relation to the
4 SITE Taskforce in 2021?

5 **MR. LYALL KING:** Sorry, was that directed at
6 me?

7 **MR. JEAN-PHILIPPE MacKAY:** You can answer,
8 just for the record, but we heard your evidence this morning.

9 **MR. LYALL KING:** Okay. Effectively it was
10 the same, if I may. I was the Chair of the SITE Taskforce
11 during that time and I was also still a Director within the
12 Directorate General of Intelligence at CSE.

13 **MS. GALLIT DOBNER:** Likewise, I was the
14 Global Affairs Canada representative on the SITE Taskforce.

15 **MS. LISA DUCHARME:** I was the RCMP
16 representative to the SITE Taskforce through my role as a
17 Director of Strategic Intelligence within Federal Policing
18 National Intelligence.

19 **CSIS REPRESENTATIVE:** And I worked with a
20 lead CSIS official in the 2021 Election whilst also serving
21 as a Deputy Director dealing with foreign interference in the
22 ADR Directorate.

23 **MR. JEAN-PHILIPPE MacKAY:** CSIS
24 Representative, if possible, could you please either speak up
25 or speak a bit more slowly, because it is hard to understand
26 in the hearing room.

27 **CSIS REPRESENTATIVE:** Shall I repeat that?

28 **MR. JEAN-PHILIPPE MacKAY:** No, I think that

1 was fine, but just for your answers for the rest of your
2 examination, just bear in mind that because of the
3 technological aspect of your testimony, you will have to
4 speak slowly. Thank you.

5 **CSIS REPRESENTATIVE:** Thank you.

6 **MR. JEAN-PHILIPPE MacKAY:** My first question
7 is for you, Mr. King. We heard your evidence this morning
8 concerning the SITE Taskforce in 2019. Could you please
9 explain the differences that existed between the SITE
10 Taskforce in 2019 and your experience in 2021?

11 **MR. LYALL KING:** Certainly. Generally
12 speaking, the SITE Taskforce was the same in construct. It
13 operated in a very similar fashion as it did during the 2019
14 elections. There were a few changes in personnel, as we have
15 seen reflected in the panels from this morning to this
16 afternoon, but some of us were still there, so there was
17 still an element of continuity in terms of membership.

18 More broadly speaking, we had been in the
19 midst of covid as well, so that certainly had an impact,
20 generally speaking, on the operational environment and how we
21 worked with hybrid work coming into play.

22 So, you know, we did meet a little bit more
23 in multi-classification spaces. That's to say, not
24 exclusively in a top-secret environment. But we also had
25 discussions outside of that, as appropriate, reflecting the
26 content of what we discussed. And that was certainly an
27 element of how we had to contend with operating.

28 Additionally, there was increased concern,

1 generally speaking, partly as a result of covid, but partly
2 as a result of seeing the Capital Hill riots in the United
3 States, in and around election security. So beyond foreign
4 interference, looking at the personal and physical security
5 to individuals in positions of importance. So senior
6 government officials and the like.

7 So we did include that element, generally
8 speaking, into our activities and our reporting.

9 That meant, practically speaking, in RCMP
10 played probably a greater role in 2021, in terms of
11 contributing material that ultimately would have been fed up
12 to the Panel of Five regarding safety issues and threats,
13 physical threats and the like, to politicians and candidates.

14 So those are sort of the key thematic changes
15 in terms of what we had to contend with.

16 I can get into some of the differences in the
17 way that we communicated, but I think that might flow more
18 into the lead up to the election itself. So maybe I'll stop
19 there.

20 **MR. JEAN-PHILIPPE MacKAY:** I'd like to hear
21 you about this aspect. I'd like to cover just the main
22 differences, notwithstanding the timeframe of your work in
23 2021, just the main differences. You already addressed some
24 of those. So I'd like to hear you on the differences
25 concerning whether there are any differences in the
26 information flow, ---

27 **MR. LYALL KING:** Sure.

28 **MR. JEAN-PHILIPPE MacKAY:** --- the products

1 that you generated as a taskforce, et cetera.

2 **MR. LYALL KING:** Certainly. So we did have a
3 little bit of a different approach in terms of collating
4 information that was fed up to the Panel of Five. Starting
5 in probably late 2020, I want to say, we pulled together and
6 revised our overall threat landscape and we began to refresh
7 that on more or less a monthly basis. And that coincided in
8 early 2021 with the set up, the re-establishment of the Panel
9 in preparation for what was anticipated to be an election.

10 So there was less foundational briefings
11 about what SITE did, and probably more focus on updating on a
12 more regular frequent basis the threat landscape.

13 I would say that we did, I think, a better
14 job of synthesizing the components from the different
15 organizations, so information that came through from the
16 service, contributions from CSE, Global Affairs and RCMP,
17 into an overarching, more holistic document. I think that
18 was done fairly well.

19 And then in terms of briefing cycles, as I
20 noted, there were monthly updates to the panel as they were
21 preparing. During the writ period, we did the same thing as
22 we did in 2019 in issuing daily situation reports, or
23 sitreps. Over and above that, there were definitely weekly
24 briefings to the panel.

25 So we had -- and this is during the writ
26 period -- the daily sitrep in addition to, ultimately, a
27 summary of what we were seeing in those sitreps pulled
28 together into a weekly summary. And that was briefed to the

1 panel.

2 That was done -- again, PCO would have
3 coordinated the briefings themselves and the delivery was
4 typically at the Deputy Minister level, so Chief of CSE,
5 Director of CSIS and a bit of a nuance for the representation
6 from RCMP and Global Affairs where both my colleagues here on
7 the panel did end up briefing, in part because of the roles
8 and responsibilities of their Deputy Ministers. So there was
9 a more frequent engagement in that sense.

10 Daily summaries, weekly -- sorry. Daily
11 sitreps, a weekly summary that was verbally briefed as we did
12 in 2019, but I don't believe we did the weekly during 2019 so
13 we didn't do that in 2019. We did it in 2021.

14 **MR. JEAN-PHILLIPE MacKAY:** And within your
15 respective agencies and organizations in relation to foreign
16 interference, were there any changes -- notable changes prior
17 to the election in 2021?

18 **MR. LYALL KING:** There were.

19 Certainly as I noted, COVID had somewhat of
20 an impact. I had a few less people working with me on the
21 secretariat function of SITE, but we still functioned and, in
22 fact, there was probably less of a burden on us in some
23 senses.

24 We had less of that educational briefing
25 requirement that we had to do in 2019. But operationally
26 speaking, CSE -- and I'll my other panel colleagues speak to
27 their spaces. CSE did increase resources on certain spaces
28 to bolster intelligence collection in relation to foreign

1 interference and foreign influence activities of adversaries,
2 so we did increase that and increased engagement, I think, as
3 well in terms of outreach to the public, generally speaking,
4 with publications, threats to democratic processes, national
5 cyber threat assessments, so engaging and educating the
6 public in that sense.

7 So I will leave that to other panel members
8 to discuss the changes within their organizations.

9 **MS. GALLIT DOBNER:** Would you like me to jump
10 in?

11 **MR. JEAN-PHILLIPE MacKAY:** Yes, please.

12 **MS. GALLIT DOBNER:** Great.

13 I think by way of contest, it's helpful to
14 first understand how the online ecosystem evolved between
15 2019 and 2021 to explain why we made some of the changes we
16 did to the team and how we approached foreign interference
17 online.

18 So I'd say, in brief, there were three big
19 changes. There were more folks and, therefore, more
20 information online by 2021. There were more platforms to
21 look at. And the tactics and techniques were more
22 sophisticated.

23 So just to explain those three points, first
24 of all, as Mr. King explained, we were in a COVID context.
25 Folks were at home and folks were online. And we were
26 experiencing what many had coined an "infodemic" where there
27 was just a ton of information online at all times. So there
28 was a lot more to wade through.

1 Second of all, there were a lot more
2 platforms. So back in 2019, we were very focused on some of
3 the big common American platforms like Facebook, formerly
4 Twitter, Instagram, Reddit, but by the time '21 rolled
5 around, we saw a huge increase in interest in Chinese social
6 media platforms. It wasn't just American social media
7 platforms any more. And we also saw the rise of alternative
8 platforms. This was particularly in the wake of the Capitol
9 Hill riots where a number of noteworthy personalities were
10 deplatformed by some of these big platforms and they fled to
11 some of these smaller platforms, platforms that had less
12 rigorous terms of service where they could kind of -- there
13 was less content moderation and folks could post as they
14 liked.

15 And then finally, we saw more sophistication
16 in technique. So for instance, everyone's by now very
17 familiar with generative AI and some of the capabilities of
18 generative AI. So before where you might have seen anonymous
19 Twitter accounts and you could kind of use that as an
20 indicator sometimes, now you could use AI to generate a fake
21 picture of somebody to post on an account.

22 We also saw information moderating where
23 folks would move information from one platform to another to
24 try to obscure the origin -- the original origin of the
25 information, so more sophistication in the techniques.

26 So between more information, more platforms,
27 more sophistication, it was a tougher space to get a hold of.

28 So in terms of the things that we did to try

1 to tackle this evolution in the online space, first of all,
2 my team, RRM Canada, organized a series of four workshops for
3 Government of Canada relevant players. The first one was a
4 lessons learned exercise where we brought in civil society
5 and academic and others who had been watching the 2019
6 election to talk about the lessons we'd learned.

7 We also had a workshop that was classified
8 with other government partners to talk about the techniques
9 that they were seeing in the context of their recent
10 elections in terms of foreign interference.

11 And then thirdly, we brought in experts to
12 talk about the evolution of the online space where we had
13 seen the most evolution in terms of foreign interference
14 techniques.

15 And then thirdly, we -- sorry, fourthly, we
16 had a very technical workshop for data analysts across
17 government.

18 So there were the workshops.

19 There were also the monthly reports that we
20 produced. So we had done this as well in 2019, but the
21 reports that we produced in 2021 reflected some of the
22 changes in the online environment, so for instance, looking
23 at alternative media platforms.

24 Thirdly, we brought in some new expertise to
25 the team, so we brought in an expert in Chinese social media
26 platforms, so rare folks who can speak, write in Mandarin who
27 can straddle social science and data science, so this was a
28 boon for the team. We also brought in an expert on

1 alternative platforms to help us look at some of these other
2 platforms that a lot of folks didn't have experience with.

3 And then fourthly, like in 2019, we had
4 contracted some assistance. This time we contracted a couple
5 of different parties, a private sector party named Yonder, to
6 help us look at the online ecosystem, and then we also
7 contracted the Media Ecosystem Observation, which was a
8 partnership between UFT and McGill University who's very
9 familiar with the Canadian media landscape, to help us
10 monitor.

11 So I'd say those were the main changes in the
12 online ecosystem and those were some of the main changes we
13 made to the team to reflect the evolution.

14 **MR. JEAN-PHILLIPE MacKAY:** And concerning --
15 you mentioned social media -- new social media, for example,
16 WeChat. Could you please explain just briefly -- I know it's
17 not necessarily a new social media, but just explain -- this
18 is a platform that was mentioned over the last hearing days.
19 And just to explain briefly what it is and just an overview
20 of how it functions.

21 **MS. GALLIT DOBNER:** Right. So WeChat is --
22 it's the, I'd say, Chinese equivalent to WhatsApp plus, plus.
23 So you can do all sorts of things with WeChat that you can't
24 do with WhatsApp like banking, for instance. I think you can
25 even call taxis using WeChat. So it's kind of a super social
26 media platform.

27 And there's quite a few challenges in terms
28 of understanding WeChat for us, so -- and there's three big

1 challenges in particular.

2 I'd say first of all, the tools. We have --
3 we can purchase subscriptions to off-the-shelf tools, anybody
4 can, any Canadian, to try to surveil some of the big
5 platforms like Facebook and former Twitter, now X. You can't
6 do that with WeChat.

7 There is no off-the-shelf tool and there's no
8 even fit-for-purpose tool that you could fashion in order to
9 try to monitor what was happening on WeChat, so instead, you
10 would have to manually look at each and every WeChat news
11 account, for instance. So that was a big challenge.

12 Another challenge is that WeChat, like
13 WhatsApp, consists of a lot of private messaging or direct
14 messaging, and that, as the Government of Canada, we would
15 never have access to, nor would we want to infringe on the
16 privacy rights of Canadians, so we wouldn't be able to see
17 what was happening in direct messages. We would only see
18 what was happening in sort of public news accounts. Another
19 big challenge is that we don't have a relationship with
20 Tencent, the Chinese company responsible for WeChat, the same
21 way we have relationships with the PR teams for Facebook or
22 Twitter, now X. So if we were seeing something streamed on
23 the platform, we wouldn't be able to appeal to them for
24 assistance to find out if there were any foreign state
25 sponsored disinformation.

26 And then finally, really important to note
27 that there's not a large, and particularly in 2021, there was
28 not a large community of practice, so folks who are experts

1 who understood WeChat and could therefore compare information
2 and build on each other's research. So the expert on our
3 team did not have a community of experts that he could really
4 work with to help us understand what we were seeing.

5 **MR. JEAN-PHILIPPE MacKAY:** Thank you. I'll
6 let Ms. Ducharme answer my -- a question that I asked earlier
7 about the approach and the changes concerning foreign
8 interference within your organization.

9 **MS. LISA DUCHARME:** Sure. So within the
10 RCMP, there had been no change when it comes to foreign
11 interference. It's the same process and procedures, and as
12 we've spoken about earlier, it -- foreign interference
13 happens all throughout the year, not just during a writ
14 period. It happens before, during and after. What was
15 significant for the RCMP during the 2021 elections, however,
16 was a dramatic increase in the public order space. So what
17 we have seen and we have been tracking since the pandemic in
18 March of 2020 is there had been weekly public order protests
19 going on weekly across Canada. And coming up towards the
20 election in 2021, there was a pivot towards now using the
21 election to gravitate towards expressing their frustration.

22 So what we saw was a lot of ideologically
23 motivated grievances in various grievance spaces, anti-
24 authority, xenophobic conspiracy grievances. We saw a
25 dramatic increase in the indirect and direct threats to
26 protected persons per the *RCMP Act*, such as the Prime
27 Minister and leaders of the political parties. We also saw
28 an increase in threats to national critical infrastructure

1 such as Elections Canada polling stations and their staff.
2 And we saw just general violent behaviour, lots of online
3 rhetoric of violent counter clashes at events where campaigns
4 and rallies were being held.

5 So what changed for the RCMP was that just
6 greater integration amongst the RCMP electoral ecosystem. So
7 there were teams dedicated to looking at protected persons,
8 supporting them through threat assessments. There was an
9 events security coordination centre. There was an
10 intelligence cell. This was an area under my command that
11 looked at ideologically motivated criminal threats, and also
12 intake and assessment that was keeping track of all of the
13 threats that were coming in. And we really became very
14 integrated and created a battle rhythm, so we were
15 consistently changing -- exchanging information on a daily
16 basis. So these systems already existed. It's just that the
17 situation became very acute, and we were really working very
18 closely together.

19 And another change that happened was that the
20 produce -- the material that we were producing was for law
21 enforcement use, for public safety, officer safety, protected
22 persons safety, but there was such an increased interest from
23 the Panel of Five and from PCO and other senior leadership
24 from Elections Canada, from the Office of the Commissioner of
25 Canada Elections about what we were seeing, so we looked to
26 the special threat advisories and other reports that we had
27 been generating for internal consumption with the police of
28 jurisdiction and for ourselves that we found a way to produce

1 a Rapid Release Mechanism, so that we could share what we
2 were seeing with the rest of our SITE colleagues and with
3 CSIS, ITAC and Public Safety and others.

4 So we looked to -- originally, we were
5 creating our own independent reports that were going out, but
6 we were sharing with the partners, and then it just made
7 sense after a number of discussions with the Panel of Five to
8 include those injects into our SITE Task Force reports, which
9 had previously only reported on foreign interference. So as
10 mentioned, nothing had changed for the RCMP. We just -- in
11 terms of the focus and the interest in certain areas and that
12 adjusted the way we were working so that we could report up
13 and out in a frequent manner, and put in the review
14 mechanism, so that what we were sharing would not impact
15 current or future potential investigations.

16 **CSIS REPRESENTATIVE:** And I would say ---

17 **MR. JEAN-PHILIPPE MacKAY:** Excuse me, go
18 ahead.

19 **CSIS REPRESENTATIVE:** Yes. I would say there
20 are three ways in which we updated our practice and our
21 thinking in relation to the run-up to the 2021 election. The
22 first dealt with our internal organizational models and
23 modernizing them to make them more both effective and
24 efficient. The second dealt with the issue of information
25 sharing and the increased capability of CSIS to be able to
26 share information both internally and with partners both in
27 the government and into SITE itself. And the third dealt
28 with the updating of the threat landscape, i.e., to be able

1 to provide great detail on the threat landscape, in
2 particular, to the Panel of Five, who required, because some
3 of the members were new, an update on how to think about the
4 threat that Canada faced prior to the 2021 election.

5 Unpacking those very quickly, CSIS modernized
6 its internal organizational functions significantly,
7 upgrading its capability to understand, analyse and report on
8 foreign interference. This involved many different
9 organizational changes, in particular, the fusion of
10 analytics and operations and allowing them to complement one
11 another, with a particular focus on foreign interference as
12 it related to China. We broadened our teams across the
13 country. We created the mechanisms that allowed us to
14 understand the threat of foreign interference much more
15 acutely. We also upgraded our staff to deal with foreign
16 interference as it related to India, to Pakistan, Iran, and
17 also dealing with the IMVE threat that was mentioned,
18 ideologically motivated violence extremism in the nature of
19 possible political violence.

20 Secondly, there was a degree of increase in
21 information sharing, both internal to the service, but also
22 within SITE. We wanted as much information to be moving in
23 and through the system as was possible, such that it could be
24 shared widely and analyzed by as many groups as possible. We
25 needed to see it. That then led to our third objective was
26 to make sure that the Panel of Five was constituted --
27 understood the threat landscape as best they could. We had
28 new members on the Panel of Five who had not dealt with

1 foreign interference in election matters, and so part of our
2 larger objective here was to make sure that when they were
3 forced to deal with debates on foreign interference and
4 evaluate foreign interference as it related to the 2021
5 election, they were adequately prepared.

6 **MR. JEAN-PHILIPPE MacKAY:** Thank you. And
7 concerning the threat landscape, Mr. King and CSIS
8 representative mentioned this notion, concerning foreign
9 interference specifically, briefly, what was this landscape
10 in the leadup to the election in 2021?

11 **MR. LYALL KING:** Well, again, sort of in the
12 intervening period between 2019 and 2021, SITE continued to
13 meet and share intelligence for 1. You've heard about the
14 respective changes in terms of analytic, other resourcing or
15 capabilities that were instituted in the different
16 organizations. That helped, I think, increase some of the
17 intelligence flow. We held a few distinct sessions at SITE
18 where we looked at specific adversary countries and focussed
19 in on those and had subject matter experts from our
20 organizations come together and really update us on the
21 picture of what was happening across the board. So you will
22 see I think reflected in some of the documents some of the
23 states that we were -- continued to be concerned with.
24 Again, China, and I will push this over to my CSIS colleague
25 in a moment, certainly, China we still felt was far and away
26 the biggest threat, generally speaking, with a number of
27 other countries that continued to be of concern. Those do
28 include Russia, India and Pakistan. So, generally speaking,

1 we were looking at a broad range of adversary activities and
2 updating our knowledge with respect to their specific
3 techniques and activities in different spaces. So maybe I'll
4 just defer to my CSIS colleague if there's any additions to
5 that.

6 **CSIS REPRESENTATIVE:** I think that's captured
7 well. I would add that, as has been said, the overarching
8 focus for us was on the PRC. We considered it the most
9 significant foreign interference threat actor that Canada
10 faced. We considered the PRC to be highly capable,
11 motivated, and acting in a sophisticated and pervasive and
12 persistent manner in carrying out its foreign interference
13 activities against all levels of Canadian Government and
14 civil society.

15 And so we looked carefully at all levels of
16 government, the federal, provincial, territorial, and
17 municipal. We looked at the types of techniques and tactics
18 that were being used, and also the overarching arc, the long
19 term activity in terms of how it unfolded, the nature of it
20 being Canada-wide, and directed towards all political parties
21 over time.

22 As has been mentioned in the Commission,
23 China -- Chinese foreign interference has been a longstanding
24 issue for Canada that the Service has been evaluating for
25 many, many decades. And as the CSE Representative has also
26 said, we looked at several other states, noting that again
27 foreign interference is pervasive in Canada through many of
28 them. And to also note that the diaspora communities in

1 Canada continue to remain vulnerable to foreign interference
2 activities, and in some cases, they were the targets of
3 state-directed threats and punitive measures, and were
4 manipulated by states at certainly times, and with the upshot
5 being that there were fear in certain communities because of
6 the nature of foreign interference carried out through
7 transnational repression.

8 **MR. JEAN-PHILIPPE MACKAY:** Thank you. I will
9 proceed chronologically with my questions. So we'll begin --
10 we'll continue, in fact the pre-electoral context, and then
11 we'll move to the writ period.

12 So the -- in the lead up to the election, in
13 terms of organising yourself as a task force, what did you do
14 to prepare yourselves as a task force, specific steps?

15 **MR. LYALL KING:** Certainly, a number of
16 activities. We've mentioned already refreshing and updating
17 our view of the threat actors, so looking what our coverage
18 was, our understanding, and sort of combining that
19 overarching piece to inform as well our understanding of the
20 threat landscape. So this is about identifying any residual
21 gaps and trying to address those from a -- an aspect of
22 collection.

23 We reviewed and revised some of our
24 foundational documents as well. I've referred to the terms
25 of reference in the earlier session on 2019, and the fact
26 that we wanted to reflect some of the lessons learned into
27 our 2021 space, principally looking at the principles of
28 engagement, principles of information sharing trying to, with

1 the acknowledgement that information can be highly sensitive,
2 share at the lowest classification possible so that we could
3 hit the broadest range of -- to be able to share it with the
4 broadest range of individuals.

5 So revising those aspects of our terms of
6 reference, revising our work plan. And the work plan, again,
7 really centring in around how we would be ready
8 operationally, what our engagements were with partners and
9 allies, how we were to communicate internally and with
10 others. And so that led to a few sessions led by Global
11 Affairs, and reviewing and examining what we had observed in
12 2019 to play out and understand how to react and better deal
13 with situations in 2021. So a lot of that internal activity
14 was happening.

15 Trying to think of what else we did. Again,
16 I had mentioned preparing monthly threat summaries beginning
17 -- it was early 2021, I think, in anticipation to help
18 support the Panel itself.

19 I'll stop there and just ask my colleagues if
20 I have generally missed anything from your perspectives, or
21 CSIS colleague, if I have missed anything.

22 **CSIS REPRESENTATIVE:** No, you've covered it
23 well.

24 **MR. JEAN-PHILIPPE MACKAY:** One specific
25 aspect of the -- of SITE Task Force activities that I'd like
26 to address now with you, and we'll make an exception to the
27 chronological order because I'd like to address this topic
28 fully with you, concerns the briefings to the cleared members

1 of political parties.

2 So I'd like you just to explain, briefly, the
3 way you proceeded in 2021. Was it different than what
4 happened in 2019?

5 **MR. LYALL KING:** It wasn't really any
6 different from my perspective. Again, we had arranged a set
7 number of briefings before the writ and into the writ period
8 to provide an overarching view of the SITE activities, our
9 mandates, authorities, the general threat picture. Again,
10 these set briefings were coordinated and chaired/managed by
11 Privy Council Office, and SITE was not the only contributor
12 to those, with the cleared political party members. There
13 were other elements. I mentioned the cyber centre did
14 provide briefings of those, as did PCO Democratic
15 Institutions. So there were a few other players in that
16 space.

17 So that persisted, as it had in 2019. And
18 again, there were opportunities -- and the purpose, again to
19 replay, the purpose of those meetings was to educate, to
20 inform, to open a two-way communication with cleared
21 political party members. From a SITE perspective, they were
22 briefed verbally on the threats at the secret level, so we
23 did not provide them with written documents that had secret
24 material on them, it was verbal briefings.

25 And in addition to those set discussions that
26 we had, there were a few occasions, and this is where I will
27 have to lean on my CSIS counterpart, where there were
28 separate discussions, not as part of SITE, but still brokered

1 with -- by PCO between the Service and political parties to
2 share information.

3 So with that, I would leave that to my
4 Service colleague to address.

5 **MS. ERIN DANN:** Before we turn to the Service
6 colleague, Madam Commissioner, we just need to address one
7 issue. And I'd ask for a short recess in order to do that.

8 **COMMISSIONER HOGUE:** Yes.

9 **MS. ERIN DANN:** Ten minutes?

10 **COMMISSIONER HOGUE:** Okay.

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

13 The Commission will break for five -- for
14 10 minutes. L'audience sera reprise dans 10 minutes.

15 --- Upon recessing at 4:11 p.m./

16 --- La séance est suspendue à 16h11

17 --- Upon resuming at 2:42 p.m./

18 --- La séance est reprise à 14 h 42

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

21 This sitting of the Foreign Interference
22 Commission is back in session. Cette séance de la Commission
23 sur l'ingérence étrangère a reprise.

24 **--- MS. GALLIT DOBNER, Resumed/ Sous la même affirmation:**

25 **--- MR. LYALL KING, Resumed/Sous la même affirmation:**

26 **--- MS. LISA DUCHARME, Resumed/Sous la même affirmation:**

27 **--- CSIS REPRESENTATIVE, Resumed/Sous la même affirmation:**

28 **COMMISSIONER HOGUE:** Sorry for the

1 interruption. Everything is fine.

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

3 MR. JEAN-PHILLIPE MacKAY (cont'd/suite):

4 **MR. JEAN-PHILLIPE MacKAY:** So we were
5 discussing the topic of briefings to political parties, and
6 if my memory serves me correctly, we were about to hear CSIS
7 Representative following up on the answers given by Mr. King.

8 CSIS Representative, do you want me to repeat
9 the question? Or do you remember what you wanted to tell us?

10 **CSIS REPRESENTATIVE:** No, I remember what we
11 want to talk about.

12 The nature of the briefing that we gave to
13 the political parties, and I'll refer first to the briefing
14 we first gave them in July prior to the writ, we assumed that
15 the political parties knew very little about foreign
16 interference and how to think about foreign interference and
17 its impact on political parties and on the broader system of
18 Canadian democracy. So we assumed a very low-level baseline.

19 The objectives were really two-fold, as has
20 been outlined, to give the political parties a clear sense of
21 the nature of the threat that Canada faced and the political
22 parties were therefore involved with and in.

23 And secondly, to set up an engagement or
24 potential dialogue over the course of the election, and
25 perhaps even beyond, such that if the political parties had
26 concerns, that they could bring them back to PCO and
27 therefore back to SITE when required, and we could have an
28 interactive exchange on things that we thought perhaps the

1 political parties should know and they could tell us about
2 their particular issues and concerns as well. So we had two
3 primary objectives.

4 As was noted, we briefed the political
5 parties orally, rather than give them intelligence on paper
6 for particular reasons of insuring that the intelligence
7 remains secure. We briefed the political parties for some
8 length, probably two hours, I would say, was our first
9 discussion. The briefings were read verbatim and the
10 language was chosen very carefully and vetted thoroughly
11 through all the intelligence agencies as well.

12 In terms of what we talked about, there were
13 several primary headings, the first of which was how to
14 understand the idea and the practice of foreign interference
15 and why it was a threat to the integrity of the Canadian
16 political system, our democratic institutions, and our
17 *Charter* rights and Canadian sovereignty.

18 We would discuss the distinctions between
19 what is considered foreign interference and that which would
20 be considered regular diplomatic activity as well.

21 We talked at length about who would
22 potentially be targeted by foreign interference, at what
23 levels of government. Then we went into discussions that all
24 levels of political governments and political power were to
25 be, perhaps susceptible at the federal level, provincial,
26 territorial, municipal level. Political office holders and
27 candidates in particular were vulnerable and needed to be
28 aware.

1 We talked also about who would be carrying
2 out, potentially, foreign interference, i.e. specific types
3 of intelligence officers and proxies that may be associated
4 with particular foreign government officials, et cetera.

5 We talked, as mentioned, about diaspora
6 communities and their vulnerability, and how they could be
7 impacted, and manipulated, and threatened through foreign
8 interference activities.

9 We further talked about the rise of social
10 media web platforms and the new scale and sophistication
11 which had become unprecedented in 2021 in terms of social
12 media manipulation.

13 We talked about lessons learned as well. And
14 one of the key lessons learned, we discussed, was the
15 potential manipulation of political party nomination
16 processes, which was an active area that could be manipulated
17 by foreign states to their advantage. So we discussed that
18 at some length because of the nature of its history with
19 previous elections.

20 **MR. JEAN-PHILLIPE MacKAY:** If you'll allow
21 me, CSIS Representative, if you'll allow me, I'll ask the
22 Court Registrar to bring up CAN18041.

23 **--- EXHIBIT No./PIÈCE No. CAN 18041:**

24 SITE TF Briefing to Secret Cleared
25 Federal Political Parties

26 **MR. JEAN-PHILLIPE MacKAY:** So, CSIS
27 Representative, do you see the document that we have on the
28 screen here?

1 CSIS REPRESENTATIVE: No, I do not.

2 MR. JEAN-PHILLIPE MacKAY: Do you have access

3 ---

4 CSIS REPRESENTATIVE: Now ---

5 MR. JEAN-PHILLIPE MacKAY: Oh, sorry.

6 CSIS REPRESENTATIVE: Now I do.

7 MR. JEAN-PHILLIPE MacKAY: Okay. You were
8 discussing the content of, if my understanding is correct, a
9 briefing that was given in July 2021? Is that correct?

10 CSIS REPRESENTATIVE: That's correct.

11 MR. JEAN-PHILLIPE MacKAY: Okay. And the
12 document we have before us reflects, in large part, the
13 testimony you've give on the topics that were covered during
14 the briefing so far? Is that correct?

15 CSIS REPRESENTATIVE: That's correct.

16 MR. JEAN-PHILLIPE MacKAY: If we scroll down?
17 So I'll invite you just to continue your
18 answer now that we have a visual support and a reference for
19 the participants and the public.

20 CSIS REPRESENTATIVE: So as mentioned, there
21 were a multitude of topics discussed, lessons learned which
22 were captured from the 2019 election, discussions in the
23 early phases of social media manipulation, and disinformation
24 and amplification.

25 We discussed further, as you can see
26 throughout the document, the main foreign interference threat
27 actors in Canada, which as mentioned, focused to a
28 significant degree on the People's Republic of China, which

1 we considered highly capable, motivated, and to be acted in a
2 sophisticated, pervasive, and persistent manner.

3 We talked about how Chinese foreign
4 interference is carried out and what areas were considered
5 vulnerable.

6 As mentioned, we covered many other states
7 that we considered important for the political parties to
8 understand.

9 We touched upon IMVE, ideologically motivated
10 violent extremism, and the possibility, at that point in
11 time, of it becoming a factor in the Canadian electoral
12 system, in addition to election security.

13 And furthermore, we touched on cyber security
14 and how to be more resilient with regards to cyber
15 protections for Parliamentarians, et cetera.

16 All in all, we took the briefings very
17 seriously. We wanted to help assist the parties with as much
18 information as we could provide to give them a thorough
19 context of what Canada was facing in a very quick election
20 that, again, we were dealing with covid throughout, and the
21 larger priority was to set up a series of discussions, if
22 required, such that we could continue to engage with the
23 parties with more specific, if indeed required, actionable
24 material, and have them come back and inform us on any issues
25 ---

26 **MR. JEAN-PHILLIPE MacKAY:** Thank you.

27 **CSIS REPRESENTATIVE:** --- that they consider
28 important.

1 **MR. JEAN-PHILLIPE MacKAY:** I'm sorry, I will
2 interrupt you here just to pull up document 3498, CAN 3498.

3 Just for the record, this is a document
4 titled *Introduction to the SITE Taskforce*. And topics
5 contained in this document were covered by Mr. King and CSIS
6 Representative.

7 **--- EXHIBIT No./PIÈCE No. CAN 3498:**

8 SITE TF Briefing to Secret Cleared
9 Federal Political Parties

10 **MR. JEAN-PHILLIPE MacKAY:** So is this a
11 document, Mr. King, that was also used as part of the
12 briefing in July 2021?

13 **MR. LYALL KING:** Yes, it was. Yes.

14 **MR. JEAN-PHILLIPE MacKAY:** And we see, if we
15 scroll down to page 3, you already addressed those elements
16 in part, the last section, "What can be done with the
17 information you hear/receive today". So this is just for the
18 record, we have already covered this in the evidence so far.

19 **MR. LYALL KING:** May I briefly add one
20 difference between 2019 and '21, ---

21 **MR. JEAN-PHILLIPE MacKAY:** Go ahead.

22 **MR. LYALL KING:** --- 2021, if I may? Just
23 the fact that in 2019, we knew when the election was going to
24 be. In 2021, we did not. It was the minority government and
25 we weren't quite clear when that would happen. So that
26 proved a little bit of a challenge, just from a broader
27 communications perspective.

28 So in 2019, there was much discussion about

1 what the Government was doing with different initiatives to
2 protect democracy, one of those being the creation of SITE
3 and the Critical Election Incident Protocol.

4 There was not that opportunity, I think, in
5 2021. There had to be some caution taken in terms of
6 communicating if and when an election might occur. So that
7 was a little bit of a challenge in just getting the message
8 out, generally speaking, that for example, SITE was still a
9 thing, it was still active, it was still doing these things.

10 So I just wanted to point that difference out
11 as well.

12 **MR. JEAN-PHILLIPE MacKAY:** Thank you.

13 And I'll ask Court Operator to pull up
14 CAN13303. CAN13303.

15 And while the Registrar is pulling up the
16 document, CSIS Representative, I interrupted you earlier.
17 Was there any other key points you wanted to highlight
18 concerning the briefings to political parties?

19 **CSIS REPRESENTATIVE:** No, I think that
20 captures it.

21 **MR. JEAN-PHILLIPE MacKAY:** Okay. Thank you.

22 We have the document CAN13303 before us,
23 Madam Commissioner.

24 I'll ask Court Registrar to go to page 4 of
25 9, please. We can scroll down a little bit more. Okay.

26 So we have the list here that begins on page
27 -- the document has nine pages, so what we see here, three or
28 four, is not the reference I'll be using, but the entire

1 document.

2 We have the beginning of a list that
3 continues on the next page. We have referred to this
4 document this morning for some dates in 2019. I'd like you
5 to identify the -- we have a list of briefings for cleared
6 political party representatives here. I'd like you to
7 identify the briefings by in which SITE was involved in 2021.

8 **MR. LYALL KING:** Certainly. Looking at that
9 list, and starting with the July 22nd, 2021, I believe the
10 July 22nd, yes. There are two August dates there. I believe
11 August 20th might have been the original intention to have a
12 briefing, but that might have shifted. There were not two
13 briefings, to my recollection, in August, and certainly not
14 less than a week apart. Typically they tended to be about
15 three to four weeks in between. So I think it was July 22nd,
16 August 26th, September 2nd, and then on the next page, I
17 believe there should be one in and around mid-September. If
18 we can scroll down to the -- September 15th would be the one
19 that I would point out as all of SITEs in that preset PCO
20 organized and shared meetings.

21 **MR. JEAN-PHILIPPE MacKAY:** We'll come back to
22 the briefings that occurred during the writ period, but I
23 understand that the following briefings, September 24th and
24 September 30th, October 22, those were not SITE briefings?

25 **MR. LYALL KING:** Correct. Those would be
26 reflective of PCO communications with a political party --
27 with the Conservative Party, excuse me, post election.

28 **MR. JEAN-PHILIPPE MacKAY:** Okay. And we see

1 at the -- on top of the page here September 12, 2021, cleared
2 Liberal Party of Canada representative briefing. We have a
3 document, it's CAN 1082. I'll ask the Registrar to pull it
4 up, please. This document is redacted in some places, but we
5 see that the document is dated 11th of September 2021. So is
6 this the briefing that's reflected on the table that we just
7 saw that was given to a Liberal Party representative or
8 representatives?

9 **MR. LYALL KING:** Yes, I believe so. I will
10 just clarify that that would have been CSIS that was engaged
11 on that, so I would defer to them for the answer.

12 **MR. JEAN-PHILIPPE MacKAY:** Okay.

13 **CSIS REPRESENTATIVE:** That is correct. The
14 document reads accurately. It was a brief given by CSIS to
15 the Liberal Party representatives on September the 11th,
16 2021.

17 **MR. JEAN-PHILIPPE MacKAY:** If we can scroll
18 down a little bit on page 1? Obviously, we cannot discuss
19 the content of the -- of this briefing, but we see a note
20 here that,

21 "The distribution of this intelligence
22 has been very limited (P5 and SITE),
23 and we do not intend to disclose this
24 to anyone further."

25 So the mention of P5 on this document here,
26 is this a reference to the Panel of Five?

27 **MR. LYALL KING:** That's correct, yes.

28 **MR. JEAN-PHILIPPE MacKAY:** Okay. So we

1 understand, and you can confirm this, that the Panel was
2 informed of the underlying intelligence or situation
3 concerned with this briefing?

4 **MR. LYALL KING:** Yes, they were.

5 **MR. JEAN-PHILIPPE MacKAY:** Okay. Thank you.

6 And was this the only party specific as
7 opposed to a group briefing that was given by SITE or SITE
8 representatives during the writ period or the election period
9 in 2021?

10 **MR. LYALL KING:** I will defer to my CSIS
11 colleague for that answer.

12 **CSIS REPRESENTATIVE:** It was.

13 **MR. JEAN-PHILIPPE MacKAY:** Okay. Thank you.
14 So now the -- in the chronology the writ drops on August the
15 15th. What happens to SITE when the writ drops briefly,
16 please?

17 **MR. LYALL KING:** Certainly. Essentially, the
18 pace of our engagement shifts significantly from weekly
19 meetings to daily touch points and the daily issuance of the
20 situation report. During the writ period, there are also
21 regular engagements, I believe, two or three times per week
22 with the Election Security Coordination Committee. The
23 distinction between 2019 and 2021 was some of these
24 conversations were held over Protected B communications, so,
25 effectively, a lower classification. And, yes, we talked
26 every day as SITE, just to sort of understand if there was
27 anything we were going to be putting into the sitrep. Same
28 principle applied as it did in 2019 in terms of the

1 expectation that each constituent member would provide the
2 preapproved form of words to include in the sitrep. CSE
3 would roll that up into one document and disseminate as we
4 had in 2019 to a set list of individuals principally intended
5 for the Panel of Five. So it was a frequency -- an increase
6 in frequency in terms of our activity, and also, an
7 availability for us to be reached on call 24 hours a day, 7
8 days a week.

9 **MR. JEAN-PHILIPPE MacKAY:** And as you
10 mentioned earlier, the briefings, the information flow
11 between SITE and the Panel was similar to what existed in
12 2019?

13 **MR. LYALL KING:** That is correct. In
14 addition to the daily sitreps that were delivered, there were
15 weekly briefings to the SITE Panel, which included,
16 effectively, a summary of that week's material, but again,
17 probably better summarized and a bit more coherent as in 2019
18 these were largely delivered from -- the threat briefings
19 were largely delivered by the Deputy Ministers of CSE and
20 CSIS.

21 **MR. JEAN-PHILIPPE MacKAY:** And concerning the
22 RRM, Rapid Response Mechanism, was there anything specific
23 when the writ dropped in your daily operations?

24 **MS. GALLIT DOBNER:** So, I mean, similar to
25 what my colleague Mr. King said, we obviously adopted the
26 SITE posture, so that was contributing to daily sitreps and
27 participating in the same meetings that Mr. King referenced.

28 **MR. JEAN-PHILIPPE MacKAY:** And what I'm

1 trying to -- where I'm trying to get is the RRM daily brief
2 and the weekly daily brief that we have in the record. So
3 was this a specific product, or those two products, were they
4 specific to the writ period?

5 **MS. GALLIT DOBNER:** Right. Thank you for the
6 clarification. So the daily product was essentially the
7 input for the daily sitrep for the Panel of Five. So my team
8 produced that and tried to boil it down a little bit and
9 provide them with a bit of a summary of that in the daily
10 sitrep. And then the team also contributed to the weekly
11 product that SITE put together as well.

12 **MR. JEAN-PHILIPPE MacKAY:** And was there any
13 dissemination of those two products to other partners beyond
14 the Task Force?

15 **MS. GALLIT DOBNER:** So the daily sitrep, I'm
16 not sure if we shared the daily with the rest of SITE or if
17 we just shared the high level summary. I don't have record
18 of that.

19 **MR. LYALL KING:** I recall seeing a few.

20 **MS. GALLIT DOBNER:** Okay. So we potentially
21 did. And then the weekly product that CSE as chair of SITE
22 assembled, that was -- maybe I'll just throw that question to
23 you.

24 **MR. LYALL KING:** Well, the weekly summary was
25 essentially put together with inputs from the other partners,
26 principally by CSE and CSIS, and that was really provided to
27 our Deputy Ministers to speak to so ---

28 **MR. JEAN-PHILIPPE MacKAY:** I'm sorry. I

1 don't want to interrupt you, but we're -- the -- we have a --
2 the weekly briefs of the RRM, they're -- I'm sorry, not the
3 brief, but the weekly ---

4 **MS. GALLIT DOBNER:** Oh, pardon me.

5 **MR. JEAN-PHILIPPE MacKAY:** --- well, it's a
6 weekly brief. That's the name of the product.

7 **MS. GALLIT DOBNER:** Pardon me, yes.

8 **MR. JEAN-PHILIPPE MacKAY:** The specific RRM
9 product.

10 **MS. GALLIT DOBNER:** Pardon me. I thought you
11 were referring to the SITE weekly. Pardon me. Yes, exactly.
12 So that brief that RRM put together, yes, there was the daily
13 that contributed to the sitrep, and there was a weekly that
14 was a broader product, and it was shared with the rest of
15 SITE and it was shared with the Election Security
16 Coordinating Committee, so all of the departments and
17 agencies across government that were part of the ESCC, and
18 that product would have fed into the oral briefing that I
19 would have provided the P5, the Panel of Five, along with the
20 heads of CSIS and CSE and member from RCMP.

21 **MR. JEAN-PHILIPPE MacKAY:** Thank you. I'm
22 turning now to a specific issue that arose during the writ
23 period. And it's the incidents of potential misinformation
24 or disinformation concerning Mr. O'Toole and Mr. Kenny Chiu,
25 and also, the Conservative Party was concerned with elements
26 of the incident concerning Mr. O'Toole. And before we enter
27 into this -- the specifics of this topic, what's the
28 distinction between misinformation and disinformation?

1 **MS. GALLIT DOBNER:** So broadly speaking, and
2 this is a very important distinction and it's often confused,
3 misinformation and disinformation are both instances of false
4 narratives, or narratives taken out of context. But in the
5 instance of misinformation, it's spread without intention, so
6 folks unknowingly spreading false narratives or narratives
7 out of context. And disinformation is where there is intent,
8 so there is intent that's either political, or for economic
9 gain, or for criminal reasons, but information that's false
10 that's knowingly spread.

11 **MR. JEAN-PHILIPPE MacKAY:** And now can you
12 provide us with an overview of how these incidents of
13 potential disinformation unfolded during the writ period?

14 **MS. GALLIT DOBNER:** Yes, yeah, I absolutely
15 can. So as you said, there were two instances of false
16 narratives that we observed during GE44, and I'd start by
17 saying off the top that we did not have evidence that these
18 were foreign state-sponsored disinformation campaigns, so I
19 would like to start by saying that.

20 We saw two parallel narratives, false
21 narratives, circulating. So the first one had to do with the
22 Conservative Party of Canada and Mr. O'Toole. The second
23 one, Mr. Kenny Chiu and the Foreign Agent Registry.

24 I'll maybe walk you through the chronology of
25 both and then explain a little bit our assessment that we
26 reached.

27 So in the first instance with the
28 Conservative Party of Canada and Mr. O'Toole, as I recall, at

1 the very end of August, beginning of September we saw some
2 rumblings in, I believe it was, WeChat that if elected Mr.
3 O'Toole would ban WeChat. And that was reported in the daily
4 sitreps. But where we really saw these narratives start to
5 circulate was September 8th to 9th -- around September 8th,
6 9th until September 12th.

7 So what happened is, on September 8th there
8 was an article in the Hill Times that quoted a political
9 analyst, Jocelyn Coulon, saying that the Conservative Party
10 of Canada's platform almost wanted to break diplomatic
11 relations with China, or something to that effect.

12 That same day, Chinese media source, The
13 Global Times, picked up that phrase and ran it in The Global
14 Times that the Conservative Party of Canada almost wanted to
15 break diplomatic relations with China. And I believe there
16 was also a reference to the platform of the Conservative
17 Party of Canada mentioning China upwards of, I think, 30
18 times.

19 The next day, on September 9th, we saw that
20 same narrative reflected on a WeChat news account. So again,
21 we spoke about WeChat as sort of a Chinese version of
22 WhatsApp, but plus, plus. And they have personal messaging,
23 which we were not privy to and shouldn't, as the Government
24 of Canada, be privy to private message exchanges, but they
25 also have news accounts that you can subscribe to. So we saw
26 this on a news account.

27 And then over the course of the next couple
28 of days, until September 12th, it reverberated across other

1 WeChat news accounts.

2 What we then saw around September 12th is
3 that Xinhua News, which is another Chinese media source, much
4 akin to Reuters or Agence Presse, posted a video of this
5 story on Douyin, which is the Chinese version of TikTok, and
6 we then saw it reverberate not here in Canada, but in local
7 constituencies in China, so at like the provincial level in
8 China. But effectively, the narrative stopped circulating
9 around September 12th with regard to Mr. O'Toole and the
10 Conservative Party of Canada.

11 At a very similar time, again on September
12 8th, we saw the second narrative about Mr. Chiu. So Mr. Chiu
13 actually went to the media and spoke about what he perceived
14 to be as a disinformation campaign against him, and he made
15 reference to WeChat, but WeChat direct messages, which again
16 we did not have access to and, therefore, never saw.

17 But what we saw for the next few days from
18 September 9th, again, till about September 12th, is we saw
19 that some of these WeChat news accounts were running the
20 story about Kenny Chiu's private registry -- sorry, *Foreign*
21 *Agent Registry Act* would require Canadians of Chinese origin
22 essentially to register as agents, which was, again, false
23 narrative.

24 So we saw that move across a few WeChat news
25 accounts and, again, it fell silent as of September 12th.

26 So obviously, as we discussed before, my team
27 had been producing monthly threat reports to try to
28 understand what the ecosystem looks like in Canada as it

1 relates to Canadian politics, and this was an anomaly, and so
2 we did look into it.

3 And our assessment, unfortunately, came up
4 inconclusive. We came to the conclusion that there could be
5 three possible hypotheses to account for what we were seeing
6 on WeChat and in the online ecosystem.

7 The first was, this could be possibly a
8 Chinese government sponsored disinformation campaign. That
9 was a possibility. And one of the indicators that folks
10 pointed to on the team was that a few of the WeChat news
11 accounts that covered these two narratives or that reported
12 these two narratives had some links with the China News
13 Service, the CNS.

14 And we understood, again from third-party
15 reporting, that the China News Service, a bit of a news
16 aggregator, relates back to the United Front Work Department.

17 But at the same time, only a few of those
18 WeChat news accounts were affiliated with CNS. A lot of them
19 were not affiliated with CNS.

20 We also didn't see the -- any of the official
21 Communist Party news outlets amplifying the narrative. So
22 that was one possible hypothesis, but we had zero evidence to
23 suggest that this was a Chinese government directed campaign.

24 Another hypothesis was that this was purely
25 organic activity. Obviously, a story like this, albeit a
26 false narrative, would have been of interest to a lot of
27 folks in Canada and could have organically naturally spread
28 with different news accounts cutting and pasting the story

1 and sharing it along.

2 The third hypothesis was sort of what we call
3 the grey area, which is a grey area in terms of influence and
4 interference whereby there could have been individuals who
5 are sympathetic to the positions of the People's Republic of
6 China, could have felt that there was a will not to have the
7 Conservatives elected, and could have taken it on their own
8 accord to spread this information in a campaign-style
9 activity.

10 So again, could have been state sponsored, it
11 could have very well been organic or it could have been
12 somewhere in between. And we simply didn't have the evidence
13 to draw a conclusion with any kind of certainty that it was
14 one or the other or the other instance.

15 And I just would refer back to the comments I
16 made earlier because I think it's really important to
17 understand that the online space is difficult and Chinese
18 social media is incredibly difficult, again, because we don't
19 have tools, because we don't have communities of practice,
20 because we don't have access, and we shouldn't, to private
21 messaging and we don't have a relationship with the company
22 that's responsible for the platform.

23 So I just wanted to underline that once
24 again.

25 **COMMISSIONER HOGUE:** I would like Commission
26 counsel to check until what time the interpreters are
27 available because I see that we are running behind and want
28 to make sure that there's time for cross-examination.

1 **MS. ERIN DANN:** Yes, I will -- I will do that
2 and report back.

3 **COMMISSIONER HOGUE:** Thank you.
4 In the meantime, we'll continue.

5 **MR. JEAN-PHILIPPE MacKAY:** We understand, Ms.
6 Dobner, what you have described is based on the RRM's work,
7 the monitoring of the online environment. Am I correct to
8 assume that everything that you just mentioned went through
9 the SITE Task Force, it was discussed with your colleagues on
10 the Task Force?

11 **MS. GALLIT DOBNER:** That's right. That's
12 correct.

13 So as we observed these narratives, we
14 reported them in the daily sitreps, we discussed them with
15 the rest of SITE during the regular meetings that Mr. King
16 referenced. We produced a bit of a deep dive analysis on
17 September 13th that we shared on paper with the rest of SITE
18 to try to explain what it was that we were seeing to support
19 kind of a robust discussion.

20 I briefed the Panel of Five on what we were
21 seeing. I also briefed at the political party meeting what
22 we were seeing as well.

23 **MR. JEAN-PHILIPPE MacKAY:** Okay. Just for
24 the record, there's a document CAN 6595. It's a document
25 dated September 13th, 2021. I'll ask the registrar to pull
26 it up.

27 **--- EXHIBIT No./PIÈCE No. CAN 6595:**

28 GE44: Chinese Communist Party Social

1 Media Accounts Spreading Negative
2 Narratives about the Conservative
3 Party of Canada

4 **MR. JEAN-PHILIPPE MacKAY:** I don't want you
5 to describe or to walk us through, but is this the document
6 you just mentioned?

7 **MS. GALLIT DOBNER:** That's it. That's
8 exactly it.

9 **MR. JEAN-PHILIPPE MacKAY:** And also I'll ask
10 -- no, not for now.

11 So you just mentioned that it was included in
12 the sitrep. Are we correct to assume that when something is
13 put in a sitrep this is intended to be -- or it is sent to
14 the Panel of Five?

15 **MS. GALLIT DOBNER:** That's correct.

16 **MR. JEAN-PHILIPPE MacKAY:** Okay.

17 **MS. ERIN DANN:** Excuse me, Commissioner. We
18 have the interpreters available until 6:30.

19 **COMMISSIONER HOGUE:** Six-thirty? Which means
20 that -- let me just take a minute. Six-thirty? Then it
21 means, Mr. MacKay, that you can go for another -- until five.
22 But after that, we'll have to start cross-examination because
23 I absolutely want to make sure that the ---

24 **MR. JEAN-PHILIPPE MACKAY:** Absolutely.

25 **COMMISSIONER HOGUE:** --- parties have an
26 opportunity to cross-examine.

27 **MR. JEAN-PHILIPPE MACKAY:** Briefing to the --

28 -

1 **COMMISSIONER HOGUE:** And we won't take any
2 break. So if someone needs a break on your side, just let me
3 know. For the others, you can go outside if you need, but we
4 won't stop.

5 **MR. JEAN-PHILIPPE MACKAY:** You just mentioned
6 that this topic was included in a briefing to the political
7 parties. Can you just expand briefly on that, please?

8 **MS. GALLIT DOBNER:** So as I recall, I would
9 have explained that we were seeing these narratives, but that
10 we had no evidence to suggest that they were state sponsored
11 narratives. And as I mentioned earlier, the narratives were
12 known, they were public, and it was Mr. Chiu who drew our
13 attention to the narratives on September 8th, sorry, yeah,
14 September 8th in the first place.

15 **MR. JEAN-PHILIPPE MACKAY:** Okay. Was a party
16 specific briefing considered or a -- well, considered or
17 discussed within the Task Force?

18 **MS. GALLIT DOBNER:** No, there was a briefing
19 already in the schedule as the narratives and our analysis
20 started to crystallise.

21 **MR. JEAN-PHILIPPE MACKAY:** We will go back to
22 this topic later in the post election period.

23 But I'd like the court operator to bring up
24 CAN.SUM 12. It's a document called, Government of India
25 Foreign Interference Activities in the 2021 General Election.

26 **--- EXHIBIT No./PIÈCE No. CAN.SUM 12:**

27 Government of India Foreign

28 Interference Activities in the 2021

1 General Election

2 **MR. JEAN-PHILIPPE MACKAY:** And I'll --
3 obviously, we have a series of caveats that we discussed
4 earlier this week, on page 2, paragraph 3:

5 "A body of intelligence indicates
6 that [Government of India] proxy
7 agent may have attempted to interfere
8 in democratic processes..."

9 And I don't -- I won't read the rest of the
10 paragraph. You are familiar with this topical summary?

11 **MR. LYALL KING:** Yes.

12 **MR. JEAN-PHILIPPE MACKAY:** Yes. Is this
13 something that was briefed to the Panel of Five? Is this
14 like a situation that was communicated to the Panel of Five
15 in 2021?

16 **MR. LYALL KING:** Information about India as a
17 actor in this space was briefed to the Panel of Five,
18 including this information as well, though it's a question of
19 timing as to when that was briefed. But they received the
20 information, yes.

21 **MR. JEAN-PHILIPPE MACKAY:** Okay. And we
22 understand, obviously, because it's in a topical summary, the
23 underlying and the details of that information cannot be
24 discussed publicly.

25 **MR. LYALL KING:** Correct; yes.

26 **MR. JEAN-PHILIPPE MACKAY:** Okay. We'll be
27 moving quickly in the post election period concerning claims
28 made by the Conservative Party concerning foreign

1 interference in the election.

2 So I'll invite the court operator to bring up
3 6748.

4 --- EXHIBIT No./PIÈCE No. CAN 6748:

5 Email thread: 04 Oct 2021

6 **MR. JEAN-PHILIPPE MACKAY:** And what we see in
7 this document it's an email from Tausha Michaud to the PCO,
8 which is sent to you.

9 So we'll go to the last page. It's an email
10 chain. Yes.

11 So briefly, what was SITE Task Force
12 implication in this request that we see here from PCO?

13 **MR. LYALL KING:** Certainly. This was a
14 request from the Conservative Party that went to PCO, and PCO
15 was always the intermediary on this space, and PCO then
16 provided that information to SITE to have a look at.

17 I don't know if you have further questions,
18 but we did subsequently look at the material, and you know,
19 we did take those allegations quite seriously and put some
20 significant resources into that. And principally that was
21 done, initially, I believe, Global Affairs, and mostly by the
22 Service.

23 So I would ask the Service colleague to speak
24 up if you have additional needs for clarification on this.
25 But SITE did look at detail in those allegations, produced a
26 report that was provided back to PCO for communicating back
27 out to the Conservative Party.

28 **MR. JEAN-PHILIPPE MACKAY:** And I'll ask court

1 operator to bring up, and I'm sorry, I'm just trying to move
2 quickly, CAN 14862.

3 --- EXHIBIT No./PIÈCE No. CAN 14862:

4 PRC Interference in Election 2021:
5 Response to the Conservative Party of
6 Canada

7 **MR. JEAN-PHILIPPE MACKAY:** And that's a
8 document dated October 19, 2021, PRC Interference in Election
9 2021: Response to the Conservative Party of Canada. What is
10 this document, briefly, please?

11 **MR. LYALL KING:** That is the response and
12 summary of -- from SITE, but principally written by CSIS,
13 describing our response, the formal response back to the
14 Conservative Party regarding their concerns.

15 **MR. JEAN-PHILIPPE MACKAY:** And Ms. Dobner, I
16 have a question for you concerning work that was done by one
17 of your analysts on this at CAN 6750.

18 --- EXHIBIT No./PIÈCE No. CAN 6750:

19 RE: RE: Follow up on WeChat stories

20 **MR. JEAN-PHILIPPE MACKAY:** And maybe we can
21 go at page 2, immediately.

22 And -- we won't go through the entire
23 document, but what are we seeing here, Ms. Dobner?

24 **MS. GALLIT DOBNER:** Right. So we received
25 the information from the Conservative Party of Canada via the
26 Privy Council Office, and my team took a bit of a deep dive,
27 and I would divide into two categories the information we
28 saw. The vast majority of the information was stuff we had

1 already seen during our own monitoring. There were a couple
2 of elements that were new.

3 One was a screenshot of a direct message,
4 which again we usually would not have access to, and the only
5 reason we looked at it was because it was as screenshot that
6 was stripped of any personal identifiers, so we didn't feel
7 there was any violation of privacy. And that demonstrated
8 that the narrative about Mr. Chiu was circulating on direct
9 messaging prior to when we saw it on WeChat news accounts.

10 And the second was a billboard from a grocery
11 store, and you can see the photograph here. So it was a
12 photo that someone took of a billboard. Again, this was
13 another new piece of information, but we weren't really --
14 neither of those pieces of information contributed in any
15 sort of substantive way to us being able to raise our level
16 of confidence about what we were seeing.

17 **MR. JEAN-PHILIPPE MACKAY:** And because I'm
18 running out of time, my last question to you will concern the
19 After Action Report.

20 The reference, we don't have to pull it up,
21 is CAN 2359, so that it's in the record.

22 **--- EXHIBIT No./PIÈCE No. CAN 2359:**

23 Security and Intelligence Threats to
24 Elections Task Force - After Action
25 Report (2021 Federal Election)

26 **MR. JEAN-PHILIPPE MACKAY:** But could you sum
27 up the elements in your conclusions in the After Action
28 Report that you prepared, and which was finalised I think in

1 December 2021?

2 **MR. LYALL KING:** Sure. Generally speaking, I
3 think we noted that we hadn't seen specific targeting of
4 elections infrastructure. That China -- we assessed that
5 China had conducted foreign interference activities during
6 the general election, the 44th general election, and that
7 while we could not come to ground in terms of state's
8 involvement, that we did observe online disinformation, what
9 appeared to be online disinformation activities implicating
10 Mr. O'Toole and Mr. Chiu with an attempt, we believed, to
11 influence Canadian Chinese community. I think I've -- maybe
12 I've -- I'm sorry, I'm getting tired. I may not have
13 captured that.

14 **COMMISSIONER HOGUE:** I think we're all tired.

15 **MR. LYALL KING:** But online information
16 issues persisted in the Chinese language media space, that's
17 maybe a better way to characterise it. Sorry.

18 **MR. JEAN-PHILIPPE MACKAY:** Thank you.

19 **COMMISSIONER HOGUE:** Thank you.

20 So we'll start the cross-examination. First
21 counsel is counsel for Erin O'Toole. And you will understand
22 that I will keep you to your times.

23 Mr. Lim, we don't hear you.

24 **MR. PRESTON LIM:** Hi, can you hear me?

25 **COMMISSIONER HOGUE:** Yes, we do.

26 **MR. PRESTON LIM:** Perfect. Thank you so
27 much, Madam Commissioner.

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

1 **MR. PRESTON LIM:**

2 **MR. PRESTON LIM:** And thank you to all of you
3 for being here today. I know it's been a long day.

4 So my name is Preston Lim, and I'm counsel
5 for the Honourable Erin O'Toole.

6 The first question I have I'll direct to
7 Mr. King. It's a procedural question, and hopefully a quick
8 one. Am I correct to say that the Panel of Five had the
9 ability to seek clarification of the contents of any of the
10 SITREPs that SITE prepared?

11 **MR. LYALL KING:** Yes.

12 **MR. PRESTON LIM:** Okay, thank you very much.

13 I'm now going to go through a series of
14 documents. I'll direct the questions to particular members
15 of the panel, but of course if anyone has additional
16 information, I invite them to just step in.

17 So if we could first go to CAN 003590, and
18 I'll direct this question to Ms. Dobner.

19 **--- EXHIBIT No./PIÈCE No. CAN 3590:**

20 SITE TF SITREP: 27 August 2021

21 **MR. PRESTON LIM:** And we're going to -- I'm
22 sorry, I don't think I can see it on my screen but that's
23 fine; I have it written down. We're going to go to page 1,
24 bullet point three. Brilliant.

25 So bullet point three reads in part:

26 "News sites linked to the Chinese
27 Communist Party likely acted in a
28 coordinated manner to push user

1 interest in the topic 'Meng Wanzhou
2 has been unlawfully detained by
3 Canada for 1000 days.'"

4 So I have two questions. The first one; am I
5 correct in stating that SITE would not have made any
6 recommendations as to how the Government of Canada should
7 respond to this finding?

8 **MS. GALLIT DOBNER:** So SITE would not have
9 made recommendations, that's correct.

10 **Mr. PRESTON LIM:** Right. So SITE would have
11 just been passing on the information; in this case, the
12 information about the news site.

13 So my second question is, to the extent that
14 you know, which entity or individual within the Government of
15 Canada would have been responsible for determining the
16 governmental reaction to that finding?

17 **MS. GALLIT DOBNER:** So this is a tricky
18 question. A lot of information passes through the Canadian
19 media ecosystem every day, and the Government of Canada
20 decides when it does or doesn't respond to what it's seeing
21 in the media. So I would assume that the government
22 departments that were most engaged in the issue of Meng
23 Wanzhou's detention would have determined whether or not they
24 wanted to communicate on this on any given day. It wasn't
25 directly linked to the election.

26 **MR. PRESTON LIM:** That's helpful. Thank you.

27 So if we could go next to CAN 012854, and
28 I'll stick with you, Ms. Dobner, for this one.

1 --- EXHIBIT No./PIÈCE No. CAN 12854:

2 SITE TF SITREP: 13 September 2021

3 **MR. PRESTON LIM:** That's CAN 012854. And
4 we're going to go page 2, bullet point 3. And this is the
5 topic that you were just discussing, Ms. Dobner. So that
6 document -- or the bullet point reads ---

7 **MS. GALLIT DOBNER:** Sorry; pardon me.

8 **MR. PRESTON LIM:** Yes.

9 **MS. GALLIT DOBNER:** Could I just see the date
10 again? We scrolled very quickly through this document.

11 **MR. PRESTON LIM:** Of course.

12 **MS. GALLIT DOBNER:** Can we just go up, so I
13 can get some context for what I'm seeing? Right to the top,
14 please, just so I can see the date. This is the SITREP on
15 the 13th of September, great. Thank you.

16 **MR. PRESTON LIM:** September 13, that's right.

17 **MS. GALLIT DOBNER:** Super, thank you.

18 **MR. PRESTON LIM:** So back to page 2, bullet
19 point three:

20 "...RRM Canada continues to monitor
21 claims about MP Kenny Chiu's private
22 member bill, and Erin O'Toole's China
23 and WeChat policies on WeChat and now
24 the Douyin platform. RRM Canada
25 notes that we have limited visibility
26 into the WeChat and Douyin platforms,
27 as such we cannot confirm or deny the
28 employment of inauthentic

1 amplification techniques."

2 So RRM Canada -- and I suppose by extension
3 the SITE Task Force -- could neither, "confirm nor deny the
4 employment of inauthentic amplification techniques." Who was
5 ultimately responsible for resolving that ambiguity; and more
6 specifically, for determining whether inauthentic
7 amplification techniques had been deployed?

8 **MS. GALLIT DOBNER:** No-one could have
9 determined that.

10 As I mentioned earlier, we didn't have a
11 relationship with Tencent, and that would require a
12 relationship with Tencent and information provided by
13 Tencent. The Chinese social media platforms for us are --
14 it's fair to call them a black box; we just don't have the
15 same understanding of them as we do of some of the big
16 American social media platforms.

17 **MR. PRESTON LIM:** Thank you, Ms. Dobner.

18 I'm now going to take Mr. King to WIT
19 multiple zeroes 22.

20 **--- EXHIBIT No./PIÈCE No. WIT 22:**

21 Stage 1 Interview Summary: Walied
22 Soliman

23 **MR. PRESTON LIM:** This is WIT 22, and this is
24 the interview summary of Mr. Soliman, whom I believe you are
25 familiar with; he was co-chair of the Conservative Party's
26 2021 campaign. This is a summary of his interview with the
27 Commission. And we're going to go to paragraph 12; that's on
28 page 3. Great.

1 So Mr. Soliman testified that he passed on
2 certain allegations to SITE, right? So paragraph 12 reads:

3 “He recalls bringing an issue...to
4 the attention of SITE [Task Force] at
5 one point. The message he got back
6 was that there were no serious
7 problems to be concerned about.”

8 So my first question is, if you might be able
9 to explain on what basis the SITE Task Force might decided
10 that there were -- and I'm using his words here, not yours --
11 “no serious problems to be concerned about”?

12 **MR. LYALL KING:** That's his view of what he
13 heard back. Those are Mr. Soliman's words to say that he
14 believes we communicated back there were no serious problems.
15 That is not my recollection. I don't recall us saying there
16 were no serious problems. I recall us, as Ms. Dobner has
17 already described, communicating to all the political party
18 members what we were observing in that online information
19 environment. I was at those briefings, so I do recall Ms.
20 Dobner relaying that information there.

21 It's unfortunate that he notes recalling
22 bringing an issue but doesn't recall the details. It's very
23 hard to sort of comment on that as to sort of the timing and
24 what that was. But, generally speaking, as we have noted
25 earlier, when we had information, and we did have information
26 by mid-September, we did communicate that to the political
27 parties, but I don't recall us saying SITE, as a group, that
28 there were, “no serious problems to be concerned about.”

1 **MR. PRESTON LIM:** Right. So you would have
2 -- you're stating that you would have communicated back with
3 the parties in mid-September.

4 So my second question, then, I'll stick with
5 you, Mr. King. SITE would have had access to far more
6 detailed information than Mr. Soliman would have for sources
7 such as the RRM. Given SITE's extensive access to
8 information, how would the provision of information by the
9 Conservative Party or by Mr. Soliman have altered SITE's
10 decisions with respect to the various allegations it had
11 before it, if it would have altered SITE's decisions at all?

12 **MR. LYALL KING:** Just to be clear, you're
13 asking me how information provided by the Conservative Party
14 to SITE may have changed ---

15 **MR. PRESTON LIM:** Yes.

16 **MR. LYALL KING:** --- our particular views?

17 **MR. PRESTON LIM:** That's correct.

18 **MR. LYALL KING:** Okay. In terms of
19 information that we did receive from the Conservative Party,
20 I only recall the information we received via the Privy
21 Council Office towards the end of September, I believe it
22 was; I know we have the dates in there somewhere. And my
23 CSIS colleague had a number of people working on that
24 information.

25 So I would -- I've said this a few times, and
26 I apologize, I'd have to defer to my CSIS colleague because
27 this is about information happening in a domestic space, and
28 my role in SITE was not that; I got foreign signals

1 intelligence. So I will push it to my CSIS colleague to
2 describe, but I only recall receiving information from the
3 Conservative Party post-election at the end of September via
4 Privy Council Office.

5 **CSIS REPRESENTATIVE:** I agree with Mr. King's
6 statement. We only received information back on this
7 particular issue in terms of disinformation campaigns after
8 the election, and received it formally from PCO on September
9 the 30th, wherein we began to do extensive analysis over the
10 course of two and a half weeks, bridging off of what had been
11 actually learned through the Rapid Response Mechanism, and
12 all the other public information which had come to light
13 then, to come to the conclusions which have been laid out
14 here today in a report on October the 19th.

15 **MR. PRESTON LIM:** Thank you.

16 Madam Commissioner, do I have time for one
17 last question?

18 **COMMISSIONER HOGUE:** I will go with a last
19 question ---

20 **MR. PRESTON LIM:** Okay. It will be ---

21 **COMMISSIONER HOGUE:** --- but ---

22 **MR. PRESTON LIM:** It will be a short one.

23 So if we could go to CAN 003781. I'm just
24 going to read the first sentence and ask a quick question.

25 **--- EXHIBIT No./PIÈCE No. CAN 3781:**

26 Threats to Canadian Federal Election
27 2021

28 **MR. PRESTON LIM:** Page 1, bullet point three

1 opens -- that's the quote:

2 "The...(PRC) sought to clandestinely
3 and deceptively influence Canada's
4 2021 federal election."

5 And then of course you have the lines of
6 redacted material. Had SITE made a similar statement at an
7 earlier point during the General Election? And if not, what
8 changed to prepare SITE to make this remarkably clear
9 statement when it did? And I'll direct that to Mr. King.

10 **MR. LYALL KING:** We didn't make such a
11 statement during the election. We made statements to the
12 effect that we believed the People's Republic of China to be
13 the most significant threat to that space before the
14 election. So this is a reflection of what we had observed
15 during the election. This was made after, not during.

16 What we would have stated during to the
17 political parties, the cleared members, excuse me, of the
18 political parties, and before the writ drop, was that China,
19 for us, was the most significant threat.

20 **MR. PRESTON LIM:** Thank you all very much.

21 **COMMISSIONER HOGUE:** Thank you.

22 Counsel for the Conservative Party? I think
23 probably on the Zoom? It's Mr. De Luca.

24 **MR. NANDO de LUCA:** It is, Madam
25 Commissioner. Might I ask to be deferred? I'm having
26 trouble with my connection and my document retrieval. So if
27 the next ---

28 **COMMISSIONER HOGUE:** Okay. So we'll go with

1 counsel for Jenny Kwan.

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

3 MR. SUJIT CHOUDHRY:

4 MR. SUJIT CHOUDHRY: Good afternoon. My name
5 is Sujit Choudhry. I'm counsel for Jenny Kwan.

6 I was hoping the Registrar could put up the
7 following document, please. It's CAN2 -- double zero
8 6117_R01. Should I give it again, or are we -- should --
9 it's CAN006117_R01. This was produced last night at around
10 midnight. We alerted the Commission to it this morning that
11 we'd be relying on it. If we could have a bit of assistance?
12 Thank you. I'd ask for your indulgence, Madam Commissioner,
13 on the time.

14 --- EXHIBIT No./PIÈCE No. CAN 6117 R01:

15 CAN006117_R01

16 COMMISSIONER HOGUE: I'm taking note ---

17 MR. SUJIT CHOUDHRY: Thank you.

18 COMMISSIONER HOGUE: --- of each and every
19 minute.

20 MR. SUJIT CHOUDHRY: I know you are.

21 MS. ERIN DANN: Mr. Choudhry, could you
22 please repeat the doc ID?

23 MR. SUJIT CHOUDHRY: With pleasure, Ms. Dann.
24 So it's CAN006117_R01.

25 MS. ERIN DANN: Thank you.

26 MR. SUJIT CHOUDHRY: You're welcome. Thank
27 you.

28 Okay. So this document is titled GE44:

1 *Lessons Learned*. And I think in the first instance, I'd like
2 to direct my question to Ms. Dobner. Do you recognize this
3 document?

4 **MS. GALLIT DOBNER:** I do.

5 **MR. SUJIT CHOUDHRY:** Is this a document that
6 was produced by GAC?

7 **MS. GALLIT DOBNER:** This was a document that
8 was produced by an individual on my team as that person's off
9 the top of their head takeaways after the election.

10 **MR. SUJIT CHOUDHRY:** Okay.

11 **MS. GALLIT DOBNER:** It was not a SITE
12 document and it was not an approved RRM Canada document. It
13 does not represent our final judgements and our perspective.

14 **MR. SUJIT CHOUDHRY:** And what -- do you
15 roughly remember when this was produced?

16 **MS. GALLIT DOBNER:** After the election.

17 **MR. SUJIT CHOUDHRY:** Okay. So some time in
18 the weeks after?

19 **MS. GALLIT DOBNER:** The days, probably, after
20 the election.

21 **MR. SUJIT CHOUDHRY:** Okay. Good. Well, with
22 those caveats, I'd like to take you to a couple of points.

23 **MS. GALLIT DOBNER:** Okay.

24 **MR. SUJIT CHOUDHRY:** So if we could go first
25 to point two? And I'll just read it into the record. It
26 says:

27 "While SITE has once again played an
28 indispensable role in coordinating

1 threat analysis based on the unique
2 mandates of SITE members, an all-
3 source (fused) analysis would better
4 meet the challenges of [...] contemporary [foreign interference]
5 space described above and would
6 facilitate a whole-of-government
7 response, including communications.”

8
9 Ms. Dobner, do you agree with the general
10 sentiment of that statement?

11 **MS. GALLIT DOBNER:** No. I think SITE was
12 well coordinated for the 2021 Election, and I think taking
13 the example of the false narratives that we saw on WeChat as
14 sort of a case study where RRM Canada saw these narratives
15 and we relayed them to the rest of SITE, and together SITE
16 put together a fused assessment as a document of October
17 25th, which is on the record. I think that's demonstrative
18 of the fact that there was a coordinated and joined up
19 approach by SITE.

20 **MR. SUJIT CHOUDHRY:** But isn't the point here
21 that an all-source analysis would be better at meeting the
22 contemporary challenges of foreign interference?

23 **MS. GALLIT DOBNER:** So, look, I don't want to
24 go too far down here, because again, I can't speak for the
25 person who authored this document and what was in that
26 person's mind. I mean, we're all familiar now with what the
27 mandate of SITE was. It's been discussed this morning and I
28 think reiterated again this afternoon, that the SITE was

1 meant to be the sum of its parts with each agency or
2 government department bringing their mandate to the table and
3 working together in a coordinated fashion. And I feel that
4 that's what happened during the 2021 Election.

5 **MR. SUJIT CHOUDHRY:** Well let me then take
6 you to point three. So your ---

7 **MS. GALLIT DOBNER:** Sure.

8 **MR. SUJIT CHOUDHRY:** --- colleague here says:
9 "The situation above (coordinated but
10 not fused [...]) also left RRM Canada
11 'with nowhere to go' with its open
12 source threat assessment as SITE/CSIS
13 in particular did not align with RRM
14 Canada's sense of urgency in briefing
15 up/shining. This was a repeat of
16 [General Election] 43."

17 What could this be referring to?

18 **MS. GALLIT DOBNER:** So again, I -- you know,
19 I can't sort of put words in the mouth of the colleague who
20 offered this. So I don't understand what all of these
21 elements are referring to. And I think I would, you know,
22 once again, go back to the fact that there was, you know, a
23 very healthy debate that happened across the RRM Canada team
24 throughout GE44, as we were trying to figure out what we were
25 seeing and trying to postulate as to what could be sort of
26 the hypothesis for what we were seeing online. So I think
27 there was a very healthy debate.

28 And I think one person on the team here has

1 expressed his or her opinion, but this was not my opinion.
2 This was not reflected in the input that I provided SITE and
3 it was ultimately not reflected in the after-action report of
4 SITE.

5 **MR. SUJIT CHOUDHRY:** So let me give you one
6 example that perhaps might support this colleague's view. I
7 take the point it's not your view or the institutional view
8 of GAC.

9 So if we could call up SITREP CAN001075? So
10 if you could scroll down, please?

11 **--- EXHIBIT No./PIÈCE No. CAN 1075:**

12 SITE TF SITREP: 07 September 2021

13 **MR. SUJIT CHOUDHRY:** So this is from
14 September the 7th.

15 And let's just stop there, under the
16 "GAC/RRM".

17 So this came from GAC. And then I'm just
18 looking at the third bullet. It refers to a message
19 published on a Facebook group, with:

20 "...screengrabs from a WeChat group
21 with what they claim are members of
22 the [CBA] of Vancouver, a group that
23 many open source reports claim are
24 linked to China's United Front..."

25 Which of course would be well known to you
26 and other members of the panel, Ms. Dobner. And then it
27 refers to an event, a campaign event for the Liberal
28 candidate in Vancouver East.

1 So you remember seeing this SITREP ---

2 MS. GALLIT DOBNER: Yes.

3 MR. SUJIT CHOUDHRY: --- report?

4 MS. GALLIT DOBNER: Yes.

5 MR. SUJIT CHOUDHRY: Okay.

6 MS. GALLIT DOBNER: That would have been our
7 contribution to the SITREP.

8 MR. SUJIT CHOUDHRY: Okay. Good. So then
9 let's go on to CAN001088. If we could scroll down, please?
10 Again to the "GAC/RRM". Okay. And then stop there.

11 And if we go to the second bullet, again it
12 refers to the same campaign event, and this time it refers to
13 the event being hosted by a pro-Beijing individual with
14 connections to China. You're familiar with this SITREP
15 report as well?

16 MS. GALLIT DOBNER: I'd just like to take a
17 minute to read the sentence, if you don't mind?

18 MR. SUJIT CHOUDHRY: Sure. Of course. So
19 it's the second bullet ---

20 MS. GALLIT DOBNER: Yeah, I see that.

21 MR. SUJIT CHOUDHRY: And it's the third line
22 down.

23 MS. GALLIT DOBNER: I see that. Thank you,
24 Mr. Choudhry. Yes, thank you.

25 MR. SUJIT CHOUDHRY: Do you recall this
26 document?

27 MS. GALLIT DOBNER: Yes.

28 MR. SUJIT CHOUDHRY: Do you recall that ---

1 **MS. GALLIT DOBNER:** Absolutely. That would
2 have been our contribution to the SITREP.

3 **MR. SUJIT CHOUDHRY:** And look, we don't have
4 -- we're not privy to all the SITREP reports, and they're
5 redacted, but based on what we've seen, I can't think of
6 another riding-level event that's flagged twice in the SITREP
7 reports produced to the Commission. Would you agree that
8 that statement is correct?

9 **MS. GALLIT DOBNER:** So, I mean just reading
10 the statement carefully, what we have said that:

11 "A *Postmedia* editorial as well as
12 MacDonald-Laurier Institute's
13 DisinfoWatch..."

14 **MR. SUJIT CHOUDHRY:** Right.

15 **MS. GALLIT DOBNER:** --- has commented the
16 following.

17 **MR. SUJIT CHOUDHRY:** Sure.

18 **MS. GALLIT DOBNER:** So we were providing --
19 if I may, we were providing this information for contextual
20 background for the panel.

21 **MR. SUJIT CHOUDHRY:** But you provided it. I
22 mean ---

23 **MS. GALLIT DOBNER:** That's right.

24 **MR. SUJIT CHOUDHRY:** --- there's reams and
25 reams of information you're getting, but you picked this out
26 and you picked out this event twice.

27 **MS. GALLIT DOBNER:** We provided reports on
28 all elements of election-related potential disinformation to

1 the panel. As I had said earlier this morning, and I guess
2 it bears repeating again this afternoon, we had a fairly low
3 bar for what we included because we wanted to make sure that
4 we were comprehensive, so we did indeed point to the incident
5 when we saw it occur and then we have referenced here that
6 Post Media as well as MLI have both commented on the
7 following.

8 **MR. SUJIT CHOUDHRY:** So now, Ms. Dobner, were
9 you -- did you watch Anne McGrath's testimony this week on
10 Tuesday? Are you ---

11 **MS. GALLIT DOBNER:** I didn't.

12 **MR. SUJIT CHOUDHRY:** --- familiar with it?

13 **MS. GALLIT DOBNER:** No, I didn't.

14 **MR. SUJIT CHOUDHRY:** So she's the National
15 Director for the NDP. She was -- she met with the SITE Task
16 Force.

17 She testified that this -- these posts or
18 this information was not brought to her attention at meetings
19 that she attended with the SITE Task Force. Is that -- does
20 that seem accurate to you?

21 **MS. GALLIT DOBNER:** I honestly don't recall
22 if we flagged this or not.

23 **MR. SUJIT CHOUDHRY:** So I'd like to take you
24 to document JKW000076.

25 Should I give that again?

26 **--- EXHIBIT No./PIÈCE No. JKW 76:**

27 Email correspondence between Rachel
28 Roy (counsel to the NDP) to Elections

1 Canada

2 **THE COURT OPERATOR:** Yes, please.

3 **MR. SUJIT CHOUDHRY:** It's JKW000076.

4 Great. Thank you.

5 And so -- it's five zeros. Pardon me, Madam
6 Commissioner.

7 So Ms. Dobner, I'm sure -- I imagine you
8 haven't seen this document before.

9 **MS. GALLIT DOBNER:** I haven't, but I'm aware
10 that a complaint was made.

11 **MR. SUJIT CHOUDHRY:** Yeah. And so it's a
12 complaint that was filed on September 7th by the NDP to the
13 Office of the Commission of Canada Elections the very same
14 day as the sitrep report about the same event.

15 **MS. GALLIT DOBNER:** Yeah.

16 **MR. SUJIT CHOUDHRY:** That was then also --
17 appeared again on September 16th.

18 So you're familiar with this complaint.

19 You said you're familiar with the existence
20 of this complaint.

21 **MR. GALLIT DOBNER:** I understood that a
22 complaint was made, yeah.

23 **MR. SUJIT CHOUDHRY:** So there was testimony
24 by the OCCE panel last Thursday on March 28th. And so the
25 OCCE testified that when they received this complaint, they
26 hadn't been aware of the sitrep reports that had flagged this
27 event. In fact, they had never seen the sitrep reports until
28 it was presented to them in preparation for their testimony

1 at this hearing.

2 **MS. GALLIT DOBNER:** So the sitreps were
3 prepared for the P5, the Panel of Five. We talked about the
4 distribution list this morning. We can talk about it again
5 this afternoon, but we wouldn't have been sharing those
6 sitreps with the OCCE.

7 **MR. SUJIT CHOUDHRY:** And so let me just
8 circle back to the comments of your colleague ---

9 **COMMISSIONER HOGUE:** Last question.

10 **MR. SUJIT CHOUDHRY:** --- about a fused
11 approach, a fused analysis leading to a whole of government
12 approach.

13 Wouldn't it appear to you that if OCCE had
14 received a complaint about the very same events that were
15 already being discussed at SITE that a whole of government
16 approach would have connected those dots and led to some
17 countermeasures or at least identifying this as a potential
18 issue of importance?

19 **MR. LYALL KING:** I would just note that the
20 SITE Task Force is a smaller community of collectors and we
21 did, in fact, engage and produce fused reports, so the
22 situation report you're referring to did go to the panel as a
23 party of a fused piece from our community.

24 You're right in that it did not go to the
25 OCCE. Irrespective of that, SITE did operate and provide
26 fused intelligence products.

27 **MR. SUJIT CHOUDHRY:** And ---

28 **MS. GALLIT DOBNER:** Can I also -- can I just

1 also add to that point, is that we did not have any further
2 information than what was publicly posted, that screen grab
3 that was posted on Facebook. My team would have looked for
4 any artificial amplification. That would have been the end
5 for our mandate, so we didn't have further information than
6 what was tabled here in this complaint.

7 **MR. SUJIT CHOUDHRY:** Commissioner, thank you.

8 **COMMISSIONER HOGUE:** Thank you.

9 Is Mr. De Luca ready now?

10 **MR. NANDO de LUCA:** I'm back, yes.

11 **COMMISSIONER HOGUE:** Yes. Okay.

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

13 **MR. NANDE de LUCA:**

14 **MR. NANDO de LUCA:** Can I have CAN 14862 --
15 sorry, no.

16 Can I have -- let's start with WIT46 called
17 up.

18 This is the *in camera* examination summary
19 that was referenced earlier. And can I ask you to turn to
20 paragraph 28?

21 And while we're going to that paragraph,
22 you'll recall -- and this is for the panel generally, I think
23 perhaps Mr. King -- in your testimony earlier today I asked
24 you in particular a question in relation to the use of the
25 word "incident" in the PCO's briefing document to describe
26 what it was or one of the functions that the SITE Task Force
27 was to fulfil in terms of briefing up to the Panel of Five.

28 We actually see the use of the word

1 "incident" -- the phrase "incident register" referred to in
2 your own document here in connection with at least the 2021
3 SITE Task Force, so I have a couple of questions here.

4 Was this incident register something that was
5 also used in 2019? And -- because it says here the same type
6 of information was used in 2019, the same type of log.

7 And how did -- how did the way the
8 information was co-located or gathered in a register and a
9 log change from 2019 to 2021?

10 **MR. LYALL KING:** Yeah, thank you for your
11 question.

12 It was used in 2019 as well. I would just
13 make a point and it is noted, I think, further down in that
14 paragraph that, you know, "incident" may not have been the
15 best word to use in that, but rather, a capture of
16 information.

17 The general usage of that document was really
18 internal for us to track what we had brought to the table,
19 information that we had shared amongst ourselves and,
20 principally, it's built to look at, over an arc of time, the
21 types of foreign interference, things we had seen, the
22 countries that were implicated and referring back to the
23 discussion earlier on categories of foreign intelligence,
24 what type or flavour of foreign intelligence it was.

25 It was very much intended to be an internal
26 SITE product to track over an arc of time what we had seen.

27 **MR. NANDO de LUCA:** Can you provide any
28 clarity or transparency on how you categorize the

1 information? Because even in the -- you just indicated, but
2 then there's, I guess, a third sentence halfway through that
3 paragraph talks about categorization of pieces of
4 intelligence.

5 What kind of categories did you have, if you
6 can get into that?

7 **MR. LYALL KING:** Certainly.

8 It can be found, I think, in some of the
9 documents that have been provided to the Commission. I
10 referenced earlier today that in order to try to make sense
11 of the broad range of foreign interference activities and for
12 the SITE group to understand that domain, we looked to try to
13 categorize those from the very specific cyber targeting, for
14 example, of elections infrastructure to cyber targeting of
15 politicians, to the more human interaction space, covert
16 interference with the political layer, then covert
17 interference in the public space with individuals, diaspora,
18 and then moving finally into more overt, which we wouldn't
19 categorize as interference, but overt influence.

20 It was meant to capture the gradation, the
21 gradients, I guess, if you will, of how foreign interference
22 plays out.

23 **MR. NANDO de LUCA:** Thank you.

24 So I ---

25 **MR. LYALL KING:** And those -- if we had a
26 report -- sorry for interrupting.

27 If we had a report or RRM brought something
28 to the table, it would say it was this country that was

1 implicated, it fell roughly into this category. It was a way
2 to track a trend over time.

3 **MR. NANDO de LUCA:** Thank you.

4 Can I get CAN 14862 called up?

5 And I'd like to go to page 2 of this document
6 at the top.

7 Sorry. Let me just find -- so under the
8 heading, at the very top:

9 "What can SITE conclude at this time
10 about the election related FI?"

11 There is -- first bullet, there is a redacted
12 portion. It says:

13 "SITE cannot decisively conclude that
14 the PRC sought to clandestinely and
15 deceptively influence outcomes in
16 all...(13) ridings identified by the
17 CPC...."

18 Have I read that correctly?

19 **MR. LYALL KING:** Yes, you have.

20 **MR. NANDO de LUCA:** Okay. Was SITE able to
21 identify clandestine and deceptive influence in any of the 13
22 ridings identified by the CPC?

23 **MR. LYALL KING:** I will defer to my CSIS
24 colleague, as it was CSIS that did the bulk of the analysis
25 and pulled this particular piece together.

26 **CSIS REPRESENTATIVE:** So the answer to that
27 question is no. And I would add for context, in relation
28 with this piece of analysis, just to step back in time: When

1 we received the information, again on September the 30th,
2 from the Conservative Party relating to these 13 ridings, and
3 the overarching issue of this information, we assembled
4 significant amount of capability and teams, both within CSIS
5 and across SITE, to evaluate this particular issue.

6 We understood it was incredibly significant,
7 the charge that was being put forward. We took it with the
8 utmost seriousness and intent to make sure that we could come
9 up with the best set of analysis we could to satisfy the
10 issue at hand, but also to assure the Conservative Party that
11 we were doing as much as we could.

12 We spent close to three weeks evaluating all
13 the information we had. We had large teams of both analysts
14 and operators from the West Coast to the East Coast looking
15 at all of this. Our teams were fused with GAC's RRM team and
16 brought in every capability that we had to evaluate all of
17 this. And as you can see, the two significant conclusions,
18 which you've cited, were our takeaways, in that we could not
19 find attribution from the Government of China in these
20 particular areas.

21 **MR. NANDO de LUCA:** So might I ask why frame
22 the assessment that way? Why not say that SITE cannot
23 decisively conclude that the PRC sought to influence outcomes
24 in any of the 13 ridings?

25 **CSIS REPRESENTATIVE:** Because that was our
26 simple conclusion at the time, that we could not conclude
27 that they could clandestinely or had deceptively influenced
28 the outcome of the 13 that were under consideration.

1 **MR. NANDO de LUCA:** But with respect, you
2 haven't answered my question. Are you drawing a conclusion
3 with -- as to whether they could do it in any of them or in
4 all of them?

5 **CSIS REPRESENTATIVE:** Our conclusion was that
6 they didn't and -- they didn't do it. It couldn't be -- it
7 could not be proven, the point, in any of the 13.

8 **MR. NANDO de LUCA:** So why did you use the
9 word "in all of the 13"?

10 **CSIS REPRESENTATIVE:** I'm not privy to the
11 distinction that you're driving at. I'm merely saying that
12 it could not be proven in any or all of the 13.

13 **MR. NANDO de LUCA:** Well, those are two very
14 different words. Are you suggesting that they should be used
15 interchangeably?

16 **CSIS REPRESENTATIVE:** I would merely say that
17 we stand with the language that we're using in the particular
18 piece of analysis. It was vetted thoroughly.

19 **MR. NANDO de LUCA:** Okay. And so in that
20 analysis, though, your commentary is as to whether or not you
21 could prove influence in all of the 13 ridings; correct?

22 **CSIS REPRESENTATIVE:** Right. That's correct.

23 **MR. NANDO de LUCA:** Thank you. Those are my
24 questions.

25 **COMMISSIONER HOGUE:** Thank you.

26 Next, is -- will be counsel for Michael
27 Chong.

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

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

2 MR. GIB van ERT:

3 **MR. GIB van ERT:** I actually want to follow
4 up on the same line of questioning that Mr. De Luca was just
5 pursuing. Ms. Dobner, you explained very helpfully that there
6 were three possible explanations for the Kenny Chiu
7 situation, and one of them was attribution by PRC, but then
8 there were others. Right?

9 And the question that I had for you, and as I
10 say, I think Mr. De Luca's questioning and the answers that
11 the CSIS witness was just giving touch on this as well. My
12 was well what was the level of certainty that you required?

13 And in the document we were just looking at,
14 the phrase that was used was "decisively conclude." So
15 perhaps that's your answer. You'll tell me, and I'll invite
16 the other witnesses, particularly the CSIS witness, to
17 elaborate, if that would help. But what is the standard that
18 you were applying when trying to decide do we come out and
19 say this is PRC or not?

20 **MS. GALLIT DOBNER:** Yeah. That's an
21 excellent question.

22 In one of the documents, and I can't recall
23 the number, I'm sorry, so we can't drag it up here, we did
24 say that our confidence level was somewhere from low to
25 moderate. So that was the level of -- the highest level of
26 confidence that we could assign the judgement that this was
27 indeed a disinformation campaign versus just an organic
28 sharing of information.

1 You know, had we been more certain we could
2 have maybe applied more certainty to it, but again, the
3 judgment then would have belonged to the Panel, right, about
4 what they wanted to do with the information that we provided
5 them with.

6 Does that make sense?

7 **MR. GIB van ERT:** I'm sure it does, but I do
8 want to understand better what -- or you're saying you had
9 low to moderate confidence in -- sorry. Did you mean in
10 respect of the Kenny Chiu situation in particular, or was
11 that sort of a general?

12 **MS. GALLIT DOBNER:** The both -- to the two
13 narratives that we were seeing circulating.

14 **MR. GIB van ERT:** Okay. And so how much
15 confidence did you feel that you needed before you could say
16 to the P5, you can safely attribute this to PRC?

17 **MS. GALLIT DOBNER:** So I think we would have
18 always qualified our judgement with a level of confidence.
19 It is extremely difficult to, first of all, identify foreign
20 interference in the online space because there is a very
21 fuzzy area between what is influence and what is
22 interference. And then it is even more difficult in most
23 instances to do attribution, to decide to who it is that
24 could be behind this act. And then, and of course this was
25 the Panel's remit, the third challenge is determining impact
26 and what impact that may or may not have had on the election,
27 further to the discussion that we were just having.

28 **MR. GIB van ERT:** Sure.

1 **MS. GALLIT DOBNER:** So I would say that when
2 you're talking about the online space, and this was something
3 that we made very clear to in the threat assessments that we
4 worked on collectively as a Task Force, that it is really
5 difficult to say with certainty when you're seeing foreign
6 interference in an online ---

7 **MR. GIB van ERT:** And I'll just stop you
8 there. I don't want to interrupt, but that's the key there,
9 is with certainty. What I'm trying to ask you, I think, is
10 what do you mean by certainty?

11 Because we could, for instance -- I mean if
12 this were a criminal trial, with certainty would mean you'd
13 have to be, you know, beyond reasonable doubt. That's the
14 highest standard we have; right? But it isn't a criminal
15 trial. If it were a civil trial, you'd say well, more likely
16 than not. That's the standard. And we'd be certain using
17 that standard.

18 So what we mean by certainty always depends
19 on what standard we are adopting. And what I'm trying to
20 understand is what was the standard that you were adopting,
21 when I say you, I mean the SITE, generally, what standard
22 were you applying? Because in the national security context,
23 as I'm sure you know, and certainly the CSIS witness will
24 know, often reasonable grounds to suspect, which is a lower
25 standard still, will be applied.

26 I just need to understand what the standard
27 was so that when you say we weren't certain I know what you
28 mean.

1 **MR. LYALL KING:** Maybe I can interject a
2 little bit here just to speak on behalf of SITE as the former
3 Chair ---

4 **MR. GIB van ERT:** Yes, of course.

5 **MR. LYALL KING:** --- in that we are also
6 looking at a range of different disciplines that we brought
7 to the table, to be clear. So how and what Global Affairs
8 does within the RRM is different from the discipline of
9 Signals Intelligence, which is different again from the
10 discipline and culture, indeed of human intelligence. So
11 there are different thresholds applied, I think. There are
12 different sources that we might use to try to confirm or
13 corroborate to provide increased levels of confidence in
14 attribution to actors.

15 So it can vary, I think is the way I would
16 describe it, which may be not very helpful, but that is
17 factual. From a, you know, a CSE perspective, we might be
18 looking at technical information that we might use to try to
19 confirm activities tied to specific actors or individuals.
20 We might look at corroborating intelligence from other
21 sources to say, well, we've observed this and now we can get
22 other intelligence to confirm from another source that this
23 has been directed by somebody related to the specific
24 activity.

25 So in a sense, sir, it kind of bias slightly
26 different, I think, in terms of what levels of certainty that
27 you're asking us to describe in the sort of our different
28 disciplines.

1 But in recalling the conversation around the
2 table, I think what we could probably all agree to is that
3 each of us looked in our spaces where we could, where we had
4 the authorities to do so, but did not have a high enough
5 confidence level to be able to ascribe an attribution. And
6 that is quite important, I would suggest, when we're dealing
7 in a government space and accusing other adversaries and
8 states, nation states, of acting.

9 So in comparing that with a reasonable -- a
10 reason to believe something, it depends on the type of action
11 you might be taking. When it comes to attribution, we need a
12 fairly high level of confidence to be able to state so.

13 **MR. GIB van ERT:** And where ---

14 **MR. LYALL KING:** I don't know if that is a
15 helpful ---

16 **MS. GALLIT DOBNER:** If I can -- if I can just
17 add ---

18 **MR. GIB van ERT:** Just before you do, I just
19 had this one point. The phrase "decisively conclude" that we
20 were looking at does seem to be a high standard the way you
21 were just describing.

22 **MR. LYALL KING:** Yes.

23 **MR. GIB van ERT:** Please go ahead, ---

24 **MR. LYALL KING:** Yes.

25 **MR. GIB van ERT:** --- Ms. Dobner.

26 **MS. GALLIT DOBNER:** Thank you. I was going
27 to say thank you very much to Mr. King because he provided an
28 excellent segue to what I was going to say in response to

1 your question. This goes back to when I spoke about the
2 challenges of working on WeChat in particular and Chinese
3 social media. And one of the challenges that I sited was a
4 lack of a community of practice, a lack of literature, a lack
5 of standing expertise.

6 If we had that community of expertise that we
7 have with regard to some of the better established American
8 social media companies, we would have been able to exchange
9 information, build on other literature that had already been
10 concluded, and we might have been able to conclude with
11 greater confidence what it was that we were seeing.

12 But in the absence of any of that expertise,
13 and in the absence of that community of practice, we were
14 doing our very best to try to provide the Panel and others
15 with a sense of what we were seeing. And we certainly did
16 not have enough confidence to say something like "likely"
17 that would have potentially ---

18 **MR. GIB van ERT:** And did you feel that you
19 needed to be able to say "likely" before you would actually
20 recommend -- I shouldn't say recommend, but before you would
21 feel confident that the P5 ought to take action, ought to
22 respond to what it's seeing about Kenny Chiu, for instance?
23 Did you need it to be likely that it was PRC, or could it be
24 something lower than that?

25 **MS. GALLIT DOBNER:** So I've just got -- I
26 have a little trouble with the premise of the question,
27 because again, SITE was providing, to the best of its
28 ability, information to the Panel, and the Panel had the very

1 touch and unenviable job of taking that information and
2 making a decision about whether or not they felt that it
3 constituted foreign interference and that it met the
4 threshold, and then report to Canadians.

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

6 **MS. GALLIT DOBNER:** So I was providing, and
7 my team was providing, our honest assessment to the best of
8 our ability, with the tools and the limitations that we had,
9 of what we were seeing and what our assessment was. And
10 unfortunately, I couldn't go further than that.

11 **MR. GIB van ERT:** And just one last question
12 then ---

13 **MS. GALLIT DOBNER:** Sure.

14 **MR. GIB van ERT:** --- to follow up on the
15 last point. I don't doubt the hard work your team was doing
16 and the difficulty of the challenge for one moment. But what
17 I do need to understand is when you provided the information
18 to the P5, because they're the decision makers, does that
19 information include your confidence about whether or not it
20 can be attributed to PRC? Or do you just leave that decision
21 to P5?

22 **MS. GALLIT DOBNER:** So we provided our
23 assessment, and that was in all of the documents that have
24 been entered into evidence. You can see as it builds; right?

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

26 **MS. GALLIT DOBNER:** Right up until the most
27 conclusive assessment, which is the October 25th fused piece
28 with the rest of the members of SITE.

1 So I think those documents speak for
2 themselves in terms of what we informed the Panel of and what
3 our assessment was.

4 **MR. GIB van ERT:** Yes. You're providing your
5 assessment on the level of confidence, among other things?
6 Have I understood you correctly?

7 **MS. GALLIT DOBNER:** I'm saying that those
8 documents are the best record of exactly what we provided the
9 P5 with in terms of our assessment.

10 **MR. GIB van ERT:** Yes, I know. I'm sure they
11 are. I don't have them in front of me. I'm wanting to
12 understand. Are you saying that those documents include your
13 assessments of how certain you are about attribution?

14 **MS. GALLIT DOBNER:** So I think we need to
15 call up the documents, because one of the documents talks
16 about a level of confidence that we had reported up the line.
17 I'm not sure which of those documents, but one of them
18 includes a confidence assessment.

19 But at the end of the day, our bottom-line
20 assessment, and I think the assessment that was most useful
21 to the Panel of Five, was that this is what we were seeing,
22 there are a few different hypotheses that could account for
23 what we're seeing, and we cannot tell you with any confidence
24 which of those hypotheses accounts for what occurred in the
25 online environment. And that's due to all of the limitations
26 that we have.

27 And I think it bears saying that right from
28 the start before we even headed into the election, we flagged

1 that this was going to be a challenging space; right?

2 So I think we were operating in an imperfect
3 environment, unfortunately.

4 **MR. GIB van ERT:** All right. You've left me
5 some homework to go look at the documents. I will do that.
6 Thank you very much.

7 **COMMISSIONER HOGUE:** Thank you.

8 **MS. GALLIT DOBNER:** Sure.

9 **COMMISSIONER HOGUE:** Next counsel is Me
10 Sirois for RCDA.

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

12 **MR. GUILLAUME SIROIS:**

13 **MR. GUILLAUME SIROIS:** Good evening.
14 Guillaume Sirois for the Russian Canadian Democratic
15 Alliance.

16 I want to pull CEF a bunch of zeros 23_R2.

17 **--- EXHIBIT No./PIÈCE No. CEF 23 R2:**

18 CCE Intake

19 **MR. GUILLAUME SIROIS:** But while it's being
20 pulled, I just wanted to come back on a point that you've
21 made about Chinese social media being black boxes. Would the
22 same apply to Russian social media as well? Such as Telegram
23 or V Kontakte?

24 **MS. GALLIT DOBNER:** We didn't spend time
25 looking at Russian social media.

26 **MR. GUILLAUME SIROIS:** Okay.

27 **MS. GALLIT DOBNER:** I don't recall that we
28 looked directly at Russian social media.

1 **MR. GUILLAUME SIROIS:** Thank you. I just
2 want to -- I appreciate the response. It doesn't concern
3 your response, but for the following of the cross-
4 examination, I would appreciate if we could try to limit the
5 comments, just say yes or no, because -- well, unless there's
6 an important comment.

7 **COMMISSIONER HOGUE:** It's quite difficult for
8 a witness to answer by yes or no, so if they feel that they
9 have to make ---

10 **MR. GUILLAUME SIROIS:** Absolutely.
11 Absolutely. If they -- just in the interest of time. Thank
12 you.

13 So here at page 15 of the document, you can
14 scroll down, please. Page 14, in fact. So we can scroll
15 down a little bit.

16 **MS. GALLIT DOBNER:** Sorry, what document are
17 we looking at, for my context?

18 **MR. GUILLAUME SIROIS:** Can we go back to page
19 1, please?

20 **MS. GALLIT DOBNER:** I'm just not sure that
21 I've seen this.

22 **MR. GUILLAUME SIROIS:** Yeah, exactly. It's a
23 complaint that was made to the Commissioner of Canada
24 Elections. It's probably not a document that you've seen ---

25 **MS. GALLIT DOBNER:** No, I'm ---

26 **MR. GUILLAUME SIROIS:** --- in preparation for
27 this.

28 **MS. GALLIT DOBNER:** --- not familiar with it.

1 **MR. GUILLAUME SIROIS:** Okay. But this is a
2 document that was sent to RRM, as we will see. So I'm going
3 to present it to you in that context, not in the context of
4 what was said to the Commissioner of Canada Elections.

5 If you want, we can go to page 18, where it
6 discusses that this was submitted to the RRM.

7 So we can scroll down.

8 See it's a letter from Mr. Côté. As you can
9 see:

10 "Pursuant to para. 510 [...] of the
11 Act, the Comm'r authorized disclosing
12 this information to the Rapid
13 Response Mechanism of GAC for any
14 action they may deem warranted."

15 Does that ring any bells?

16 **MS. GALLIT DOBNER:** No, unfortunately this
17 wasn't a document that was provided to me in my preparation
18 for today's proceeding, so I -- this was a few years ago and
19 I can't ---

20 **MR. GUILLAUME SIROIS:** No problem. I will
21 keep my questions general then.

22 **MS. GALLIT DOBNER:** Sure.

23 **MR. GUILLAUME SIROIS:** We can go back to page
24 14, please. The complaint concerned supposed -- we can
25 scroll down a little bit.

26 You can see the URL here? It's
27 panel.quizgo.ru? So it's an advertisement that was reported
28 as containing false information regarding the leader of a

1 political party in Canada during the election period.

2 We can scroll down, please, to page 15.

3 So Commissioner of Canada Elections was not
4 able to reproduce this advertisement. It didn't have the
5 tools to do so.

6 I just want to know generally if the RRM has
7 the ability to reproduce advertisements of this sort?

8 **MS. GALLIT DOBNER:** I would have to chat with
9 our analysts about this, with the experts on our team. I'm
10 sorry.

11 **MR. GUILLAUME SIROIS:** So in the hypothetical
12 case of receiving a complaint concerning an advertisement
13 that seemed to originate from the Russian Federation because
14 the URL has dot R-U at the end, you're not sure if the RRM is
15 able to reproduce said advertisement to investigate?

16 **MS. GALLIT DOBNER:** Well I'm not sure if the
17 advertisement still existed, or if it were taken down by
18 then. I would -- honestly, I would have to refer this
19 question to my analyst. I don't want to give you an
20 inaccurate answer.

21 **MR. GUILLAUME SIROIS:** No problem. And any
22 other members of the SITE Taskforce would be able to do
23 something like that?

24 **MR. LYALL KING:** Could you go to page 18 on
25 that for a moment, please?

26 **MR. GUILLAUME SIROIS:** Yes.

27 **MR. LYALL KING:** And just scroll down.
28 There. Stop, please. Oh, no. Sorry. Further down. Just

1 another line or two.

2 I'm just looking at what it says there:

3 "...the ad could not be located, it was
4 not possible to determine the source
5 of the advertising or the person or
6 entity behind it, nor could it be
7 determined the location from which
8 the ad emanated."

9 I don't know, like, -- so I'm just -- I'm
10 trying to understand the situation with respect to that one.

11 **MR. GUILLAUME SIROIS:** It's all right.

12 **MR. LYALL KING:** So I mean, it looks like
13 it's something that appeared and then disappeared, and then
14 nobody had a technical ability to recall it or discover. I
15 forget the phraseology you used.

16 I won't speak to the specifics of CSE
17 capabilities. We don't typically look at this sort of thing.
18 Like we are looking at adversaries through different lens and
19 how they operate in overseas spaces.

20 Generally speaking, if things did come up in
21 this nature, it would have been an RRM lead to have a look at
22 and we would start with RRM as at least a clearing spot, I
23 think, for where to begin in these spaces, so.

24 **MR. GUILLAUME SIROIS:** Okay. We can pull the
25 document down and pull document CAN 000125, please.

26 **--- EXHIBIT No./PIÈCE No. CAN 125:**

27 RRM Canada Weekly Trend Analysis

28 **MR. GUILLAUME SIROIS:** I want to draw your

1 attention to some elements of that document. And it as -- as
2 we'll soon see, it is RRM Canada Weekly Threat Analysis for
3 the week of September 2 to 8.

4 This document you would have knowledge of;
5 right?

6 **MS. GALLIT DOBNER:** Right.

7 **MR. GUILLAUME SIROIS:** Okay. At first bullet
8 point, we see here:

9 "RRM Canada did not observe any
10 significant trends of foreign state-
11 sponsored information manipulation in
12 its monitoring of the broader
13 Canadian digital information
14 ecosystem."

15 Do you recall this phrase being used?

16 **MS. GALLIT DOBNER:** Yeah, that sounds about
17 right.

18 **MR. GUILLAUME SIROIS:** Okay. We can go at
19 page 2 now, please.

20 There's a few sentences. The first three
21 sentences of the first full paragraph that's here, it says
22 that:

23 "Yonder monitoring identified
24 accounts that may be associated with
25 Russian state-sponsored actors who on
26 a very small scale have amplified
27 content supportive of accounts of two
28 candidates of the People's Party of

1 Canada..."

2 Do you remember this information being
3 discussed with your contracting firm, Yonder?

4 **MS. GALLIT DOBNER:** Yes. Yeah, I do.

5 **MR. GUILLAUME SIROIS:** Okay. We can now pull
6 document CAN 000134, please.

7 **--- EXHIBIT No./PIÈCE No. CAN 134:**

8 RRM Canada Weekly Trend Analysis

9 **MR. GUILLAUME SIROIS:** You'll see it's a
10 subsequent weekly report from the RRM for the period
11 September 9 to 15.

12 See the first bullet point, there's a slight
13 change in the phrase. It says, "RRM Canada did not observe
14 any clear evidence of foreign..."

15 **MS. GALLIT DOBNER:** That's right. That's
16 correct.

17 **MR. GUILLAUME SIROIS:** Okay. Can you -- was
18 this change deliberate? Was it ---

19 **MS. GALLIT DOBNER:** Yes, it was very
20 deliberate. You'll see this is week of 9 to 15 September, so
21 this was the same point that we saw the two narratives about
22 Mr. Chiu, Mr. O'Toole and the Conservative Party of Canada
23 spreading across WeChat news accounts. That was that period
24 of especially September 9 to 12.

25 So indeed, we saw some indicators of
26 potential foreign interference, but we did not see any clear
27 evidence of foreign interference.

28 **MR. GUILLAUME SIROIS:** Okay. We can go down

1 -- thank you for your answer.

2 **MS. GALLIT DOBNER:** Sure.

3 **MR. GUILLAUME SIROIS:** I'm going to go down
4 to page 2, please, the same kind of paragraph.

5 We see the Yonder report again. It's a
6 contracting firm that monitors social media; right?

7 **MS. GALLIT DOBNER:** That's right.

8 **MR. GUILLAUME SIROIS:** Okay. So the second
9 sentence here:

10 "The firm has seen less engagement
11 from accounts that generally amplify
12 China state sources but more
13 engagement from accounts that
14 generally amplify Russian state
15 sources. It appears that both
16 Chinese and Russian state and state-
17 aligned accounts generally show low
18 levels of engagement overall."

19 So at the -- in the previous report, weekly
20 report, we were talking about very small scale. That was the
21 term that were used. And now we're talking about "generally
22 show low levels of engagement overall".

23 Is there a difference?

24 **MS. GALLIT DOBNER:** I don't think so. I
25 don't think there was an intentional difference.

26 I think it's helpful to just understand what
27 we're seeing here. So Yonder again was a private sector firm
28 who we contracted to help us look at the online environment,

1 and they saw what they believed to be Russian and Chinese
2 accounts. However, a few things.

3 First of all, these accounts were not
4 labelled as state aligned on Twitter because Twitter at this
5 point was -- as a matter of policy was now labelling state-
6 aligned accounts. Also, they didn't share with us their
7 methodology for determining that these were Russian and
8 Chinese state-aligned accounts. It was proprietary
9 information so we couldn't sort of re-create or understand
10 exactly why they were labelling these accounts as Russian or
11 Chinese.

12 In the instance of the Russian accounts, I
13 recall in particular we saw them amplifying a few of the
14 candidates from the People's Party of Canada, and they were
15 doing it in a very *ad hoc* manner. And it seemed to be more
16 happenstance where they agreed with the ideology of the
17 candidate versus trying to amplify the candidate for the sake
18 of the candidate themselves.

19 And these accounts had extremely low
20 followership, so had very little impact on the overall media
21 ecosystem. Because they had so few followers, it's kind of
22 like the proverbial tree that falls in the forest with no one
23 around to hear it, right.

24 So again, this was -- this was the judgment
25 of this private sector partner that we had contracted, but we
26 weren't able to re-create those results and draw the same
27 conclusions.

28 **MR. GUILLAUME SIROIS:** Okay. And do we know

1 how many accounts ---

2 **COMMISSIONER HOGUE:** It will be your last
3 question because your time's up.

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

5 I just want to know on an order of scale, do
6 we know -- because this document doesn't specify it and I was
7 ---

8 **MS. GALLIT DOBNER:** I'm sorry. I don't have
9 those offhand. I wish I did. I don't.

10 But it was the judgment of our analyst that
11 it was extremely low level.

12 **MR. GUILLAUME SIROIS:** Here it says low
13 levels.

14 **MS. GALLIT DOBNER:** It was low level was the
15 judgment of our analyst.

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

17 **MS. GALLIT DOBNER:** Thank you.

18 **COMMISSIONER HOGUE:** Counsel for the Sikh
19 Coalition.

20 **MS. NATALIA RODRIGUEZ:** Commissioner, I'm
21 sorry to interrupt. It's Natalia Rodriguez, Commission
22 counsel here.

23 We just -- I just want to take the time to
24 remind the parties that in order to put a document that's not
25 on the list of documents for the witness, leave needs to be
26 sought in accordance with Rules 58 and 60. I appreciate
27 counsel for the RCDA had sent us an email to let us know, but
28 that's not sufficient. Leave must be sought and granted by

1 the Commissioner.

2 Thank you.

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

4 It's Prabhjot Singh, counsel for the Sikh Coalition.

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

6 **MR. PRABJOT SINGH:**

7 **MR. PRABJOT SINGH:** Ms. Dobner, I'm going to
8 direct my questions towards yourself today because my primary
9 line of inquiry is going to be revolving around the
10 observations of the Rapid Response Mechanism.

11 **MS. GALLIT DOBNER:** Sure.

12 **MR. PRABJOT SINGH:** And as I understand it,
13 the documents that I'm referring to were all approved by
14 email.

15 I'm going to draw your attention to some of
16 the reports generated in the lead-up to the 2021 election
17 just to confirm some of the findings in those reports and
18 then I'll ask some follow-up questions.

19 So Mr. Operator, if we can have CAN 016857.

20 **--- EXHIBIT No./PIÈCE No. CAN 16857:**

21 Digital Information Ecosystem Report

22 - December 2020

23 **MR. PRABJOT SINGH:** And my understanding that
24 these are monthly information ecosystem reports, I think
25 they're called, to try and set a baseline prior to the ---

26 **MS. GALLIT DOBNER:** Exactly right. You're
27 100 percent right.

28 **MR. PRABJOT SINGH:** And so looking at this

1 one, if we scroll down. I believe it's on the second page,
2 perhaps.

3 A little bit further down. That subsection
4 right there.

5 This is a December 2020 report which notes
6 specifically that:

7 "Following comments by Prime Minister
8 Trudeau on November 30th about the
9 right to protest in India, Indian
10 media and online networks began
11 targeting Prime Minister Trudeau and
12 the Liberal government with false and
13 misleading narratives."

14 If we could scroll down further to see the
15 list.

16 Some of those misleading narratives revolved
17 around the Prime Minister's 2018 visit to India, narratives
18 around Canadian vote bank politics, attempting to appeal to
19 the Sikh and Punjabi diaspora specifically, depictions of the
20 Prime Minister as a sympathizer of Khalistani separatism,
21 notions that Canada is an overall for "terrorists" and other
22 COVID-related narratives.

23 Is that an accurate reflection of what's
24 reported in the document?

25 **MS. GALLIT DOBNER:** Yeah, that's what the
26 document says, indeed.

27 **MR. PRABJOT SINGH:** And later, the report
28 also comments that these topics may be vulnerabilities that

1 could be exploitable by foreign hostile actors, particularly
2 those targeting diaspora communities.

3 Is that an accurate statement?

4 **MS. GALLIT DOBNER:** Yeah, that's fair.

5 **MR. PRABJOT SINGH:** So I think you would
6 agree with me that the misleading narratives could suggest
7 that the Prime Minister is more closely aligned to one
8 specific cultural community, the Sikh community in this case,
9 and more specifically holds some kind of sympathy for the
10 political movement for an independent Sikh state. A lay
11 person could come to that conclusion based off of those
12 narratives.

13 **MS. GALLIT DOBNER:** Could, yes.

14 **MR. PRABJOT SINGH:** And naturally, if that
15 was the case, this would conceivably have the impact of
16 alienating other members of other diaspora groups from the
17 Prime Minister or the government or the Liberal Party. Is
18 that fair?

19 **MS. GALLIT DOBNER:** Could, yes.

20 **MR. PRABJOT SINGH:** And if we can pull up CAN
21 016858.

22 This is a February 2021 report. And if you
23 can go to page 4.

24 **MS. GALLIT DOBNER:** Sorry. Could I just see
25 the title and the date again for my context?

26 **MR. PRABJOT SINGH:** Sure.

27 **MS. GALLIT DOBNER:** Thank you.

28 Oh, the monthly for February. Got it.

1 **MR. PRABJOT SINGH:** I believe it's the same
2 report, it's just two months later.

3 **MS. GALLIT DOBNER:** Super. Thank you.

4 **MR. PRABJOT SINGH:** So if we go back to
5 page 4. And the last line of that second body paragraph, the
6 report noted reports that tied together a Canadian activist
7 named Mo Dhaliwal, a Sikh advocacy group, the WSO, which is a
8 member of the Sikh Coalition, and NDP leader Jagmeet Singh in
9 a narrative about a criminal investigation entity. Correct?

10 **MS. GALLIT DOBNER:** Yes.

11 **MR. PRABJOT SINGH:** And if we move to page 5,
12 this page notes that Indian influencers and media outlets,
13 including Zee News, ABP News, OpIndia, and Republic TV,
14 worked in concert, likely employing covert or automated
15 accounts to target Mr. Dhaliwal. Do you see that there in
16 the first paragraph?

17 **MS. GALLIT DOBNER:** Sorry, could you read the
18 line again? Which -- the beginning, the first line of the
19 paragraph, is that where you're reading?

20 **MR. PRABJOT SINGH:** In that section there,
21 yeah, like that second line, the:

22 "...pro-BJP influencers media outlets
23 and journalists worked in concert,
24 likely employing covert or automated
25 accounts..."

26 **MS. GALLIT DOBNER:** Right. Yes.

27 **MR. PRABJOT SINGH:**

28 "...to target Mr. Dhaliwal..."

1 **MS. GALLIT DOBNER:** Yeah. That's correct.

2 **MR. PRABJOT SINGH:** And if you go I think two
3 lines later.

4 **MS. GALLIT DOBNER:** Yeah.

5 **MR. PRABJOT SINGH:**

6 "According to the analysis...Zee
7 News, ABP...Republic TV, as well as
8 [others]..."

9 Furthered those allegations.

10 **MS. GALLIT DOBNER:** That's right. That's
11 what it says.

12 **MR. PRABJOT SINGH:** And in the next
13 paragraph, it says that the RRM reviewed reports that
14 Mr. Dhaliwal's inbox was:

15 "...flooded with threatening
16 messages, including images of dead
17 Sikhs."

18 Is that correct?

19 **MS. GALLIT DOBNER:** That's what it says, yes.

20 **MR. PRABJOT SINGH:** And if we go further down
21 on that same page, it says:

22 "By late February, and into
23 March 2021, pro-BJP media outlets
24 began to coalesce on a narrative that
25 Indo-Canadians of the Hindu faith are
26 increasingly threatened by, [quote]
27 Sikh extremists' throughout Canada."

28 Is that observation recorded there in that

1 report?

2 **MS. GALLIT DOBNER:** That's right.

3 **MR. PRABJOT SINGH:** So combined with the
4 misleading narratives in December 2020, and then these
5 narratives in February 2021, targeting the Prime Minister
6 with narratives aligning him with the Sikh community and
7 sympathies with the Sikh Sovereignty Movement, and then
8 amplification of Indian media, that suggest that members of
9 the Hindu community in Canada feel unsafe, logically, this
10 could have direct impacts on the formulation of voters'
11 political opinions, their party preferences, and their
12 decisions at the ballot box. Not something that's observed,
13 but logically based off of these narratives that is something
14 that is an impact that could be seen.

15 **MS. GALLIT DOBNER:** Yeah. So certainly
16 everything you've said is correct. You've read from all of
17 the reports. That's a correct interpretation of -- sorry,
18 it's a correct recount of everything that's in these reports.

19 I don't want to sort of go down the road in
20 terms of what impact this may or may not have had on voters.
21 I feel very uncomfortable, and I think it would be very
22 disingenuous of me to start to opine on that. But what I
23 think -- and if I'm -- if you might permit me, and just for
24 the benefit of everybody in this room, because these reports
25 paint a very complex story. So I just want to step back to
26 give folks a little of context for what they are seeing.

27 Is that as of November 2020, when we started
28 to do these monthly reports to establish a baseline of the

1 ecosystem, what we noticed is there was a pickup in coverage
2 in sort of state, Indian state aligned media of politics in
3 Canada, and particularly focussed on the Prime Minister of
4 Canada and very critical of the Prime Minister of Canada.

5 And what we saw in February is that shifted,
6 and one of our civil society partners cited here,
7 specifically shared with us an assessment that this was
8 directed towards a Canadian activist of Sikh heritage in
9 Canada, and some personal attacks, and that's what you see in
10 this report. And at the same time, my team also noted that
11 their state aligned media was very critical of other well
12 known personalities who had made statements supportive of the
13 farmers' protests in India. So we were seeing these trends.

14 And then what we saw happen after February is
15 that the state aligned media interest in Canada dropped off
16 and we didn't see it continue throughout the rest of the year
17 or into the election. So just to provide some context for
18 what it is that we were seeing.

19 Specific to your question, could this
20 absolutely -- I mean false narratives like these always run
21 the risk of influencing the way people see things and
22 understand things, and that is the danger of disinformation.
23 So yes.

24 **MR. PRABJOT SINGH:** Yeah. no, and I
25 appreciate that clarification, and I don't want to mislead
26 Madam Commissioner or yourself. These reports don't make
27 these conclusions, they don't make these observations. I
28 just wanted to confirm the narratives that were being seen,

1 and just, you know, following along, that these are plausible
2 outcomes.

3 And Madam Commissioner, with your leave, I'd
4 like to also request that CAN 016818 also be made an exhibit,
5 just for additional context. It's the January 2021 report,
6 and I don't want to spend time today going into that.

7 So in terms of the exhibit, it would be
8 CAN 016818.

9 **--- EXHIBIT No./PIÈCE No. CAN 16818:**

10 Digital Information Ecosystem Report
11 - January 2021

12 **MR. PRABJOT SINGH:** But for the time being,
13 I'd like to return to CAN 016857.

14 **MS. GALLIT DOBNER:** Which is the February
15 report?

16 **MR. PRABJOT SINGH:** Six-eight-five-seven, I
17 believe might be December, actually.

18 **MS. GALLIT DOBNER:** Okay.

19 **MR. PRABJOT SINGH:** So I'm jumping back now.
20 I wanted to cover the context.

21 **MS. GALLIT DOBNER:** Just to keep me on my
22 toes.

23 **MR. PRABJOT SINGH:** Madam Commissioner, I'm
24 mindful that I'm running out of time. I don't believe I'll
25 be too much longer, but if I could have your ---

26 **COMMISSIONER HOGUE:** No, because I'm going to
27 tell you if you go too long.

28 **MR. PRABJOT SINGH:** Sure.

1 **COMMISSIONER HOGUE:** You have another two
2 minutes.

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

4 Ms. Dobner, if you go to page 2, footnote 9.

5 Mr. Operator, if you can scroll down to that.

6 I know it's tiny there in the fine print, but
7 it states that a comment from the RRM:

8 "...notes that our analysts are less
9 familiar with non-western digital
10 information ecosystems including
11 India's - this is a potential
12 vulnerability that could be exploited
13 by foreign threat actors to shape
14 opinions among diaspora audiences..."

15 So just looking at that comment, there are
16 admittedly some vulnerabilities when it comes to foreign
17 ecosystems and how they interact with diaspora communities
18 that haven't been fully addressed or unpacked by the RRM at
19 this time or at the time of this report.

20 **MS. GALLIT DOBNER:** Yeah. That's very true,
21 and I just -- I wanted to explain that for a second.

22 When I spoke about some of the challenges
23 before, I spoke about, for instance, the lack of
24 off-the-shelf tools to monitor social media that is not
25 American social media. There are not off-the-shelf tools for
26 this kind of media. And in recognition of some of these
27 vulnerabilities, we did bring new expertise onto the team,
28 and that was, for instance, when I spoke about bringing in an

1 analyst who had experience in Chinese social media, for
2 example. Yeah.

3 **MR. PRABJOT SINGH:** So -- yeah. I just
4 wanted to kind of emphasise the point, and despite the best
5 efforts and intentions of the mechanism, there are some
6 vulnerabilities that can be exploited, is all I wanted to
7 kind of get across, and ---

8 **MS. GALLIT DOBNER:** I think -- I guess the
9 point that I was trying to make is I think that the
10 vulnerability across the board, not just for the Rapid
11 Response Mechanism, but for our partners.

12 **MR. PRABJOT SINGH:** Oh, of course. Yeah,
13 yeah. Yes. No, that's a -- you know, the Rapid Response
14 isn't looking at instant messaging and how this might be
15 amplified within groups. It's not looking at how those cable
16 TV networks are subscribed by Canadian households.

17 So in light of this ---

18 **COMMISSIONER HOGUE:** It's going to be the
19 last one.

20 **MR. PRABJOT SINGH:** Sure. Sure.

21 If we can just pull up CAN 003707. And I
22 believe it's page 3 or potentially 4. Or if you could just
23 show the panelists that first page so that they can identify
24 the document. And there should be now a page 3 or 4 where it
25 specifically talks about India. There you go.

26 **--- EXHIBIT No./PIÈCE No. CAN 3707:**

27 SITE Task Force: Key Observations
28 from GE44 - Review of Principal

1 Threat Actors and Elections Security

2 **MR. PRABJOT SINGH:** So you know, this is
3 similar to some of the observations we have seen from the
4 security and intelligence earlier this week, and it notes
5 that, you know, Indian foreign interference seeks to further
6 their pro-India agenda and counter perceived pro-Khalistani
7 elected officials.

8 So in light of the clear conclusions by SITE
9 and the broader community, that India targets individual
10 elections and sitting elected officials, it's fair to say
11 that the Rapid Response Mechanism, as well as other tools,
12 Ms. Dobner, as you've mentioned, is not currently suited to
13 actually monitor or combat that specific threat, the one
14 that's posed by India in terms of targeting specific
15 individual ridings. Is that fair?

16 **MS. GALLIT DOBNER:** So the RRM was just about
17 the online ecosystem. I don't know if my colleagues from CSE
18 or CSIS want to speak to the broader judgement that's in this
19 document, but just keeping in mind that we're only looking at
20 the online ecosystem, and this appears to be broader
21 judgement.

22 **MR. PRABJOT SINGH:** And that's my question --
23 my question is focussed purely on RRM. That based on India-
24 specific threat activity, RRM is not, as it stood at this
25 time, was not equipped to fully monitor, or combat the
26 specific threat emanating from foreign interference.

27 **MS. GALLIT DOBNER:** So -- and I feel that I
28 need to also take a step back. I don't think that there is

1 any team like RRM Canada who could claim to be able to fully
2 monitor the online ecosystem. It is a very big place; it is
3 global. And so I -- as -- you know, yes, but yes across the
4 board. I don't think that any team could claim to be able to
5 cover the entire online ecosystem.

6 **MR. PRABJOT SINGH:** Thank you. Those are my
7 questions.

8 **COMMISSIONER HOGUE:** Thank you.

9 So counsel for Human Rights Coalition.

10 **(SHORT PAUSE/COURTE PAUSE)**

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

12 **MS. SARAH TEICH:**

13 **MS. SARAH TEICH:** Good afternoon.

14 Did you either, collectively as SITE or to
15 your individual agency's complaints mechanisms, receive
16 reports from members of diaspora community groups about
17 harassment or intimidation in the lead-up to the 2021
18 elections?

19 **MR. LYALL KING:** SITE, to my knowledge, did
20 not receive -- sorry; you said complaints from specific
21 diaspora communities? Not directly to SITE from a CSE
22 perspective, but I can definitively say that was not -- that
23 did not happen.

24 **MS. SARAH TEICH:** Sure. And I should
25 actually clarify, I mean beyond Members of Parliament; I mean
26 members of the public, in case that wasn't clear.

27 **MR. LYALL KING:** Yeah, my same answer
28 applies.

1 **MS. SARAH TEICH:** Okay. Could I also ask
2 specifically the CSIS representative the same question?

3 **CSIS REPRESENTATIVE:** I echo my CSE
4 colleague; in my capacity as SITE is the only way in which I
5 can describe that, and that would be no.

6 **MS. SARAH TEICH:** Okay.

7 **MS. LISA DUCHARME:** Speaking from the RCMP
8 perspective, so there is an RCMP representative to the SITE
9 Task Force but the RCMP itself may have received complaints
10 from diaspora communities, but that would be outside the
11 purview of this, and I would not be privy to that. That's in
12 the investigation side.

13 **MS. SARAH TEICH:** Okay, thank you.

14 Can we please pull up HRC 30? And I'd just
15 like to jump to page 4, second-to-last paragraph.

16 **--- EXHIBIT No./PIÈCE No. HRC 30:**

17 Rapid Response Mechanism Canada_
18 Global Affairs Canada

19 **MS. SARAH TEICH:** This is a document from
20 Global Affairs Canada about RRM. And it states:

21 "In March 2022, the Prime Minister
22 announced additional funding for RRM
23 Canada. In August 2022, he announced
24 the creation of a dedicated Eastern
25 Europe unit at RRM Canada. It will
26 monitor and detect Russian
27 disinformation."

28 Was this based on a lesson learned from the

1 2021 general election?

2 **MS. GALLIT DOBNER:** Yes; in part it was, yes.
3 I think you also have to think about the context of when the
4 announcement was made, and Russia's illegal invasion of
5 Ukraine and the enormous uptick that we saw in disinformation
6 to support its invasion.

7 **MS. SARAH TEICH:** All right.

8 **MS. GALLIT DOBNER:** I would -- I just wanted
9 to go back because I didn't have an opportunity to answer
10 your first question, and I would just say that much like my
11 colleagues, not in the context of the elections and SITE's
12 work, but wearing my regular hat, of Centre -- Director for
13 the Centre for International Digital Policy, I did have
14 occasion to meet with some members of diaspora and hear about
15 some of their experiences with foreign interference.

16 **MS. SARAH TEICH:** I would like to ask follow-
17 up questions about that, but I recognize that's beyond the
18 scope of this panel, so I'll refrain, but thank you for that.

19 On this country unit, in your opinions, would
20 other dedicated country units; for example, a dedicated China
21 unit, have been valuable in the lead-up to the 2021 general
22 election?

23 **MS. GALLIT DOBNER:** So as I understand it,
24 there are now dedicated units. The team is much larger. But
25 all of this happened after I left, so unfortunately I can't
26 speak to it firsthand. I just don't have the knowledge; I
27 now lead a different team at Global Affairs Canada. But I
28 understand that the team has pretty much, I think, more than

1 doubled in size and that there are different geographical
2 leads. But, again, I can't speak from a place of knowledge
3 on this because I no longer lead the team.

4 **MS. SARAH TEICH:** I appreciate that, but
5 would that have been valuable in your capacity when you were
6 leading the team for the 2021 general election?

7 **MS. GALLIT DOBNER:** Well, we did have a few
8 Asia experts on the team who assisted. We didn't have as
9 many resources as RM Canada now has, so of course the more
10 the merrier and the more effective we can be. But we did
11 have a team at the time, but of course, the more resources we
12 have, the more expertise we have, the more eyes we have the
13 better, yes.

14 **MS. SARAH TEICH:** All right. My final
15 question; in the lead-up to the 2021 general election, did
16 RRM Canada continue to contract out of the Atlantic Council's
17 Digital Forensic Research Lab?

18 **MS. GALLIT DOBNER:** So we had a second
19 contract with DFR Lab after the election. We did not -- as I
20 recall, to the best of my recollection, we did not
21 specifically contract them for the 2021 election. We rather
22 contracted, as I spoke to earlier, Yonder and the Media
23 Ecosystem Observatory, particularly because the media
24 Ecosystem Observatory had a very strong basis in the Canadian
25 media environment.

26 **MS. SARAH TEICH:** All right, thank you.
27 Those are all my questions.

28 **COMMISSIONER HOGUE:** Thank you. AG?

1 **MR. MATTHEW JOHNSON:** The AGC has no
2 questions for these witnesses.

3 Thank you.

4 **COMMISSIONER HOGUE:** Thank you.

5 Re-examination?

6 **MR. JEAN-PHILIPPE MacKAY:** No.

7 **COMMISSIONER HOGUE:** So we did it.

8 Thank you very much ---

9 **MR. LYALL KING:** Thank you.

10 **COMMISSIONER HOGUE:** --- for your time today.

11 And thank you all. You have been very
12 disciplined, and I appreciate.

13 Have a very good weekend.

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

16 This sitting of the Foreign Interference
17 Commission has adjourned until Monday. Cette séance de la
18 Commission de l'ingérence étrangère est levée jusqu'à lundi.

19 --- Upon adjourning at 6:19 p.m./

20 --- L'audience est suspendue à 18 h 19

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C E R T I F I C A T I O N

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2
3 I, Sandrine Marineau-Lupien, a certified court reporter,
4 hereby certify the foregoing pages to be an accurate
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6 ability, and I so swear.

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14 Sandrine Marineau-Lupien
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