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Responses to Issues Raised by British Columbia Premier Eby during meeting with NSIA

Context/Drivers:

- Premier Eby met with the NSIA and raised the topics of Foreign Interference; Election Security; countering fentanyl, organized crime, money laundering, corruption, and strengthening provincial and community security.
- Information below has been developed in consultation with PCO Security Operations, PCO Intergovernmental Affairs and PCO Democratic Institutions. We have no consulted outside of PCO.
- BC's next provincial election is scheduled for October 2024.

Premier Eby asked if there was a mechanism for BC political parties to "check" names with federal national security authorities for covert ties to foreign states or significant organized crime links.

- Federal security and intelligence agencies conduct security screenings on behalf of the Federal Government, for employees requiring clearances, for Ministers and their staff, or other individuals or groups identified as having a specific clearance requirement (a "need to know").
 - In these screening processes, there are applicable privacy and consistent use provisions in the use of personal information, and the screenings are not conducted without the knowledge or consent of the individual being screened.
 - As is the case for federal political party officials who receive classified briefings related to election interference, PCO could sponsor security clearances for BC provincial officials with a demonstrable need-to-know.
- Federal security and intelligence agencies don't conduct political party "checks" as part of their legislated mandates.
 - Additionally, there is currently no clear avenue to directly provide classified information back to provincial parties by Federal security and intelligence organizations.
 - Note: Potential upcoming legislative changes to the *CSIS Act* may provide CSIS explicit authority for CSIS to share with other orders of government. A determination would need to be made on whether information could be provided to provincial party officials.
 - Current CSIS authorities allow it be in receipt of information where there is a foreign interference or criminal concern; BC political parties may provide information to the RCMP or CSIS in that instance. Note, although CSIS and the RCMP may be in receipt of this information, their mandates demand that they meet certain thresholds prior to taking investigative action.
 - Depending on the intelligence or law enforcement actions arising from these information disclosures to federal security and intelligence agencies, outcomes could include CSIS Threat Reduction Measures, levying criminal charges, or other threat disruptions.

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Premier Eby requested that CSIS work with Elections BC to Ensure that the Provincial Elections Act is robust on foreign interference.

- BC could consider establishing its own election security architecture/monitoring mandate comprised of security-cleared personnel. This could allow for:
 - Leveraging established relationships between the BC police force of jurisdiction and the RCMP (including RCMP administered organizations such Criminal Intelligence Service of Canada).
 - This entity may be able to share adverse information on organized crime links with the police of jurisdiction, which could then be relayed back to party officials, provided that appropriate information security safeguards are in place.
 - CSIS could share classified information with those security-cleared Elections BC officials on foreign interference. This would be similar to the federal model of the Security and Intelligence Threats to Elections Task Force engagements with Elections Canada.
- Elections BC is welcome to seek guidance and input from CSIS; PCO, other security and intelligence organizations, and Elections Canada could jointly share best practices and lessons learned from the federal model on election security and countering foreign interference with Elections BC.
 - CSIS, CSE, the Cyber Centre, the RCMP and Public Safety Canada can offer Elections BC unclassified information and briefings on the threat of foreign interference.
- It is worth noting that, while the federal election security architecture is not set up to monitor provincial elections, the federal intelligence community, while exercising their regular mandates, could come across information related to foreign interference in provincial elections. In that instance, the federal agencies would mitigate the threat in accordance with their mandates, and may seek to inform provincial officials where possible.

Premier Eby raised three issues related to elections and foreign interference: 1) if he would be notified if any of his nominees/candidates had undue contact with foreign states; 2) how he would be notified if a foreign state were interfering in provincial elections; and 3) how he should inform opposition leaders if foreign interference took place in an election.

- It's unclear what authority the BC Premier has to request or be in receipt of this information. Canadian political party candidates and nominees are accorded the same rights as all Canadians – including freedom of assembly and rights against unreasonable search and seizure. That said, in the context of fulfilling their mandates, it is possible that federal security and intelligence agencies uncover information regarding foreign influenced activities and provincial politicians. In such instances, one possible threat reduction measure might be informing the party leadership.
- Federally, we need a better understanding of what processes are currently in place in BC to mitigate the threat of foreign interference. As well, we need to make sure that any federal engagement is not perceived as privileging one BC provincial party over another.

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- Having an entity with a provincial election security architecture/monitoring mandate would enable BC to continually monitor threats to its democratic processes, establish links to federal partners on elections security. One approach might be modelled after the federal approach (i.e., the Critical Election Incident Public Protocol, the Security and Intelligence Threats to Elections (SITE) Task Force).

Strengthening provincial and community security with respect to the Port of Vancouver, fentanyl, organized crime, money laundering/corruption. Any additional tools that BC should be advocating for?

- It would be beneficial for BC continue its engagement with the federal government on a number of ongoing initiatives related to the issues raised by Premier Eby, for example:
 - Budget 2022 commitment to implement a publicly accessible corporate beneficial ownership registry (to address money laundering).
 - The establishment of a new Canada Financial Crimes Agency, which will bolster Canada's ability to quickly respond to complex and fast-moving cases of financial crime. During an October 2023 meeting with FPT counterparts, Minister Leblanc noted that there would be an announcement related to anti-money laundering in the Fall Economic Statement.
 - On Fentanyl specifically, Canada, the United States and Mexico are working on supply reduction, including as it relates to precursor chemicals, and the prevention of commercial shipping exploitation. BC would be a critical partner in any supply reduction measures given that the Port of Vancouver is Canada's largest port.