UNCLASSIFIED

Countering Foreign Interference: Components of an Effective Response by GAC

GAC Crown prerogative: The primary source of authority for the conduct of Canada's foreign relations is the Crown Prerogative. It consists of a set of powers and privileges accorded by the Common Law to the Crown. It is a long-standing, constitutionally founded and legally recognized source of executive authority – separate and distinct from authorities granted to the Crown by statute. It has generally been defined as including the power to do acts of an international character. This includes the making of war and peace, dispatch of trips abroad, entering into treaties, appointment and accreditation of Ambassadors and consular officers, and communications with foreign governments.

Section 16 of the CSIS Act provides that MINA may make a request for CSIS to collect foreign intelligence within Canada. The intelligence collection enabled by Section 16 provides MINA with relevant intelligence to support decision making, notably as it relates to FI and its response.

The Foreign Missions and International Organizations Act is the primary vehicle for addressing privileges and immunities and diplomatic and consular law in Canada. The Act implements Canada's treaty obligations in the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations, and other bilateral and multilateral agreements.

The Special Economic Measures Act (SEMA) allows Canada to impose sanctions: (1) where an international organization calls on members to act, (2) where a grave breach of international security has occurred, (3) where gross and systematic violations of human rights are committed or (4) where a foreign state is responsible for/complicit in acts of corruption.

The CSE Act Subsection 30(2) foresees need for prior consent by MINA for CSE's Active Cyber Operations, i.e. "activities on or through the GII to degrade, disrupt, influence, respond to or interfere with capabilities, intentions or activities of a foreign individual, state, organization or terrorist group - as it relates to international affairs, defence, and security.

Regulations enacted by the Export and Import Permits Act provide Canada with an additional mechanism for controlling trade of arms and dual use goods. Under the act, exports of goods or technology listed in the Export Control List must be authorized by an export permit issued by MINA. irrespective of their means of delivery.













Tools to prevent FI







Proactive bilateral and multilateral collaborations to counter FI





Diplomatic response to FI, sanctions and attribution

Public Comms and StratComs

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respond

GAC Comms professionals counter disinfo on public platforms. often providing both counternarratives and advice and quidance for detecting disinfo

Attribution of hostile activities by foreign actors

Public

Ranging from (é.g., speéches by leaders) to votes by the legislature and public 'naming & shaming of specific actors. The GAC led GoC

public attribution framework is one of the loofs used by officials to guide recommendations on attribution.

Planning or cancelling visits, taking retaliatory measures

Issuing demarches, planning or cancelling high level visits. Taking retaliatory measures to reduce or limit performance of Canada's obligations under Canada's agreements.

suspending diplomatic engagement, denying visas, closing Missions, PNGs

(last resort) GAC manages privileges and immunities of foreign diplomats. Important tool, notably in cases where foreign states seek to use accredited diplomats to conduct activities.

Sanctions

Sanctions are part of the toolkit to respond to malicious behaviour. including the participation in or support of information manipulation campaigns (i.e. Russian invasion of Ukraine)

Indo Pacific Strategy

In the context of the Strategy, GoC investing in both national security and diplomatic tools, GAC is working closely with partner departments such as ISED and Public Safety on the domestic component of the strategy.

Active Cyber Operations

The need for prior consent by MİNA ensures alignment of CSE's Active Cyber Operations activities with Foreign Policy priorities, including as it relates to countering foreign nterference

Export restrictions

Can be an additional tool to counter proliferation of arms and dual use technologies, and reduce the risk that such material could be leveraged by foreign powers to conduct foreign interference activities.

Diplomacy and Non-public International partnerships Engagement

Sharing best practices and lessons learned with like-minded partners. Collaborative work with like mindeds towards collective responses to FI and supporting democracies, including through G7 RRM.

G7 Rapid Response Mechanism

GAC engages in sharing with governments; GAC works with behaviours to demote etc adversarial activities. Jon public stratcomms

Build and campaigns related coordinale collective responses

Threat intelligence

Early flagging of degrade, deny.

Bilateral coordination partnerships

Support to organisations and networks working on detection, fact checking, prebunking, awareness and literacy, capacity building and others Is bemis preserving information integrity and raising resilience

Multilateral coord. Development of international

frameworks, norms

and practices; Shaping international rules for responsible. behaviour in digital environment Engaging with counter

strategic partners and 'neutrals' to authoritarian visions for the global information

Sources of information

Classified Intelligence Collection (SIGINT. HUMINT, IMINT, etc.)

Performed by intel community based on GoC priorities GAC feeds into via intel priorities process. and makes additional requests to CSIS.

Open source intelligence collection (OSINT), specialized diplomatic reporting

Performed by GAC and OGDs. Notably, RRM Canada monitors the info space incl. for SITE. Diplomats abroad report on local developments.

Intelligence Assessment and Foreign Policy Analysis

Performed by GAC and OGDs.

Mix of classified intelligence, OSINT and preliminary analysis briefed to Minister's office

Analysis - key considerations

Question 1: Can we confirm that this is foreign interference (as opposed to legitimate foreign influence?) See below &Annex 3.

Question 2: What authorities and tools are available for GAC? See above options listed.

Question 3: Is there existing unclassifed info to back GAC action and ensure it is credible?

to information

threats to

democracy.

Question 4: Risks of retaliation? Benefits outweigh risks?

Recommended options sent to Minister's office based on analysis and available intel

Foreign interference vs legitimate foreign influence

Covert activities perpetrated by a foreign state, or proxy, that are harmful to Canada's interests and are clandestine and deceptive, or involve a threat to a person. Can include harassment & intimidation of Canadian communities to instill fear, silence dissent and pressure political opponents. Involves attempts to covertly influence decisions, events or outcomes to better suit their strategic interests.

Malign foreign Influence

Efforts undertaken by or at the direction of a foreign power to influence government policy or public opinion through covert or non-transparent means. Such efforts typically involve the use of established legitimate and transparent channels, without disclosing foreign government ties.

Legitimate foreign influence (i.e. what diplomats normally do)

Acceptable diplomatic conduct, which would be considered legitimate foreign influence, extends to overtly pressuring, encouraging or convincing host governments in various ways to alter their course of action, legislation, or else, to advance one's own national interest or promote one's own values - even if this is perceived as being against domestic interests.