



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **FOREIGN INTERFERENCE AND THE THREATS TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS, INTELLECTUAL PROPERTY AND THE CANADIAN STATE**

**Report of the Standing Committee on Access to  
Information, Privacy and Ethics**

**John Brassard, Chair**

**OCTOBER 2023  
44th PARLIAMENT, 1st SESSION**

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INSTITUTIONS, INTELLECTUAL PROPERTY  
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Chair**

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## **NOTICE TO READER**

### **Reports from committees presented to the House of Commons**

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

To assist the reader:

A list of abbreviations used in this report is available on page xi.

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# **THE STANDING COMMITTEE ON ACCESS TO INFORMATION, PRIVACY AND ETHICS**

has the honour to present its

## **TENTH REPORT**

Pursuant to its mandate under Standing Order 108(3)(h), the committee has studied foreign interference and threats to the integrity of democratic institutions, intellectual property and the Canadian state and has agreed to report the following:





## TABLE OF CONTENTS

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LIST OF ACRONYMS.....	XI
SUMMARY.....	1
LIST OF RECOMMENDATIONS.....	3
FOREIGN INTERFERENCE AND THE THREATS TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS, INTELLECTUAL PROPERTY AND THE CANADIAN STATE.....	7
Introduction.....	7
Background.....	7
Structure of the Report.....	8
Chapter 1: Foreign Interference and its Impacts.....	9
Definition of Foreign Interference.....	9
Foreign Interference and Trust in Democratic Institutions.....	10
Transparency in National Security.....	11
Illicitly Disclosed National Security Intelligence.....	13
Committee Observations.....	14
Xenophobia and Other Impacts of Foreign Interference on Certain Canadian Communities.....	15
Xenophobia.....	15
The Chinese Diaspora and Uyghur Canadians.....	17
Committee Observations.....	19
Technological Advances.....	19
Committee Observations.....	21
Chapter 2: Foreign Interference Targets and Tactics.....	21
Common Strategies by the People’s Republic of China and Russia.....	22
Elite Capture.....	22
Committee Observations.....	24

Espionage Through Institutional Cooperation .....	25
Committee Observations.....	26
Disinformation Campaigns .....	27
Political Funding and Election Interference .....	28
Russian Tactics .....	29
Committee Observations.....	30
Communist Party of China Tactics .....	30
Various Tactics .....	30
Intimidation and Harassment .....	32
Ethnic and Linguistic Isolation.....	33
Committee Observations.....	34
Case Study: Allegations of Foreign Interference Through a Donation to the Pierre Elliott Trudeau Foundation.....	35
Background.....	35
The Pierre Elliott Trudeau Foundation .....	36
Creation and Governance.....	36
Funding .....	37
Facts Regarding the Donation .....	38
Source of the Donation.....	38
Purpose of the Donation.....	40
Amount of the Donation and Use .....	41
Questions About the Donation .....	41
Signature on the Agreement .....	42
Tax Receipts .....	43
Due Diligence .....	45
Repayment of the Donation .....	46
Potential Access to the Prime Minister or the Prime Minister’s Office .....	47
Conclusion.....	47
Chapter 3: Measures Proposed to Counter to Foreign Interference.....	47

Legislative Measures.....	47
Penal Sanctions .....	48
Modernization of the <i>Canadian Security Intelligence Service Act</i> .....	49
Regulating Misinformation, Disinformation and Online Platforms .....	49
Committee Observations.....	50
Foreign Influence Registry.....	52
Committee Observations.....	54
Combating Intimidation and Harassment: A National Hotline .....	54
Reforming of the National Security System to Counter Foreign Interference .....	54
Failings of the Current System .....	54
Creation of a National Counter-Foreign Interference Office .....	55
Governance and Human Resources.....	56
Committee Observations.....	57
Independent Public Inquiry .....	58
Committee Observations.....	60
Conclusion .....	60
APPENDIX A LIST OF WITNESSES .....	61
APPENDIX B LIST OF BRIEFS.....	63
REQUEST FOR GOVERNMENT RESPONSE .....	65
SUPPLEMENTARY OPINION OF THE CONSERVATIVE PARTY OF CANADA .....	67



## LIST OF ACRONYMS

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ACHK	Alliance Canada Hong Kong
AI	Artificial Intelligence
CBSA	Canada Border Services Agency
CEO	Chief Executive Officer
CRA	Canada Revenue Agency
CSIS	Canadian Security Intelligence Service
EU	European Union
PRC	People's Republic of China
RCMP	Royal Canadian Mounted Police
UFWD	United Front Work Department
U.K.	United Kingdom
U.S.	United States



## SUMMARY

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Foreign interference can refer to a range of deliberately covert, malicious, clandestine and deceptive hostile activities orchestrated by a foreign state to further its strategic interests. Foreign interference activities are often contrary to the values and interests of the targeted country, threatening many sectors in democratic societies. Canada is not immune to foreign interference.

In this report, the Committee examines various aspects of foreign interference. It outlines the targets and tactics of foreign interference with a certain focus on those used by two countries: the People's Republic of China and Russia. The report also raises a number of issues related to foreign interference, including the rise of xenophobia, illicit disclosures of national security intelligence, and the risks of technological advances. In addition, the Committee presents a case study concerning allegations of foreign interference through a donation to the Pierre Elliott Trudeau Foundation.

The report then summarizes the measures suggested by witnesses to counter foreign interference in Canada. These include legislative proposals and the creation of a foreign agent registry.

In light of the evidence, the Committee makes recommendations to improve Canada's response to foreign interference activities, enhance government transparency in matters of national security, and restore Canadians' trust in democratic institutions.





## LIST OF RECOMMENDATIONS

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*As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.*

### Recommendation 1

**That the Government of Canada improve the declassification system for historical records, as recommended in its report on the state of the access to information system published in June 2023, and establish and implement clearer classification guidelines for national security records. .... 15**

### Recommendation 2

**That the Government of Canada amend the *Access to Information Act* to clarify that the access to information system is based on a culture of openness and transparency, and that it implement the other recommendations of the Committee in its report on the state of the access to information system published in June 2023. .... 15**

### Recommendation 3

**That the Government of Canada direct increased and regular sharing of relevant information to the public by the Canadian Security Intelligence Service in order to increase national security literacy. .... 15**

### Recommendation 4

**That the Government of Canada strengthen rules and penalties governing illicit disclosure of national security intelligence..... 15**

### Recommendation 5

**That the Government of Canada ensure that any legislative mechanisms developed to counter foreign interference take into account how they might affect individuals and communities already victimized or targeted by foreign interference in Canada, and that it include these communities in developing measures to counter the impacts of interference on them..... 19**

Recommendation 6

**That the Government of Canada review and update Canada’s national security policy, and that the new policy outlines the rules allowing the Canadian Security Intelligence Service to directly warn federal Members of Parliament of threats related to foreign interference. .... 21**

Recommendation 7

**That the Government of Canada make full use of existing legislation, such as the *Security of Information Act* and other relevant Acts as enforcement resources and tools. .... 21**

Recommendation 8

**That the Government of Canada update its national security policy to include a policy on the threats caused by the use of artificial intelligence by foreign actors. .... 21**

Recommendation 9

**That the Government of Canada invest in Canada’s strategic digital literacy and capabilities and those of its national security agencies to improve the ability to detect and counter foreign interference activities conducted with artificial intelligence. .... 21**

Recommendation 10

**That the Government of Canada ensure that the Canadian Security Intelligence Service provide more training and information to Canadian parliamentarians and public servants on the threats posed by foreign interference in Canada, the various tactics used by foreign actors and the means to counter them. .... 24**

Recommendation 11

**That the Government of Canada establish a foreign interference awareness program for use by academic and research institutions. .... 26**

Recommendation 12

**That the Government of Canada, in collaboration with national security agencies, establish rigorous mechanisms to ensure that any contractual arrangements between Canada and foreign suppliers do not create high risk to national security. .... 30**

Recommendation 13

**That the Government of Canada work with minority-language communities affected by foreign interference activities in Canada to provide them reliable information on the Canadian democratic process, including information on government policies and programs that may affect them, in the language they understand best, and that the government engage with local and ethnic medias to provide that information. .... 34**

Recommendation 14

**That the Government of Canada include in the *Criminal Code* criminal penalties that cover all foreign interference operations, including harassment and intimidation by a foreign state, and that it provide appropriate sanctions..... 50**

Recommendation 15

**That the Government of Canada clarify the purpose of the provisions of the *Security of Information Act* to counter foreign interference operations and its related sanctions, and that it implement a policy enabling Canadians to better understand how the *Security of Information Act* protects Canada from foreign interference. .... 51**

Recommendation 16

**That the Government of Canada hold online platforms accountable for publishing false or misleading information and that it develop policies to support the media ecosystem in communities and linguistic minority communities not represented by mainstream media to ensure that vulnerable communities are not revictimized..... 51**

Recommendation 17

**That the Government of Canada, in collaboration with national security agencies, explore the possibility of imposing targeted sanctions against Canadian companies that are exporting or selling technology to countries that use it to engage in foreign interference operations. .... 51**

Recommendation 18

**That the Government of Canada establish a foreign influence registry as soon as possible. .... 54**

Recommendation 19

**That the Government of Canada amend the *National Security and Intelligence Committee of Parliamentarians Act* to require that each annual report tabled before each House of Parliament include a yearly review of foreign interference threats in Canada, such as harassment and intimidation of certain Canadian communities by foreign states..... 57**

Recommendation 20

**That the Government of Canada create a Cabinet committee on national security. .... 57**

Recommendation 21

**That the Government of Canada strengthen reporting mechanisms for victims of harassment or intimidation by foreign entities, to ensure better coordination of the government response to such incidents and appropriate actions on individual complaints..... 57**

Recommendation 22

**That the Government of Canada consult communities affected by foreign interference activities in Canada in any inquiry into foreign interference. .... 60**



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# FOREIGN INTERFERENCE AND THE THREATS TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS, INTELLECTUAL PROPERTY AND THE CANADIAN STATE

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## INTRODUCTION

On 7 December 2022, the House of Commons Standing Committee on Access to Information, Privacy and Ethics adopted a motion to undertake a study of “foreign interference and the threats to the integrity of democratic institutions, intellectual property and the Canadian state itself that arise from this foreign interference.” The motion also stated that the Committee should dedicate at least one meeting to the rise of xenophobia in Canada resulting from allegations of foreign interference in the country.

Between March and June 2023, the Committee held 8 public meetings, during which it heard 23 witnesses. The Committee thanks all those who participated in the study.

## Background

The Committee decided to look at foreign interference when this issue was receiving increased media attention and parliamentary scrutiny, especially in light of allegations relating to the financing of candidates in the 2019 Canadian election by the People’s Republic of China<sup>1</sup> (PRC).<sup>2</sup>

At the time the motion for the study was adopted, two other House of Commons parliamentary committees were already exploring this issue. On 1 November 2022, the House of Commons Standing Committee on Procedure and House Affairs began a study on foreign election interference. The House of Commons Special Committee on Canada–

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1 In this study, witnesses used the terms People’s Republic of China (PRC) and the Communist Party of China interchangeably. The Communist Party of China has governed the PRC since 1949, while the PRC refers to the Chinese state with Beijing as its capital.

2 See: House of Commons, Debates, 21 November 2022, 1450 (Michael Chong).



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

People's Republic of China Relations, in the context of its study of Canada–People's Republic of China relations, had just dedicated three meetings to foreign interference.<sup>3</sup>

The Committee was aware of the work done by these two committees. It therefore adopted a motion to study foreign interference from a different angle, for example, by examining the impact of allegations of foreign interference in Canada and on Canadian communities, and by avoiding a focus on election interference.<sup>4</sup>

The Committee notes that other bodies, such as the National Security and Intelligence Committee of Parliamentarians and the National Security and Intelligence Review Agency also study foreign interference<sup>5</sup>.

The Committee further notes that in March 2023, the government of Canada appointed the Right Honourable David Johnston as Independent Special Rapporteur on Foreign Interference. The work of the Independent Special Rapporteur is discussed in Chapter 3.

## Structure of the Report

The report is divided into three chapters. Chapter 1 deals with foreign interference and related issues, including the illicit disclosure of national security intelligence and the rise of xenophobia. Chapter 2 provides an overview of foreign interference targets and tactics used by certain actors, including the Communist Party of China and Russia. It also includes a case study on allegations of foreign interference through a donation to the Pierre Elliott Trudeau Foundation. Lastly, Chapter 3 discusses ways to improve Canada's response to foreign interference and Canadians' confidence in its democratic institutions.

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3 House of Commons Special Committee on Canada–People's Republic of China Relations *A Threat to Canadian Sovereignty: National Security Dimensions of the Canada–People's Republic of China Relationship*, Interim report, 17 May 2023. Chapter 1 of the report examines targets of foreign interference in Canada.

4 House of Commons, Standing Committee on Access to Information, Privacy and Ethics [ETHI], Meeting 50, Meeting 51 and Meeting 52.

5 See for example : National Security and Intelligence Committee of Parliamentarians, *National Security and Intelligence Committee of Parliamentarians launches review of Foreign Interference in Canada's Democratic Processes*, news release, 8 March 2023; National Security and Intelligence Review Agency, *Statement from the National Security Intelligence Review Agency on its Review of the Government of Canada's Production and Dissemination of Intelligence on Foreign Interference in the 43rd and 44th Canadian Federal Elections*.

## CHAPTER 1: FOREIGN INTERFERENCE AND ITS IMPACTS

### Definition of Foreign Interference

Public Safety Canada indicates that foreign interference

includes harmful activities undertaken by foreign states, or those acting on its behalf, that are clandestine, deceptive, or involve a threat to any person to advance the strategic objectives of those states to the detriment of Canada's national interests.<sup>6</sup>

Dan Stanton, former executive manager of the Canadian Security Intelligence Service (CSIS), made reference to the definition of foreign interference in the *Canadian Security Intelligence Service Act*. Section 2 of the Act does not contain a definition of the term "foreign interference" but it does define "threats to the security of Canada," as including "foreign influenced activities within or relating to Canada that are detrimental to the interests of Canada and are clandestine or deceptive or involve a threat to any person." Mr. Stanton noted that CSIS conducts surveillance only when there is evidence of clandestine activity.

Mr. Stanton explained that there are two types of foreign interference. In the first one, the foreign state targets diaspora communities in relation to homeland issues. This type of interference is achieved through manipulation or intimidation. CSIS will target that type of activity.<sup>7</sup> In the second one, the state targets three levels of government, politicians, journalists, and those from all walks of life using clandestine methods. In the latter case, Mr. Stanton underlined the importance of distinguishing a clandestine activity from lobbying. In his view, an activity may appear to be just lobbying at first glance, but it may be a clandestine activity that is hard to identify and difficult to counter.

Michel Juneau-Katsuya, former chief of CSIS' Asia-Pacific Unit, said that the principle of foreign interference is to put temptation in the path of targeted individuals, an opportunity presenting itself through the weaknesses of a democratic system and which PRC agents, for example, understand well. He added that people in power, especially those who are likely to be approached and used (whether intentionally or unintentionally, consciously or unconsciously) are targets. They will be used for foreign interference purposes.

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6 Public Safety Canada, *Countering Foreign Interference*.

7 ETHI, *Evidence*, Dan Stanton (Former Executive Manager, Canadian Security Intelligence Service, As an Individual).



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Foreign interference is a complex topic. Many witnesses defined it through their own experience or knowledge of different tactics used by other countries. As Ai-Men Lau, advisor with Alliance Canada Hong Kong (ACHK), said, foreign interference is “a very tricky and nuanced subject to navigate through.”

Ms. Lau explained that the tricky part we need to address in discussing foreign interference is that “[i]t is not just influencing politics, it's not just siloed to the ballot on the voting day, or whatnot. This reaches into our cultural and social infrastructures. It reaches into the research.” She added that

In terms of politics, I would say that we have certainly seen efforts to increase civic engagement. We observed efforts to increase civic engagement by affiliated organizations. But it is very difficult for us to outright point to one example and say, that is foreign interference.

Mr. Juneau-Katsuya said that there is a very big difference between influence and interference. To crack down on interference, you have to be able to recognize it and circumscribe it properly. Artur Wilczynski, Senior Fellow with the Graduate School of Public and International Affairs from the Faculty of Social Sciences at the University of Ottawa, added that the “complexity of foreign interference requires us to understand the links between a wide range of interconnected issues.”

Raphaël Glucksmann, Chair of the Special Committee on Foreign Interference in all Democratic Processes in the European Union (EU), including Disinformation, and the Strengthening of Integrity, Transparency and Accountability in the European Parliament (the Special Committee), explained the difference between influence and interference by comparing the United States (U.S.) and Russia. According to him, the U.S. conducts surveillance or influence operations, while Russia conducts activities aimed at destabilizing institutions in foreign states, which constitutes foreign interference.

However, Mr. Wilczynski pointed out that influence can be just as dangerous to the values of a democratic society as foreign interference. He gave the example of the Russian government targeting the 2SLGBTQI+ community to undermine Canadian support for and social cohesion around equality rights for a historically marginalized community.

## Foreign Interference and Trust in Democratic Institutions

Mr. Juneau-Katsuya believes that the inaction of federal governments over the past 30 years in response to threats of foreign interference in Canada, despite the fact that



FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

they were all informed at one point or another by CSIS of these risks, has contributed to the problem, not the solution.

Mr. Stanton also stated that blame for federal inaction does not lie with any particular government. He said that intelligence services have been producing reports on foreign interference for many years, and that no one reacted. According to him “this threat and how the government is going to react, or how it reacts to it historically, has transcended party and time.” He stated that the issue of foreign interference should not be a partisan one.

Mr. Wilczynski also said that the security and intelligence community has been responding and talking about the threat of interference for years, but that it was not until the illicit disclosure of national security intelligence, the awkward response by some in government and hyperbolic accusations against government and its institutions that a national conversation on foreign interference was sparked. In his view, however, the tone and content of the conversation has further shaken Canadians’ confidence in democratic institutions.

For his part, Cheuk Kwan, Co-Chair, Toronto Association for Democracy in China, believes that the “government should take a stronger message and stance” on foreign interference. That would send a strong message back to hostile countries conducting foreign interference activities in Canada.

Jonathan Manthorpe, an international affairs columnist and author, believes that Canada has a problem of trust in its democratic institutions that goes beyond foreign interference and that has degraded over the past 20 or 30 years for various reasons.

To increase confidence in democratic institutions, several witnesses said that the government should demonstrate greater transparency.

### Transparency in National Security

Thomas Juneau, Associate Professor with the Graduate School of Public and International Affairs at the University of Ottawa, said that the debate on transparency regarding threats to national security and democratic institutions is very polarized:

[O]n the one hand some people make exaggerated statements about the survival of Canada’s democracy being at stake, which I don’t think is the case. On the other side, you have other statements whereby the threat of foreign interference is dismissed, which I think underestimates the threat.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

There is a need on the part of government officials to be much more transparent and provide a balanced view, saying yes, there's a problem, and it's a real problem, but being as accurate and balanced as possible.

To Dr. Juneau, “transparency is—or could be, if it were more properly leveraged—a crucial enabler of national security and one of our key assets in the fight against foreign interference.” He named three areas in which Canada could improve by increasing transparency: access to information; declassification of historical records and over-classification; and how the government communicates with Canadians on national security issues.

With respect to access to information, Dr. Juneau said:

Canada's access to information system is broken and dysfunctional, and it fails to achieve its objectives. This has several negative implications broadly but also including on the national security front. It prevents more informed public debate, yet that would be essential to building national security literacy among Canadians, including parliamentarians. This is an essential component of the societal resilience that is our first line of defence against foreign interference and other threats. This dysfunctionality in the [Access to Information] system is a symptom. It is illustrative of how the government at the political and bureaucratic levels does not take transparency issues seriously enough.

Dr. Juneau added that greater emphasis should be placed on declassification of historical records and over-classification, which is a major obstacle to raising awareness among Canadians and parliamentarians, and to better-informed public debate on the nature of threats to national security and how to mitigate them. He also criticized the government for failing to provide the media with quality information that would raise Canadians' level of national security literacy. In his view, the government tends to emphasize risk minimization rather than a culture of transparency. According to him, we need to rethink how the government communicates with Canadians.

Dr. Juneau also said that Canada is underusing an important tool at its disposal: strategic disclosures of intelligence. He gave the example of the United Kingdom (U.K.), which “brilliantly used strategic disclosures of intelligence in the run-up to the Russian invasion of Ukraine.” Strategic disclosure of intelligence refers, for example, to the sharing of assessments of key national security challenges by states to raise public awareness and counter disinformation.<sup>8</sup>

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8 See for example: Task Force on National Security of the Graduate School of Public International Affairs, *National Security for the 2020s*, Report, Faculty of Social Sciences, University of Ottawa, May 2022.

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

Mr. Stanton, for his part, addressed a case from 2022 in the U.K. where MI5, a British security services agency comparable to CSIS, had issued a public alert against Christine Lee, a friend and major donor to a member of the British Parliament, for facilitating the transfer of money from the United Front Work Department (UFD), enabling the PRC to influence and support the member's campaign. Mr. Stanton said that the case involved reliable intelligence but did not hit any legal threshold "so the best the British could do was send out this all-points bulletin to everybody, identifying her and basically saying to stay away and stay clear because she's a foreign-influence actor."

However, Mr. Stanton explained why this type of public alert, sometimes issued by allied countries, was not used in Canada:

In those cases of allied releases, it was probably based on very convincing intelligence, probably corroborated intelligence, so they did the release. All we're getting through the media, with all due respect, are allegations. Why would the Canadian government not make these warnings and send emails to everybody? It may be that they weren't meeting that threshold of solid, reliable intelligence, where MPs need to be advised.

### **Illicitly Disclosed National Security Intelligence**

Mr. Wilczynski said that illicitly disclosed national security intelligence may have focused national attention on foreign interference, but it has also undermined efforts to confront the threat and is incompatible with defending democracy.

Mr. Wilczynski explained the dangers of illicitly disclosed national security intelligence. When information is disclosed illicitly, foreign intelligence services can determine many things. For example, "[t]hey can figure out what the source of the information is. They can figure out who, potentially, would have been seeking the information in the first place, thereby compromising individuals within the security and intelligence community themselves." Foreign intelligence services may also develop strategies to avoid similar tactics in the future. When they avoid or change their tactics, the ability for our security and intelligence services to maintain access and have transparency and visibility into what they are doing is lost or significantly hampered.

To Mr. Wilczynski, respect for the law is a fundamental component of Canada's democracy. Laws are put in place not only to give a framework for how national security officers are to act and ensure national security, but also to maintain respect for Canadians' rights and freedoms. He explained the following:

When it's a government official using the powers and authorities to access information and then on their own, outside of the framework of the laws that govern us, deciding to provide that information without context, without explanation and without analysis to a



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

public domain, that violates a whole range of things. It's not only their obligations, but the rights of the individuals named in those disclosures—their rights to privacy and rights to due process.

Mr. Wilczynski also said:

When government officials leak intelligence, it undermines the human rights of the individuals named... That information is released without due process, without a presumption of innocence, and with no ability for them to effectively defend themselves.

In Mr. Wilczynski's view, acting outside the rule of law makes illicit disclosures fundamentally anti-democratic.

Andrew Mitrovica, an investigative reporter, described illicit disclosures in the following manner: "A kind of witch hunt-like hysteria is being ginned up by scoop-thirsty journalists and what is likely a handful of members of Canada's vast and largely unaccountable security intelligence structure". It is dangerous, in his view, because people's reputations and livelihoods can be damaged by such allegations.

Other witnesses criticized the illicit disclosure of national security intelligence. For example, Mr. Stanton pointed out that the media wrongly idolize those who leak information. They're "held up as patriots who are outraged by this egregious cover-up, and they're going to now protect Canadians through the leakage." He said the portrait painted of these whistleblowers does not sound like the people who work within CSIS. Mr. Stanton said he does not believe that CSIS is the source of the leaks. He believes that the person behind the leak is

someone who's seeing a small piece. It's someone who's not privy to the big picture. They don't see all the work and all the effort that goes into countering certain threats. They're just seeing a little piece of the pie, and then, on their own, I'd say somewhat arrogantly, deciding they have the prerogative to inflict this damage for whatever cause they may have.

Mr. Juneau-Katsuya and Mr. Stanton both said that they do not know where the leaks came from and that it is difficult to determine their exact source.

### Committee Observations

The Committee recognizes that transparency builds public trust in democratic institutions and encourages healthy public debate. It also recognizes the importance of respecting the rules surrounding the disclosure of national security intelligence and the

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

work of intelligence officers. With a view to striking a balance between transparency and national security interests, the Committee makes the following recommendations.

#### **Recommendation 1**

**That the Government of Canada improve the declassification system for historical records, as recommended in its report on the state of the access to information system published in June 2023, and establish and implement clearer classification guidelines for national security records.**

#### **Recommendation 2**

**That the Government of Canada amend the *Access to Information Act* to clarify that the access to information system is based on a culture of openness and transparency, and that it implement the other recommendations of the Committee in its report on the state of the access to information system published in June 2023.**

#### **Recommendation 3**

**That the Government of Canada direct increased and regular sharing of relevant information to the public by the Canadian Security Intelligence Service in order to increase national security literacy.**

#### **Recommendation 4**

**That the Government of Canada strengthen rules and penalties governing illicit disclosure of national security intelligence.**

## **Xenophobia and Other Impacts of Foreign Interference on Certain Canadian Communities**

### **Xenophobia**

Xenophobia is a feeling of hostility towards foreigners.<sup>9</sup>

Gabrielle Lim, a doctoral fellow at Citizen Lab from the Munk School of Global Affairs and Public Policy of the University of Toronto, wanted to add a nuance to the issue of foreign

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<sup>9</sup> The European Migration Network Asylum and Migration [Glossary](#) defines xenophobia as: “attitudes, prejudices and behaviour that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society or national identity.”



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

interference and the impact it can have: evidence of activity is not evidence of impact. She recommended avoiding exaggeration when discussing such activities at the risk of undermining public trust in elections and sowing division, including by alienating certain communities and increasing xenophobia.

According to Ms. Lim, one way to reduce the impact of xenophobia in Canada is

to be careful about how we word certain things. I think repeatedly stating, “This is the ... actions of the Chinese Communist Party”, as opposed to writ large Chinese people.... I think—and most of you know this already, so this is old hat—that just being wary of what language we use.... We should be criticizing the CCP and bringing light to everything they're doing, but I would also like to not risk getting spat in my face or called a racial slur on the street. I think that's just my caveat. We just have to be careful about how we frame things.

Ms. Lim also recommended that any legislative mechanisms to counter foreign interference take into account how they might affect individuals and communities already victimized or targeted by interference. Ms. Lim explained that we should be careful to

not revictimize folks who have already been targeted. For example, you could be targeted as a diaspora community, but that might also put you under more law enforcement surveillance, and that's not necessarily good when they've already had really bad experiences with law enforcement.

In the same vein, Ms. Wong argued that it is racist and reductive to assume that all ethnic Chinese communities support the Communist Party of China. She said that these communities are not a monolith but are vibrant and diverse in language, culture and politics.

With regard to the views conveyed by the media, the political sphere and society in general, Ms. Wong said that

it is disappointing to see media, political and social discourses leaving out important cultural insights from diaspora communities that have valuable and first-hand knowledge about things such as how to differentiate between a person of interest, a target of foreign influence, a willing accomplice, an active agent and someone with ties to the consulate. Some of these sensationalized perspectives have stoked racist and xenophobic sentiments towards Asians in Canada, and they do not offer the nuances that dissident voices from Tibet, Hong Kong and the Uighur communities can bring.

## The Chinese Diaspora and Uyghur Canadians

The Committee recognizes that other communities may feel the impacts of foreign interference in Canada. Nevertheless, in the course of its study, the Committee heard mainly from witnesses about these impacts on the Chinese diaspora in Canada and on Uyghur Canadians (also spelled Uighur), who suffer a kind of double disadvantage as a result of foreign interference. They're facing a rise in xenophobia towards them, and they themselves are being targeted by the Communist Party of China's activities in Canada. Their evidence is summarized below.

Members of the Chinese diaspora who resist the Communist Party of China's transnational controls face intimidation, said Ms. Lau. She added that "dissidents' tires are slashed, activists are harassed and threatened, international students' study permits are declined and passport applications are rejected."<sup>10</sup> Overt criticism of the PRC or pointing out its influence operations poses an enormous risk for members of the Chinese diaspora, such as lost career opportunities, business prospects or research funding. Even their personal safety and that of their family members could be jeopardized.

According to Ms. Lau, the PRC's global system of monitoring and surveillance system is so effective that many members of the Chinese diaspora self-censor. She did note, however, that "it would also be naive to think that the PRC is the only nation engaging in these actions" and urged the committee "to pursue country-agnostic solutions and also to look to the other diasporas for their insights."

Ms. Wong shared that there are certain risks for activists and members of the Chinese-Canadian community when trying to shed light on foreign interference and influence:

When we talk about foreign interference and influence, it's not necessarily activities that we can outright identify and say, this is a foreign state intervening in my life.

Some of the examples I could give are that since last Friday when I appeared on CBC my home Internet has been incredibly slow, and I've been getting more spam calls, more phishing emails and more spam texts. Is that an act of foreign interference or influence? I don't know. I do not have the expertise to identify whether these are as a result of my appearance on media.

The overarching issue is that the community is afraid to appear because they have seen extreme cases where activists and dissidents are threatened through social media,

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10 ETHI, Evidence, Ai-Men Lau (Advisor, Alliance Canada Hong Kong).



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

through in-person events. We've had community members talk about their tires getting slashed after attending a June 4 memorial event.

The range of threats and interference into our lives is not a simple "this happened", or we could be able to identify it. We're not security experts.

Mehmet Tohti, Executive Director of the Uyghur Rights Advocacy Project, gave the Committee insight into the particular case of Uyghur Canadians. He explained how Uyghurs strive to preserve their ethnic, religious and linguistic identities, which are distinct from Chinese culture and not part of the Chinese diaspora, just as Tibetans and Mongolians do not identify themselves as members of this diaspora. The picture painted by Mr. Tohti is bleak. According to him, Uyghurs are victims of genocide and crimes against humanity committed by the Communist Party of China.

Mr. Tohti said that Uyghur Canadians have been subjected to many forms of intimidation and harassment by the Communist Party of China for decades. He told the Committee that he has experienced all forms of the Communist Party of China's interference during his 33 years in exile, both in his personal life and in his professional life. He is totally isolated from his family members in East Turkestan and faces constant threats, intimidation, and harassment. Because of misinformation and attacks on Uyghur support groups of which he has been a member, he is banned from entering many states, including Turkey, Pakistan, Afghanistan, Central Asian states, and Middle Eastern countries.

Mr. Tohti said that, several years ago, an official with the PRC's Overseas Affairs Commission warned him to cease efforts to draw sympathy in Canada to the Uyghurs, to stop spreading allegations of cultural genocide, and to not attend an international conference bringing together Uyghur groups from around the world. The official threatened to attack members of Mr. Tohti's family, who were being held by PRC police at the time.

The harassment continues today. Mr. Tohti said that, in January 2023, he received a phone call from the Urumchi state police in the PRC, who had taken his uncle hostage. He was told his mother and his two sisters were dead. Mr. Tohti said Beijing's surveillance, threats, intimidation, and harassment are constant.

Mr. Tohti argued that the Communist Party of China tries at all costs to keep the Uyghurs and other peoples under its control so that they do not protest or speak about the crimes that are being committed. Even in a democratic and free country like Canada, Mr. Tohti believes that Uyghur Canadians are not free because of the constant Communist Party of China pressure and the threat of family members being taken hostage.



FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

What is more, Mr. Tohti said that Uyghur Canadians are not treated like other Canadians when they interact with the Communist Party of China. They are subject to a totally different set of rules, not only in the PRC but in Canada as well. For example, they are required to be informants for the Communist Party of China and report on whatever is happening in Canada.<sup>11</sup>

### Committee Observations

The Committee finds it abhorrent that Canadian citizens face such threats here in Canada. Considering the rise of xenophobia in Canada, and the impact of foreign interference on certain Canadian citizens, for example the Chinese diaspora and Canadian Uyghurs, the Committee makes the following recommendation.

#### Recommendation 5

**That the Government of Canada ensure that any legislative mechanisms developed to counter foreign interference take into account how they might affect individuals and communities already victimized or targeted by foreign interference in Canada, and that it include these communities in developing measures to counter the impacts of interference on them.**

### Technological Advances

Witnesses also raised concerns about the rapid development of artificial intelligence (AI) and its impact on foreign interference. Mr. Juneau-Katsuya said that the rapid development of AI will soon present a huge challenge. It could enable countries using this technology to go on the offensive and more easily identify targets to attack. It is a real threat to national security.

Mr. Glucksmann said that AI has not yet had a full impact on the type, manner, or scope of foreign interference, but that it will happen very quickly. He said he had visited the NATO Centre of Excellence in Riga, where he saw the progress made in AI and its ability to build campaigns of incredible complexity, in two minutes, without having to hire a single employee.

Mr. Stanton also expressed concern that the national security policy has not been renewed since it was drafted in 2004.<sup>12</sup> According to him, there is no question that the

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11 ETHI, *Evidence*, Mehmet Tohti (Executive Director, Uyghur Rights Advocacy Project).

12 Government of Canada, *Securing an open society: Canada's national security policy*, April 2004.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

threat landscape in Canada has changed enormously over the past 20 years, qualitatively, and “there are new threats with AI and all sorts of things.”

Mr. Glucksmann noted that the Special Committee had found out, through discussions with scientists, that the way algorithms are structured encourages the promotion of addictive opinions, meaning those that are, for example, most radical or extreme. For instance, “when you go to choose emoticons on Facebook and the “Anger” one has five times more importance in the algorithm than the “Like” one, then it is encouragement for this kind of polarization.” According to him, today’s public agora is private property. He mentioned the EU’s efforts to combat lobbying by online platforms by adopting the *Digital Services Act*.<sup>13</sup>

Mr. Wilczynski described the online environment as fairly complex and evolving. According to him, it is important to understand what is an inauthentic behaviour. He describes it as when countries use various tools either to covertly amplify messages they know to be contrary to the interests of the targeted countries, or to amplify their own interests. Sometimes inauthentic behaviour may actually look authentic because it is supported by legitimate actors in a certain state. In his view, AI will make foreign interference much more complex. He mentioned, for example, deepfakes, a multimedia synthesis technique that makes it possible to manipulate images and videos in such a way that it is very difficult to tell the difference between what is real and what is fake.

In addition, Mr. Wilczynski stated the following with respect to the amplification of messages:

I am particularly worried about non-state actors and particularly non-state actors from friendly states. I think that it doesn't take a big stretch to see how ideologically motivated, violent extremist organizations, particularly those based in the United States, are trying to amplify certain messages that divide target minority communities, whether it's promoting anti-Semitism, Islamophobia, homophobia or transphobia, and undermining democratic principles and values. Lots of folks are out there doing so in a non-transparent way. They're not state actors; therefore, the ability of governments like ours to address them is a challenge. That's one of the things I think an inquiry should look at as well.

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13 [EUR-LEX, Regulation \(EU\) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC \(Digital Services Act\) \(Text with EEA relevance\).](#)

## Committee Observations

Considering that foreign interference attempts are increasing and becoming progressively more sophisticated as a result of technological advances, the Committee makes the following recommendations.

### Recommendation 6

**That the Government of Canada review and update Canada’s national security policy, and that the new policy outlines the rules allowing the Canadian Security Intelligence Service to directly warn federal Members of Parliament of threats related to foreign interference.**

### Recommendation 7

**That the Government of Canada make full use of existing legislation, such as the *Security of Information Act* and other relevant Acts as enforcement resources and tools.**

### Recommendation 8

**That the Government of Canada update its national security policy to include a policy on the threats caused by the use of artificial intelligence by foreign actors.**

### Recommendation 9

**That the Government of Canada invest in Canada’s strategic digital literacy and capabilities and those of its national security agencies to improve the ability to detect and counter foreign interference activities conducted with artificial intelligence.**

## CHAPTER 2: FOREIGN INTERFERENCE TARGETS AND TACTICS

Mr. Juneau-Katsuya and Mr. Stanton believe that the work of the PRC’s intelligence services and the extent of that work are “amazing.” Mr. Juneau-Katsuya said that the PRC is probably the most formidable adversary in human history we face because of the resources it has, the subtlety with which it works, and the extent of its operations. However, he pointed out that it is not the only state carrying on this kind of operation. A lot of countries are doing the same thing.

Mr. Stanton raised the following:

We’ve seen a shift in Iranian interference, such that they’re now contracting out in the private sector. This is in the media in Canada, the U.S. and Britain. They’re using private



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

investigators to follow people. There are some shifts in how they do this, which is related to harassing and doing worse with dissidents.

Russia has always been a player, but Russia is very strong on its intel and intelligence services. It's somewhat different from China in the way it does things.

One country I'll say is India. India does foreign interference in Canada. We've seen this, and we've seen it in the media.

There are a number of foreign states. As one of my colleagues says, they're not necessarily all hostile to Canadian interests. Some of them are neutral, I guess you can say. Some of them could be allies.

Mr. Juneau-Katsuya added a few additional examples, such as Rwanda and Saudi Arabia. He pointed out that foreign interference can also be conducted by international allies.

However, at the time witnesses were heard by the Committee, the two main actors in terms of foreign interference appeared to be the PRC and Russia. The testimony heard therefore focused on these two countries and the foreign interference tactics they use.

### Common Strategies by the People's Republic of China and Russia

Mr. Glucksmann said that foreign interference is a danger for all democracies. In his view, we have to understand that regimes like those in the PRC and Russia are philosophically, ideologically, and viscerally hostile to liberal democracies, and that their aim is to weaken these democracies and establish what Xi Jinping and Vladimir Putin have called a new international order. According to him, a democracy like Canada's is probably not exempt from the threats affecting others.

According to Mr. Glucksmann, Russia and the Communist Party of China use similar foreign interference strategies. They are described below.

#### Elite Capture

To Mr. Glucksmann, the first common strategy of Russia and the Communist Party of China is elite capture, which ensures control of networks and compromises the decision-making process.<sup>14</sup> Mr. Baxendale, Chief Executive Officer of the China Democracy Foundation and of Optimum Publishing International, believes elite capture is one of the

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14 European Parliament, *European Parliament resolution of 9 March 2022 on foreign interference in all democratic processes in the European Union, including disinformation (2020/2268(INI))*, paras. 116–135 (document submitted to the Committee by Mr. Glucksmann).

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

most important threats and tactics used by the Communist Party of China. “[It is] the co-opting of leading individuals and public figures to view the actions and goals of the [Communist Party of China] in a positive light and to advance pro-PRC positions within their spheres of influence.”

Mr. Juneau-Katsuya said that there are agents and even foreign diplomats who, as part of foreign intelligence activities, are capable of identifying and even farming out individuals who will be capable of acting as a mole in an intelligence service or a government. This strategy is nothing new.

Mr. Baxendale also said that elite capture is nothing new. It has been going on since the 1980s and 1990s.

Mr. Baxendale named three categories of targets for elite capture: “those who are already friends, those who are neutral and could be positively predisposed towards the PRC, and enemies of the state.” He explained:

In some cases, these persons are bribed or blackmailed, but in most cases they are simply flattered, supported in their careers or befriended by [Communist Party of China] operatives or agents working on behalf of the United Front. Thus they become witting or unwitting agents of the [Communist Party of China].

Mr. Baxendale explained that elite capture is a process the Communist Party of China deploys through its UFWD, which has 44,000 employees around the world.

Its operations here in Canada are significant. These are through the friendship associations. Obviously, one could suggest that those individuals and organizations are here to create cultural ties with Canada and to create harmonious relationships with all of us. I think this is, indeed, part of their operation.

However, the United Front works in disinformation and misinformation operations inside Canada. The PRC has effective control of 56 media outlets in the country, and elite capture is done in a number of different ways. In most cases, it is aligning personal interests with that of a positive win-win relationship for Canada and the PRC.

As to Russia’s approach to elite capture, Mr. Glucksmann gave the example of how the German energy system was reoriented to Russian interests.<sup>15</sup> He explained that, a few days before the former chancellor’s election defeat, he signed an agreement for the Nord Stream project with Vladimir Putin. A few weeks after his defeat, he went to work for Gazprom, a Russian state-owned company. In his view, this affair shows why

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15 ETHI, Evidence, Raphaël Glucksmann (Chair, Special Committee on foreign interference in all democratic processes in the European Union, including disinformation, and the strengthening of integrity, transparency and accountability in the European Parliament).



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

European dependence on Russian natural gas only grew between 2005 and 2022. Mr. Glucksmann added that the Communist Party of China implements the same strategies, except that it is not energy dependency, it is full-scale dependency.

Mr. Glucksmann explained that the Special Committee discovered that foreign companies, like Huawei or Gazprom, offer money to elites to get them to work with them. This gives these foreign players influence over the country's political decisions. He acknowledged that these tactics are akin to those used in colonialism.

As to the Huawei affair, Mr. Manthorpe said that it should have dispelled the blind optimism that the Canadian models of politics, administration and law would be templates for reform that the Communist Party of China would follow. The affair "should have made it clear, beyond doubt, that we have no shared values with the Chinese Communist Party, and that we cannot have a normal relationship with a regime whose first instinct when there is a problem is to take hostages."

Mr. Glucksmann said it is important to understand that a Canadian company is not the equivalent of a company in the PRC's Communist system. While on paper they are both private companies, in practice when a private PRC company reaches a certain size, it is no longer private because it "is dependent on the Communist Party, it has to be subject to the National Intelligence Law and it has to have a representative of the Communist Party on its board of directors." One solution proposed in Europe to counter elite capture is legislation against collusion.

In a report submitted to the Committee, the ACHK expressed concern that there are no transparency mechanisms or regulatory standards of foreign actors in Canada, making it extremely difficult for Canadians to identify foreign state-affiliated actors.<sup>16</sup>

### Committee Observations

Recognizing that Canada is not immune to elite capture, the Committee makes the following recommendation.

#### Recommendation 10

**That the Government of Canada ensure that the Canadian Security Intelligence Service provide more training and information to Canadian parliamentarians and public servants**

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16 Alliance Canada Hong Kong, *In Plain Sight : Beijing's Unrestricted network of Foreign Influence in Canada*, May 2012

**on the threats posed by foreign interference in Canada, the various tactics used by foreign actors and the means to counter them.**

### **Espionage Through Institutional Cooperation**

Mr. Glucksmann pointed out that the second element in the foreign interference strategy for Russia and the Communist Party of China is espionage, which is enabled by institutional cooperation, for example at universities and scientific, research and development institutions. He explained that the Special Committee he chairs has realized the extent to which technology has been looted by the PRC, including the recruitment of people trained by European states who leave with all their achievements and their work to put them to work for the Communist Party of China regime. A resolution adopted by the European Parliament on 9 March 2022 refers in particular to the instrumentalization of migrants.<sup>17</sup>

Like elite capture, institutional cooperation is not new. Ms. Wong said that, since the 1990s, Communist Party of China dissident communities have raised attention regarding foreign influence in every aspect of Canadian society, including elections, research, civil society, academic spaces and private businesses.

Ms. Wong also mentioned academic influence and vulnerability on intellectual property transfer. She said that, due to the vulnerable funding environment in Canada, the Communist Party of China “utilizes its capital and resources so that it is able to fund specific research in Canadian institutions. In the end, it’ll be able to trade the intellectual property for a very low cost.” She added that the underfunding of diaspora and racialized communities forces them to look elsewhere for funding resources. As a result, they develop a dependence on less reliable or suspicious sources, making them particularly vulnerable.

In response to a question about two scientists from the Chinese diaspora who were dismissed from a Winnipeg laboratory after losing their security clearance for collaborating with PRC scientists, Mr. Stanton said that CSIS had probably provided advice regarding their security clearance but that the decision to renew or grant security clearance lies with the department’s deputy head. The deputy head decides what to do, not CSIS.

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17 [European Parliament, Foreign interference in all democratic processes in the European Union, \*European Parliament resolution of 9 March 2022 on foreign interference in all democratic processes in the European Union, including disinformation \(2020/2268\(INI\)\)\*](#).



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Mr. Manthorpe said that the Winnipeg situation fits a pattern that goes back to the 1940s and 1950s, and particularly after diplomatic recognition in 1970, which introduced arrangements for student exchanges. He pointed out that at that time “Canadians who went to China went to study language and culture, and the Chinese who came here gravitated toward the technical faculties of universities and other institutions, and that has carried on.” He added that we are seeing an increase in PRC or Communist Party of China affiliated organizations financing research in Canada to use Canadian expertise to their own ends, and often the patents that have resulted from that research go to the PRC. He believes that the PRC has been making a very consistent and lengthy effort to use our universities to their own ends. He added that, in some Canadian universities, more than half of the tuition revenue comes from foreign students and, in some cases, most of that comes from the PRC.

On the other hand, Ms. Lim cautioned not to assume that protesters are automatically being influenced and told what to do by the Communist Party of China simply because they’re against an Uyghur activist’s speech on a university campus, for example. More evidence is needed to draw this conclusion.

In the report it submitted to the Committee, the ACHK also noted that Canadian educational and research institutions are vulnerable due to the lack of awareness and inadequate federal regulations.<sup>18</sup> The ACHK pointed out that the Communist Party of China’s influence operations target academic institutions for their research and development capabilities.

### Committee Observations

To address the lack of transparency in funding by foreign states, the Committee makes a recommendation to establish a foreign influence registry in the following chapter which focuses on measures proposed in response to foreign interference. The Committee also makes the following recommendation.

#### Recommendation 11

**That the Government of Canada establish a foreign interference awareness program for use by academic and research institutions.**

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<sup>18</sup> Alliance Canada Hong Kong, *In Plain Sight: Beijing’s Unrestricted Network of Foreign Influence in Canada*, May 2021, p. 16.



## Disinformation Campaigns

The third element of the Communist Party of China and Russia's foreign interference strategy is disinformation. Mr. Glucksmann said that what we have to act upon is not individuals sharing opinions but foreign actors who use these opinions in propaganda campaigns that they put money into. In an effort to tackle misinformation and disinformation, one of the things the EU has done is impose regulations on digital platforms through the *Digital Services Act*.<sup>19</sup> He believes such an act would be helpful in Canada.

To block disinformation, Mr. Glucksmann raised the importance of sanctions. He gave the example of *Russia Today*, which is under sanctions in Europe. Its bank accounts are frozen and they can no longer operate there. He believes what we need to do is sanction networks and wage coherent and victorious fights against disinformation and the manipulation of information. He suggested taking a page from Taiwanese authorities, who are under permanent attack by the Communist Party of China, and learning from what they do.

Mr. Glucksmann agreed that failing to recognize the difference between public radio, like the CBC, and a television network, like *Russia Today*, and characterizing all entities as state-sponsored or state-financed media is a typical error made by certain European leaders. He believes that this labelling erases the truth about *Russia Today*, which is a propaganda tool. He added that "our public radios and TVs are media. *Russia Today* is a propaganda tool engaged in a war, so not seeing the difference between both is really problematic."

Mr. Glucksmann also stated that there are also schemes to feed journalists false information or fake scoops. He acknowledged, however, that some journalists are employed by Moscow's or Beijing's regimes.

Kenny Chiu, a former Conservative Member of Parliament for Steveston–Richmond East between 2019 and 2021, and a member of the Chinese diaspora, said it was precisely a PRC-orchestrated disinformation campaign against his bill for a foreign influence registry<sup>20</sup> that cost him his defeat in the last election.

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19 [EUR-LEX, Regulation \(EU\) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC \(Digital Services Act\) \(Text with EEA relevance\).](#)

20 During this study, the terms "foreign influence registry" and "foreign agent registry" were used interchangeably in testimony. Nevertheless, this report uses the term "foreign influence registry".



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Victor L.M. Ho, retired editor-in-chief of Sing Tao Daily, British Columbia edition, said that the most efficient way for the Communist Party of China to control Chinese-language media is to co-opt the top management of the targeted company. The editorial policy of that medium will then always follow the party line in China.

According to a report submitted to the Committee by ACHK, the UFWD engages in a variety of more sophisticated means of influence, using a mix of grassroots and media strategies. In addition to astroturfing in local media, the UFWD creates and mobilizes shell groups, such as registered non-governmental organizations and civil societies, to mimic legitimate community programs and activities in democratic societies.<sup>21</sup>

Mr. Kwan also said that Communist Party of China agents have set up fake organizations in Canada, issuing press releases and holding press conferences to spread pro-Communist Party of China ideology. In his opinion, this is planned disinformation.

Ms. Lim, however, stressed the importance of differentiating between allegations of online influence operations, writ large, and very targeted harassment. The impacts of targeted harassment “are very clear. They have pretty long-lasting impacts.” Where she is “more ambivalent, in terms of effects and effectiveness, is in these broad misinformation campaigns or influence operations” because it is hard to tell exactly what the impact of those are. She believes that Canada has to be “very careful about how we frame [events] and specifically call out the effects and outcomes.”

### Political Funding and Election Interference

The fourth element used by both Russia and the Communist Party of China in terms of foreign interference is political funding. Mr. Glucksmann said that Russia has funded extremist political movements in Europe and used non-governmental organizations or think tanks that question the existence of European institutions.

Mr. Glucksmann said that, when it comes to funding political parties by a foreign country, the main actor is Russia. He said that, in the case of the Communist Party of China, there is not really any direct funding of political movements in Europe or open political games. However, there are political figures in the PRC’s orbit and think tanks or research institutes that participate in public life and receive direct or indirect funding.

The ACHK stated in the report it submitted to the Committee that there have been several incidents of the Communist Party of China’s inappropriate and overarching

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21 Alliance Canada Hong Kong, *In Plain Sight: Beijing’s Unrestricted Network of Foreign Influence in Canada*, May 2021, p. 25.

political influence in Canada. The Communist Party of China's political influence strategy broadly relies on economic incentives and electoral interference. It also relies on elite capture.<sup>22</sup>

Mr. Juneau-Katsuya explained that, over the years, some federal ridings have become more targeted, particularly where there are a great number of Chinese Canadian residents. The ridings that are targeted can also fluctuate, for example when a specific member or candidate speaks out against the Communist Party of China. According to him, most electoral interference work is carried out by consular officers.

Russia and the Communist Party of China have their own foreign interference tactics. They are described below.

### **Russian Tactics**

M. Glucksmann said that the Special Committee he chairs has methodically analyzed Russia's actions in Europe. This analysis has made it possible to identify Russia's ultimate goal: to sow chaos in our democracies.

He described Russia's approach as a "hybrid war" against Europe, as it includes cyberattacks on hospitals and institutions and the penetration of social networks using trolls and bots, which, in all EU languages, aim to promote the most extreme points of view and polarize our societies. For example, he described that, in Spain, "Russian actors favour both the Catalan independentists and the ultranationalists of the extreme right-wing party Vox, that is, completely opposite poles of the political debate, with the aim of polarizing debate and making it chaotic."

Mr. Glucksmann said that money is Russia's first way of interfering but that there are others. He gave the example of Georgia, which suffered a military invasion and the dismembering of its nation, with 20% of its territories now occupied by Russia. Prior to this military invasion, Georgia had been the target of propaganda campaigns against the rights of 2SLGBTQI+ community, which had caused controversy in the political arena. When the Special Commission analyzed the source of the propaganda in Georgia, it discovered that a Russian-funded operation was behind it.

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22 Alliance Canada Hong Kong, *In Plain Sight: Beijing's Unrestricted Network of Foreign Influence in Canada*, May 2021, p. 5–6.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Mr. Glucksmann believes that all these strategies, in addition to the tactics shared with the PRC mentioned above, create an ecosystem whose goal is the destabilization of democracies.

While Mr. Glucksmann said that the Special Committee found no proof that Russian interests were behind movements or doubts about Canadian exports, he did mention the importance of limiting spending on resources from other states and on high-risk suppliers:<sup>23</sup>

Until now, we were totally dependent on Russian energy, and we realize how dependent we are today on Chinese production, including in the most strategic sectors.

He added that, although Europe has succeeded in turning away from Russia, it has taken too long and it has cost Europe dearly. The European approach now comes down to diversifying suppliers and, above all, developing renewable energies.

### Committee Observations

Considering the above, the Committee made the following recommendation:

#### Recommendation 12

**That the Government of Canada, in collaboration with national security agencies, establish rigorous mechanisms to ensure that any contractual arrangements between Canada and foreign suppliers do not create high risk to national security.**

### Communist Party of China Tactics

#### Various Tactics

Mr. Ho described several tactics that are usually used by the Communist Party of China in the local Chinese community:

One is propaganda. In earlier days, short propaganda radio programs prepared by the United Front Work Department were broadcast by radio AM1320 in Vancouver. Such efforts have now been expanded to full-page ads in local Chinese papers to demonstrate massive support for the PRC's draconian policies.

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23 [European Parliament, Foreign interference in all democratic processes in the European Union, European Parliament resolution of 9 March 2022 on foreign interference in all democratic processes in the European Union, including disinformation \(2020/2268\(INI\)\)](#), para. 78.

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

Two is embedding pro-PRC media personnel in various Chinese-language media to speak well of the PRC narratives. They influence Chinese-language media CEOs and editors by inviting them to tea at the Chinese consulate compound and with leverage via advertising dollars.

Three is arousing a distorted sense of nationalism toward the motherland by exploiting selected parts of B.C. history to reinforce ideas of western imperialism, colonialism or racism toward ethnic Chinese.

Four is identity politics. People of a particular race and culture develop political agendas that are based upon these identities. Identity politics is deeply connected with the idea that some groups in society are oppressed, and it begins with the analysis of that oppression.

Five is magnifying the narratives and success of the PRC and propagating the [Communist Party of China] mantra that we are moving into an era of a rising east and declining west.

Six is disinformation. They accuse the west of treating assumptions as facts and of being jealous of China's success to the point of unfair trade practices—like, say, Huawei and TikTok—and of stigmatizing the entire Chinese community with the recent suggestion of a foreign influence registry bill, etc.

Seven is polarizing and dividing the community through a choice of pro-PRC news commentators who will ridicule or reiterate the failures of the west, and through references to the presence of patriots and traitors in the context of Hong Kong.

Eight is assisting during elections by supporting candidates favoured by the PRC and by not interviewing candidates critical of the [Communist Party of China], like Kenny Chiu.

Nine is establishing the [Communist Party of China]'s own Chinese-language media on Canadian soil.

Most of the tactics mentioned by Mr. Ho are also mentioned in the report submitted by the ACHK to the Committee.<sup>24</sup>

Mr. Glucksmann said that, since the pandemic, Europe has noticed a change in the Communist Party of China's methods, which are becoming increasingly similar to those of Russia. But the main difference is the importance the Communist Party of China attaches to economic actors as opposed to political ones, given the importance of the PRC market for many commercial players in Europe.

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<sup>24</sup> Alliance Canada Hong Kong, *In Plain Sight: Beijing's Unrestricted Network of Foreign Influence in Canada*, May 2021, p. 4.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

We also realized that, for example, in the European Parliament and in the European institutions, the Chinese authorities had no need to hire lobbyists since the major European companies, which need the Chinese market for their sales and whose manufacturing needs the Chinese production apparatus—so they are completely linked to China—were doing the lobbying and penetration instead of the Chinese authorities on their behalf.

Bill Chu, Spokesperson for the Chinese Canadian Concern Group on the Chinese Communist Party’s Human Rights Violations, said that the expression “unrestricted warfare” aptly describes the Communist Party of China’s approach, which does not use conventional weapons but stealth weapons, ranging from “disinformation via media, influence buying by bribes, sex, trade, fame, threats, etc., as well as cyber-hacking, data harvesting and intellectual espionage.”

Mr. Stanton concluded that the Communist Party of China “do it extremely well. They really do. It is a whole-of-government, whole-of-society approach.” He reminded the Committee of the impacts of the National Intelligence Law, passed by the PRC in 2017, whereby anyone with PRC status anywhere in the world has to cooperate with the government.

### Intimidation and Harassment

Mr. Kwan gave an example of an incident that illustrates the strong arm of the Communist Party of China’s law in Canada and the subtle way the regime exercises its control abroad by instilling fear in Canadian Chinese and Uyghur communities. He explained:

... you get a phone call, not just in the middle of the night... and they say, “So, how are your parents doing back in Sichuan, China?” ... That means that if you don’t behave, your parents’ phone numbers, address, or even their physical well-being is under threat.

Ms. Lim drew the Committee’s attention to digital transnational repression, meaning foreign-directed digital operations that target individuals in Canada’s diaspora communities. This could include harassment, threats, often gender-based attacks, hacking attempts and other forms of intimidation. A document submitted by Mr. Baxendale confirms that harassment is conducted on behalf of the Communist Party of China.<sup>25</sup>

Some witnesses also raised the issue of PRC police stations on Canadian soil. Mr. Kwan said that Safeguard Defenders, a Spanish non-governmental human rights organization,

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25 ETHI, *Correspondence to the Committee*, 1 June 2023.

had exposed the link between PRC police stations and the Communist Party of China. Mr. Kwan said that this tactic is used in a great many other countries. Safeguard Defenders has identified 100 police stations around the world. In Canada alone, there are at least three in Toronto, two in Montreal and one in Vancouver.

In relation to the origin of these police stations, Mr. Baxendale said that

Under the Harper government, a number of [Memorandum of Understanding]s were entered into directly with the RCMP. This allowed some 25 China communist agents—we'll call them "policing agents"—to enter the country to look at repatriating supposed criminals from Canada. A number of them were deported during that period of time—about 290. As well, 2,900 citizens were "influenced", shall we say. It was suggested that it would be in their best interest if they came back to China, because some of their family members were being threatened by the regime.

According to Mr. Baxendale, the "operations for surveilling and suppressing the China diaspora community have been going on for the better part of two decades in an organized fashion, and this continues today."

### **Ethnic and Linguistic Isolation**

Mr. Chiu said that linking any effort against foreign interference with anti-Asian racism is part of the Communist Party of China playbook. It is also a racist comment on its own "since it implies that the Communist Party of China will corrupt only ethnic Chinese."

Mr. Chiu agreed with the ACHK report that the Communist Party of China has captured the hearts and minds of Chinese diaspora communities in Canada by monopolizing Chinese ethnic media, either through complete takeover or through business interests. In the long run, this tactic perpetuates "a false narrative of a complete equivalence of the Chinese Communist Party and China, the state, and the Chinese race," turning any criticism of the Communist Party of China into anti-Chinese racism.

Mr. Chiu said that globally the Communist Party of China is consistently spreading similar lies, weaponizing nationalism. The Communist Party of China propagates a discourse that there remains colonial imperialistic anti-Asian racism in western democracies and that only the Communist Party of China's interests align with the welfare and betterment of ethnic Chinese worldwide.

Mr. Ho said that the Communist Party of China's basic principle is to intimidate hostile voices in the Chinese community. It does so by manipulating information and misinformation on social media like WeChat and TikTok. This helps spread official propaganda to sidetrack from the core problem. For example, during the COVID-19



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

pandemic, they spread an anti-Asian hate campaign, making COVID a racial issue rather than a public health issue.

Mr. Chiu explained that some diaspora communities feel most comfortable consuming ethnic media content because of language barriers and cultural challenges in Canada. Popular monolithic technologies endorsed by the Communist Party of China, like WeChat, present a golden opportunity for the Communist Party of China to suppress dissension or promote and spread disinformation. He believes that the lack of reliable, reputable fact-checking resources in their language perpetuates the miscommunication.

In the same vein, with regard to Chinese-language media in particular, Mr. Chu argued that they offer no diversity of viewpoints and narrower and narrower perspectives. In his view, the Chinese community is exposed to a different philosophy, ideology and narrative than what other Canadians are exposed to.<sup>26</sup>

Dr. Juneau recommended much more and better engagement with local and ethnic media—not just national media—to reach vulnerable groups that are the targets of foreign interference.

### Committee Observations

The Committee recognizes the major challenges posed by foreign interference operations in Canada, particularly for the Chinese diaspora and Uyghur Canadians. It therefore makes the following recommendation.

#### Recommendation 13

**That the Government of Canada work with minority-language communities affected by foreign interference activities in Canada to provide them reliable information on the Canadian democratic process, including information on government policies and programs that may affect them, in the language they understand best, and that the government engage with local and ethnic medias to provide that information.**

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26 ETHI, *Evidence*, Bill Chu (Spokesperson, Chinese Canadian Concern Group on the Chinese Communist Party's Human Rights Violation).



## Case Study: Allegations of Foreign Interference Through a Donation to the Pierre Elliott Trudeau Foundation

### Background

Allegations that a donation to the Pierre Elliott Trudeau Foundation (the Foundation) by two businessmen with ties to the PRC had been a foreign influence operation by the Communist Party of China in Canada were published in a newspaper article on 28 February 2023.<sup>27</sup> Since a link exists between the Foundation and the Canadian government, given the origin of the endowment fund for which it is responsible and its governance model, the Committee took an interest in these allegations. It dedicated four and a half meetings to this case study.

The Committee notes that some witnesses shared details of internal discussions that took place between the Foundation's management and its board of directors in the weeks following the above-mentioned article's publication. These included the need for an independent investigation into the donation.<sup>28</sup> The internal conflict that seems to have arisen from these discussions, and that led to the resignation of the President and Chief Executive Officer (CEO) and several members of the board, detracts from the focus of the study at hand: foreign interference in Canada.

The present case study therefore focuses on the allegations of foreign interference relating to the donation rather than on the crisis of governance that took place within the Foundation.

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27 Robert Fife and Steven Chase, "[CSIS uncovered Chinese plan to donate to Pierre Elliott Trudeau Foundation](#)," *The Globe and Mail*, 2 March 2023.

28 ETHI, *Evidence*, [Pascale Fournier](#) (Former President and Chief Executive Officer, Pierre Elliott Trudeau Foundation, As an Individual); [Alexandre Trudeau](#) (Former Member of the Board of Directors and Member of the Foundation's Members, Pierre Elliott Trudeau Foundation, As an Individual); [Edward Johnson](#) (Chair, Pierre Elliott Trudeau Foundation); [Dyane Adams](#) (Former Vice-Chair, Pierre Elliott Trudeau Foundation Board of Directors, As an Individual); [Ginger Gibson](#) (Former Director, Pierre Elliott Trudeau Foundation, and Director, The Firelight Group, As an Individual); [Madeleine Redfern](#) (Former Director, Pierre Elliott Trudeau Foundation, As an Individual). Only two of the witnesses heard were directors at the time the donation agreement was negotiated: Alexandre Trudeau and Edward Johnson. Mr. Johnson was not Chair of the Board at the time.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

## The Pierre Elliott Trudeau Foundation

### Creation and Governance

The Foundation grants doctoral scholarships, awards fellowships, and provides mentoring. It was created in 2001. With the support of the House of Commons, the Government of Canada endowed it with \$125 million to establish and manage the Advanced Research in the Humanities and Human Sciences Fund. It began operations in March 2002. Its governance model is as follows: the Foundation's members and a board of directors.<sup>29</sup>

Pascale Fournier, former President and CEO of the Foundation, said that the Foundation has a maximum of 30 members. Six seats are reserved for members appointed by the Minister of Innovation, Science and Economic Development Canada (ISED). Three seats are reserved for representatives of former Prime Minister Trudeau's family. She confirmed that, at present, only one government appointee is a Foundation member.<sup>30</sup>

Ms. Fournier also said that the Foundation's board has a maximum of 18 directors. Two directors are appointed by the ISED minister. Two directors represent the family of the former Prime Minister of Canada. The remainder are appointed by the Foundation's members.<sup>31</sup> She said that no government appointees currently sit on the board.<sup>32</sup> She added that the government had not submitted any nominations in recent years.

Ms. Fournier noted that the only government-appointed seat at the Foundation that is filled is one Foundation member. She also said that, in her role at the Foundation, she had no connection with the federal government, except with ISED, to which the Foundation must submit reports, and with the Canada Revenue Agency (CRA), for tax purposes.

Ms. Fournier also said that, under her leadership, the Foundation had no connection with the Prime Minister's Office. However, she noted that, in reviewing internal Foundation documents, she saw an email exchange between the Foundation's then

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29 Pierre Elliott Trudeau Foundation, *Annual Report 2021-2022*, pp. 53–54, 62; Pierre Elliott Trudeau Foundation, *Annual Report 2002-2003*, pp. 4–5, 19; ETHI, *Evidence*, Johnson.

30 Pierre Elliott Trudeau Foundation, *Annual Report 2021-2022*, p. 53.

31 Pierre Elliott Trudeau Foundation, *Annual Report 2021-2022*, p. 53. See also: ETHI, *Evidence*, Fournier.

32 ETHI, *Evidence*, Johnson. Mr. Johnson said that the board of directors has not had any government-appointed members for a number of years.

executive director and the Prime Minister's Office regarding the Foundation's press release about the donation, which was reported in a newspaper article in 2016.

Morris Rosenberg, the Foundation's president and CEO from 2014 to 2018, said the Foundation is non-partisan and independent. He confirmed, as did Ms. Fournier, that no one in the Foundation engaged in lobbying or participated in partisan political events during his term. Edward Johnson, chair of the Foundation's board of directors, and Alexandre Trudeau, a Foundation member, also confirmed that the Foundation is non-partisan. Mr. Trudeau said that as soon as his brother became leader of a political party he stopped being involved with the Foundation.<sup>33</sup>

Mr. Rosenberg said that, during his term, the prime minister never received any invitations or documents concerning the membership, board of directors' meetings or governance committees. He also said that he had never organized a meeting between the Foundation and the Prime Minister's Office.

As to a meeting the Foundation attended in the Office of the Prime Minister and Privy Council building in Ottawa with five deputy ministers while he was its President and CEO, Mr. Rosenberg said that the meeting between the Foundation and the deputy ministers was about the economic benefits of diversity, a topic a Foundation fellow and a mentor were working on at the time.<sup>34</sup>

Lastly, Ms. Fournier said that she had not noticed any attempts at foreign influence while she was at the Foundation. Mr. Johnson also said that there had never been any foreign influence at the Foundation.<sup>35</sup> He refused to acknowledge that the Foundation could have been the target of foreign influence.

## Funding

Ms. Fournier said that only a small proportion of the Foundation's revenue comes from charitable donations.<sup>36</sup> She said that the Foundation generally receives small gifts. Major donations are unusual.<sup>37</sup> She explained that the Foundation lives off the interest on the \$125 million endowment granted to it by the federal government, and that this money is

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33 ETHI, Evidence, Trudeau.

34 ETHI, Evidence, Rosenberg.

35 ETHI, Evidence, Johnson.

36 ETHI, Evidence, Fournier.

37 ETHI, Evidence, Fournier.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

invested. The Foundation does not run major funding campaigns.<sup>38</sup> She also said that the Foundation does not generally receive donations from citizens of other countries who do not have a direct link with the Foundation.

Mr. Rosenberg said that few foreign donations are made to the Foundation. One of the few exceptions was a substantial donation from a foundation registered in Switzerland in the name of John McCall MacBain and his wife, who are Canadians. Mr. Johnson also mentioned a gift from Mr. McCall MacBain of over \$1 million and from another board member who worked in California as having been registered as foreign donations. He said that most of the private donations received by the Foundation come from members of the Foundation.

Mr. Trudeau refuted the claim that foreign donations to the Foundation spiked after the election of the current prime minister. He said that it was the donation of Mr. McCall MacBain, the then board chair, that had increased the Foundation's "foreign donations." Given the value of Mr. McCall MacBain's donation, he argued that \$140,000 (amount actually received by the Foundation through the donation) was not significant.<sup>39</sup> He also told the Committee that the Foundation had approximately \$145 million in the bank, which Mr. Johnson confirmed.

As to the investment of Foundation funds, Madeleine Redfern, a former board member who sat on the finance committee, said that the Foundation had invested in two PRC companies, representing 0.07% of the Foundation's total investments. She said however that she had been reassured by the finance committee and the investment firm assisting the Foundation that environmental, social and governance principles guide the Foundation's investments.

## Facts Regarding the Donation

### Source of the Donation

Mr. Trudeau, who was a board member at the time and who remains a member of the Foundation today, explained that it was the Université de Montréal (UdeM) that first approached him about the possibility of a donation to commemorate Pierre Elliott Trudeau as a former student and teacher. He received a letter from the UdeM faculty of law secretariat in December 2013, which explained with great urgency that a

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38 ETHI, *Evidence*, Fournier.

39 ETHI, *Evidence*, Trudeau.

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

businessman wanted to make a donation to UdeM in honour of the former prime minister.

Mr. Trudeau said that he met with the UdeM rector and Zhang Bin in June 2014.<sup>40</sup> He said that consular officers translated what Mr. Zhang Bin said at that meeting, which came down to being excited about doing something at UdeM similar to what he had done with his donation to the University of Toronto in honour of Norman Bethune. Mr. Trudeau said that consular officers are often on hand to provide free diplomatic translation services. He said that, initially, the donors were not interested in having the Foundation involved. However, he explained that, ever since the Foundation was established, all efforts to collect funds in the name of Pierre Elliot Trudeau had to go through the Foundation.

Mr. Trudeau said that, at the June 2014 meeting, he told the UdeM rector and Mr. Zhang Bin that a new president and CEO would shortly be joining the Foundation and that it was his mandate to manage and negotiate donations.

Mr. Rosenberg provided some more information about the genesis of the donation. He said that it was Canada's ambassador to the PRC at the time, Guy Saint-Jacques, who introduced Mr. Zhang Bin to UdeM's former Vice-Rector, International Affairs and Francophonie, Guy Lefebvre. At the time, according to Mr. Rosenberg, Mr. Lefebvre was aware of Mr. Zhang Bin's 2013 donation to the University of Toronto's faculty of medicine.<sup>41</sup>

Mr. Rosenberg said that it was Mr. Lefebvre who invited the Foundation to attend a meeting with the two donors in Montreal in September 2014. Mr. Rosenberg was at that meeting.<sup>42</sup> He said that during the meeting, Mr. Zhang Bin stated that the \$1 million donation that he and Mr. Gensheng wished to make would be used to establish scholarships for students at UdeM's faculty of law, and perhaps eventually for students at other law schools in Canada. In November 2014, UdeM announced that it had received a \$1 million donation, without mentioning the Foundation.

Mr. Rosenberg explained that it was only in September 2015, after several discussions between UdeM, the Foundation and Mr. Zhang Bin, that the donors decided to earmark \$200,000 of the \$1 million donation intended for UdeM as a donation to the

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40 ETHI, Evidence, Trudeau.

41 See also: ETHI, Evidence, Trudeau. The donation to the University of Toronto was \$800,000.

42 See also: ETHI, Evidence, Rosenberg.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Foundation.<sup>43</sup> He said that the announcement ceremony for the donation was originally scheduled for September 2015, but that it was ultimately postponed and held in 2016.

Mr. Rosenberg also noted that it was important to assess the donation from the perspective of Canada's relations with the PRC when it was made, not from the much more negative context that exists today. He said that, at that time, universities, corporations, and governments were all attempting to strengthen ties with the PRC. For example, he said that the Canadian government had signed a foreign investment promotion and protection agreement at the time. From that perspective, the donation was seen as normal, desirable, and consistent with the Foundation's priorities.<sup>44</sup>

Again noting that the context at the time was not the same as it is today, Mr. Rosenberg said that he did not find it bizarre that the Foundation was offered a \$200,000 donation right before a federal election.<sup>45</sup>

Mr. Trudeau said that he was not involved in the negotiations that led to the donation agreement. However, he did acknowledge that, as a member of former Prime Minister Trudeau's family, he was asked for permission to use his father's name to launch a scholarship program at UdeM.

Mr. Trudeau also said that, after his meeting with UdeM and Mr. Zhang Bin in June 2014, he did not see Mr. Zhang Bin again until the signing ceremony for the donation agreement. He said that it was at that ceremony that he met Mr. Gensheng, the second donor, for the first time.

### Purpose of the Donation

Ms. Fournier said that the donation was to be used only for conferences around the PRC and around the relationship between Canada and the PRC. She said that the Foundation is about academic knowledge, and that it would be conceivable to have conferences on the PRC or other countries or regions in an academic milieu. She had no problem with that.

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43 See also: ETHI, Evidence, Rosenberg; ETHI, Evidence, Rosenberg.

44 See also: ETHI, Evidence, Rosenberg; Government of Canada, Treaties, Agreement between the Government of Canada and the Government of the People's Republic of China concerning the reciprocal promotion and protection of investments. The agreement was ratified and entered into force in 2014. It was signed in 2012.

45 The 2015 election was held on 19 October 2015.

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

Mr. Rosenberg said that, under the donation agreement, the conferences had to relate to global issues concerning Canada and the PRC. It was up to the Foundation, in collaboration with UdeM's faculty of law, to decide the nature of the conferences. He said that, at the time, the idea of putting on conferences to do with the PRC was very attractive.

Mr. Trudeau also said that, in 2013, academic diplomacy with the PRC was very interesting. He added that, in 2014, he was not hiding the fact that he felt it was important for Canadian universities to get involved in academic diplomacy. He pointed out, as did Mr. Rosenberg, that at the time the PRC was not the hard place it has now become.

#### Amount of the Donation and Use

As stated above, the planned amount of the donation to the Foundation was \$200,000. Ms. Fournier said that the donation was to be received in three payments. She also said that the Foundation never received or asked for the third payment. In total, the Foundation received \$140,000.

Ms. Fournier said that the two payments received by the Foundation were never used because the donation could only be used for conferences, and no conferences were ever organized.<sup>46</sup> Ms. Fournier and Mr. Rosenberg both said that they were never pressured in any way to organize conferences.<sup>47</sup> Ms. Fournier and Mr. Rosenberg also said that they had never been pressured to select scholars from the PRC community during their respective terms.

#### Questions About the Donation

Ms. Fournier said that she became aware of the allegations of foreign interference regarding the donation in a newspaper article published on 28 February 2023. Mr. Rosenberg said that the intelligence in the article, according to which CSIS had been notified of a plan to donate to the Foundation in 2014, was based on an anonymous source, not supported by any document. This intelligence was therefore possibly inaccurate, partial, or incomplete; it was not evidence. He believes the intelligence could have come from top secret clearances in an organization other than CSIS. Considering these factors, he questioned the value of the intelligence in the article.

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46 See also: ETHI, *Evidence*, Fournier.

47 See also: ETHI, *Evidence*, Fournier.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Mr. Rosenberg also said that CSIS never informed him of any such intelligence while he was head of the Foundation. Mr. Johnson also said that, to his knowledge, the Foundation was never alerted by CSIS.

Nevertheless, after learning of the allegations in the newspaper article, Ms. Fournier said she tried to piece together what happened from internal documents. As she was not there when the donation was made, she said that she had access to only some of the information. In attempting to reconstruct events, she came up with specific questions she needed answered about the donation.

#### Signature on the Agreement

Ms. Fournier said the Foundation had a policy on accepting donations in place when the donation agreement was signed.<sup>48</sup> According to her, the policy provided that, for any donation of \$1 million or less, the Foundation's President and CEO had to sign the donation agreement. She said she did not know why Alexandre Trudeau, who was on the board at the time, signed the agreement, since the tax receipts were signed by Mr. Rosenberg. Her research failed to find a board resolution or any mention in committee or board minutes that authorized Mr. Trudeau to sign a donation agreement. However, when discussing the signature on the donation agreement, she again pointed out that she was not there at the time and could not comment on the past.

Dyane Adam, former vice-chair of the Foundation's board of directors, said she too had wondered why Mr. Trudeau had signed the donation agreement. She was not a board member at the time of the donation.

In response to Ms. Fournier's questioning, Mr. Rosenberg explained that, as per the donation policy in force at the time, it was he who had approved the donation in his capacity as President and CEO. He pointed out however that, contrary to what Ms. Fournier had said, the donation policy did not require the president to sign a donation agreement. Given the donation was to honour former Prime Minister Trudeau, who opened up diplomatic relations between Canada and the PRC, it was felt that it would be more appropriate for his son, Alexandre Trudeau, to represent the Foundation at the signing ceremony and sign the donation agreement.

Mr. Rosenberg said that, to his knowledge, that was the only time Mr. Trudeau was involved in a donation that way. He said that Mr. Trudeau did not often sign agreements,

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48 See also: ETHI, *Evidence*, Johnson. Mr. Johnson said that a donation policy has been in place at the Pierre Elliott Trudeau Foundation since 2003.



noting that a lot of donations to the Foundation do not require donation agreements or a formal ceremony. The Foundation simply receives the donation and issues a receipt.

Mr. Trudeau said that the only donation agreement he has signed on behalf of the Foundation since its creation is the one relating to the donation at issue. He noted, however, that he had signing authority at the time and regularly signed Foundation cheques.<sup>49</sup> He explained, as did Mr. Rosenberg, that it was the exceptional circumstances that caused him to sign this agreement. He said he signed the donation agreement at Mr. Rosenberg's request. He said that this was the only donation to the Foundation that involved a third party, UdeM. He said that if there had been other donations in which the Trudeau family had to lend its name to another organization, like UdeM, he would have signed those as well.

Mr. Johnson for his part, said that donations that were not significant were not reported to the board in real time. He learns about them in a newsletter circulated to all board members. Ginger Gibson, a former Foundation board member, said that a committee would look at the nature of individual donations but that at the broader director level questions relating to individual donations were not looked at.

### Tax Receipts

Ms. Fournier said that the parties to the donation agreement are UdeM, the Foundation and the two donors, Mr. Zhang Bin and Mr. Gensheng. In the agreement, the donors are identified as individuals, with a personal address in the PRC. In light of this, Ms. Fournier wondered about the tax receipts that were issued.

Ms. Fournier said that two receipts were issued and signed by Mr. Rosenberg. The first receipt (for the first payment of \$70,000) shows an address in the PRC, in Hong Kong, and the name of Millennium Golden Eagle International Canada Inc. (MGE Canada). The names of the two donors mentioned in the donation agreement do not appear. The second receipt, prepared in 2017 (for the second payment of \$70,000), shows the name of MGE Canada, with a Quebec address and the names of the two donors.

Ms. Fournier said she questioned why one of the receipts seemed to be for an international donation, with money that seemed to come from the PRC, and the other one had a Quebec address. She noted that, in 2016, Mr. Rosenberg publicly said that the Foundation did not count the donation a foreign donation since it was made by a company registered in Canada. Ms. Fournier also pointed out that, when a receipt is

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49 ETHI, Evidence, Trudeau.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

issued to a donor, it also has to be sent to the CRA. She noted that, while the 2016 receipt (the first receipt) contains a PRC address, the Foundation's annual report states that the donation was Canadian.

In response to Ms. Fournier's questions, Mr. Rosenberg said that a receipt was made out to MGE Canada because that was the entity that made the donation. It is a Canadian corporation headquartered in Quebec. Mr. Rosenberg therefore insisted that it was not a foreign donation. As for the two businessmen's names being included in the annual report instead of the name of MGE Canada, Mr. Rosenberg simply said that it seemed natural for the Foundation to want to honour the two individuals in whose names future conferences would be held.<sup>50</sup>

Mr. Trudeau also said that the donation came from a private company in good standing in Canada with a bank account at the Bank of Montreal, which is governed by strict rules on money laundering. He said that the first two payments for the donation came from the same MGE Canada bank account at the Bank of Montreal.

The Committee notes that, in a letter dated 10 May 2023, Peter Sahlas, a member of the Foundation's board of directors, told the Committee that in early April 2023 the Foundation confirmed the origin of the two payments of \$70,000 received by the Foundation in 2016 and 2017 with the Bank of Montreal (BMO). The letter states that BMO confirmed that the Foundation received two payments by electronic transfer from the Canadian corporation named on the receipts, that is, MGE Canada, and that the money came from that Canadian corporation's bank account at BMO, which is still open and in good standing<sup>51</sup>.

Mr. Johnson also provided the Committee with a copy of a letter from the BMO to the Foundation dated 23 June 2023, confirming that the source of funds for the transfers received on 25 July 2016 and 28 July 2017 were from a Canadian bank account<sup>52</sup>.

In addition to her questions about the receipts, Ms. Fournier said that she had discovered in her review of internal documents that the China Cultural Industry Association (CCIA) had been corresponding with the Foundation at the time of the donation to give instructions about the tax receipts. She said that the instructions

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50 ETHI, *Evidence*, Rosenberg.

51 ETHI, *Correspondence to the Committee*, 10 May 2023.

52 ETHI, *Correspondence to the Committee*, 30 June 2023.

concerned the names to be included on the receipts and the address to which they should be sent.<sup>53</sup> She said the CCIA's request was unusual.

As to whether the donation actually came from the CCIA, Ms. Fournier could not say. She said that one of the two donors was involved with the CCIA, which has ties to the PRC government. She said that was why she wanted an unrestricted forensic audit.

Mr. Rosenberg said that he was not aware of any interactions between Foundation employees and the CCIA regarding the receipt. He did, however, note that one of the donors, Mr. Zhang Bin, was president of the CCIA and that he had represented himself that way at UdeM and when he made a donation to the University of Toronto. He saw nothing nefarious about staff in his organization contacting the Foundation for administrative purposes like providing a mailing address to send a receipt. He said that the mailing address provided to the Foundation for the first receipt was in the PRC. He added that, as far as he understood, it was the address of Mr. Zhang Bin in his capacity as president of MGE Canada.

### Due Diligence

Ms. Fournier said that there did not seem to have been any background checks of the two donors when the Foundation accepted the donation. She said that, under her stewardship, for any significant donation, a law firm was responsible for checking who the donors were, where they were from and what their intent was.<sup>54</sup> The same checks have also been done for scholars, fellows, and mentors since 2018. She said that the donation policy at the time included an obligation for the Foundation to obtain legal advice on the donation contract and the origin of the donors. In the case of the donation at issue, she said that the donors were virtually absent. Communications between the donors and the Foundation seemed to go through the CCIA.

Ms. Adam said that in March 2023 there was some confusion surrounding who the real donors were, which is why she wanted an independent audit.<sup>55</sup>

Ms. Fournier mentioned that, in 2016, a director, Farah Mohammad, who no longer sits on the board but is still a Foundation member, told the Foundation's senior management that the real donor was not the same donor as on the tax receipt. Mr. Rosenberg said he was never made aware of this by a director in 2016. He stated that he never had any

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53 ETHI, *Evidence*, Fournier.

54 ETHI, *Evidence*, Fournier.

55 ETHI, *Evidence*, Adam.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

reason to think that the donation was not made by MGE Canada. He said he did not see how the donation was an influence operation.

Mr. Trudeau also said that there was never any doubt as to the identity of the two donors and the company that made the donation payments.

Mr. Rosenberg said no assessment was made with regard to sending a tax receipt to an address in the PRC because only the Canadian company on the receipt, MGE Canada, could use it. He said that a tax receipt cannot be used by a person who does not pay taxes in Canada. He suggested that what happened with the first receipt was similar to a Canadian retiree who lives abroad for a few months a year and asks that a receipt for a donation made to a Canadian company be sent to their foreign address so that they can do their taxes.

Mr. Rosenberg said that no further investigation into the donors, the source of the donation or the conditions of the donation took place in 2016. He said that Mr. Zhang Bin was introduced to Mr. Lefebvre by Canada's former ambassador to the PRC, Guy Saint-Jacques, who was very well aware of Mr. Zhang Bin's ties to the CCIA at the time.<sup>56</sup> Mr. Rosenberg explained:

Back then, it's not that we were naive that we were dealing with people who were linked to the Chinese government, because just about everybody was. What we were naive about was that we actually believed by dealing with them that we would have a soft-power influence on them.

Mr. Rosenberg said that, in the 2010s, Canada and the U.S. wrongly believed that by bringing the PRC into the international economic system it would become more democratic. Similarly, the Foundation thought at the time that having conferences, which would surely be attended by PRC students attending UdeM, would have a positive impact on the PRC.

### Repayment of the Donation

Mr. Johnson said that he and Ms. Fournier agreed that, because of the allegations in the media, it would be best for the Foundation to repay the donation. Mr. Johnson said that the media attention surrounding the article put intense pressure on the Foundation and its team, and on the board of directors.<sup>57</sup>

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56 ETHI, *Evidence*, Rosenberg.

57 ETHI, *Evidence*, Johnson.

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

Ms. Fournier said that she tried to return the \$140,000 by mailing a cheque to MGE Canada, but that the cheque could not be delivered. It was returned to the Foundation on 23 March 2023.<sup>58</sup>

However, Mr. Johnson told the Committee that the donor had been reimbursed. In correspondence sent to the Committee on 10 May 2023, Peter Sahlas, a member of the Foundation's board, said that on 12 April 2023 a cheque for \$140,000 was delivered to the downtown branch of the Bank of Montreal. According to Mr. Salas, the cheque was provided to MGE Canada's account manager, who deposited it immediately and confirmed the deposit in writing<sup>59</sup>.

### Potential Access to the Prime Minister or the Prime Minister's Office

Mr. Rosenberg said that at no time did the donors ask the Foundation to connect them with the federal government or political officials. As to the fact that Mr. Zhang Bin attended a fundraiser for the Prime Minister of Canada in May 2016, including having his picture taken with him, Mr. Trudeau said he bet that he wanted a photo with the prime minister to show to his friends. He reminded the Committee that the process that led to the donation started in 2014.

### Conclusion

In light of the evidence, the Committee cannot take a definitive position on this case.

## CHAPTER 3: MEASURES PROPOSED TO COUNTER TO FOREIGN INTERFERENCE

### Legislative Measures

Like many other witnesses, Mr. Chiu believes that foreign interference and transnational repression are complex geopolitical issues that require an immediate response from Canada. He believes legislative measures are needed to better protect Canada and its many cultural communities.

Mr. Glucksmann also believes that democracies must react much faster and much harsher to foreign interference attempts. In his view, the lack of sanctions and the lack of

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58 ETHI, Evidence, Fournier.

59 ETHI, Correspondence to Committee, 10 May 2023.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

consequences has contributed to repeated aggression by foreign states in Europe. He argued: “as soon as there is an attack on a strategic infrastructure, as soon as there is evidence of corruption, there must be a sanction.” He said:

As legislators, our main mission is to ensure that the democracies we've inherited are passed on in the same safe conditions as we received them. We must therefore constantly adapt our legislation to protect our democracies against interference. Interference comes in various forms, and these forms change with the times.

Mr. Stanton stressed the need for legislative tools to safeguard Canadian democracy. There is a deterrence effect when you have legislation, which helps mitigate the threat. However, threats vary from country to country. It is why a common approach may not be sufficient to counter different interference tactics and strategies. He is of the view the different tactics and strategies of foreign states need to be looked at on their own.

### Penal Sanctions

There are no specific punitive sanctions for the general act of foreign interference in the *Criminal Code* or any other federal statute. As such, the RCMP uses different sanctions and legislative measures found in the *Criminal Code*, the *Security of Information Act*, or other Acts depending on the circumstances.

Mr. Juneau-Katsuya said that there are major gaps in Canadian law, especially when it comes to punishing people. He said that it is not just foreign states that are involved, but that there are also agents who are Canadians, who are recruited by and who are acting on behalf of foreign states. He said it is essential to have a criminal law on foreign interference, which would define the activities considered illegal and provide the penalties that could be incurred.

For his part, Mr. Stanton believes that Canada already has a legislative hammer to hit foreign interference. He said that the *Security of Information Act* is an important legislative tool for catching proxies. He explained that sections 3 and 20(1) of the *Security of Information Act* allow prosecution foreign interference:

Subsection 3(1) says it's “prejudicial to the safety or interests of the State” if someone commits an offence punishable by two years or more in prison to advance a political objective or to benefit a foreign entity.

If we move to subsection 20(1), we see that it's an offence if, “for the benefit of...a foreign entity”, a person “induces or attempts to induce” or causes something to be done that “increas[es] the capacity of a foreign entity” or “is reasonably likely to harm Canadian interests.”

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

Since section 20(3) establishes that anyone who commits an offence under section 20(1) is guilty of an indictable offence and is liable to imprisonment for life, Mr. Stanton believes it is already possible to bring criminal prosecutions for many of the foreign interference offences that are subject to the *Security of Information Act*.

### **Modernization of the *Canadian Security Intelligence Service Act***

Mr. Juneau-Katsuya believes that Canada could look to its allies for determining its own legislative approach. For example, he said that the Australian law passed in 2018 would be a good start and could serve as a model for Canada.<sup>60</sup> The law allows Australian intelligence services, in certain circumstances, to require companies to provide access to encrypted communications.

Mr. Juneau-Katsuya said that the U.S. and the U.K. have also passed legislation that Canada could look to as a model, although he did not provide details on those legislations.

### **Regulating Misinformation, Disinformation and Online Platforms**

As to the possibility of regulating misinformation, Ms. Lim said that it is dangerous to use legislative means alone to counter misinformation and foreign interference online.

Ms. Lim said that she and her Citizen Lab colleagues have documented over 60 countries that have enacted laws regarding misinformation or foreign online operations, with no good evidence that they are effective. Instead, they tend to face criticism by activists and rights groups that they have the effect of silencing dissent and critical voices. She believes that if Canada tightened control over the Internet, it would legitimize illiberal and authoritarian-leaning governments' own censorship-enabling laws.<sup>61</sup>

Ms. Lim explained that there are risk factors that make people susceptible to foreign-operated misinformation or foreign influence operations. It is an issue of supply and demand: on the one hand there are foreign actors producing content targeted at certain Canadian communities, while on the other hand there are communities or individuals who are predisposed to receiving and believing false or misleading information given their cultural or linguistic attachment. This predisposition may stem from discrimination

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60 Australian Government, *Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018*, 8 December 2018.

61 Ms. Lim gave the example of the government of Kyrgyzstan, which passed a broad law enabling it to take down content and censor anything it dislikes. The reason for this legislation was the U.K. white paper on online harms and Germany's NetzDG bill.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

or other forms of marginalization and inequality with regard to these communities' access to reliable information. Caution should therefore be exercised when considering legislation to address misinformation.

According to Ms. Lim, introducing information controls through legislation poses risks for Canada's democracy and would do little to stop foreign interference. She argued that the "ceding of democratic rights to speak and access information to state monitors is antithetical to the open Internet and the democratic norms Canada has staked its reputation on." She therefore advised exploring other policies, such as finding ways to build trust in our institutions and media, better connecting with diaspora communities, supporting targeted individuals, and exploring ways to address the for-profit models that drive our media ecosystem.

However, Mr. Glucksmann argued that regulating online platforms is crucial to fight disinformation and impose accountability for publishing questionable information. In his view, we also need to understand how significant the press and non-governmental organizations are in the democratic ecosystem and give these organizations constant support.

Ms. Lim also shared the view that the private sector should be engaged given that a lot of harassment comes through platforms like Twitter, Facebook, Telegram, WeChat and many others. She suggested exploring targeted sanctions against companies that are exporting or selling technology to countries that engage in foreign interference operations.

### Committee Observations

In light of the various recommendations made by witnesses the Committee believes that some of the proposed legislative measures should be adopted. It therefore makes the following recommendations.

#### **Recommendation 14**

**That the Government of Canada include in the *Criminal Code* criminal penalties that cover all foreign interference operations, including harassment and intimidation by a foreign state, and that it provide appropriate sanctions.**



**Recommendation 15**

**That the Government of Canada clarify the purpose of the provisions of the *Security of Information Act* to counter foreign interference operations and its related sanctions, and that it implement a policy enabling Canadians to better understand how the *Security of Information Act* protects Canada from foreign interference.**

The Committee firmly believes in freedom of expression but recognizes that the dissemination and amplification of disinformation by certain online platforms' algorithms should not be permitted, especially when that disinformation is spread by foreign countries to users who are citizens of other States. Therefore, it makes the following recommendations.

**Recommendation 16**

**That the Government of Canada hold online platforms accountable for publishing false or misleading information and that it develop policies to support the media ecosystem in communities and linguistic minority communities not represented by mainstream media to ensure that vulnerable communities are not revictimized.**

**Recommendation 17**

**That the Government of Canada, in collaboration with national security agencies, explore the possibility of imposing targeted sanctions against Canadian companies that are exporting or selling technology to countries that use it to engage in foreign interference operations.**



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

## Foreign Influence Registry

The creation of a foreign influence registry has been proposed many times in recent years, but no bill has been passed.<sup>62</sup> Several allied countries have established foreign influence registries.<sup>63</sup>

In March 2023, the Minister of Public Safety announced the launch of public consultations to guide the government in the creation of a foreign influence transparency registry in Canada.<sup>64</sup> The consultations ended on 9 May 2023. The government has announced its intention to introduce a bill. At the time of adopting this report no bill had been introduced.

Several witnesses commented on the creation of a foreign influence registry in Canada. Mr. Chiu said that a foreign influence registry is a tool that is consistent with what CSIS has been advising the country's leadership to do:

that sunshine is the best disinfectant and that openness and transparency is the best way to deal with foreign interference issues and also regain much of the lost trust of Canadians in our institutions. It would also remove political partisanship from all the issues.

Mr. Manthorpe said that it is not just the Communist Party of China that has gone beyond the bounds of lobbying and into the area of serious interference in Canadian public life. It is a general problem. He therefore agrees that Canada should set up a foreign influence registry.

Mr. Glucksmann believes that every democratic state should have a foreign influence registry. Europe does not yet have one.

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62 In April 2021, the former member for Stevenson—Richmond East, Kenny Chiu introduced [Bill C-282, An Act to establish the Foreign Influence Registry](#) in the House of Commons. Bill C-282 died on the Order Paper following the general election of September 2021. In February 2022, [Bill S-237, An Act to establish the Foreign Influence Registry and to amend the Criminal Code](#) was introduced by the Honourable Senator Leo Housakos. The measures proposed under sections 1 to 8 of Bill S-237 are generally identical to Bill C-282, in that they require persons acting on behalf of a foreign entity to file a return and they establish a public registry. New measures proposed in section 9 of Bill S-237 amend section 423 of the *Criminal Code* concerning intimidation to include foreign interference activities.

63 For example, Australia's [Foreign Influence Transparency Scheme Act 2018 \(FITS\)](#), the U.S.' [Foreign Agents Registration Act \(FARA\)](#) and the U.K.'s proposed [Foreign Influence Registration Scheme \(FIRS\)](#).

64 Public Safety Canada, [Government of Canada launches public consultations on a Foreign Influence Transparency Registry in Canada](#), News release, 10 March 2023.

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

The EU does, however, have a transparency register.<sup>65</sup> Mr. Glucksmann explained that disclosing the source of funding of a non-profit organization is important for stakeholders to understand why that organization is focusing on a particular issue. He said that the transparency register is not a perfect system because it is not always well implemented. He added that the current requirements for disclosing information about indirect lobbying strategies in the EU's transparency register are not very efficient. The European Parliament is working on reshaping these requirements to make them clearer and more efficient. He said that the reform will also include a conflict of interest registry. He explained that the Special Committee is especially interested in conflict of interest of elected members and private interest interference.

Mr. Stanton argued that, while a foreign influence registry has its merits, it should not necessarily be the priority over legislation. In his view, a lot of the most damaging foreign interference activity is clandestine, and a registry is not going to blunt this type of foreign interference. However, he said that the proposed foreign influence registry in Bill S-237 has merit. He is not against its passage.

Mr. Kwan agreed with many of the critics who argue that a registry may not be 100% effective. However, he said that it would allow Canada to show to its citizens and to countries conducting interference, such as the PRC, Russia, and Iran, that Canada is actively trying to protect the integrity of its elections and its community. Mr. Kwan also said that the argument that setting up a registry is an attack on the Chinese Canadian community should not be believed. In his view, this is a standard line given by the Communist Party of China, which has no interest in seeing such a registry created, in an attempt to frighten Canadians.

Ms. Lim is also skeptical about the effectiveness of a foreign influence registry, as there is no strong evidence that labelling someone as a foreign agent or a foreign entity might change an audience's mind. She gave the example of YouTube, which has a procedure for labelling any content that comes from a state agency. People still watch these videos despite the labelling. She also said that a lot of foreign interference operations are covert or clandestine, so there is a possibility that they would find alternate means to evade or circumvent the registry.

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65 European Commission, Transparency register. The transparency register is a database that lists organizations that try to influence the lawmaking and policy implementation process of EU institutions. It is not a foreign agent registry.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

## Committee Observations

The Committee recognizes that a foreign influence registry cannot be established with the view that it will solve all interference problems. It does believe however that a registry is a sound protective measure that would ensure greater transparency with regard to foreign actors operating in Canada. The Committee therefore makes the following recommendation.

### Recommendation 18

**That the Government of Canada establish a foreign influence registry as soon as possible.**

## Combatting Intimidation and Harassment: A National Hotline

Mr. Kwan pointed out that a 2017 report jointly authored by the Canadian Coalition on Human Rights in China and Amnesty International Canada urges the Canadian government to set up a national hotline to allow for reporting of harassment and intimidation incidents by foreign states that are otherwise ignored by local police or the RCMP.<sup>66</sup> His organization supports the establishment of such a national hotline.

Like Mr. Kwan, Ms. Lim believes that setting up a rapid response hotline is worth exploring. Such a hotline could enable individuals or communities to get help if they're being harassed online, off-line or both. She believes that the Canadian government could take a cue from the U.S. Federal Bureau of Investigation (FBI) hotline or the approach by U.K. law enforcement, which offered protection to the Iranian diaspora.

## Reforming of the National Security System to Counter Foreign Interference

### Failings of the Current System

Mr. Kwan said that the Chinese diaspora in Canada sees many cases of pressure from the Communist Party of China, but that many of these harassment and intimidation activities go unreported or, if they were reported to local police or the RCMP, they are not investigated because of a lack of evidence.

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<sup>66</sup> Canadian Coalition on Human Rights in China and Amnesty International Canada, *Harassment and Intimidation of People in Canada Working on China-Related Human Rights Concerns*, March 2020.

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

Mr. Chu said that a lack of cooperation between the RCMP and CSIS is contributing to the current dysfunctional narrative. According to him, the two organizations are “supposed to work together.” He added that most Canadians in the Chinese diaspora are not aware of the exact role of CSIS, which is why those who are threatened usually go to the RCMP. If it does not go anywhere, they lose trust in the system. To him, “[t]hat rebuilding of the trust is very important.”

Mr. Stanton said that CSIS provides a whole range of intelligence products, from assessments to law. However, he does not know how this information makes its way to the Prime Minister or the National Security Advisor. He also said that CSIS does not look at elections. It looks at a target of a threat, the individual who may happen to run for office, or the individual seeking nomination. It does not have investigations in which it is looking at communities and the politics that go on.

Mr. Juneau-Katsuya echoed Mr. Stanton’s comments, adding that Canada has been subject to interference from various states for a long time but still does not have the tools to investigate properly. He expressed doubts about the real impact of the \$50 million recently given to the RCMP to tackle foreign-interference-related harassment. He said, “neither the RCMP nor CSIS could be the investigative bodies, since their present structure has not enabled them to get governments to act in 30 years.”

### Creation of a National Counter-Foreign Interference Office

Mr. Juneau-Katsuya welcomed the government’s initiative to create a national office to counter foreign interference.<sup>67</sup> However, he does not believe it is appropriate that it be under the Minister of Public Security. He argued:

The office therefore needs to be independent, separate from the Canadian Security Intelligence Service, CSIS, and from the Royal Canadian Mounted Police, the RCMP, and needs to report directly to the House of Commons, with a director appointed by the House. There needs to be a law that gives the office powers to investigate, search, arrest, and prosecute, without having to request permission from anyone, and to be able to inform the public without politics interfering. As well, a budget of \$13.5 million over five years is inadequate. There have to be investigators who can cover all regions of Canada, and to do that, there must be local offices that would work not only for the federal government, but also to assist the provinces and municipalities.

Mr. Juneau-Katsuya added that such an office would restore the integrity that our democratic system needs, whether in the eyes of our international allies or of our fellow

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<sup>67</sup> Budget 2023 proposes to provide \$13.5 million over five years, starting in 2023–2024, and \$3.1 million ongoing to Public Safety Canada to establish a National Counter-Foreign Interference Office.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Canadians. He added that the office would ensure greater transparency, and that “[f]or too long, this lack of transparency has prevented Canada from issuing warnings to the public.”<sup>68</sup>

Ms. Lim also supported the creation of an independent agency, separate from law enforcement, like the Canada Border Services Agency (CBSA) or CSIS, to address transnational repression specifically. She believes that digital training and basic security training should also be provided. For example, representatives of an agency set up to deal specifically with transnational repression need to be trained so that they understand what is actually happening for the victims.

Although he acknowledged current challenges in managing interference, Mr. Wilczynski said that creating a national office to counter foreign interference entails risks:

We have to recognize that there is already an independent police force and there is a law governing the actions of the Canadian Security Intelligence Service. However, when you create a new body with new mandates, there is always a risk that the objectives it is assigned will be more difficult to achieve than if the direction given to bodies already in place, like the Royal Canadian Mounted Police, were reviewed.

## Governance and Human Resources

Dr. Juneau agreed that governance reform of the national security apparatus is needed to be able to better deal with foreign interference threats and transparency issues. He believes a national security committee of Cabinet is needed to focus high-level political debate on national security issues. The government also needs a stronger bureaucratic apparatus to support that committee, which has to mean a stronger national security and intelligence advisor to the Prime Minister in the Privy Council Office. Human resources reform is also needed. He noted problems with recruitment, retention, security clearances and career paths.

As to human resources, both Mr. Wilczynski and Dr. Juneau raised the issue of the lack of diversity in the intelligence and national security community. Mr. Wilczynski said:

We in the security intelligence community need far greater diversity in our ranks, precisely so that we are able to understand language and cultural context, and to be able to provide the kind of insight that is essential. When members of those communities feel that we have not lived by the rule of law and we have not protected them to the extent that we need to, our ability to entice them to come and join us and

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68 ETHI, *Evidence*, Michel Juneau-Katsuya (Former Chief of the Asia-Pacific Unit, Canadian Security Intelligence Service).

FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

be members of the security intelligence service is negatively affected. That in turn negatively affects our ability to be effective protectors of Canadian national interests.

Dr. Juneau emphasized that diversity in the intelligence community and the armed forces is an operational necessity:

When these services are not diverse, they shoot themselves in the foot. They close off large sectors of the population from recruitment. They are not able to achieve certain functions, whether it's civil-military relations on the military side, gaining information and recruiting human sources in certain communities on the intelligence side, and so on. It is mission-critical for these organizations to be diverse.

Dr. Juneau added that the working environment at CSIS, the RCMP and the CBSA is better today than it was 10 or 20 years ago, and that CSE is probably ahead on that front, but that there is still a lot of progress to make. He proposed addressing the issue by engaging marginalized communities to build trust and open channels of communication.

### Committee Observations

The Committee recognizes that no single measure can completely eliminate the impacts of foreign interference. It notes that, although witnesses' recommendations were sometimes contradictory, some issues need to be addressed. For those reasons, the Committee makes the following recommendations.

#### Recommendation 19

**That the Government of Canada amend the *National Security and Intelligence Committee of Parliamentarians Act* to require that each annual report tabled before each House of Parliament include a yearly review of foreign interference threats in Canada, such as harassment and intimidation of certain Canadian communities by foreign states.**

#### Recommendation 20

**That the Government of Canada create a Cabinet committee on national security.**

#### Recommendation 21

**That the Government of Canada strengthen reporting mechanisms for victims of harassment or intimidation by foreign entities, to ensure better coordination of the government response to such incidents and appropriate actions on individual complaints.**



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

## Independent Public Inquiry

On 15 March 2023, the Right Honourable David Johnston was appointed Independent Special Rapporteur on Foreign Interference. The terms of reference call for all work to be completed by 31 October 2023, with an interim report to be issued by 23 May 2023, in which recommendations could include the recommendation to initiate a formal public inquiry. In his interim report, Mr. Johnston did not recommend a separate independent public inquiry.<sup>69</sup>

On 31 May 2023, the House of Commons adopted a motion calling on David Johnston to step down as special rapporteur and on the government to urgently establish a public commission of inquiry into foreign interference in Canada. On 9 June 2023, Mr. Johnston announced his intention to step down as Independent Special Reporter due to the highly partisan climate. He was to submit a short final report to the Prime Minister, which he did on 26 June 2023. His final report is confidential.<sup>70</sup>

Whether an independent public inquiry was needed was raised by several witnesses during the study, prior to Mr. Johnston filing his final report.

Mr. Juneau-Katsuya said that holding a commission of inquiry was not the right avenue. In his opinion:

A public commission will inevitably reveal the investigative methods our security services and thus diminish our effectiveness in detecting and neutralizing the threat, while putting human resources at risk. With the revelations disclosed, we have already helped the Chinese to counter us. There is every reason to believe that in the current political climate, attention will be focused on the timeline of events, trying to lay the guilt at the government's doorstep when its predecessors all did the same thing. It is time to prioritize national security in a non-partisan manner and to protect the future of the country.

To Mr. Juneau-Katsuya, the only way a public inquiry would be beneficial is if it does not turn into a partisan fight.

69 Mr. Johnson recommended “a public process, but not a Public Inquiry under the *Inquiries Act*, to assist and accelerate the government and Parliament’s work in policy development. The public process should focus on strengthening Canada’s capacity to detect, deter and counter foreign interference in our elections and the threat such interference represents to our democracy.” The Right Honourable David Johnston, *First Report*, 23 May 2023, p. 30.

70 Radio-Canada, *Ingérence : David Johnston ajoute un « supplément » confidentiel à son rapport et s’en va*, 26 June 2023.



FOREIGN INTERFERENCE AND THE THREATS  
TO THE INTEGRITY OF DEMOCRATIC INSTITUTIONS,  
INTELLECTUAL PROPERTY AND THE CANADIAN STATE

Mr. Wilczynski supported calls for a public inquiry. An inquiry is needed to examine what happened and to make sure we have the necessary tools to preserve the resilience of our democratic institutions. He noted, however, that the inquiry would have to be coordinated with the reviews being done by other bodies, such as the National Security and Intelligence Review Agency and the National Security and Intelligence Committee of Parliamentarians. It should also make recommendations that take into account the entire threat, not just what happened in 2019 and in 2021.

Ms. Wong said there are crucial needs to restore trust in our democratic institutions by enabling the public to watch and understand what is happening. However, people in the Chinese diaspora who would have wanted to participate in this conversation and in the inquiry may not feel safe in a public forum or an open investigation. She therefore recommended consulting people in the diaspora to see what type of engagement they would feel comfortable with in looking into foreign interference and influence in Canada.

Mr. Stanton also believes that Chinese Canadians should have a place to be heard:

They need to have a voice, and not simply as some PR exercise to find out what they think now and then. These are the people who have been in the crosshairs of the People's Republic of China's regime for 30 or 40 years, and they are the people who need to come forward. They need to have the trust and confidence that there are going to be outcomes and a follow-up if they are going to take a risk and come forward to say what's happening. Not only does the government have to listen, but Canadians have to listen to our Chinese Canadian community for once and hear what they have to say.

Mr. Kwan and Mr. Wilczynski, both supporting an independent public inquiry, believe it is important to advocate an open and inclusive approach that would allow the various communities targeted by foreign interference to be heard. Ms. Lau agreed. Mr. Kwan said that people like him, who speak the language, live the culture, and understand the modus operandi of the Chinese Communist Party and their proxies, are more attuned to what is happening on the ground.

Ms. Lau pointed out that it is not just the Chinese diaspora that is facing foreign transnational repression. Other communities, such as Syrians, Iranians, and Ukrainians, are facing the same thing. It is therefore important to consult these communities too. She added that interference is interconnected within all facets of society, and is likely to continue to harm the most vulnerable communities if their voices are not heard. Moreover, she said that being targeted by foreign transnational repression can feel very lonely, and that an open discussion would enable people to see that it is a real issue for others as well. It would build community resilience.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Ms. Lim said that accountability needs to be considered. In her view, really calling out officials is important, whether it is calling in diplomats of the relevant countries concerned, putting out public statements condemning these kinds of actions or increasing the evidence to bring events to light.

On September 7, 2023, the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs, Dominic LeBlanc, announced the establishment of a Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions. The inquiry is led by the Honourable Marie-Josée Hogue, puisne judge of the Quebec Court of Appeal, whose work as Commissioner began on 18 September 2023.

### Committee Observations

In view of the varying testimony regarding the holding a public inquiry into foreign interference and the need to include relevant communities in any study on these types of activities, the Committee makes the following recommendation.

#### **Recommendation 22**

**That the Government of Canada consult communities affected by foreign interference activities in Canada in any inquiry into foreign interference.**

### CONCLUSION

The Committee notes that foreign interference affects many democracies around the world. It is a real and increasingly insidious threat that undermines not only democracy and Canadian institutions but also the rights and freedoms of Canadians. The Committee therefore considers any attack or attempted attack on Canadian democracy by a foreign state unacceptable. It must be taken seriously.

That is why the Committee makes several recommendations in this report to enable Canada to better block attempts at foreign interference and better support Canadian citizens who are affected by these activities.

The Committee hopes that, by implementing the recommendations in this report, Canada will be able to better protect national security, Canadian democracy, and all Canadians.

## APPENDIX A LIST OF WITNESSES

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The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee's [webpage for this study](#).

<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
<b>Alliance Canada Hong Kong</b> Ai-Men Lau, Advisor Cherie Wong, Executive Director	2023/03/10	61
<b>As an individual</b> Gabrielle Lim, Doctoral Fellow, Citizen Lab at the Munk School of Global Affairs and Public Policy, University of Toronto	2023/03/10	61
<b>Chinese Canadian Concern Group on the Chinese            Communist Party's Human Rights Violation</b> Bill Chu, Spokesperson	2023/03/10	61
<b>Toronto Association for Democracy in China</b> Cheuk Kwan, Co-Chair	2023/03/10	61
<b>Uyghur Rights Advocacy Project</b> Mehmet Tohti, Executive Director	2023/03/10	61
<b>As an individual</b> Kenny Chiu, Former Member of Parliament Victor L.M. Ho, Retired Editor-in-Chief, Sing Tao Daily, British Columbia Edition Michel Juneau-Katsuya, Former Chief of the Asia-Pacific Unit, Canadian Security Intelligence Service Jonathan Manthorpe, International Affairs Columnist and Author Dan Stanton, Former Executive Manager, Canadian Security Intelligence Service	2023/03/31	63

<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
Artur Wilczynski, Senior Fellow, Graduate School of Public and International Affairs, Faculty of Social Sciences, University of Ottawa		
<b>As an individual</b>	2023/04/21	65
Raphaël Glucksmann, Chair, Special Committee on foreign interference in all democratic processes in the European Union, including disinformation, and the strengthening of integrity, transparency and accountability in the European Parliament		
<b>As an individual</b>	2023/04/28	67
Pascale Fournier, Former President and Chief Executive Officer at the Pierre Elliott Trudeau Foundation and Full Professor at the University of Ottawa Faculty of Law		
<b>As an individual</b>	2023/05/02	68
Morris Rosenberg, Author of the Report on the assessment of the 2021 Critical Election Incident Public Protocol and Former President and Chief Executive Officer of the Pierre Elliott Trudeau Foundation		
<b>Pierre Elliott Trudeau Foundation</b>	2023/05/03	69
Alexandre Trudeau, Member		
<b>Pierre Elliott Trudeau Foundation</b>	2023/05/09	70
Edward Johnson, Chair of the Board of Directors		
<b>As an individual</b>	2023/06/02	74
Dr. Dyane Adam, Former Vice-Chair of the Pierre Elliott Trudeau Foundation Board of Directors		
Dean Baxendale, Chief Executive Officer, China Democracy Foundation and Optimum Publishing International		
Dr. Ginger Gibson, Director, The Firelight Group		
Dr. Thomas Juneau, Associate Professor, Graduate School of Public and International Affairs, University of Ottawa		
Andrew Mitrovica, Investigative Reporter		
Madeleine Redfern		

## APPENDIX B LIST OF BRIEFS

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The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's [webpage for this study](#).

**Democracy Watch**



## REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

A copy of the relevant *Minutes of Proceedings* (Meetings Nos. 61, 63, 65, 67–70, 74, 77 and 81–83) is tabled.

Respectfully submitted,

John Brassard  
Chair





## Introduction

The Conservative Party of Canada thanks the Clerk, Analysts, and committee staff for their hard work and support throughout the course of this study.

This supplementary report provides additional context for sections of the report which were suppressed for partisan purposes by the Liberal, New Democratic Party, and Bloc Québécois Members of the Standing Committee on Access to Information, Privacy and Ethics (the “Committee”).

Conservatives note that the Liberal government knew the Communist Party of China was interfering in Canada’s democracy for years and had they not been the beneficiary of this foreign interference the Liberals may have taken action, rather than reacting to sustained public and political pressure.

## Disinformation Campaigns

Kenny Chiu, former Conservative Member of Parliament for Steveston–Richmond East between 2019 and 2021, said it was precisely a PRC-orchestrated misinformation campaign against his bill for a foreign influence registry<sup>15</sup> that cost him his defeat in the last election. While that is a subjective observation, he said he was told in 2019 by supporters in the Chinese diaspora that they had been told not to vote for him. He also described how he was given the cold shoulder in many of the Chinese media after he introduced his bill on the foreign influence registry. In relation to his experience in British Columbia, Mr. Chiu stated:

In 2015, I had an opportunity to sit down with the consul general [of the PRC] in Vancouver. I believe that she was trying to size me up back then.

In 2019, they decided that I was completely beyond hope. The information that I got from my Chinese supporters has been that they've told people not to vote for me, but there is no active campaign against me that I can observe.

Mr. Chiu also believes his opponent was the beneficiary of the disinformation. His opponent, Parm Bains M.P. Steveston—Richmond East sat on the Committee throughout this study. When asked if he believes his opponent is in a conflict of interest, Mr. Chiu replied:

That is a question, I think, better answered by my opponent, who is sitting here at the meeting.

Mr. Bains had no response.

The irony is not lost on Conservatives that the beneficiary of a foreign interference campaign of disinformation perpetrated by the Communist Party of China would partake in a committee study pertaining to the very foreign interference campaign that helped him get elected.

This reinforces the fact that this Liberal government has an utter disregard for ethics and conflicts of interest.

## Foreign Influence through the Trudeau Foundation

Conservatives note that many questions remain unanswered surrounding the \$140,000 donation to the Trudeau Foundation by two cutouts for the Communist Party of China.

It is clear, through testimony heard by the Committee from current and former Members of the Trudeau foundation that the foundation had no bylaws for foreign interference, no oversight of donations, and no due diligence done of donations. Seemingly, it was the perfect conduit for a foreign dictatorship to influence Prime Minister Justin Trudeau. The interference operation was proven successful as the two cutouts had direct access to the Prime Minister within five months of the donation.

### **Recommendations**

1. That the Government of Canada undertake a forensic audit of the Trudeau Foundation.

### **Dissent from the Recommendations of the Main Report**

Recommendation 16: Conservatives believe that this recommendation endorses the regulation or censorship of the online speech of Canadians in contravention of their Charter right to free expression. We are also concerned that this may stifle the right of the press to freely report on matters which the Government of the day may choose to label as disinformation in need of regulation or censorship.

Conservatives believe that efforts should instead be focused directly on targeting disinformation sponsored by hostile foreign states, in a manner that does not abridge free expression or freedom of the press.

As such Conservatives dissent from Recommendation 16 as contained in the Committee's main report.