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# **Standing Committee on Procedure and House Affairs**

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**EVIDENCE**

**Thursday, April 11, 2019**

**Chair**

**The Honourable Larry Bagnell**



## Standing Committee on Procedure and House Affairs

Thursday, April 11, 2019

• (1105)

[English]

**The Chair (Hon. Larry Bagnell (Yukon, Lib.)):** Members, all the committee members aren't there, because we normally don't meet when the bells are ringing. I will ask the permission of the committee to continue for the sole purpose of hearing the minister's opening statement. Nothing else will occur. If we could let her do that, then we would go to vote.

**Mr. David Christophers (Hamilton Centre, NDP):** I'm good with that.

**The Chair:** Are you guys good? Okay.

Thank you very much, Minister. We'll get right on with it, because we have to go vote. Then you will come back after the vote.

**The Honourable Karina Gould (Minister of Democratic Institutions):** Yes.

Thank you very much for the invitation to address the committee today. I know all of you have a copy of my remarks. I will be giving a slightly shorter version, but you have all of that information.

It is my pleasure to appear and to use the opportunity to outline the government's plan to safeguard the 2019 federal election.

[Translation]

I'm pleased to be joined by officials today who will speak about the technical aspects of our plan. These officials are Allen Sutherland, Assistant Secretary to Cabinet, Machinery of Government and Democratic Institutions at the Privy Council; Daniel Rogers, Deputy Chief of SIGNIT at the Communications Security Establishment; and André Boucher, Assistant Deputy Minister of Operations at the Canadian Centre for Cyber Security.

Elections are an opportunity for Canadians to be heard. They can express concerns and opinion through one of the most fundamental rights, which is the right to vote. The next opportunity for Canadians to exercise this right is coming this fall, with Canada's 3rd general election in October.

[English]

As we have seen over the past few years, democracies around the world have entered a new era, an era of heightened and dynamic threats that necessitate intensified vigilance by governments, but also by all members of society.

[Translation]

Each election plays out in a unique context. This election will be no different. While evidence has confirmed that the 2015 federal election didn't involve any incidents of sophisticated or concerted interference, we can't predict what will happen this fall. However, we can prepare for any possibility.

[English]

Earlier this week, along with my colleague, the Minister of National Defence, I announced the release of the 2019 update to the Communications Security Establishment's report entitled "Cyber Threats to Canada's Democratic Process". This updated report highlights that it is very likely Canadian voters will encounter some form of foreign cyber interference in the course of the 2019 federal election.

While CSE underlines that it is unlikely this interference will be on the scale of the Russian activity in the 2016 U.S. presidential election, the report notes that in 2018, half of all the advanced democracies holding national elections, representing a threefold increase since 2015, had their democratic processes targeted by cyber-threat activity and that Canada is also at risk. This upward trend is likely to continue in 2019.

[Translation]

We've seen that certain tools used to strengthen civic engagement have been co-opted to undermine, disrupt and destabilize democracy. Social media has been misused to spread false or misleading information. In recent years, we've seen foreign actors try to undermine democratic societies and institutions, electoral processes, sovereignty and security.

The CSE's 2017 and 2019 assessments, along with ongoing Canadian intelligence and the experiences of our allies and like-minded countries, have informed and guided our efforts over the past year. This has led to the development of an action plan based on four pillars, engaging all aspects of Canadian society.

[English]

Therefore, in addition to reinforcing and protecting government infrastructure systems and practices, we are also focusing heavily on preparing Canadians and working with digital platforms that have an important role in fostering positive democratic debate and dialogue.

The four pillars of our plan are: enhancing citizen preparedness; [Translation] improving organizational readiness; combatting foreign interference; and expecting social media platforms to act.

I will highlight some of the most significant initiatives of our plan. [Translation]

On January 30, I announced the digital citizen initiative and a \$7 million investment towards improving the resilience of Canadians against online disinformation. In response to the increase in false, misleading and inflammatory information published online and through social media, the Government of Canada has made it a priority to help equip citizens with the tools and skills needed to critically assess online information.

We're also leveraging the "Get Cyber Safe" national public awareness campaign to educate Canadians about cybersecurity and the simple steps they can take to protect themselves online.

• (1110)

[English]

We have established the critical election incident public protocol. This is a simple, clear and non-partisan process for informing Canadians of serious incidents during the writ period that threaten the integrity of the 2019 general election. This protocol puts the decision to inform Canadians directly in the hands of five of Canada's most experienced senior public servants, who have a responsibility to ensure the effective, peaceful transition of power and continuity of government through election periods. The public service has effectively played this role for generations and it will continue to fulfill this important role through the upcoming election and beyond.

[Translation]

This protocol will be initiated only to respond to incidents that occur within the writ period and that don't fall within Elections Canada's area of responsibility for the administration of the election.

The threshold for the panel in charge of informing the public will be very high and will be limited to addressing exceptional circumstances that could impair our ability to hold a free and fair election. The panel is expected to come to a decision jointly, based on consensus. It won't be one person deciding what Canadians should know.

I'm thankful that the political parties consulted on the development of this protocol set aside partisanship in the interest of all Canadians. The incorporation of input from all parties has allowed for a fair process that Canadians can trust.

[English]

Under the second pillar, improving organizational readiness one key new initiative is to ensure that political parties are all aware of the nature of the threat, so that they can take the steps needed to enhance their internal security practices and behaviours. The CSE's 2017 report, as well as its 2019 update, highlight that political parties continue to represent one of the greatest vulnerabilities in the Canadian system. Canada's national security agencies will offer threat briefings to political party leadership to ensure that they are able to play their part in securing our elections.

Under the third pillar—combatting foreign interference—the government has established the Security and Intelligence Threats to Elections Task Force to improve awareness of foreign threats and support incident assessment and response. The team brings together CSE, CSIS, the RCMP, and Global Affairs Canada to ensure a comprehensive understanding of and response to any threats to Canada. The task force has established a baseline of threat awareness and has been meeting with international partners to make sure that Canada can effectively assess and mitigate any malicious interference activity.

[English]

The fourth pillar is with respect to social media platforms.

[Translation]

The transformation of Canada's media landscape affects the whole of society in tangible and pervasive ways. Social media and online platforms are the new arbiters of information and therefore have a responsibility to manage their communities.

[English]

We know that they have also been manipulated to spread disinformation, create confusion and exploit societal tension. I have been meeting with social media and digital platforms, including Facebook, Twitter, Google and Microsoft, to secure action to increase transparency, improve authenticity and ensure greater integrity on their platforms. Although discussions are progressing slowly, and have not yet yielded the results we expected at this stage, we remain steadfast in our commitment to secure change from them.

[Translation]

Our government has prioritized the protection of Canada's democratic processes and institutions. As a result, we've committed significant new funding towards these efforts. Budget 2019 included an additional \$48 million in support of the whole-of-government efforts.

[English]

This comprehensive plan is also bolstered by recent legislative efforts. I'd like to also highlight the important advances we've made to modernize Canada's electoral system, making it more accessible, transparent and secure.

• (1115)

[Translation]

Bill C-76 takes important steps to counter foreign interference and the threats posed by emerging technologies.

[English]

The provisions in this bill, which this committee obviously knows well, are: prohibiting foreign entities from spending any money to influence elections where previously they were able to spend up to \$500 unregulated requiring organizations selling advertising space to not knowingly accept election advertisements from foreign entities; and, adding a prohibition regarding the unauthorized use of computers where there is intent to obstruct, interrupt or interfere with the lawful use of computer data during an election period.

[Translation]

Canada has a robust and world-renowned elections administration body in Elections Canada.

[English]

While it is impossible to fully predict what kinds of threats we will see in the run-up to Canada's general election, I want to assure this committee that Canada has put in place a solid plan. We continue to test and probe our readiness and we will continue to take whatever steps we can towards ensuring a free, fair and secure election in 2019.

[Translation]

Thank you.

I'll be pleased to answer your questions either now or after the vote.

[English]

**The Chair:** We'll do that after the vote period.

Before people leave, I have a couple of things.

First, just for the minutes, this is the 149th meeting.

One thing I'll ask you, committee members when you come back, will relate to future work, which I think we can do really quickly. It's with regard to the estimates on the debate commission and who you want as witnesses. Also, regarding the parallel debating chamber, when we hear from the Australian witness, it has to be in the evening of Monday, Tuesday or Wednesday.

It would be at roughly what time, Mr. Clerk?

**The Clerk of the Committee (Mr. Andrew Lauzon):** For us it would be at about 6 p.m., which for them I think would be 8 a.m.

**The Chair:** It would be 6 p.m. or 7 p.m. Decide whether you want it to be on a Monday, Tuesday or Wednesday.

Mr. Simms.

**Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.):** My assistant tells me it's a 14-hour difference. Is that right?

**The Clerk:** Yes.

**Mr. Scott Simms:** What about 7 p.m.?

**The Chair:** So that they don't have to get there at eight in the morning?

**The Clerk:** It's really up to the committee.

**The Chair:** Check with your members before you come back.

Check with all your members David, as to whether you want a Monday, Tuesday or Wednesday night.

**Mr. David Christopherson!**!! pull them all together, if I can.

**The Chair:** Steph, if you could chat with your people, that would be great.

**Mr. David de Burgh Graham (Laurentides—Labelle, Lib.):** I want to put in dibs for Wednesday.

**The Chair:** You're putting in dibs for Wednesday.

Thank you, Minister. We have nine minutes left until the vote. We'll come right back as soon as the vote is over.

• (1115)

(Pause)

• (1140)

**The Chair:** Welcome back to the 149th meeting of the Standing Committee on Procedure and House Affairs. This meeting is being televised.

Today we're rejoined by the Honourable Karina Gould, Minister of Democratic Institutions, to discuss the government's plan to safeguard the 2019 general election, and the security and intelligence threats to election task force.

She's accompanied by Allen Sutherland, assistant secretary to the cabinet, machinery of government and democratic institutions, Privy Council Office; and the following officials from the Communications Security Establishment: André Boucher, assistant deputy minister, operations, Canadian Centre for Cyber Security; and Dan Rogers, deputy chief, SIGINT.

Thank you for being here.

Before we start, I have two small points.

Yes, Mr. Simms.

• (1145)

**Mr. Scott Simms:** I mentioned earlier about the timing of the event. I mentioned that we should do it at 7 p.m. to accommodate the Australians, but really, an hour is not much of a difference.

I've heard from others around the room that 6 p.m. would suffice, and I say that for the sake of my own health.

**The Chair:** We'll discuss this after the minister has left.

Just so people know, there's another time allocation debate going on, which is why we're going to rush to make sure we get the minister in.

Could I have unanimous consent to stay partly into the bells for the next vote, to finish the minister's testimony?

**Some hon. members:** Agreed.

**The Chair:** Mr. Reid has one other point.

**Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC):** Yes. Thank you, Mr. Chair.

I want to return to this point of order after the minister has departed probably after we return from voting on the time allocation motion. I just wanted to say that I think there was a technical violation of Standing Order 115(5) in beginning the meeting at all. I will explain my rationale at a later time, once we've dealt with the minister.

Thank you.

**The Chair:** Thank you very much for your forbearance in getting this meeting finished.

Let's start with rounds of questioning. Who will be first?

Mr. Graham.

**Mr. David de Burgh Graham:** Okay.

You were talking about social media companies. What incentive do social media companies have to change their behaviour?

**Hon. Karina Gould:** It's an excellent question. I think the first one is public sentiment. Trust with their users is an important one. Their reputations are also important.

Canadians are some of the most connected people on the planet. In fact, I think the stats indicate that they are the most connected people on the planet. As you may know, 77% of Canadians have a Facebook account, 26% are on Twitter and Instagram and I think the stats that about 100% are on Google.

**An hon. member:** Not in my riding.

**Hon. Karina Gould:** Maybe not in your riding, so maybe it's 99.9%. We are very connected. We use these platforms on a daily basis and in so many aspects of our lives.

I think platforms want to respond to that. I think you've seen some response globally, not just here in Canada. They want to be seen as good actors that are promoting democratic values and participation. That's why you've seen some change in behaviour and some more public reporting. I think there's still more to be desired.

**Mr. David de Burgh Graham:** Are actions such as the recent blocking of Faith Goldy by Facebook the kind of actions you're looking for, or are there different actions you're looking for from social media companies?

**Hon. Karina Gould:** One thing I spoke about at the press conference on Monday and in several media interviews since then is that we have been talking to the platforms about a number of different issues that fit within three buckets, which are the authenticity, transparency and integrity of their platforms and of the activity that takes place there.

One item we have discussed with them is just enforcing their own terms of service and their own conditions. Most of the platforms have wording to the effect that they do not accept illegal content or activities that call for violence or that demonstrate violence on their platforms. They have a range of other things. Part of this is just about enforcing their own rules with their users.

I think that Facebook's step on Monday was a step toward that. I welcome that. I think that's important. Those are ongoing conversations we're having with them.

**Mr. David de Burgh Graham:** In another of the committees that I sit on, we're discussing cybersecurity as a threat to national economic security. There's a lot of interesting topics coming up relating to physical and technological threats. How severe are these threats against our democracy, against Elections Canada, against parties and against anybody who is involved in the democratic process?

**Hon. Karina Gould:** We're taking all of these threats seriously, which is why as soon as I was appointed to this position, I asked the CSE to prepare this report and make it public. It's the first time that any intelligence service around the world has made public a report of this nature. We're seeing more of that happening elsewhere. I also asked the CSE to provide technical support for IT security to all of the political parties that are represented in the House of Commons. That relationship has been established and it's ongoing.

We announced on January 30 our plan to protect Canadian democracy, the amendment that we made to Bill C-76, and then this update to the report and the ongoing engagement with social media platforms. I would say that the threat is real. We're taking it seriously and we're reacting to protect Canadians.

• (1150)

**Mr. David de Burgh Graham:** Have you seen any significant culture shift inside the parties, all of them, as a result of this work with the CSE?

**Hon. Karina Gould:** I would not be able to comment on that because I'm not engaged in it. I actually don't know about the relationship between the CSE and the parties. I think it's really important that the relationship for trust purposes between the parties and the CSE remain that way, but it's up to the parties to decide how they use that information and how they operate.

**Mr. David de Burgh Graham:** That's all I have for the moment.

Thank you very much, Minister.

**The Chair:** Were you splitting your time?

**Mr. David de Burgh Graham:** Sure.

**The Chair:** Okay.

Mr. Simms, you have three minutes.

**Mr. Scott Simms:** When a serious incident has occurred, what do you see in your mind, as some of the essential criteria in order for us to be effective?

**Hon. Karina Gould:** That's an excellent question. It's one for which I think we can look at past examples around the world to say that these are things that would merit Canadians to be aware of. For example in the French presidential election, there was the leaking of the Macron campaign emails publicly. That was a pretty big thing which the French government took upon themselves to inform the French people about. There was the consistent and coordinated attempt by the Russians to interfere in the U.S. presidential election which we saw in 2016.

Those are things that we would be alerting Canadians to. It's important to note that this all falls under the critical election incident public protocol, which has a panel of five senior public servants who will receive information from our intelligence agencies and will make that determination based on consensus.

**Mr. Scott Simms:** What does the information look like when the panellists for this protocol get it? When they receive that information, will it be a definitive "This is what's happening" or "We suspect and here are the data that we've collected," and so on and so forth? How comprehensive is that?

**Hon. Karina Gould:** It could be either, because it could be difficult to determine attributions specifically at that moment, but our security agencies are professional. They are diligently looking at everything that's going on and should they feel there is something that merits the attention of the panel, they are duty bound to inform them of the information they have at that time.

**Mr. Scott Simms:** Speaking of the panel, who constitutes this panel? What are you looking for in the individual panellists to be qualified for this position?

**Hon. Karina Gould:** There are five senior public servants who make up this panel. One is the Clerk of the Privy Council. There is the deputy minister of justice, the deputy minister of global affairs, the deputy minister of public safety and the national security and intelligence adviser.

These are five individuals—or five positions, I should say, because it's not about the individual; it's about the position that they hold—who have an extensive background in public service but also have an eye for and an understanding of the global context of the public safety and threat environment. Also we specifically put the deputy minister of justice there as well to have a look at how this impacts things from a rule-of-law perspective.

**The Chair:** Now we'll go to Ms. Kusie.

**Mrs. Stephanie Kusie (Calgary Midnapore, CPC):** Thank you very much, Mr. Chair, and thank you so much, Minister, for being here again today.

Before I proceed with my questioning and since we are short on time, I'm going to move right into a motion that I know you previously stated you supported because certainly I do believe you are looking to PROC to assist you in these challenges of trying to come up with appropriate legislation given the balancing nature of all the considerations.

I move:

That, pursuant to Standing Order 108(3)(a)(vi), the Committee continue the study of Security and Intelligence Threats to Elections; that the study consist of five meetings and that the findings be reported to the House.

**The Chair:** Do you want to debate this motion now?

• (1155)

**Mrs. Stephanie Kusie:** No. I will just put that there for the time being.

**The Chair:** Then do you want to go on to your questions?

**Mrs. Stephanie Kusie:** No, I had given the notice previously, so this is the moving of the motion.

Then I'll move into my questioning.

Of course there's been a lot in the news recently in regard to the social media platforms. We've seen Facebook with two responses now, the first one being the repository, if you will, and the second one in regard to the hate speech earlier.

Then this week Google, of course, has eliminated itself entirely from our electoral process. At present we're still waiting for Twitter.

Now you have said in the media that the social media platforms have not responded with the appropriate action that you would have hoped for. Certainly we look to you as the government to take some form of action in an effort to find the delicate balance between free speech and the integrity of our elections.

Our leader, Andrew Scheer, said yesterday that he is open to the idea of regulation. Should these social media platforms not be willing to take any action, what are you prepared to do as the minister and the government in an effort to find the balance between these two mediums?

**Hon. Karina Gould:** Thank you for the question. I'm glad to hear that it sounds as if we have multi-party support for action, which I think is very encouraging.

I would say that I think we're at a time globally when other countries around the world are also looking at how we can best achieve the objectives that we all share, which is to ensure that people are able to express themselves online, but not do it in a way that would lead to activities or actions that harm our society. I'm really glad to hear the comment you made.

What I've talked about publicly already is to say that this is a moment where, really, all options are on the table. I really welcome the committed looking at this. I think that's a great opportunity.

I'm very interested in following what other countries around the world are doing at the moment. I would point to the U.K., which released a white paper on Monday that puts forward a really interesting concept of the duty of care, which is something that I think is novel and interesting in terms of how social media platforms would have a responsibility to look at—

**Mrs. Stephanie Kusie:** Minister, if you don't mind, I'll move on.

I don't really feel we're getting a direct answer from you in regard to the action you're willing to take. I understand you are evaluating best practices internationally but I think Canadians are looking for a response to what you are willing to do to find that balance. So I, along with Canadians very much look forward to what is ahead in regard to that.

Moving on, in regard to the third part, you've said that CSE, CSIS, the RCMP and Global Affairs Canada are working together to ensure a comprehensive understanding of and response to any threats to Canada. However, in my evaluation so far, which is laid out in a good document, I think, the CSE 2017 document, we look at the motivations of nation-states, hackers, activists, cybercriminals etc.

In my opinion, Minister, it's not enough that we understand and respond to any threats. What are you doing, along with your counterparts specifically to deter cybercriminals or foreign adversaries from influencing the election?

**Hon. Karina Gould:** We announced on January 30, a series of measures that we're taking here in Canada to protect Canadians from foreign cyber-threats. Of course, the very nature of foreign cyber-threats means that they are covert, so they're not doing it in a way that says, "Hey, we're here doing it." There are lots of conversations going on at the global level that are denouncing this kind of activity. Counterparts around the world have stated that, and we have stated that here in Canada, I think the very fact that we have the SITE task force up and running, which is actively monitoring this, and that we have our public protocol that will inform Canadians are really important steps, things that didn't exist before here in Canada quite frankly. This is a really positive thing.

The other part of the announcement that I think is really important to mention is the \$7 million that was announced for civic digital and media literacy initiatives for Canadian citizens to have a broader understanding of the digital environment particularly in elections.

• (1200)

**Mrs. Stephanie Kusie:** Thank you, Minister. I appreciate that.

Again, I'm not really seeing a direct, clear path of action that I think Canadians and I would appreciate.

The one piece of action you have come out on quite clearly is the critical incident protocol, which we, as Conservatives were very concerned about, being that this group of five would be left in the control of the government and that we as the opposition parties are beholden to accept what they say, through you, to be full and complete information. I think that we are vindicated in our concern, given the absence and departure of the previous Clerk of the Privy Council. To me, that definitely shows the potential flaws within this.

**Hon. Karina Gould:** I would just push back on that. In the development of the protocol, all of the parties had input into that. Although it was not parliamentarians it was each of the political parties.

One thing we did announce, which I think is a very clear and tangible action and is really important to ensure the non-partisan nature of this, is the fact that we have extended security clearances and ongoing briefings to each of the leaders of the political parties represented in the House of Commons and up to four of their top campaign staff. This is something to really ensure that everyone is on the same page and gets information to build that trust and to have that trust. That is something that is ongoing.

**Mrs. Stephanie Kusie:** I think we should have included the Chief Electoral Officer, but perhaps we can have that conversation another day.

**Hon. Karina Gould:** I'd be happy to talk about what the Chief Electoral Officer stated when this announcement was made, which was that, in fact, his job is to administer the election and that he has been engaged in this process and that it is up to these security agencies to determine whether there has been a threat.

I think that's a really important—

**Mrs. Stephanie Kusie:** That sounds ridiculous, Minister, that the one administering the election could provide a free and fair election, very frankly.

**The Chair:** We're finished this round.

We'll go to the NDP.

Mr. Christopherson.

**Mr. David Christopherson:** Thank you, Mr. Chair.

Minister, thank you very much for attending again.

I just want to say that, unlike some ministers past, not once have you played a game or taken the opportunity for scheduling changes in order to dodge or avoid the questions. Some of them have been pretty tough meetings. You were always willing to be accountable, and that's appreciated. Thank you, Minister.

I want to ask one question, and then I want to turn to my colleague Mr. Cullen, who is far more immersed in the minutiae of this and will ask far better questions than I would. However, I have one.

On the protocol panel, I look at the five members: Clerk of the Privy Council, national security and intelligence adviser, deputy minister of this, deputy minister of that, and deputy minister of another. Everyone of them is, of course, appointed by the executive. Parliaments much like my dad: Trust everyone but always cut the cards.

Assuming that nothing is going to change—we have a majority government that has decided this is the way we're going to do it, so this is the way we're going to do it—will there be built into the process an opportunity for Parliament to review the information this panel received and the actions they chose or did not choose to take?

**Hon. Karina Gould:** There is a plan to report, following the election, on how it reported and how it functioned. I am sure that this committee, following the election, could take that up.

**Mr. David Christopherson:** That sounds a little wishy-washy. They're reporting to whom? Either there's going to be a review by Parliament or there isn't. If they're going to issue a report—

**Hon. Karina Gould:** The report will be presented to the National Security and Intelligence Committee of Parliamentarians. The NSICOP can review it.

**Mr. David Christopherson:** All right. What about PROC?

**Hon. Karina Gould:** I think that because of the classified nature of the information... NSICOP was set up so that parliamentarians could review classified information.

**Mr. David Christopherson:** Yes, I understand that. We might need to have a little bit of a discussion about that. I can appreciate that. Again, I've spent some time in that world, but at the end of the day, they are guided by some pretty strong issues around intelligence, and that's not what we would be seeking. We would be seeking the information that was given and any action that was taken or not taken, as much as can be divulged. If it has to be a two-tier process and we get a report from our committee, fine, but—

**Hon. Karina Gould:** Perhaps that's a good way to do it.

**Mr. David Christopherson:** At the end of the day, that body should not be allowed to proceed when they're appointed solely by the executive without having, at the very least, a key scrutinizing process at the end to ensure they did what Parliament would expect, and if we can make any improvements going forward.



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Clearly, that's a little bit of work. Hopefully, we can tie that up before we rise in June, Mr. Chair.

• (1205)

**Hon. Karina Gould:** There will be a classified version that goes to NSICOP, and there will be a public report available as well. If PROC wishes to study that, I think that would be absolutely welcome, and I think this process should be reviewed following the next election. I absolutely welcome that from parliamentarians.

**Mr. David Christopherson:** That sounds good. We just need to nail down the details, Chair, but we can do that.

Thanks, Minister.

Now I'll pass it to my colleague Mr. Cullen.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Thank you, Mr. Christopherson.

Welcome, Minister.

It's interesting, because the flaw of the design was somewhat exposed when the Clerk of the Privy Council sat in front of the justice committee and ended up resigning because, as he said in his letter, he had lost the faith of the other political parties. That was inherently one of our concerns with the design of your process going into something as sensitive as an election and the decisions that get made. Whether to divulge that there's been a hack of a political party or not can sway an election, as you would imagine, one way or the other.

Mr. Boucher, I have a quick question.

You said in your recent report, which confirms a report from almost two years ago, that hacking into our elections is—I think the term your agency used was—very likely, in terms of foreign cyber-attack. Is that right?

**Mr. André Boucher (Assistant Deputy Minister, Operations, Canadian Centre for Cyber Security, Communication Security Establishment):** Attempts of foreign interference to our elections are very likely.

**Mr. Nathan Cullen:** We've seen in the past, in the U.S., the U.K. and France, that one of the points of attack has been political party databases. Is that correct?

**Mr. André Boucher:** That is.

**Mr. Nathan Cullen:** Is that also true for Canada?

**Mr. André Boucher:** The intent of the methods by which the opponents are going to try to address foreign interference definitely includes the political parties' key information.

**Mr. Nathan Cullen:** Right, because that key information, those databases, voter information, voter preferences... If somebody is looking to interfere in a Canadian election, getting access to those databases would help weaponize their lies, I suppose or weaponize their attempts to interfere. Is that a fair point to draw?

**Mr. André Boucher:** Absolutely, and that's why we're engaged so proactively with the parties, so they can prepare themselves and detect and react—

**Mr. Nathan Cullen:** Right, and you're providing that valuable advice, but there's nothing required under law, under the recent elections changes that this government brought in, to make those

parties fall under, say, something like PIPEDA, and there's no legal standard of how to protect that vital information. Is that correct?

**Mr. André Boucher:** I can say that, within the current method of work, the parties have been engaging with us, and they are taking hold of what the important measures are and taking action.

**Mr. Nathan Cullen:** I understand. My question is, is there anything required under law in terms of the standard of protection for that information?

**Mr. André Boucher:** Not to my knowledge.

**Mr. Nathan Cullen:** Right. So, Minister, why not? You, as the democratic institutions minister, had a report more than a year and a half ago warning of this as the point source of threat. The Standing Committee on Access to Information, Privacy and Ethics recommended to you, that parties should be brought in and required by law to have this standard of protection to keep our elections safe. You chose not to do that. The advice is great. The counsel, working with the parties, is great, but you chose not to do that. Why not?

**Hon. Karina Gould:** We specifically chose to develop this relationship between CSE and the political parties because political parties are separate from government. They're unique in terms of how they engage with Canadians and it's important for them to have that independence, believe, and I think you would agree with me on that. That's why we chose to go down this route, to ensure that we were providing the advice to political parties. It's how they choose to use it, but particularly from a security point of view, it's to give them the best advice and the best tools available to protect their databases and their information.

**Mr. Nathan Cullen:** We're talking about the safety of our elections. On the safety of our roads, we don't give drivers advice and let them choose how fast to drive. We give them speed limits, because we know there's a danger in going above certain speeds. We know from your own report that you asked for from the CSE 20 months ago now that there is a credible threat and that one of the access points was this. You said to drive at whatever speed you like, and here's some advice that you should only drive this fast, but there's nothing required. That's what concerns me going into this election that's just a few months away.

I have a question about social media. You suggested that you were disappointed with the lack of action from the social media agencies in terms of hate speech and banning certain groups. Facebook banned a few, which is a good first start, but there are many more, and those groups, Faith Goldy and the others, have been spreading that hate for years.

You expressed disappointment and you also suggested that they have done more in the European context. Europe has laws. Europe is bringing in regulations. England has introduced some more regulations, rules to guide the social media agencies.

**Hon. Karina Gould:** Well, they've introduced a white paper to discuss them, and I would say, with regard to the regulations, that what's going on in the EU with social media platforms is that it's a voluntary code of practice that the social media platforms have undertaken themselves. That is basically the conversation we've been having, if they would do the same thing here in Canada.

• (1210)

**Mr. Nathan Cullen:** They're not.

**Hon. Karina Gould:** To date, they have decided that's not something they want to pursue. However, those conversations are ongoing. I would say that after the comments on Monday, there has been a renewed interest in having a conversation about what they will do herein Canada.

**Mr. Nathan Cullen:** I understand all that, but if you look at the main differences between Canada and the European Union, the European Union has done much more in legislation than Canada has. That's—

**Hon. Karina Gould:** Canada's the first country—

**Mr. Nathan Cullen:** Allow me to—

**The Chair:** Be brief, Minister.

The time is up.

**Mr. Nathan Cullen:** Sorry, but I haven't actually finished my question.

Europe has actually brought in regulations and rules. Social media groups have actually responded. You seem naive and disappointed that they haven't done the something here.

**Hon. Karina Gould:** So has Canada Mr. Cullen. With Bill C-76 we are the first jurisdiction to require online platforms to have an online ad registry. Actually, there has been response from that. Facebook is doing their ad library. Google has actually said they will not have political ads here in Canada. We are still waiting to hear from Twitter.

When you talk about regulation, in fact, Canada has acted. We were a first movement. Political ads are what we saw particularly in the U.S. election, particularly in the British referendum. They were one of the primary tools with regard to foreign interference using an online mechanism. This is a really important step. It's an important method for transparency and to protect our elections.

**The Chair:** Thank you.

Madam Lapointe.

[Translation]

**Ms. Linda Lapointe (Rivière-des-Mille-Îles, Ib.):** Thank you, Mr. Chair.

I want to thank Minister Gould and everyone for being here today.

When you were answering questions earlier, you were cut off. You mentioned the white paper in the United Kingdom. Do you have anything to add? You spoke about the European Union, but do you have anything to add about Great Britain?

**Hon. Karina Gould:** The white paper released on Monday in Great Britain is very good. There's the concept—don't know how to say it in French—

[English]

it's a duty of care.

[Translation]

The term has been used in the hospitality industry to ensure that accommodation units, for example, have functional elevators and so on.

This concept has been applied to digital platforms with regard to illegal content or content that may pose risks to people's safety. The platforms must take responsibility in this area.

This is good. The idea is to apply a policy regime to digital platforms, since the platforms can be held accountable for their actions. It's new, it's different and it's forward-looking. We want to avoid creating legislation or policies that resolve past issues but that aren't flexible for the future.

My officials and I have been carefully studying this matter. However, we've also been looking at other activities, for example in Germany, France or Australia, where good things are being done. I think that we could find a Canadian solution.

**Ms. Linda Lapointe:** Thank you.

You mentioned France earlier. You just mentioned France again, while also talking about Germany.

At last year's G7 summit in Charlevoix, you discussed the issues concerning social media platforms. You said that there had been issues in France, such as information leaks. We've also been looking at the American election, and it's clear that something was wrong.

Do you share information that makes it possible to go even further? You were just talking about Great Britain and the European Union. However, do you share information to help us learn from the mistakes of others, so to speak?

**Hon. Karina Gould:** Yes. I think that the example of Germany is good. Germany has a bill against online hate, which the country wants to apply to digital platforms. To that end, Germany has introduced very heavy fines for digital platforms that fail to erase messenger images that promote hate. That's good.

We need to think about illegal content and about how we can ensure that platforms aren't manipulated to facilitate illegal activity. We also need to think about violent content. We need to think about a number of things to change the experience of people who use digital platforms.

• (1215)

**Ms. Linda Lapointe:** Okay.

You expressed some disappointment with regard to your meetings with representatives of social media, such as Facebook. Have any other meetings been scheduled?

You said that the European Union has a voluntary code of practice. Is our approach coercive?

**Hon. Karina Gould:** We're continuing our discussions with representatives of digital platforms to see what they could do here in Canada before the next federal election. My office has meetings scheduled for next week. I hope that they'll be more open to applying in Canada the election protection measure that they implemented in other countries. I think that Canadians deserve the same treatment as other people around the world.

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**Ms. Linda Lapointe:** Thank you, Ms. Gould.

Do I have any time left, Mr. Chair?

[English]

**The Chair:** You have a minute and a half.

[Translation]

**Ms. Linda Lapointe:** Okay, I'll take it.

[English]

**Mr. David de Burgh Graham:** Nathan wants it.

[Translation]

**Ms. Linda Lapointe:** No, it's my turn. I'm very territorial.

Minister Gould, a reference was made earlier to your confidence in the Chief Electoral Officer of Canada. Can you elaborate on this?

**Hon. Karina Gould:** I have a great deal of confidence in the Chief Electoral Officer of Canada with regard to the entire administration of federal elections. Canadians can be very proud of this organization, which I believe is the best in the world. A number of countries draw inspiration from the organization of Canadian elections on a technical level. I have a great deal of confidence in the people in this organization and I'm very proud of their work. They're very professional and they take their responsibilities very seriously.

Canadians have confidence in the electoral process and in the election results, which is the most important thing.

**Ms. Linda Lapointe:** Thank you, Ms. Gould.

**Hon. Karina Gould:** Thank you, Ms. Lapointe.

[English]

**The Chair:** Thank you.

For one last intervention, we have Ms. Kusie, for five minutes.

**Mrs. Stephanie Kusie:** Thank you very much, Mr. Chair.

Minister, I'll go back to the critical election incident public protocol. How does the team make their decision whether or not to inform the public as to a threat within the election?

**Hon. Karina Gould:** The decision to inform the public will be based on their assessment that will be derived from consensus as to whether the incident compromises a free and fair election. We have made this bar significantly high, because if there were a public announcement that would obviously be of significance to the Canadian population. Therefore, it's really important that the bar be set very high.

**Mrs. Stephanie Kusie:** What criteria are they using, please?

**Hon. Karina Gould:** What we have established is a free and fair election—

**Mrs. Stephanie Kusie:** How do you determine a free and fair election?

**Hon. Karina Gould:** They will make that assessment based on the information they have.

One thing I think is important to note is that this will be very context-driven and context-specific, because it could be that an incident that occurred in another country that we may use as an

example doesn't have the same kind of impact here in Canada. What's important is for them to make that decision based on the information that our security agencies are providing them.

One thing I would note with regard to the protocol is that when they decide to make that public, they will be advising the CEO of Elections Canada as well as the leaders of the political parties. Also, as I mentioned earlier, the fact that both the leaders and a number of their senior campaign advisers will be given security clearance, they will be in regular contact with our security agencies to give them an update of what's going on during and in the lead-up to the campaign.

• (1220)

**Mrs. Stephanie Kusie:** I appreciate this. I feel as though we're just getting information we received previously. I wish there were more specifics and more information. Will the panel meet on a consistent basis or only on the occasion of an incident?

**Hon. Karina Gould:** The panel will receive regular briefings.

**Mrs. Stephanie Kusie:** Will they be meeting regularly to evaluate the briefings?

**Hon. Karina Gould:** They will receive regular briefings, and it will be up to them to determine how they deal with that information.

**Mrs. Stephanie Kusie:** Again, that's not very specific.

Will political parties be notified if the panel is convening?

**Hon. Karina Gould:** Not necessarily only if they feel they will need to make something public. However, the political parties will receive regular briefings from the security agencies.

**Mrs. Stephanie Kusie:** Which individuals will decide whether or not to bring critical threats to the attention of the panel?

**Hon. Karina Gould:** That will be left up to our very capable security agencies.

**Mrs. Stephanie Kusie:** If the parties disagree with the decision to bring an incident to the panel, is there a means to appeal the decision?

**Hon. Karina Gould:** For the integrity of the process the parties will not be informed of whether an incident is brought to the panel.

**Mrs. Stephanie Kusie:** As I said, we would appreciate a lot more information in regard to the criteria. We know that in other jurisdictions, adversaries have used social media to manipulate the public, and to create and polarize political and social issues. Similar to my question before, what concrete initiatives have you employed to ensure that this type of influence does not happen here in Canada leading up to the 2019 election?

**Hon. Karina Gould:** Within Bill C-76, as was noted, social media platforms have been banned from knowingly accepting foreign funding for political advertisements. They are also required, if they do receive political advertisements during the pre-writ and writ periods, to have an ad registry to disclose that information. Those are two really important steps that have been taken that address some of the previous issues we've seen around the world with regard to how social media platforms were manipulated.

In terms of other conversations we've been having with social media platforms, I have discussed with them the idea of a "Canada too" concept for activities they've been willing to undertake in other jurisdictions to safeguard those elections—that they do that here in Canada as well, and that they label bot activity on their platforms. Canadians should know if they're interacting with a person or with a bot when they're interacting online. They should be monitoring for authentic behaviour as well. I do know that the platforms are monitoring this space and that they are actively removing accounts they find to be problematic. We would just like more clarity and more transparency in those activities, so that Canadians can have greater confidence in the activity they're seeing online.

**The Chair:** Thank you very much, Minister. We appreciate that, and I'm sure we'll see you again.

We have 17 minutes left. We have just a couple things for the whip, as I said, before the break.

Scott, one of the things we asked about is the time we meet with the Australians—Monday, Tuesday or Wednesday. Which time were you saying?

**Mr. Scott Simms:** I originally said 7 p.m. However, after receiving a wave of apprehension and hate—maybe that's a strong word—six o'clock is fine.

**The Chair:** We would meet at six o'clock. Would that be on Monday, Tuesday or Wednesday?

**Mr. Scott Reid:** We're not sure which Monday, Tuesday or Wednesday would be.

**The Chair:** It would be the first or second week back.

**Mr. Scott Reid:** To state the obvious problem with some of these days, we could be running into votes at that time, which could throw things off. This is relevant to Scott. The problem with trying to schedule something for 6 p.m. on a Tuesday or Wednesday is that it's right in the middle of when votes are likely to be. We stand a very good chance of standing up our Australians after they've gone to the trouble of arranging to be there for us. Notwithstanding those who expressed hatred and loathing towards you at an earlier point in time, I am concerned that by choosing six instead of seven, when votes are typically over, we could create a situation where they're cooling their heels for an hour. That is, I think, a meaningful consideration.

• (1225)

**Mr. Scott Simms:** Would you like to hold the meeting at seven?

**Mr. Scott Reid:** Seven would be my own preference.

**Mr. Scott Simms:** That's seven o'clock and 8:30 in Newfoundland?

**The Chair:** We will meet at seven o'clock on the earliest Tuesday possible that the Australians are available. Is that okay?

**Mrs. Stephanie Kusie:** Chair, before we adjourn to go to vote, could we perhaps vote on the motion I put forward, please?

**Mr. David de Burgh Graham:** I have a question on that. Do we have proper notice of that? I have a notice of motion from Ms. Kusie, but it's not that motion.

**The Chair:** Wait a second. There's something else I want to finish first.

On the debate, the commission estimates, I know you had the witnesses you wanted. Can you just say that?

**Mrs. Stephanie Kusie:** We'd do one hour for each of them.

**The Chair:** The Conservatives are proposing one hour with the debate commissioner, and one hour with the minister, on the debate commissioner's main estimates.

**Mr. Scott Simms:** That sounds good to me.

**The Chair:** Does everyone agree?

**Mr. Scott Reid:** We agree. They're separate hours.

**The Chair:** Yes.

**Mr. David de Burgh Graham:** Is it concurrent or consecutive?

**The Chair:** As soon as they're available....

There's one other thing, Ms. Kusie, before we go to your motion.

Mr. Reid, could you hold up those reports? Do you still have them?

**Mr. Scott Reid:** I do, as a matter of fact. I will return them to you.

**The Chair:** One of the other committees yesterday if you were in the House, actually made a report—it was on foreign policy in the Arctic—in four aboriginal languages. They made a mistake in not saying which ones in the report, but I proposed our committee that we actually get the report that we did on aboriginal languages translated into....

They picked the languages, thereby picking the languages of the witnesses. Any witnesses who were aboriginal or who spoke an aboriginal language they picked those languages.

I might suggest that we minimally do that and maybe use the three languages most popularly used in Canada which would be Inuktitut, Cree and Ojibwa. Mr. Reid, do you have any thoughts on that?

**Mr. David Christopherson:** That sounds good. We're getting our report translated.

**Mr. Scott Reid:** I was chatting about the point of order, and as a result, I didn't hear what you had to say. If it's the same thing that you said to me earlier, that's a good thought.

**Mr. David de Burgh Graham:** The only question I have procedurally is if it matters that it's already been tabled and adopted by the House.

**Mr. Scott Reid:** I will raise one concern, Mr. Chair.

This report, if I'm not mistaken dealt with the north. Am I correct? The indigenous languages that were chosen are effectively the languages of—

**The Chair:**—of the witnesses.

**Mr. Scott Reid:** That's right. The issue we have is in choosing which indigenous languages to use and which not to use. I have no idea how to resolve that.

**The Chair:** I just made a proposal that while you were talking,

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I said that, first of all, we use any of the aboriginal languages spoken by the witnesses before us, plus perhaps the three most prevalent ones in Canada: Inuktitut, Cree and Ojibwa. Some of them are covered by witnesses anyway.

**Mr. Scott Reid:** I have no objection to this. Does anybody else...?

**Mr. Scott Simms:** I would like to hear Mr. Cullen's thoughts on this, if that's all right.

**Mr. Nathan Cullen:** All those languages stop at the Rockies, which would be one thing.

I very much echo the sentiments of the witnesses about having their languages put down properly, but the committee arbitrarily picking three just by volume of speakers, understand the logic but it does feel a bit arbitrary, especially with something as sensitive as how something is going to be expressed. As good a report as this is, I would maybe give the committee some time to contemplate and maybe even consult with indigenous language speakers as to how to go about it.

**The Chair:** Would the committee be in agreement with translating it into the languages of the witnesses who were proposed to us on this study?

**Some hon. members:** Agreed.

**The Chair:** We'll leave it up to you to find the money, Mr. Clerk.

**Mr. David Christopherson:** Chair, I know you're about to go to another notice of motion and engage in a debate. I'd just like the opportunity to formally submit a notice of motion, not to be debated today, but also to underscore that I'm just the vehicle for this. This is the work of a number of respected veteran parliamentarians who are looking for changes. Mr. Reid is among them. Hopefully we'll be able to give them an opportunity to have their thoughts aired. That's what this is about.

For now, it's just a technicality. It's in both languages and it won't come up again until the next meeting.

Thank you, Chair.

• (1230)

**The Chair:** Thank you.

**Mr. Scott Reid:** Mr. Chair, strictly speaking points of order take priority, so I guess I'd be able to have priority over Ms. Kusie's motion, but that is not my objective.

My objective was to say this. We had agreed, in sort of a gentlemen's agreement—or a gentle people's agreement, to be politically correct—that we would deal with the point of order after we return. Given the amount of time we're going to have left, however, may I suggest that we all know what the point of order is about. The section has been mentioned so I suggest that we leave it and return to it at our next meeting, which would be after the break. That would give people a chance to look over the procedural questions and we'll have a more informed debate. We won't all have to come back with five minutes remaining.

**The Chair:** Sure. We'll do it at the next meeting where we have space.

**Mr. Scott Reid:** Yes, that's right.

**The Chair:** Okay. Ms. Kusie, you want a vote on your motion, you basically said.

**Mr. David de Burgh Graham:** I raise a point of order on that, which is that we had a notice of motion for Ms. Kusie on a motion on that topic but not on that motion. I've never seen that motion before. Therefore it would be procedurally invalid at this point, but it could be brought in as a notice.

**The Chair:** Clerk, you can use the microphone.

**The Clerk:** The committee's routine motion allows members to move motions when they're relevant to the subject being studied.

**Mrs. Stephanid Kusie:** Okay, that's what I was going to say.

Pardon me. Continue, Clerk.

[Translation]

**Ms. Linda Lapointe:** Can I have it in French?

[English]

**The Chair:** Is the motion translated into French?

Well, she did it verbally, right? So you can—

[Translation]

**Mrs. Stephanid Kusie:** I can introduce it in French if you wish.

[English]

**The Chair:** When you're rediscussing a topic, you can do a motion verbally at the committee at the time.

We'll just read it again, and then you'll get it in French. Okay?

[Translation]

**Ms. Linda Lapointe:** I wanted to have it in writing.

Do you have it in writing in French?

[English]

**Mr. David de Burgh Graham:** Might I suggest that we start our next meeting on this topic?

**The Chair:** Our next meeting is on the estimates.

**Mrs. Stephanid Kusie:** I would prefer that it be resolved today.

**The Chair:** Okay, we can vote. She can do a verbal motion, and we can vote on it.

Just say it again.

**Mrs. Stephanid Kusie:** Okay.

The motion reads:

That, pursuant to Standing Order 108(3)(a)(vi), the Committee continue the study of Security and Intelligence Threats to Elections; that the study consist of five meetings; and that the findings be reported to the House.

**The Chair:** Is the committee ready to vote?

Mr. Graham.

**Mr. David de Burgh Graham:** If we're not going to take the time to have a proper discussion, I'm going to have to vote against it at this time.

It's up to you. If you want to have a proper debate in the future, I'm happy to do that, but if it's now, it's no.

**The Chair:** Is there any other debate?

**The Chair:** Mr. Cullen.

**Mr. Nathan Cullen:** That's a suggestion of openness to the idea and the concept of studying this, but it's just a matter of the process being used. There might simply be a need to have a conversation between parties or within parties, but there is a serious openness to considering it. I think the topic is excellent. Clearly this is something that we should all be—

**Mr. David de Burgh Graham:** I'm happy to have a proper discussion but we have six minutes until the votes.

**Mr. Nathan Cullen:** I understand so the time pressure might be a factor.

I wonder, my Conservative colleague, if this is something that we're interested in doing, if standing it for a moment, but with an indication and a commitment to seriously consider it and even look at maybe making this happen prior to Parliamentising would be... I just don't want to throw the baby out with the bathwater as they say.

**The Chair:** Stephanie it's up to you. We could vote now or we could discuss it later.

**Mrs. Stephanie Kusie:** Okay, we can discuss it later.

**The Chair:** Okay, we'll discuss it as soon as possible.

Thank you very much for being effective.

As we said before, we have estimates at the next couple of meetings and we'll do these two motions.

**Mr. Scott Reid:** Mr. Chair, before we adjourn, I do have one other thing to say.

Regarding the practice of keeping the committee going with unanimous consent, the consent was given for one purpose and we have morphed into several purposes. Nobody did anything wrong, but I think we agreed to extend it for the purpose of listening to the minister's testimony, and several other items came up.

As a practical matter, I think we should be prepared to discuss that when we return to my point of order, because I think this is related to that point of order.

**The Chair:** Is that part of your point of order?

**Mr. Scott Reid:** Well, it will be one of the things that we should all be prepared to discuss at that time.

Thank you.

**The Chair:** Okay.

The meeting is adjourned.









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