



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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II Appearances / Comparutions

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III

Appearances / Comparutions

Commission Staff / Personnel de la commission	Annie Desgagné Casper Donovan Michael Tansey
Ukrainian Canadian Congress	Donald Bayne Jon Doody
Government of Canada	Gregory Tzemenakis Barney Brucker
Office of the Commissioner of Canada Elections	Christina Maheux Luc Boucher Nancy Miles
Human Rights Coalition	Hannah Taylor Sarah Teich
Russian Canadian Democratic Alliance	Mark Power Guillaume Sirois
Michael Chan	John Chapman Andy Chan
Han Dong	Mark Polley Emily Young Jeffrey Wang
Michael Chong	Gib van Ert Fraser Harland
Jenny Kwan	Sujit Choudhry Mani Kakkar

IV Appearances / Comparutions

Churchill Society

Malliha Wilson

The Pillar Society

Daniel Stanton

Democracy Watch

Wade Poziomka
Nick Papageorge

Canada's NDP

Lucy Watson

Conservative Party of Canada

Nando de Luca

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

Neil Chantler

Erin O'Toole

Thomas W. Jarmyn
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Ottawa, Ontario

--- L'audience débute le vendredi 12 avril 2024 à 10 h 00

--- The hearing begins Friday, April 12, 2024, at 10:00 a.m.

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

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

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

Il est 10 heures. The time is 10 o'clock.

COMMISSIONER HOGUE: Thank you.

Good morning, all. Before we begin with Mr. Vigneault's testimony, I want to give the reason for the present hearing.

Alors, mercredi, le 10 avril dernier, j'ai accueilli une demande qui a été présentée conjointement par certaines parties pour que je reconvoque monsieur David Vigneault, directeur du Service canadien du renseignement de sécurité, afin qu'il puisse être interrogé puis contre-interrogé en lien avec les documents portant les numéros CA 00... plusieurs zéros, 4495, CA 0015842, et CA 4079_R01, qui n'avaient pas encore été rendus publics ni communiqués aux parties au moment de son témoignage.

J'ai alors indiqué que les raisons soutenant ma décision seraient communiquées ultérieurement, tout en informant les parties des modalités qui s'appliqueraient à la

1 nouvelle comparution de monsieur Vigneault, notamment le fait
2 qu'elle aurait lieu vendredi le 12 avril à 10 heures par
3 visioconférence, que la durée de son témoignage serait de
4 45 minutes, dont 30 minutes seraient réservées pour les
5 contre-interrogatoires.

6 J'ai invité les parties à me proposer une
7 façon équitable de partager ces 30 minutes, ce qu'elles ont
8 fait. Sous réserve d'une très légère modification que j'ai
9 apportée, j'ai accepté leurs propositions.

10 Les motifs pour lesquels j'ai accepté leur
11 demande sont les suivants.

12 Je souligne toutefois d'abord que rappeler un
13 témoin pour permettre aux parties de compléter leur contre-
14 interrogatoire est une mesure plutôt exceptionnelle
15 puisqu'une commission d'enquête n'est pas un véritable
16 processus contradictoire, mais bien plutôt un processus
17 inquisiteur. Ainsi, quoique les parties ont le droit de
18 contre-interroger les témoins, ce droit est plus limité et
19 plus encadré qu'il ne l'est dans le cadre d'un procès.

20 Je profite d'ailleurs de l'occasion pour
21 expliquer à tous ceux qui suivent nos travaux pourquoi il est
22 inévitable que parfois les documents ne soient pas déposés au
23 moment le plus opportun. La Commission, comme tous le savent
24 maintenant, travaille essentiellement avec une très grande
25 quantité de documents classifiés qui, souvent, doivent être
26 caviardés ou autrement modifiés avant de pouvoir être rendus
27 publics et elle tente de divulguer le plus d'informations
28 possible.

1 Alors, plus d'informations vous divulgez,
2 plus il y a de travail à réaliser pour le faire puisque les
3 documents doivent essentiellement être revus par des experts
4 pour identifier les informations qui ne peuvent être rendues
5 publiques, trouver une façon de les résumer lorsque cela est
6 possible, ou encore les caviarder.

7 La pertinence de certains documents peut
8 d'ailleurs parfois paraître seulement après que certains
9 témoignages aient été entendus. De plus, le processus devant
10 être entrepris pour rendre les documents divulgables implique
11 une équipe spécialisée en sécurité nationale et le processus
12 n'est pas sous le contrôle exclusif de la Commission.

13 L'option qui consisterait à divulguer moins
14 d'informations de façon à pouvoir les divulguer plus
15 rapidement ne m'est pas apparue souhaitable et je ne l'ai pas
16 retenue. Étendre la durée des travaux de la Commission ne
17 m'apparaît pas davantage souhaitable vu l'importance de
18 pouvoir formuler des recommandations en temps utile.

19 Je suis évidemment consciente que cela
20 signifie que les avocats bénéficient parfois de peu de temps
21 pour finaliser la préparation de leur contre-interrogatoire,
22 mais cela n'est pas quelque chose d'inusité et ils en ont
23 l'habitude. D'ailleurs, cela est aussi généralement le cas
24 lors de procès civils qui se tiennent devant les tribunaux de
25 droit commun.

26 Je ne suis donc pas troublée par le fait
27 qu'ils doivent parfois s'ajuster rapidement et j'estime que
28 cela ne porte aucunement atteinte à l'équité du processus.

1 Selon moi, maximiser la transparence est un objectif
2 suffisamment important qui justifie cet inconvénient.

3 Ici, cependant, il ne s'agit pas de cela. Les
4 documents sur lesquels les parties veulent contre-interroger
5 monsieur Vigneault n'avaient pas encore été communiqués aux
6 parties ni autrement rendus publics au moment où elles l'ont
7 contre-interrogé. Elles en ignoraient donc l'existence, et
8 même un travail acharné de la part des avocats ne leur aurait
9 pas permis d'en traiter au moment où ils ont mené leurs
10 contre-interrogatoires.

11 Ces documents, de plus, me semblent
12 importants pour comprendre la façon dont l'information a
13 circulé. Des témoins ont également affirmé que ces documents
14 semblent... que ce que ces documents, pardon, semblent suggérer
15 de prime abord ne correspond peut-être pas à ce qui s'est
16 passé. Il est donc important, tant pour la Commission qu'aux
17 parties, de tenter de faire la lumière sur ceux-ci.

18 Dans ces circonstances – qui sont
19 exceptionnelles, je le répète –, j'ai estimé équitable de
20 rappeler monsieur Vigneault pour permettre aux parties de
21 compléter leurs contre-interrogatoires.

22 Puisqu'il ne s'agit pas de reprendre les
23 contre-interrogatoires déjà menés, ceux d'aujourd'hui seront
24 limités à un maximum de 30 minutes que les parties se
25 partageront et ils porteront sur ces trois documents que j'ai
26 identifiés.

27 Comme cela est d'usage, monsieur Vigneault
28 sera toutefois d'abord interrogé par les avocats de la

1 Commission, puis après les contre-interrogatoires menés par
2 les autres parties, le Procureur général du Canada pourra
3 aussi l'interroger, s'il l'estime opportun.

4 Merci.

5 **Me SHANTONA CHAUDHURY:** Thank you,
6 Commissioner.

7 As you've said, our witness today is the
8 Director of CSIS, Mr. David Vigneault, and he's been recalled
9 to testify to three specific documents. The scope of his
10 examination today will be limited to that.

11 So can I have the witness sworn or affirmed,
12 please?

13 **LE GREFFIER:** Oui.

14 Bonjour, Monsieur Vigneault.

15 **M. DAVID VIGNEAULT:** Oui, bonjour.

16 **LE GREFFIER:** Est-ce que vous désirez faire
17 une affirmation solennelle ou être assermenté aujourd'hui?

18 **M. DAVID VIGNEAULT:** Une affirmation, s'il
19 vous plait.

20 **LE GREFFIER:** Excellent.

21 Pourriez-vous me donner votre nom complet et
22 épeler votre nom de famille pour les fins de la transcription
23 sténographique, s'il vous plait?

24 **M. DAVID VIGNEAULT:** David Vigneault - V-I-G-
25 N-E-A-U-L-T.

26 **LE GREFFIER:** Merci.

27 Donc, affirmez-vous solennellement que vous
28 direz la vérité, toute la vérité, et rien que la vérité?

1 Dites : « Je l'affirme. »

2 **M. DAVID VIGNEAULT:** Je l'affirme.

3 **--- M. DAVID VIGNEAULT, Affimed/Sous affirmation solennelle:**

4 **LE GREFFIER:** Merci.

5 Counsel, you may proceed.

6 **MS. SHANTONA CHAUDHURY:** Thank you. Merci.

7 **--- EXAMINATION IN-CHIEF/EXAMINATION EN-CHEF PAR**

8 **MS. SHANTONA CHAUDHURY:**

9 **Me SHANTONA CHAUDHURY:** Monsieur Vigneault,
10 je vais poser mes questions aujourd'hui en anglais parce que
11 les documents sont en anglais, mais sentez-vous libre, bien
12 sûr, de répondre dans la langue de votre choix.

13 **M. DAVID VIGNEAULT:** Merci.

14 **MS. SHANTONA CHAUDHURY:** So the first thing
15 that I'm going to ask you about this morning, Director, is a
16 meeting that took place on October 27th, 2022, at which you
17 briefed the Prime Minister and PMO on foreign interference.
18 Before I pull up any documents relating to that, I just want
19 to ask you what your recollection of that meeting is.

20 **Mr. DAVID VIGNEAULT:** Thank you.

21 The meeting was at the request of the Clerk
22 of the Privy Council Office. I had briefed the Clerk and the
23 National Security Intelligence Advisor, at my request, at
24 National CSIS Headquarters earlier in September to give them
25 an overview of significant cases of relative foreign
26 interference. And as a result, I was asked to go brief the
27 Prime Minister. So that was the genesis of the October
28 meeting.

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

2 Maître Herrera, can I ask you to pull up CAN
3 015842? Thank you.

4 **--- EXHIBIT No./PIÈCE No. CAN 15842:**

5 Briefing to the PM on Foreign
6 Interference Threats to Canada's
7 Democratic Institutions

8 **MS. SHANTONA CHAUDHURY:** So Director, this is
9 a set of briefing notes dated October 26, '22, which I
10 understand are notes that were prepared for you in advance of
11 this meeting.

12 Before I start asking you about the specific
13 of these notes, I'm going to ask you to explain to the
14 Commission; help us understand what briefing notes are.

15 **MR. DAVID VIGNEAULT:** Yes. So typically for
16 briefing -- an important briefing to a Minister, the Prime
17 Minister, senior officials, we have sometimes a little bit of
18 heads-up, or a longer period of time to prepare. In this
19 case, my professional staff had a longer heads-up, so they
20 were able to prepare a lot of material for my reference to be
21 able to prepare for the meeting in question. So the material
22 is a combination of our policy and operational experts,
23 intelligence experts, looking at the issues that I would be
24 potentially having to brief. But as -- the expression I
25 would use, it's also trying to cover the waterfront; what are
26 some other issues that could come up that I would need to be
27 -- to have some reference material.

28 So the professional staff puts this together,

1 goes up to a couple of review by senior officials inside
2 CSIS. And in this case, because of the type of material, the
3 Deputy Director Policy would be approving the final material,
4 and that would then be transmitted to me.

5 So this material is for my review for
6 reference points. It's not something I need to approve
7 because, you know, it's for my own use; it's not something I
8 need to transmit to somebody else. And so that is -- this is
9 why you have, in some of these briefing binders, as we refer
10 to them, a fairly large amount of different documents.

11 So *grosso modo*, that would be the process of
12 how we are putting together the briefing material.

13 **MS. SHANTONA CHAUDHURY:** Okay. So you've
14 said they're not approved by you. How do you use them? Do
15 you read briefings notes during your meetings, or...?

16 **MR. DAVID VIGNEAULT:** So the way I would be
17 using this, and again, it depends on the type of briefings.
18 If it's a more formal briefing, organized, like a Cabinet
19 meeting or something, I normally would have something more
20 prepared. I have limited amount of time and I have some
21 specific points to go through, so that would be more of a
22 scripted approach.

23 But the vast majority of the briefings and
24 meetings would be material that I read ahead of time. I take
25 my own notes and I refine what I expect to be asked, to be --
26 to discuss. I refine the key messages or the key elements,
27 the key facts; facts I would need to convey to the person,
28 the persons I'm briefing. And so that will be how I would

1 normally be using this material.

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

3 Mr. Herrera, can you scroll down, please?

4 Director Vigneault, I'm going to be asking
5 you some questions about specific statements that are in
6 this.

7 So Mr. Herrera, can you scroll down to page 2
8 of 5, please? There we go.

9 Director, you'll see a statement there that
10 says:

11 "However, Canada has been slower than
12 our Five Eyes allies to respond to
13 the FI threat with legislative and
14 other initiatives, such as
15 proactively publicizing successful
16 disruption of FI activities as a
17 means of deterring future efforts."

18 Can you recall whether this is something that
19 you conveyed to the Prime Minister and the PMO in this
20 meeting?

21 **MR. DAVID VIGNEAULT:** So Madam Commissioner,
22 what I remember of this briefing, some briefings are more
23 specific, I believe imprinted in your memory more strongly
24 than others. This one I remember clearly that it was a
25 briefing to cover a number of very specific points, specific
26 foreign interference cases.

27 So what you see here, this document, covers
28 what I would call more foreign interference 101 or background

1 information of foreign interference. So in the process of
2 briefing the Prime Minister and his team, and the Clerk in
3 October, my point was not to cover background information on
4 foreign interference, it was to dive right into those very
5 specific cases. So I would not have gone through these notes
6 and cover something like "Canada has been slower than our
7 Five Eyes allies," or others because these are statements
8 that I had made before, in public and in private, during
9 briefing to Ministers. But also because the purpose of that
10 briefing was to cover very specific cases of foreign
11 interference, and also one or two other issues that were not
12 related to foreign interference.

13 **MS. SHANTONA CHAUDHURY:** Thank you, that's
14 helpful, Director.

15 So I take it this wasn't something that you
16 mentioned in this specific meeting, but it was something that
17 you had mentioned before or after?

18 **MR. DAVID VIGNEAULT:** Yes.

19 **MS. SHANTONA CHAUDHURY:** okay.

20 **MR. DAVID VIGNEAULT:** I had, as I mentioned,
21 both in private and in public.

22 **MS. SHANTONA CHAUDHURY:** Okay.

23 Maître Herrera, if you could keep scrolling
24 down to page 3 of 5, please? Okay, there we go. There.
25 Thank you.

26 The next statement, Director:

27 "Ultimately, state actors [were] able
28 to conduct [foreign interference]

1 successfully in Canada because there
2 are no consequences, either legal or
3 political. [Foreign interference] is
4 therefore a low-risk and high-risk
5 endeavour."

6 So I'll ask you the same questions with
7 respect to this statement, Director. Is this something that you
8 conveyed to the Prime Minister and the PMO in this meeting
9 specifically or otherwise?

10 **MR. DAVID VIGNEAULT:** So I would not have
11 used that specific expression at that meeting, because we're
12 talking very specific cases, and these cases were complex,
13 nuanced, and the focus was entirely on those cases.

14 However, this is a line that I have used
15 before. I have said that exact line quite a few times.
16 That's one of the reasons why my professional staff, when
17 they're putting these briefing materials together, they're
18 not only bringing me new facts, new analysis, and
19 information, but they also refer to how I have verbalized
20 some of these issues in the past so that when I go to the
21 material to prepare myself for different meetings, this is
22 something that I remember that reflects on me.

23 So that specific line, I have used it before
24 quite a few times, and to the point now that some other
25 people are starting to use it -- use that exact same approach
26 to describe foreign interference and I think even to the
27 Commission this was used. And in the last number of days, I
28 have a number of colleagues who have reminded me that they

1 have heard me say that exact line quite a few times.

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

3 Me Herrera, could you please scroll down to
4 page 5 of 5? There we go.

5 So, Director, again, the same questions with
6 respect to these statements:

7 "Ultimately, better protecting
8 Canadian democratic institutions
9 against [foreign interference] will
10 require a shift in the Government's
11 perspective and a willingness to take
12 decisive action and impose
13 consequences on perpetrators."

14 "Until [Foreign Interference] is
15 viewed as an existential threat to
16 Canadian democracy and the Government
17 forcefully and actively responds,
18 these threats will persist."

19 Is this something that you conveyed to the
20 Prime Minister and the PMO in the October 27th meeting or is
21 it something that you've conveyed at other times?

22 **MR. DAVID VIGNEAULT:** So, Madam Commissioner,
23 my recollection is the same as previous statements. These
24 are more tombstone facts about foreign interference, as
25 opposed as the purpose of the meeting in October, which was
26 about these cases.

27 This is something that I have absolutely said
28 a number of times, again, in public and in private. I have

1 used expressions like we need to impose costs, we need to
2 harden Canada, because when you consider foreign
3 interference, you know, the intent of a foreign country to
4 use foreign interference to pursue their interests will -- is
5 something for them that is existential, that they are going
6 to pursue no matter what. So one of the very specific and
7 very important things to do is, as I said, harden the target,
8 increase our resilience, both in government and in public,
9 about foreign interference. And that is one way of reducing
10 the impact of foreign interference, and impose costs on the
11 perpetrator of that.

12 And this is why, Madam Commissioner, for
13 example, I've been talking about having Sunshine Policy
14 related to foreign interference, because the solution to
15 foreign interference is not just from the Government. It
16 comes from a society that is informed, it comes from a
17 society that is able to, in some specific ways, in democratic
18 processes, but also in normal day to day lives, being able to
19 identify that there's something bizarre here and that, you
20 know, people can understand that they can do something about
21 this, they can report this information.

22 And that is the only way that we will be able
23 to reduce the impact on foreign interference and eventually
24 make Canadians safer.

25 **MS. SHANTONA CHAUDHURY:** Director, you've
26 mentioned a few times that this meeting was about specific
27 cases. And just to be clear, these cases are not something
28 you're able to speak about in this forum? Is that correct?

1 Office on Foreign Interference
2 Threats to Canada's Democratic
3 Institutions

4 **MS. SHANTONA CHAUDHURY:** So, Director, the
5 next meeting here is we understand this was a meeting on
6 February -- the notes are dated February 21st, 2023, but we
7 understand the meeting took place on February 23rd, 2023, and
8 that this was a meeting with the Prime Minister's Office,
9 staff from the PMO, but not the Prime Minister himself, to
10 brief them on the media leaks of classified information.

11 So were these also briefing notes that were
12 prepared for you in advance of this meeting?

13 **MR. DAVID VIGNEAULT:** Yes. The -- it's the
14 same process that I described, that the briefing material --
15 there was a request for a briefing to the Prime Minister's
16 Office. So again, my staff would have been working to pull
17 together information again covering the waterfront.
18 Sometimes you have an idea of what you believe the topic
19 might be, but you walk into it and there might be quite a few
20 other things.

21 So again, this is an example of the team
22 putting together material that covers quite a few aspects of
23 foreign interference in this case.

24 **MS. SHANTONA CHAUDHURY:** Okay. Me Herrera,
25 can you scroll down please to page 3 of 6? The second bullet
26 is what I'm interested in seeing.

27 So again, Director, I'm going to take you to
28 a few specific statements:

1 "We['ve] also observed online and
2 media activities aimed at
3 discouraging Canadians, particularly
4 of Chinese heritage, from supporting
5 the Conservative Party, leader Erin
6 O'Toole, and particularly Steveston-
7 Richmond East candidate Kenny Chiu."

8 Then we have a redaction. And then:

9 "the timing of these efforts to align
10 with Conservative polling
11 improvements; the similarities in
12 language with the articles published
13 by PRC state media; and the
14 partnership agreements between these
15 Canada-based outlets and PRC
16 entities; all suggest that these
17 efforts were orchestrated or directed
18 by the PRC."

19 So first of all, was this something that you
20 conveyed to the PMO at the February 23 meeting?

21 **MR. DAVID VIGNEAULT:** So, Madam Commission, I
22 should have maybe, in my -- when I described the general
23 meeting, I should have added, I think, a piece that is really
24 relevant.

25 In preparing for today's hearing, working
26 with the material that was prepared ahead of time and
27 disclosed. My recollection is that that meeting was very
28 specifically focussed on -- to discuss an article in the

1 Globe and Mail that I believe had been published on the 17th
2 or the 18th, so a few days before, that was talking about
3 some unauthorized disclosures of documents. And if I
4 remember, there was a reference at the end of that article
5 about the 11 candidates, so the issue that has been canvassed
6 in the -- at the inquiry before. So the -- this specific
7 briefing, so the material you have referenced, Ms. Chaudhury,
8 and that specific briefing to the Prime Minister's Office was
9 focussed to discuss on that part. So I think that in terms
10 of context, that is important.

11 Coming back to you now, your specific
12 questions about these two paragraphs, Ms. Chaudhury, again, I
13 would not have been using that specific briefing material
14 because the focus of that -- of the briefing to the PMO was
15 on the Globe and Mail article. And so what you have here,
16 those bullets, represent the, again, what I describe as
17 general briefing material prepared for me, again, to cover
18 different angles as required, but the specific briefing,
19 specific discussion was focussed on the specific information
20 contained in the Globe and Mail article.

21 **MS. SHANTONA CHAUDHURY:** Okay. So does that
22 mean, Director, that this was not something that you conveyed
23 during that meeting because the focus of the meeting was the
24 11 candidates?

25 **MR. DAVID VIGNEAULT:** Yes, that's correct.

26 **MS. SHANTONA CHAUDHURY:** Okay. I'm still
27 going to ask you a question about it, which was we know that
28 in the aftermath of the 2021 election, the SITE assessment

1 was the extent to which the PRC was behind these online media
2 activities couldn't be conclusively determined. So my
3 question is, does the statement in these briefing notes
4 indicate a shift in this assessment, where it says all
5 suggest that these efforts were orchestrated or directed by
6 the PRC, is that something new? Is that something that came
7 from additional evidence? Is it a shift in the service's
8 assessment?

9 **MR. DAVID VIGNEAULT:** Mme Commissioner, I
10 would say that it is not. This is one different formulation
11 of the same ideas that have been canvassed and assessed by
12 SITE, which is there was a number of messages. There were
13 some messages that also were conveyed by media entities
14 associated with the Chinese Communist Party. And so the fact
15 that we could see a level of convergence between these
16 different messages suggested that, yes, that they would have
17 been potentially orchestrated by the PRC. And so reviewing
18 the classified SITE report, was -- this wording was not meant
19 to convey any other new analysis or a high level of certainty
20 about the activity. It is a different way of conveying that
21 we've seen a convergence, we've seen there were some PRC
22 entities involved in it, but we were not able to conclude --
23 SITE was not able to conclude that it was specifically
24 orchestrated by the PRC. So that's why, from my perspective,
25 it was absolutely not a change of analysis. It was just a
26 different wording.

27 **MS. SHANTONA CHAUDHURY:** Ms. Herrera, can you
28 now scroll down, please, to page 5 of 6? Thank you. Sorry,

1 the language I'm looking for is -- maybe scroll up a little
2 bit from there? Scroll up again? There we go.

3 So you'll see in this bullet, Director,
4 "In February 2021, I briefed the Prime
5 Minister on PRC-linked individuals
6 interfering with the 2019 Liberal
7 nomination in Don Valley North."

8 Do you have any recollection of this meeting
9 taking place in February 2021?

10 **MR. DAVID VIGNEAULT:** Unfortunately, Mme
11 Commissioner, I don't remember that briefing specifically,
12 and in the period of time between reviewing the material and
13 appearing in front of you, my staff were able to show me some
14 documents in relation. So, again, briefing material in
15 relation to the -- to that briefing that had been prepared
16 for me, but I do not have a specific recollection of that
17 meeting in 2021.

18 **MS. SHANTONA CHAUDHURY:** Okay. So it
19 happened, but you don't have a recollection of it.

20 **MR. DAVID VIGNEAULT:** Well, what I -- sorry,
21 Ms. Chaudhury, what I can say is that, yeah, I do believe it
22 happened. You know, we checked, you know, our calendars and
23 there was briefing material, but as I say, I cannot just take
24 the briefing material that was prepared and assess that this
25 is what was discussed at that meeting. As I described, the
26 briefing material covers many other issues often than what is
27 the exact -- how the -- how exactly the meeting unfolded. So
28 I just do not have a specific recollection of that 2021

1 briefing.

2 **MS. SHANTONA CHAUDHURY:** Okay. That's fair.
3 Can you tell us though whether that would have -- in your
4 recollection, whether that would have been the first time
5 that you briefed the Prime Minister on Don Valley North?

6 **MR. DAVID VIGNEAULT:** So if you go back to
7 the initial briefings on -- about Don Valley North around
8 2019, the passage of time between 2019 and 2021, my
9 assumption is that this was not the first time that I was --
10 I would have personally talked to the Prime Minister about
11 this. But again, I -- it's not because the specific
12 information there is highlighting the specifics that I --
13 it's exactly how it unfolded. So I do not want to create an
14 impression for the Commission here that I have that
15 recollection. I just do not, but what I know for a fact is
16 that we had -- the material had been discussed at some
17 length, as I think has been canvassed to the inquiry about
18 the information 2019 and moving on.

19 **MS. SHANTONA CHAUDHURY:** Okay. So I --
20 Director, if I'm understanding correctly, would it be fair to
21 say that just because information is in briefing materials
22 for you, the Commission can't take for granted that that
23 information was necessarily conveyed during that briefing?

24 **MR. DAVID VIGNEAULT:** Absolutely. I think,
25 you know, what is -- the reality of these types of briefings
26 is they're not -- I'll use again the example of a Cabinet
27 briefing. I will not go into the details, of course, but if
28 you go to a CAB briefing, you have -- there will be five or

1 six items being discussed in one session. You will have a
2 limited amount of time for each of these elements, and you
3 will have a very prescribed approach to follow. So most
4 people, when they will go to these scripted meetings, if I
5 can use that expression, will have indeed such a script and
6 you will follow, so that you're able to reconstruct much more
7 easily what was said. If you compare and contrast with these
8 types of meetings that are -- that we're discussing this
9 morning, these are much more fluid. You know, my staff would
10 have prepared me for whatever information related to foreign
11 interference, but the specific discussion is often quite
12 different.

13 And the last thing maybe I can say is that it
14 would not have been -- it's not extraordinary to go to a
15 briefing having material and having prepared yourself to
16 discuss a topic, and it's something completely different that
17 happens to be discussed. So that's when I joke with my staff
18 that I bring my briefing material and I'll bring my hockey
19 skates because you have to be able to be very agile on
20 dealing with any issues that the person you're briefing wants
21 to raise with you.

22 **MS. SHANTONA CHAUDHURY:** So these are more
23 informal conversations than formal presented briefings?

24 **MR. DAVID VIGNEAULT:** Yeah, I think the --
25 probably the most -- the best way to describe for the
26 Commission will be to say they go from very informal to very
27 scripted, and they go from a topic that, you know, you go in
28 knowing that you expect a topic to be discussed and it's

1 exactly what is being discussed to other meetings where the
2 specific discussion takes you completely in another
3 direction. So these are not -- again, the purpose of
4 briefing is to convey sometimes very specific information,
5 but also, convey -- be able to answer questions, be able to
6 provide a context to help the person, in this case a decision
7 maker like the Prime Minister or a Minister, to have a view
8 available to answer a number of questions while they are
9 processing the specific information you convey, but also a
10 number of other pieces of information they have. So I think
11 that is probably the best way to describe; very formal to
12 very informal, very specifically discussed, you know, the
13 topic that was planned to be discussed, to a meeting that
14 takes you in a completely different direction.

15 **MS. SHANTONA CHAUDHURY:** Okay. With all of
16 that in mind, Director, I'll just ask you one last question
17 about this document, which is the conclusion you see at the
18 bottom of the page there. That repeats some of the language
19 that we saw in the other notes. So I'll just ask you again
20 whether your recall conveying this to the PMO in the February
21 2023 meeting, or otherwise?

22 **MR. DAVID VIGNEAULT:** Again, Madam
23 Commission, my recollection of this meeting was on the very
24 specific reference to a media article, and so I would not
25 have used the -- more of the generic language about foreign
26 interference.

27 But what I think is instructive here is, you
28 know, again, my staff working to prepare material for me is

1 using, again, that expression, low-risk, high-reward, and so
2 again it's because it's an expression I have used many times
3 in different *fora* and that's why I think you see it again
4 repeated there.

5 **MS. SHANTONA CHAUDHURY:** Thank you.

6 Madam Commissioner, those are my questions
7 for the witness.

8 **COMMISSIONER HOGUE:** Thank you, Maître
9 Chaudhury.

10 So we'll start the cross-examination. The
11 first one will be conducted by counsel for Michael Chong.

12 **Mr. GIB van ERT:** Thank you, Commissioner.
13 I'll ask the Court Operator to turn up 15842 again.

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

15 **MR. GIB van ERT:**

16 **MR. GIB van ERT:** Director, thank you for the
17 evidence you've given so far; it's been extremely helpful for
18 all of us to understand your process.

19 Let me ask you, in a general way, whether you
20 are able to confirm that this document as a whole reflects
21 the Service's views on the matters that it addresses?

22 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
23 had a chance to review the material and I do believe that it
24 does indeed reflect the views of the Service. My personal
25 views as a Director of the Service, there are one or two
26 nuances I would make on these different points. There's also
27 the fact that, you know, our knowledge and understanding
28 continues to evolve, so something that was drafted in 2022,

1 would evolve in 2024.

2 But overall, I think it is a very useful tool
3 for someone to see very specific information, with examples,
4 of what foreign interference is in Canada and in our
5 democratic institutions.

6 **MR. GIB van ERT:** Thank you, sir. That's
7 very helpful.

8 The next question I have for you is about the
9 passage that Ms. Chaudhury showed you about the -- being
10 slower than our Five Eyes allies; I think it was at page 2.
11 My question is simply -- and you may have already said this,
12 but I want to make sure I've got it. Have you ever
13 communicated this particular assessment about us being slower
14 than our Five Eyes allies to either the Prime Minister or the
15 Prime Minister's Office?

16 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
17 can say with confidence that this is something that has been
18 conveyed to the government, to Ministers, the Prime Minister
19 using these words and other types of words.

20 We often -- in order to make sure we
21 understand -- have the best possible assessment of a
22 situation, we often look to other jurisdiction to see what is
23 their own analysis of the threat, what tools they have put in
24 place. And so the comparative analysis of -- with the Five
25 Eyes, but also with other like-minded nations, nations who
26 have similar political systems as ours, or Western
27 democracies, you know, we -- doing the comparative analysis
28 is a very useful tool, both from an intelligence point of

1 view but also from a policy point of view.

2 So I can say with a high degree of confidence
3 that, you know, these examples, I have used them in both
4 private briefings but also in our -- in my speeches, public
5 speeches, in CSIS annual reports, in Parliamentary testimony.

6 Just this past week, I was in -- testifying
7 in front of the Canada-China Committee in the House of
8 Commons, and I used same kind of analysis on different topics
9 linked to foreign interference. So, yes, to the question to
10 the counsel, this has been conveyed.

11 **MR. GIB van ERT:** Thank you. And I take it
12 your answer would be the same for the passage at page 3 about
13 there being no consequences, legal or political, for state
14 actors who conduct foreign interference; have I got that
15 right?

16 **MR. DAVID VIGNEAULT:** Yes, Madam
17 Commissioner. I elaborated on that point with previous
18 questions -- answers; sorry. But, yes, it is accurate to say
19 that, you know, I am -- I have said -- used these
20 expressions. Indeed, this one very specifically, low-risk,
21 high-reward endeavour.

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

23 Now, this document, as we were hearing, was
24 something that was prepared in advance of an oral briefing
25 that you were you going to give the Prime Minister on the
26 27th of October. And we heard evidence from the Prime
27 Minister on Wednesday that his preferred working method in
28 intelligence matters is to rely on oral briefings rather than

1 briefing notes.

2 Is that a method of working that you were
3 aware of before you heard his evidence about that on
4 Wednesday? Is that something that you have been alive to and
5 have sort of adjusted your practices to meet?

6 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
7 can say that in my experience, I have used both methods,
8 specific material that has been written and provided to the
9 Prime Minister, intelligence assessments or information, but
10 also verbal briefings. So in my experience, both methods
11 have been used, depending on the situation, depending on the
12 context, depending on timing. But we have used -- I have
13 used both methods of briefing.

14 **MR. GIB van ERT:** All right. And in the
15 event that -- let me back up and ask you this; we heard the
16 Prime Minister say that these notes were not provided to him,
17 and I don't think you dispute that because they were meant to
18 be your notes, not notes for him, am I right?

19 **MR. DAVID VIGNEAULT:** Yes, Madam
20 Commissioner. I did not have a chance to see all the
21 proceedings of the Commission, I'm sorry, Madam Commissioner,
22 but I have seen -- I saw that specific reference from the
23 Prime Minister, and my recollection of the briefing is
24 exactly the same.

25 **MR. GIB van ERT:** Thank you. All right. And
26 if it your understanding, then, that in order to ensure that
27 the Prime Minister or his office has been briefed on a matter
28 to do with intelligence, you should ensure that there is an

1 oral briefing that has taken place?

2 **MR. BARNEY BRUCKER:** Excuse me, Commissioner.

3 My understanding was that we were talking
4 about these three documents, and it appears, to me at least,
5 that we're venturing away from that now and that that
6 question is outside the scope of this cross-examination.

7 **MR. GIB van ERT:** Commissioner, I'm content
8 to hear your ruling on that.

9 **MS. ERIN DANN:** Commissioner, you're on --
10 you're just on mute, Commissioner.

11 **MR. GIB van ERT:** Oh.

12 **COMMISSIONER HOGUE:** Sorry.

13 **MS. ERIN DANN:** Sorry.

14 **COMMISSIONER HOGUE:** That's better now.

15 **MS. ERIN DANN:** Yes.

16 **COMMISSIONER HOGUE:** I'll just ask Maître van
17 Ert to explain the relationship between his question and the
18 three documents.

19 **MR. GIB van ERT:** My concern is simply that
20 given that this document was not delivered to the Prime
21 Minister, and that the Prime Minister's preferred method of
22 receiving intelligence briefings is orally, I wanted to
23 ensure that the material in this was conferred to him, one
24 way or another. It sounds like it wasn't in the October
25 meetings, but of course the Director has had other briefings
26 with the Prime Minister in the past. And so just given the
27 working methods the Prime Minister prefers, I'm wondering
28 whether that CSIS ensures that everything that is sent over

1 in writing is also briefed orally.

2 **COMMISSIONER HOGUE:** I will permit the
3 question.

4 **MR. DAVID VIGNEAULT:** So Madam Commissioner,
5 the way that I think has been testified to by different
6 people is CSIS would be preparing material and intelligence
7 reports and assessments, and that is distributed to the Privy
8 Council Office. So the -- I believe that the National
9 Security Intelligence Advisor has testified to that, but I
10 can say that it is my understanding that the material is then
11 processed by the Privy Council Office, the National Security
12 Intelligence Advisor's office, to be produced to the Prime
13 Minister. So we have -- as I testified, I have used both
14 methods. So specific material and briefing material in
15 writing, and also those verbal briefings.

16 What I think is important is that all of that
17 is underpinned by intelligence products that are with the
18 Privy Council Office and then are able -- they're able to
19 disseminate that to the Prime Minister's Office and the Prime
20 Minister as required.

21 So I think it's important to understand that
22 this is, if I can use an expression, an ecosystem. It is not
23 just one method, one person, but you have those verbal
24 briefings, those written briefings, and intelligence
25 products, and I think this is how we have to understand how
26 we are conveying information, engaging in discussions,
27 answering questions, throughout the year, if you want.

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

1 Commissioner, I have one question about
2 Document 4495 and then I'll be done.

3 If you could pull that up, please, Mr. Clerk?
4 And if you'll go, please, to page 2, about one third down?
5 There we are. Yes.

6 Director, it's the bullet point:

7 "We know that the PRC clandestinely
8 and deceptively interfered in both
9 the 2019 and 2021 general elections."

10 Is this knowledge something that you or the
11 Service as a body have communicated to the Prime Minister or
12 the Prime Minister's office?

13 **MR. DAVID VIGNEAULT:** Madam Commissioner, it
14 is indeed something that has been communicated. I believe
15 that I testified to that in -- where I said in our
16 assessment, we saw foreign interference in both the 2019 and
17 2021 elections. However, I concur with the results of the
18 Panel, the conclusion of the Panel, that this interference
19 did not amount to having the impact on the General Election.

20 So I think it's important to understand that
21 both statements, in my opinion, are true at the same time. We
22 saw foreign interference during those elections, and that
23 interference was indeed clandestine and deceptive. And at
24 the same time, that interference did not amount to have an
25 impact on the integrity of the election.

26 **MR. GIB van ERT:** And if I may just finally
27 follow up on this one point, if you're able to say, Director,
28 and I appreciate you may not be, are you able to say whether

1 the interference referred to in this bullet is limited to Don
2 Valley North in 2019 and Steveston-Richmond East in 2021? Or
3 whether it's broader?

4 **MR. DAVID VIGNEAULT:** I think, Madam
5 Commissioner, the best way to answer the question is refer
6 back to the summary that the Government has published in
7 public -- to the Commission as made public regarding the
8 specific information on the 11 candidates and 13 staff
9 members.

10 **MR. GIB van ERT:** Understood.

11 Thank you, Commissioner.

12 **COMMISSIONER HOGUE:** Thank you.

13 So next one is counsel for Erin O'Toole.

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

15 **MR. THOMAS JARMYN:**

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

17 My name is Tom Jarmyn, Director Vigneault.

18 Clerk, if you could bring up CAN4495 again,
19 please? And if you could scroll down to the same place we
20 were when Mr. Van Ert was examining? Thank you.

21 Commissioner, just following on a question
22 that Mr. Van Ert asked.

23 You answered him that you knew there was
24 clandestine and deceptive interference in both elections, but
25 it did not have an impact. Is the correct answer, as I
26 understand the Panel's conclusion, is that the impact did not
27 meet the threshold specified in the Cabinet Directive?

28 **MR. DAVID VIGNEAULT:** Madam Commissioner, I'm

1 using these words with my own understanding. I think if you
2 go back to my exact testimony, I may have said that, you
3 know, I concurred with the conclusion of the Panel. So I
4 just do not want to leave the impression, because I may have
5 used language that is not identical in both times, that I am
6 hedging my answer, is that I have absolutely concurred with
7 the conclusion of the Panel.

8 **MR. THOMAS JARMYN:** Right. Thank you. And
9 just to go back to the general issue of preparation of these
10 documents, my understanding is that this briefing note sits
11 at the top of probably a briefing binder of maybe 70, or 80,
12 or more pages in order to support you in the course of that
13 meeting. Is that correct?

14 **MR. DAVID VIGNEAULT:** Madam Commissioner,
15 maybe the best analogy I can give here is for anyone who has
16 the chance or the opportunity to attend a Parliamentary
17 Committee Hearing, or watch on T.V. a Parliamentary Committee
18 Hearing, there is one common truth to all of these hearings,
19 is that you will see a senior official coming up with a big
20 black binder, a very thick binder full of information.

21 And I think the other thing that is
22 universally true of these meetings is that no senior official
23 is going through that binder from head to toe, from top to
24 bottom, in the hearing, or even for the preparation.

25 The way the material is being put together is
26 to help the person who is going to testify give that person
27 enough information, contextual information, but also very
28 specific information. And so, Mr. Jarmyn, yes, the way you

1 describe it is this was one piece of many other pieces of
2 briefing material that formed the -- what I would have used
3 for such a meeting.

4 **MR. THOMAS JARMYN:** Thank you. And would the
5 briefing note portion have been -- I appreciate it wasn't
6 given to the Prime Minister or the Prime Minister's Office,
7 but would the briefing note portion have been shared with the
8 NSIA or someone at PCO in order that they would know what you
9 were saying in that course? Or what you could be
10 anticipating to say in the course of that briefing?

11 **MR. DAVID VIGNEAULT:** Madam Commissioner, in
12 my experience, I have seen both. Sometimes that we would
13 have part of all of the briefing material shared in advance
14 with the Privy Council Office, and other times where no
15 briefing material is shared ahead of time. It depends both
16 on the issue being discussed, the specific circumstances, the
17 timelines involved, the sensitivity of the information. So
18 as I said, I have and continue to see both cases where we
19 share all or a portion of the material in cases where nothing
20 is shared ahead of time or even left behind after.

21 **MR. THOMAS JARMYN:** But in this case, was
22 this note shared with the NSAI or someone from PCO?

23 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
24 do not remember that specific note, unfortunately.

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

26 Now if I could direct -- let's go down to the
27 bottom, in the conclusion paragraphs.

28 So we've heard from the Prime Minister and

1 others that there are certain generic or -- generic is not
2 the right word. Certain general messages that are
3 consistently referred to, and during meetings dealing with
4 specific topics, that those wouldn't be conveyed because
5 they're already understood.

6 Are these the sorts of messages that are so
7 consistently conveyed by you that everyone knows they're
8 accurate and they don't need to be restated?

9 **MR. DAVID VIGNEAULT:** Madam Commissioner, if
10 I can use the example of the specific point where it says:

11 "[Foreign interference] is therefore
12 low-risk and high-reward."

13 As I testified to a few minutes ago, I have
14 said that repeatedly, and to the point where some colleagues
15 are now starting to use the same vernacular.

16 **MR. THOMAS JARMYN:** Okay. Thank you.

17 And then can we scroll up to the page 3?

18 **COMMISSIONER HOGUE:** Mr. Jarmyn, it's going
19 to be your last question because your time is already over.

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

21 Looking at that page 3, the comment with
22 respect to Mr. Chiu and Mr. O'Toole. Thank you.

23 These observations in that bullet that start
24 "We also observed..." and then ending, "...directed by the PRC",
25 those are prepared by your staff and they represent -- those
26 words are chosen with intention? Is that correct?

27 **MR. DAVID VIGNEAULT:** Yes, Madam

28 Commissioner. These words, you know, are -- have been

1 carefully selected. And as I testified to earlier, they
2 represent our understanding of the situation.

3 **MR. THOMAS JARMYN:** Thank you, Commissioner.
4 Thank you, Mr. Vigneault.

5 **MR. DAVID VIGNEAULT:** Thank you.

6 **COMMISSIONER HOGUE:** So next one is Me De
7 Luca for the Conservative Party.

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

9 **MR. NANDO de LUCA:**

10 **MR. NANDO de LUCA:** Thank you, Commissioner.
11 Can you hear me okay?

12 **COMMISSIONER HOGUE:** Yes, I do.

13 **MR. NANDO de LUCA:** Thank you, Commissioner.
14 I have two areas of questioning in my four minutes, and I
15 anticipate that with respect to the first, given recent
16 comments, it may be subject to an objection, so what I'd
17 propose to do is state my questions, if there is an
18 objection, hear them, then have your ruling, and then if the
19 witness is permitted to answer, then fine, if not, they will
20 have been noted for the record. Is that okay?

21 **COMMISSIONER HOGUE:** Okay.

22 **MR. NANDO de LUCA:** Director, a Globe and
23 Mail article published earlier this week on April 10 reported
24 that a member of the Liberal Party tipped off Han Dong that
25 CSIS was keeping tabs or watching him shortly after CSIS
26 briefed the Liberals during the 2019 Election.

27 My questions are, are you aware of this
28 reporting? Has CSIS taken any steps to investigate the

1 allegation that a member of the Liberal Party tipped off Han
2 Dong that CSIS was watching him? Has the matter been
3 referred to the RCMP for investigation? Do you believe that
4 the allegation is true? And finally, can you tell us who in
5 the Liberal Party, other than Azam Ishmael, would have had
6 security clearance to receive any information to the effect
7 that CSIS was keeping tabs or watching Han Dong in connection
8 with the 43rd General Election?

9 As to relevance and propriety, Madam
10 Commission, I appreciate this isn't one of the three
11 documents or pieces of information that were dealt with in
12 the application, I guess it was two days ago. That having
13 been said, this is new information that has come to light
14 only on April 10. It does relate to a matter that received
15 great attention and prominence in this hearing, and I think
16 that the questions are proper, to the extent that they can be
17 answered.

18 **COMMISSIONER HOGUE:** Mr. Brucker?

19 **MR. BARNEY BRUCKER:** Yes, well my friend is
20 unusually appreciating. We do object to the question on a
21 number of grounds. As he apparently acknowledges, outside
22 the scope of the Director's reattendance today. CSIS does
23 not comment on investigations, whether there are or there
24 aren't investigations. This is a media article. My friend
25 is asking the Director to comment on a media article. There
26 are no documents that I am aware of that have been provided
27 to the Commission and/or produced to the public dealing on
28 this matter. And it is nothing whatsoever to do with the

1 Terms of Reference that you are here to make a determination
2 on.

3 So those are my submissions.

4 **COMMISSIONER HOGUE:** I maintain the
5 objection. Clearly these questions are outside the scope of
6 what I've been authorized for Mr. Vigneault's testimony this
7 morning, as well as outside the scope of A and B contained in
8 the Terms of Reference.

9 **MR. NANDO de LUCA:** Thank you, Commissioner.
10 Can I have CAN4079_R01 pulled up on the
11 screen?

12 Director, you'll recall that Ms. Chaudhury
13 took you through these briefing notes?

14 **MR. DAVID VIGNEAULT:** Yes, I do.

15 **MR. NANDO de LUCA:** And you differentiated
16 these briefing notes from the first briefing notes in
17 CAN15482 that Ms. Chaudhury took you through? Isn't that
18 correct?

19 **MR. DAVID VIGNEAULT:** I believe that I said
20 that this briefing note was about a specific issue, as
21 opposed to more generic information on foreign interference.

22 **MR. NANDO de LUCA:** Thank you. And for
23 clarity, am I correct that your evidence here today is that
24 with respect to the information that is contained in this
25 briefing note, i.e., 4079_R01, both what we see and we cannot
26 see because of the redaction was the information -- was this
27 information that you did specifically communicate to the
28 Prime Minister?

1 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
2 used the briefing material to help me form what I wanted to
3 share with the Prime Minister. I can tell you that some of
4 that information was absolutely used to brief on a very
5 specific topic.

6 **MR. NANDO de LUCA:** Okay. And did I
7 understand your evidence correctly that you used the example
8 of the PRC efforts in relation to Kenny Chiu to set the
9 context for your comments to the Prime Minister? Is that
10 correct?

11 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
12 do not believe I have said that. I noted when Ms. Chaudhury
13 brought me to that specific reference in the document that
14 this would have been the kind of example, contextual example,
15 to situate a specific issue of foreign interference. But I
16 believe that I testified that I did not recall if I used
17 those words or that specific example to -- in my briefing.

18 **MR. NANDO de LUCA:** Okay. Under the heading
19 "Current Situation" there's a reference to the use of
20 fundraising and material support. I have two final
21 questions, and they're these.

22 Prior to each of the 2019 and 2021 Elections,
23 did CSIS have any evidence of the PRC directly or indirectly
24 channeling funds to specific federal candidates or their
25 campaigns?

26 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
27 would refer back to the summary of the Government's holding
28 that have been provided to the Commission and to the counsel

1 and Canadians to speak to that issue.

2 **MR. NANDO de LUCA:** Okay. Last question. At
3 any point prior to the 2021 Election, did CSIS brief either
4 the Prime Minister, the PMO, the NSIA, Cabinet, or the PCO
5 regarding any other such evidence of specific channeling of
6 funds for either election?

7 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
8 have testified at length about a number of these issues this
9 morning looking at the purpose of the three documents. I'm
10 not sure about how the question refers to these documents.

11 **MR. NANDO de LUCA:** Well this document does
12 refer, under the heading "Current Situation", to what appears
13 to be fundraising in connection with Kenny Chiu's election.

14 **MR. BARNEY BRUCKER:** Well I submit,
15 Commissioner, that the Director's answer is fulsome and he
16 has spoken what he can speak about about this.

17 **MR. NANDO de LUCA:** Is that correct,
18 Director?

19 **COMMISSIONER HOGUE:** So ---

20 **MR. BARNEY BRUCKER:** The question doesn't
21 flow from the document, in my submission.

22 **COMMISSIONER HOGUE:** But on top of it, I
23 understand that you cannot, in any event, talk about -- more
24 deeply about that? Am I right?

25 **MR. DAVID VIGNEAULT:** That would be correct,
26 Madam Commissioner.

27 **COMMISSIONER HOGUE:** Okay. So thank you. So
28 the question will be written down.

1 **MR. NANDO de LUCA:** Thank you, Madam
2 Commissioner.

3 **COMMISSIONER HOGUE:** Thank you.

4 Next one is the Human Rights Coalition.

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

6 **MS. SARAH TEICH:**

7 **MS. SARAH TEICH:** Good morning.

8 Good morning, Director.

9 **MR. DAVID VIGNEAULT:** Good morning.

10 **MS. SARAH TEICH:** My first question is about
11 notes you may have taken. You mentioned in direct
12 examination this morning that in the process of briefing the
13 PM, you read this material ahead of time and you take your
14 own notes, you refine what you expect to be asked, you refine
15 key messages.

16 Did you take -- do you recall if you took
17 such notes in the lead up to the two briefings that relate to
18 the three documents that we are talking about today?

19 **MR. DAVID VIGNEAULT:** Madam Commissioner, the
20 way this process would have unfolded is whatever notes that I
21 would have had at that point would have been produced to the
22 Commission. I don't remember specifically if I have -- if
23 such notes have been produced or not. But if I had those
24 notes, they would indeed have been produced.

25 **MS. SARAH TEICH:** All right. Thank you. So
26 we, as the parties, I don't believe we received these notes.
27 Maybe this is a question for Commission counsel.

28 Are we expected to receive these notes in the

1 future or is this something that will be -- is this something
2 that has to be dealt with *in-camera*?

3 **MR. DAVID VIGNEAULT:** Madam Commissioner,
4 maybe if I can just clarify? I did not say there were notes.
5 I said if there were notes, they would have been produced.
6 So I just don't want to leave the impression to counsel or
7 the Commission that I believe there were such notes.

8 **COMMISSIONER HOGUE:** Okay. Ms. Teich, this
9 is an issue that should be addressed, if there's any need to
10 address it, outside this hearing.

11 **MS. SARAH TEICH:** Okay. Thank you.

12 If we can please pull up again 4079? And if
13 we can go to page 2?

14 You speak about leveraging family:

15 "The PRC is known to target and/or
16 leverage family..."

17 Can you elaborate on this, Director?

18 **MR. DAVID VIGNEAULT:** So Madam Commissioner,
19 in my -- I believe in my previous testimony, I spoke about
20 the fact that foreign interference is, yes, indeed affecting
21 democratic processes, but also very importantly and somewhat
22 dramatically engages and involves people, affects the
23 Canadians here in Canada. And one of the way that we know
24 that has been documented publicly but also has been
25 documented through intelligence is that family members here
26 in Canada, but also back in the country of origin, are being
27 leveraged -- leveraged might be a question here of being
28 pressured, or being induced to -- or provided, you know,

1 incitement to try to pressure their relatives back here in
2 Canada, or pressured in a way to put -- give threats and use
3 coercive measures against them to increase the pressure on
4 the Canadian individuals.

5 **MS. SARAH TEICH:** Thank you. And to the
6 extent you can answer this, is this something the
7 intelligence revealed that happened in the lead up to the
8 2019 or 2021 general elections?

9 **MR. BARNEY BRUCKER:** Again, Mme Commissioner,
10 I think that's out of the scope of the inquiry, and in any
11 event, Commissioner, the Government has in its summary said
12 what it can -- what can be said about the collective
13 intelligence in this matter.

14 **MS. SARAH TEICH:** That's fine. I'm content
15 to move on.

16 As a general point, is this leveraging of
17 families, is this something you brief the Prime Minister or
18 the Prime Minister's Office about either in this briefing or
19 other briefings?

20 **MR. BARNEY BRUCKER:** Again, we're talking
21 about a specific three documents. If the question I guess
22 about this briefing makes sense, then -- or is appropriate,
23 then the Director could answer it, in my submission.

24 **COMMISSIONER HOGUE:** Is it about this
25 briefing, this document?

26 **MS. SARAH TEICH:** Yes, this is the one that
27 says the PRC is known to target and/or leverage families.
28 I'm wondering, the question is if the Director briefed the

1 Prime Minister or the Prime Minister's Office about this
2 point, and if not in this briefing and other briefings, this
3 is a question that's been asked about other lines in other
4 documents?

5 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
6 maybe what I can say is that this specific briefing was about
7 very specific topics, but I have, I believe, testified
8 exactly on that point, where I talked about the way foreign
9 interference is used against Canadians. And I also spoke
10 about this quite at length publicly and in our annual
11 reports, which is why one of the very pernicious impact of
12 foreign interference is on Canadian diaspora communities and
13 why it's so important to work with them to increase their
14 resilience and protect all Canadians.

15 **MS. SARAH TEICH:** All right. Thank you. If
16 we can go to the last bullet point in the background section,
17 I believe that's up a page, page 1. Yes ---

18 **COMMISSIONER HOGUE:** It will be your last
19 line of questioning, Ms Teich, because your time is already
20 over.

21 **MS. SARAH TEICH:** I figured as much. That's
22 all right. Thank you, Commissioner.

23 This point about -- that this,
24 "...will foster a bond of obligation to the PRC that will pay
25 dividends for the promotion of CCP interest if elected."

26 Same question, is this a line that you
27 briefed the Prime Minister or the Minister's Office about,
28 and if not in this briefing, in another briefing?

1 **MR. BARNEY BRUCKER:** Again, we can talk about
2 this briefing or any other briefings that the three documents
3 refer to.

4 **MS. SARAH TEICH:** My question was the same --
5 -

6 **COMMISSIONER HOGUE:** Yeah, you understand
7 it's about this briefing?

8 **MS. SARAH TEICH:** Yes, it is about this
9 briefing.

10 **MR. DAVID VIGNEAULT:** Mme Commissioner, my
11 testimony is that this was information that has been prepared
12 for me. I spoke to a very specific aspect of this case that
13 I cannot go into details because of the sensitivity. And so
14 this is the type of information, either in that briefing, but
15 for sure in our assessment, in our briefings, general
16 briefings, in our public briefings that we refer to -- when I
17 testified in -- earlier I spoke about the work of the United
18 Front Work Department and the entire organizations that the
19 PRC leverages, and this statement directly refers to this --
20 these types of activities.

21 **COMMISSIONER HOGUE:** Thank you.

22 **MS. SARAH TEICH:** All right. Thank you.

23 **COMMISSIONER HOGUE:** Thank you.

24 So next one is counsel for RCDA?

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

26 **MR. GUILLAUME SIROIS:**

27 **MR. GUILLAUME SIROIS:** Bonjour, Madame la
28 commissaire.

1 Bonjour, Monsieur... Directeur Vigneault.

2 **M. DAVID VIGNEAULT:** Bonjour.

3 **Me GUILLAUME SIROIS:** J'aimerais, si
4 possible, mettre le document CAN 015842 à l'écran, s'il vous
5 plait.

6 Et on parle dans ce document de « FI », qui
7 est « ingérence étrangère », j'aimerais savoir, si on parle
8 de « FI » en général, est-ce que le Service vise également la
9 Russie?

10 **M. DAVID VIGNEAULT:** Madame la commissaire,
11 quand le briefing note en question ici, le matériel qui est
12 là, effectivement couvre plusieurs aspects de l'ingérence
13 étrangère, beaucoup des éléments sont spécifiques à
14 l'interférence étrangère du gouvernement chinois, mais il y a
15 également plusieurs de ces... des éléments qui sont là qui
16 touchent les modus operandi de d'autres pays. Et, oui, la
17 Russie serait incluse.

18 **Me GUILLAUME SIROIS:** OK. J'aimerais... on peut
19 utiliser peut-être le dernier point de la page 3 peut-être
20 comme exemple. Donc ici, on voit que:

21 « The government's ability to respond
22 to this threat is currently hampered
23 by the lack of legislation, including
24 criminal law and intelligence to
25 evidence framework in a true whole of
26 government approach. »

27 Est-ce que ça, ça s'applique à la Russie
28 également, cette préoccupation?

1 **M. DAVID VIGNEAULT:** Madame la commissaire,
2 comme je l'ai mentionné, certains des éléments sont...
3 j'appellerais « le tronc commun ». Celui-ci, effectivement,
4 peut s'appliquer à d'autres pays que la Chine, et la Russie
5 en ferait partie.

6 **Me GUILLAUME SIROIS:** OK. Et est-ce que ça
7 peut expliquer pourquoi le Service parle de la Chine et de
8 l'Inde dans ce document, mais pas de la Russie?

9 **M. DAVID VIGNEAULT:** Madame la commissaire,
10 mon témoignage, je pense, indique que ce document-là fait
11 état de... est un des documents qui faisaient partie du
12 matériel disponible, couvre plusieurs éléments génériques
13 d'interférence étrangère, d'ingérence étrangère, mais le
14 briefing spécifique au premier ministre était sur des
15 éléments très précis.

16 **Me GUILLAUME SIROIS:** Mais si la... donc, si le
17 Service avait eu de la preuve... on a entendu dire qu'il
18 fallait être assez certain de nos affirmations lorsqu'on
19 faisait le débriefage au premier ministre par exemple, donc
20 si on avait eu plus de preuves sur la Russie, ça aurait
21 probablement fait partie de cette note de breffage là, n'est-
22 ce pas?

23 **M. DAVID VIGNEAULT:** Madame la commissaire,
24 le fait... la réalité est que lorsqu'on fait des breffages, on
25 donne le contexte, donc s'il y a des limites à l'information
26 qu'on a, on calibre nos renseignements. Si je peux le dire
27 anglais, we provide the right context of the information, the
28 level of certainty we have, so we try to convey that in our

1 briefings.

2 Donc, la deuxième partie de la question,
3 c'est, comme je l'ai mentionné, ce document-là ici en
4 question fait état de... c'est une partie du matériel qui était
5 utilisée pour briefer le premier ministre cette journée-là.
6 Donc, les détails spécifiques de ce que j'ai discuté avec le
7 premier ministre, malheureusement je ne peux pas aller plus
8 loin.

9 **Me GUILLAUME SIROIS:** OK. Donc, sur ce point-
10 là, on va passer à un point un peu accessoire, je sais qu'on
11 parle ici de « intelligence to evidence », donc, en français,
12 « renseignement à la preuve », mais j'aimerais porter peut-
13 être votre attention à une étape avant ceci, par exemple
14 lorsqu'on parle de candidats, de politiciens ou de leurs
15 employés, ou même des électeurs lors d'une campagne
16 électorale qui peuvent peut-être être témoins de... comme vous
17 avez mentionné plus tôt dans votre témoignage, de contenus
18 sur les réseaux sociaux un peu étranges ou suspicieux, est-ce
19 que ça aussi c'est une autre étape qui est peut-être un défi
20 pour se rendre à de la preuve concrète qu'on peut... dont on
21 peut se servir et sur laquelle on peut agir?

22 **MR. BARNEY BRUCKER:** I think we're getting
23 away from the two documents and the three documents, Mme
24 Commissioner.

25 **COMMISSAIRE HOGUE:** Maitre Sirois?

26 **Me GUILLAUME SIROIS:** Oui, ma réponse à ça,
27 c'est que si le Service croit qu'il y a un défi de se rendre
28 à « intelligence to evidence », nos soumissions, c'est qu'il

1 y a un défi qui prédate le moment qu'on a de l'*intelligence*,
2 et c'est écrit dans ce document-là précisément « intelligence
3 to evidence » et le renseignement qui est obtenu par des
4 candidats ou des électeurs, ça pourrait s'inscrire dans
5 l'*intelligence*, puis j'aimerais comprendre est-ce que...
6 comment ça s'inscrit dans cette phrase-là qui se trouve dans
7 le document, un des trois documents sur lesquels on a le
8 droit de poser des questions.

9 **COMMISSAIRE HOGUE:** Maitre Sirois, je vais
10 vous inviter à garder en tête votre question pour la
11 prochaine phase des travaux. Je pense que ce matin, compte
12 tenu de la portée qui a été autorisée pour le contre-
13 interrogatoire, on s'aventure effectivement au-delà de ce qui
14 a été autorisé.

15 Mais conservez votre question, elle sera
16 peut-être utile et pertinente dans la prochaine phase.

17 **Me GUILLAUME SIROIS:** Merci, Madame la
18 commissaire.

19 Donc, ça conclut mes questions. Merci.

20 **COMMISSAIRE HOGUE:** Merci.

21 Next one is counsel for Han Dong?

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

23 **MR. JEFFREY WANG:**

24 **MR. JEFFREY WANG:** Good morning, Director.
25 In one of the briefing notes we just looked at, it discussed
26 unauthorized releases of classified information from the
27 media, and the briefing note says that these leaks present a
28 direct threat to the integrity of CSIS's operations. Can you

1 tell us more about how media leaks present this threat?

2 **MR. DAVID VIGNEAULT:** Mme Commissioner, could
3 counsel call up the document, please, just to make sure that
4 I know what exactly he's referring to?

5 **COMMISSIONER HOGUE:** Yes, for sure.

6 **MR. JEFFREY WANG:** Sure. Sure, no problem.
7 It's 4495. It's just the second bullet there.

8 **MR. DAVID VIGNEAULT:** So could counsel please
9 repeat his question?

10 **MR. JEFFREY WANG:** Sure. So I just wanted to
11 know if you could tell us more about how media links present
12 this direct threat to the integrity of CSIS's operations.

13 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
14 the -- again, I testified to that in my previous appearance
15 in front of the Commission. Having information that is
16 released, very sensitive information that is released to
17 people who may make use of it, interpret the information,
18 sometimes I would use my word "overinterpret" some of the
19 information, draw different conclusions is an issue,
20 absolutely. It also, that any information that is released
21 in this type of way presented a danger to our operations. It
22 affects the way we are able to continue to collect the
23 intelligence that is critical to help protect Canadians, and,
24 therefore, we take this extremely seriously. The last thing
25 I would say is that as an intelligence service using both
26 technical but also human sources, we are very, very concerned
27 about the impact that unauthorized disclosure may have on the
28 people who take risk to protect -- to provide information to

1 CSIS in order to protect Canadians. So we do take that
2 extremely seriously.

3 **MR. JEFFREY WANG:** Sure. And if we could
4 scroll down to the next bullet? It says here that,

5 "We are working closely with PCO and
6 departmental security officials to
7 identify the source of these leaks."

8 Can you tell us about the activities that
9 CSIS had undertaken to identify the leakers?

10 **MR. BARNEY BRUCKER:** I think we're -- this is
11 outside the scope of the three documents, although it is
12 mentioned in the documents, but the -- to discuss
13 investigations in this forum just can't be done.

14 **COMMISSIONER HOGUE:** Mr. Wang, do you have
15 anything to answer?

16 **MR. JEFFREY WANG:** I'm not sure if it's
17 outside of the scope of the document because it says right
18 there. I'm just wondering if the Director can clarify this
19 particular bullet.

20 **COMMISSIONER HOGUE:** And what about the
21 second part of the ---

22 **MR. JEFFREY WANG:** If the Director can't
23 discuss national security information, I'm happy to accept
24 that.

25 **COMMISSIONER HOGUE:** And is the case, Mr.
26 Vigneault?

27 **MR. DAVID VIGNEAULT:** Yes, Mme Commissioner,
28 this would be -- I have -- it would be very detrimental. I

1 have -- I cannot speak about ongoing investigations or
2 operations.

3 **COMMISSIONER HOGUE:** Okay. So the ---

4 **MR. JEFFREY WANG:** Understood.

5 **COMMISSIONER HOGUE:** --- question is written
6 down.

7 **MR. JEFFREY WANG:** But, Director, can you
8 confirm that CSIS is taking action to identify the leakers?

9 **MR. BARNEY BRUCKER:** Again, I think the
10 Director's previous answer applies. Can't comment on
11 investigations.

12 **MR. JEFFREY WANG:** Sure. Director, will the
13 public be informed if CSIS or any other agency identifies the
14 leakers?

15 **MR. BARNEY BRUCKER:** Same objection.

16 **MR. JEFFREY WANG:** And my last question is
17 what has CSIS done to prevent media leaks going forward?

18 **MR. BARNEY BRUCKER:** Seems we're on the same
19 track again.

20 **COMMISSIONER HOGUE:** So it's written down.

21 **MR. JEFFREY WANG:** Thanks. Those are all my
22 questions.

23 **COMMISSIONER HOGUE:** Thank you.

24 AG?

25 **MR. BARNEY BRUCKER:** No questions,
26 Commissioner.

27 **COMMISSIONER HOGUE:** Any ---

28 **MR. DAVID VIGNEAULT:** Mme Commissioner, would

1 you allow me to say one thing?

2 **COMMISSIONER HOGUE:** Yes, you can.

3 **MR. DAVID VIGNEAULT:** Yeah, I just would like
4 to take the opportunity to just say that there's been a lot
5 of comment made about the intelligence in the media, in the
6 Commission and so on, and I just would like to say that as a
7 Director of CSIS, I think it's important that we understand
8 that intelligence is a little bit like a puzzle. Sometime we
9 have a very clear picture of the puzzle. Sometimes, you
10 know, through use of raw intelligence and assessed
11 intelligence we are building that picture. But I think what
12 is important to remember is that this is done by
13 professional, trained intelligence analysts and professionals
14 that are bringing this together. And I just would like to
15 leave you, Mme Commissioner, and through you the Canadians
16 with the message that, you know, intelligence is a very
17 sophisticated approach. We are learning organization, so we
18 are all trying to get better, but also, would like to say
19 that I'm extremely proud of the work that the intelligence
20 professional of CSIS do every day in Canada and around the
21 world in very dangerous situations to protect the Canadians
22 and make sure that we are safe, secure in a prosperous
23 country. Thank you very much, Mme Commissioner.

24 **COMMISSIONER HOGUE:** Thank you, Mr.
25 Vigneault.

26 Me Chaudhury, do you want to conduct a re-
27 examination?

28 **MS. SHANTONA CHAUDHURY:** I do have one

1 question in re-examination.

2 COMMISSIONER HOGUE: Go ahead.

3 --- RE-EXAMINATION BY/NOUVEL-INTERROGATOIRE PAR

4 MS. SHONTANA CHAUDHURY:

5 MS. SHANTONA CHAUDHURY: Director Vigneault,
6 it's just a clarification question to help the Commission
7 understand the documents that have been produced to it. So
8 you've mentioned, I believe, that for the October 26, 2022
9 briefing, there was a long heads up and the service had time
10 to prepare and the briefing notes that we see were approved
11 at a very high level. Can you tell us whether that would
12 hold true for all briefing notes, speaking points, talking
13 points?

14 MR. DAVID VIGNEAULT: So, Mme Commissioner,
15 again, depending on the nature, the amount of time, it would
16 vary. If we have very, very little time to prepare for a
17 briefing, our staff would then, you know, take material that
18 has already been prepared for other briefings, other purpose
19 and collate that together and provide that to me or to
20 whomever else who would be involved in providing the
21 briefing. And so the material would be approved. If we
22 cannot do an approval on that day, it will be material that
23 has been, you know, reviewed before. So I would not have
24 material that is provided to me that has not been somehow
25 vetted. But again, it depends on the specific nature and
26 circumstances of the briefing.

27 MS. SHANTONA CHAUDHURY: Thank you. Those
28 are my questions.

1 **COMMISSIONER HOGUE:** That's all?

2 So thank you, Mr. Vigneault. I know it's --
3 you're a very busy director, and I really appreciate that you
4 made yourself available on a very short notice actually. And
5 I think your comments will be very useful to all those that
6 are involved in the work we are conducting. So from now you
7 are free to go.

8 **MR. DAVID VIGNEAULT:** Thank you very much,
9 Commissioner. Merci, Madame la Commissaire, c'est gentil.

10 **COMMISSIONER HOGUE:** Bon weekend.

11 And before we all leave for the weekend, at
12 least I hope you will leave for the weekend, I want to thank
13 all the counsels. Honestly, you know, when I started these
14 hearings, I was not too sure what will happen because, as you
15 know, we were working in a delicate and difficult
16 environment, given all the classified information that we
17 have to deal with, and I really, really appreciate the way
18 counsels have acted throughout the hearings, although you all
19 represented your client very, very well, and you did what you
20 and said what you had to do and to say. I think the way you
21 have done that has been very professional and I really
22 appreciate. It permits the -- it has permitted the
23 Commission to work efficiently and, to a certain extent,
24 serenely.

25 So again, thank you. I will look carefully
26 and read carefully the submissions that you will provide us
27 with.

28 And, you know, I always look at submissions

1 as being a way of -- for me to make better -- usually I would
2 say judgement, but in this case, it's not going to be a
3 judgement, but at least to make better findings, and
4 eventually better recommendations.

5 So I'm sure I do not have to tell you that,
6 but I invite you, really, to work hard for your submissions,
7 doing the best you can, because I really look forward to
8 reading these submissions and see them as a very useful tool
9 for the work we have to do from now.

10 So we'll see -- we'll see -- we'll be
11 together, actually, again sometime probably in the fall. But
12 in the meantime, I wish you all a good summer, if we have a
13 summer this year.

14 Thank you all. Have a good weekend.

15 **THE REGISTRAR:** Order, please. À ordre, s'il
16 vous plaît.

17 Cette séance de la Commission sur l'ingérence
18 étrangère est suspendue.

19 This sitting of the Foreign Interference
20 Commission is adjourned. Thank you.

21 --- Upon adjourning at 11:26 a.m.

22 --- L'audience est ajournée à 11 h 26

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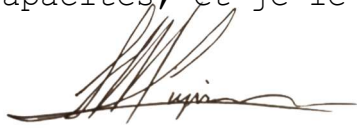
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C E R T I F I C A T I O N

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2
3 I, Sandrine Marineau-Lupien, a certified court reporter,
4 hereby certify the foregoing pages to be an accurate
5 transcription of my notes/records to the best of my skill and
6 ability, and I so swear.

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8 Je, Sandrine Marineau-Lupien, une sténographe officielle,
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