



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

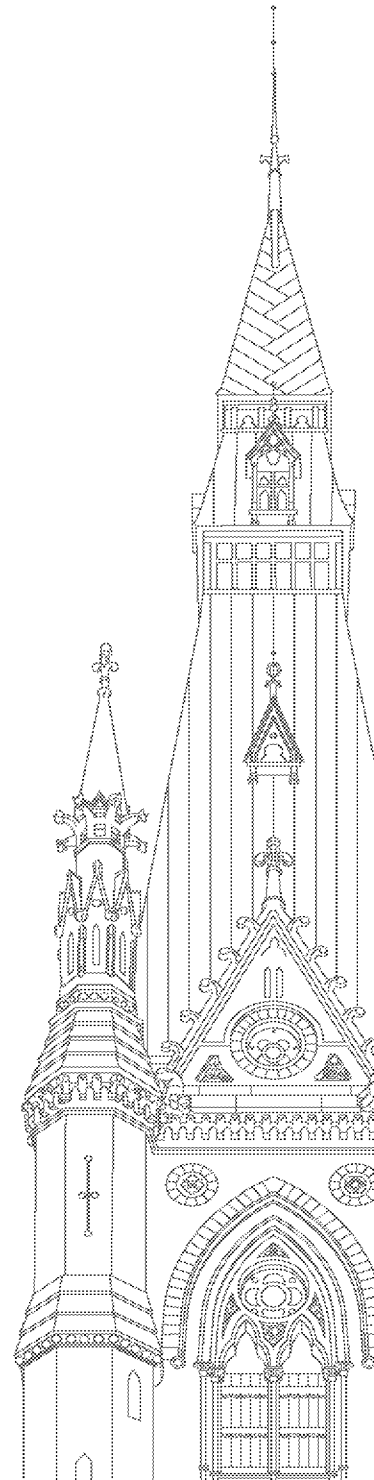
Standing Committee on Access to Information, Privacy and Ethics

EVIDENCE

NUMBER 068

Tuesday, May 2, 2023

Chair: Mr. John Brassard



Standing Committee on Access to Information, Privacy and Ethics

Tuesday, May 2, 2023

• (1555)

[English]

The Chair (Mr. John Brassard (Barrie—Innisfil, CPC)): I call this meeting to order.

Welcome to meeting number 68 of the House of Commons Standing Committee on Access to Information, Privacy and Ethics.

Today's meeting is taking place in a hybrid format, pursuant to the House order of June 23, 2022, and members can therefore attend in person in the room and remotely using the Zoom application. Should any technical challenges arise, please advise me. I don't expect that we're going to have any, but please note that we may need to suspend for a few minutes as we need to ensure that all members are able to participate fully.

Pursuant to Standing Order 108(3)(h) and the motion adopted by the committee on Wednesday, December 7, 2022, the committee is resuming its study of foreign interference and threats to the integrity of democratic institutions, intellectual property and the Canadian state.

We have one witness today, and I would like to welcome him. As an individual, we have Mr. Morris Rosenberg. He is the author of "Report on the assessment of the 2021 Critical Election Incident Public Protocol" and the former president and CEO of the Pierre Elliott Trudeau Foundation.

Just before Mr. Rosenberg begins, I am going to advise the committee that we received up to 120 pages from our witness on Friday. Many of them have to be translated. We've also received information that will have to be transcribed. My understanding from the clerk is that it may take a few days for that to happen.

It's actually closer to 200 pages, is it not, Madam Clerk?

The Clerk of the Committee (Ms. Nancy Vohl): It is.

The Chair: We'll have to wait a few days for those to be translated and for one piece of information we've received to be transcribed.

For the purposes of the committee, we are going to be here for a full two hours. Mr. Rosenberg has asked that he have six minutes to issue his statement to the committee. I'm going to grant that.

Mr. Rosenberg, you can start now for six minutes, please. Go ahead.

Mr. Morris Rosenberg (Author of the Report on the assessment of the 2021 Critical Election Incident Public Protocol and

former President and CEO of the Pierre Elliott Trudeau Foundation, As an Individual): Thank you, Mr. Chair.

Prior to becoming president of the Pierre Elliott Trudeau Foundation in September 2014, I was a public servant working under both Conservative and Liberal governments. I was a deputy minister of three departments—justice, health and foreign affairs—for over 15 years, and I was appointed to the foreign affairs position by Prime Minister Harper.

I want to disclose that I have been a member of the Conseil de l'Université de Montréal since August 18, 2016. I was not a member of the *conseil* at the time of the donation in question. I've not participated in any discussions of the *conseil* or its committees on what to do with the donation received by the university.

I first want to address some of the points raised by Madame Fournier at this committee last Friday.

First, the donation at issue occurred while I was president of the foundation, yet not once over the past weeks did foundation management reach out to me to answer any questions about the donation. Finally, on Friday afternoon, the foundation sent me a package of materials, including 160 pages released under access to information, as well as a copy of a policy on donations enforced in 2016. I'd be happy to share that with you.

I believe the donation should be assessed from the perspective of Canada's relations with China in 2016 when it was made, not from the much more negative context that exists today. At that time, universities, corporations and governments were all attempting to strengthen ties with China, including Mr. Harper's government, which signed a foreign investment promotion and protection agreement in 2014. From that perspective, this was seen as a normal and desirable donation consistent with the foundation's priorities.

The tax receipt was made out to Millennium Golden Eagle International (Canada) Inc. because that is the entity that made the donation. A corporate search shows that this is a Canadian corporation headquartered in Dorval, Quebec. Therefore, this is not a foreign donation.

All interactions with the Canada Revenue Agency were handled with care because the consequences for the foundation of not doing so could result in a loss of its charitable status. It made no sense not to be scrupulous.

In addition to being chair of Millennium Golden Eagle International, it's well known that Mr. Zhang was president of the China Cultural Industry Association. This is mentioned in articles in the Université de Montréal publications about the donations. He also represented himself that way at the time of an earlier donation to the University of Toronto.

There was nothing nefarious about staff in his organization contacting the foundation for administrative purposes, like providing a mailing address to send a tax receipt. Moreover, if CSIS had any concerns about the donors, at no time did anyone from the service speak to me about this, or, I don't think, anybody else in the foundation either.

Madame Fournier said that the donor list in the annual reports of the foundation identified the two individuals as donors rather than the company to which the tax receipts were issued. I don't recollect the reason, but it makes sense that the foundation wanted to acknowledge and honour the two men whose names were associated with the conferences.

Madame Fournier questioned whether Alexandre Trudeau could legitimately sign a donor agreement on behalf of the foundation. As per the policy, I approved the donation—or it wouldn't have gone forward—but the policy doesn't actually require that I put my own signature on a donation agreement. It was felt that, given the donation was to honour Pierre Trudeau, who opened up diplomatic relations with China, it would be more appropriate for his son to represent the foundation at the ceremony and sign the agreement. This was consistent with the policy on donations in 2016.

Second, I'd like to point out that Mr. Zhang's intent from the start appears to have been to donate \$1 million to the Université de Montréal law school. This is confirmed in interviews in *Le Devoir* with both Mr. Guy Lefebvre, the former vice-rector of international affairs at the university, and Guy Saint-Jacques, the former Canadian ambassador to China. I can provide you with copies of those articles.

Mr. Lefebvre, who was aware of the 2013 donation to the University of Toronto medical school by these same donors, wanted to meet Mr. Zhang. It was Ambassador Saint-Jacques, our ambassador in China, who introduced Mr. Lefebvre to Mr. Zhang in 2014. As Mr. Saint-Jacques told *Le Devoir*, it was a much better era; we didn't really distrust China.

In early September 2014, Monsieur Lefebvre invited the foundation to meet the donors, who were in Montreal for a few days. At a meeting on September 24, Mr. Zhang stated that the \$1-million donation would establish scholarships for students at the Université de Montréal law school and perhaps eventually at other law schools in Canada.

• (1600)

It was agreed that the foundation, the university and Mr. Zhang would form a committee to flesh out the donation. However, on November 17, 2014, the university published an article announcing that it had already received a \$1-million gift for the law school from these same donors, and there was no mention of the Trudeau Foundation. It was only in September 2015, after several discus-

sions, that the donors decided to earmark \$200,000 of the original \$1 million for the foundation to hold conferences.

Third, at no time did the donors ask the foundation to connect them with government or political officials. Professor Wesley Wark of the Centre for International Governance Innovation, who has written extensively on foreign interference, said the following in his online newsletter of March 21, 2023:

How exactly such a donation could be considered an influence operation in terms of how the funding was utilised was also not addressed in the reporting.

Knowing something of the operations of the Trudeau Foundation in supporting scholarly work I have to scratch my head at the idea that this was a calculated interference operation.

Moreover, the foundation is independent from the Government of Canada and simply did not coordinate decisions with the government.

The Trudeau Foundation has supported some brilliant scholars over the past two decades. Without its help, they wouldn't be where they are today.

This is an important moment for the foundation. I strongly believe that an independent investigation is needed to separate fact from innuendo.

I just have one last tiny point. I want to clarify something—correct the public record on one thing. In an interview early in March with the Canadian Press, I was asked if I had met the donors. I said that I thought I had met them once at the signing ceremony. Having now had access to these 160 pages of documents, I note that I was at a meeting with them on September 24, 2014. I just wanted to put that on the record.

The Chair: Thank you, Mr. Rosenberg.

Also, for the benefit of the committee tonight, we're being webcast, not televised—just so that everybody is aware of that. The circumstance is beyond our control.

We're going to start the first round of questioning with Mr. Barrett for six minutes.

Go ahead, sir.

Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC): How often did Mr. Trudeau sign donation agreements?

Mr. Morris Rosenberg: Not often at all, as far as I recall.

Frankly, a lot of the donations didn't require donation agreements. This was a ceremony that took place at the Université de Montréal. You had a document that was signed by officials of the Université de Montréal and by Mr. Trudeau. It was quite a formal affair rather than what we would normally do with donations, where we would receive a donation and send back a receipt.

Mr. Michael Barrett: Did the donors request that a Trudeau or Mr. Alexandre Trudeau be involved in the ceremony?

Mr. Morris Rosenberg: I know that he's appearing here tomorrow. It's a question you might well put to him.

I don't recall whether they requested it or whether he thought it was a good initiative on his part. As I said, given the circumstances, the nature of the gift and the spirit in which it was given, as well as his father's involvement in opening up diplomatic relations with China, it was felt that it was appropriate that he be there.

Mr. Michael Barrett: Right, and while it may have been considered appropriate, it also could be problematic, not based on who his father was but based on who is brother is and the circumstances surrounding the donors.

I'd like to ask you a question about that. You said that it wasn't unusual to have staff from the company these individuals claimed they were representing provide a mailing address. What country was on the mailing address that it was sent to?

Mr. Morris Rosenberg: It was China. This is all in these documents.

My understanding is that Mr. Zhang—and there's no secret about—

Mr. Michael Barrett: Isn't that unusual, sir, though? Do you receive donations from many Canadian companies that ask you to send the paperwork back to China?

Mr. Morris Rosenberg: No, I don't receive—

Mr. Michael Barrett: Is this the only time that's happened?

Mr. Morris Rosenberg: As far as I know, it is, but if I can, I'll explain.

If you look up Mr. Zhang online, you'll find that he wears a number of hats, including chair of the Millennium Golden Eagle corporation and president of the China Cultural Industry Association. In fact, the address to which the donation was sent in China—you will see when you see the materials—is the address of Mr. Zhang as a director of Millennium Golden Eagle International (Canada) Inc., which is noted in the corporate records kept by the corporation's branch in Ottawa.

• (1605)

Mr. Michael Barrett: Will you table the documents that you're referencing?

Mr. Morris Rosenberg: Absolutely.

Mr. Michael Barrett: Okay.

Are you able to do that today? Do you have them in hand?

Mr. Morris Rosenberg: I have them in hand, but I was told that the rules of the committee don't permit me to table paper.

Mr. Matthew Green (Hamilton Centre, NDP): I have a point of order, quickly.

The Chair: We'll stop your time, Mr. Barrett.

Go ahead, Mr. Green, with your point of order.

Mr. Matthew Green: Mr. Chair, is there an ability for us to waive the rules to allow those documents be tabled in paper, with a follow-up, perhaps electronically, if they're made available?

The Chair: My understanding is that we may need a motion to do that, but I will clarify that with our clerk. If a motion is proposed, we can seek unanimous consent.

Mr. Matthew Green: I'll move a unanimous consent motion.

The Chair: Just let me check with the clerk first.

Mr. Morris Rosenberg: I can clarify it a bit further if you like.

Mr. Michael Barrett: We'll just wait until he starts back up.

The Chair: Thank you for allowing me the time to clarify.

You can't do that on a point of order. You have to do that when you have the floor. However, you can also propose, Mr. Green, that notwithstanding the usual practice of the committee, you can ask for these documents to be submitted, and I'd hope we would have unanimous consent for that.

Mr. Matthew Green: Mr. Chair, I'll acknowledge that Mr. Barrett has the floor and has the prerogative to do that at this time.

The Chair: Thank you.

Mr. Barrett, you can continue—

Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.): I'm sorry, Mr. Chair.

The Chair: Go ahead.

Ms. Iqra Khalid: Which documents are we specifically referring to?

The Chair: Mr. Rosenberg has referred to 160 pages of documents.

What was that, Mr. Rosenberg?

Mr. Morris Rosenberg: I don't have the whole 160 pages here. I have a corporate search on Millennium Golden Eagle International.

Ms. Iqra Khalid: Respectfully, then, Mr. Chair—

The Chair: The motion hasn't been moved, so no debate is going on right now. I thought you were just seeking a point of clarification, which I accepted.

Mr. Barrett, if you want to continue, you have three minutes. Go ahead, sir.

Mr. Michael Barrett: Thanks, Chair.

Are you able to say at what point the Prime Minister or his brother were raised in the negotiations that occurred over the two-year period between the donors and the foundation?

Mr. Morris Rosenberg: I think very early on, not the Prime Minister but Mr. Alexandre Trudeau would have been involved.

I started my job at the foundation in September 2014. I know that Mr. Trudeau was having some discussions with Mr. Lefebvre from the Université de Montréal before that. You'd have to ask him when those began. I believe they began quite early in 2014.

Mr. Michael Barrett: When did you first learn about the donation?

Mr. Morris Rosenberg: Which one? The donation to the Université de Montréal?

Mr. Michael Barrett: I mean the donation destined for the Trudeau Foundation?

Mr. Morris Rosenberg: It was September 2015.

Mr. Michael Barrett: How did you learn about that?

Mr. Morris Rosenberg: You'll have to understand that we're talking about something that happened eight years ago, so my memory of this is poor, but there is documentation here that I will provide to the committee—this 160 pages—that suggests there was no intent on the part of the donor to donate to the Trudeau Foundation initially.

Mr. Michael Barrett: Who asked them for the money?

Mr. Morris Rosenberg: It was the Université de Montréal.

Mr. Michael Barrett: The Université de Montréal asked them to give \$200,000 to the Trudeau Foundation.

Mr. Morris Rosenberg: No, I didn't say that.

Mr. Michael Barrett: Who asked for the donation to go to the Trudeau Foundation?

Mr. Morris Rosenberg: This came out of discussions that my staff had with the Université de Montréal and with the donor over the course of several months that were the result of the meeting I mentioned on September 24, 2014. There was a committee set up, and as a result of that, by September 2015, the donors had agreed that some of the money should go to the foundation.

Mr. Michael Barrett: I have very limited time.

It took two years, based on public reporting, to negotiate this donation, but within a five-month period of the finalization and the money being flowed to the foundation, both of the gentlemen named as donors had direct access to meet with the Prime Minister as well as the Prime Minister's brother and senior people at the foundation.

Do you understand why that set of circumstances is concerning for Canadians? These individuals have been identified in public reporting based on CSIS documents as cut-outs acting on behalf of the Communist dictatorship in Beijing.

• (1610)

Mr. Morris Rosenberg: All I can say on that is—

Mr. Michael Barrett: Do you understand why that's concerning for Canadians?

Mr. Morris Rosenberg: I read the newspapers, and I can understand why people would draw inferences from that, but the negotiations that took place that culminated in this agreement ended before the election in 2015. In fact, these documents will point out that somewhere around September 11, 2015, there were plans to have the announcement ceremony in Montreal because the donors were in Montreal.

Mr. Michael Barrett: Are you talking about the donors to the foundation or the university?

Mr. Morris Rosenberg: In September—

The Chair: I'm sorry. I'll have to end it there. You'll have to pick it up later.

Mr. Rosenberg, I'm not sure whether you understand French.

[*Translation*]

You can listen to the interpretation if you need to.

Ms. Martinez Ferrada, the floor is yours for six minutes.

Ms. Soraya Martinez Ferrada (Hochelaga, Lib.): Thank you, Mr. Chair.

Thank you for being here with us, Mr. Rosenberg.

I am going to ask you several questions at once, because I want to make sure that all the information you give us appears in the transcript.

On Friday, Pascale Fournier said that the Pierre Elliott Trudeau Foundation was not a partisan organization. Do you think that under you, the foundation was a partisan organization, one way or another?

Mr. Morris Rosenberg: No, Mr. Chair, not at all.

As a public servant, I always acted in an independent and non-partisan manner. In fact, when I accepted the position at the Pierre Elliott Trudeau Foundation, I knew that it was an independent, non-partisan organization.

Ms. Soraya Martinez Ferrada: Can you say that while you were there, you never had partisan relationships with the government or a political party, either before or after the current government came to power?

Mr. Morris Rosenberg: That is correct.

Ms. Soraya Martinez Ferrada: Perfect.

Can you also say, as Ms. Fournier did on Friday, that the staff were not selected on the basis of their political background?

Mr. Morris Rosenberg: Absolutely not. As well, I have never been a member of any political party.

Ms. Soraya Martinez Ferrada: I imagine you have never made political donations.

Mr. Morris Rosenberg: I have not made any.

Ms. Soraya Martinez Ferrada: Ms. Fournier said that no one in the organization engaged in lobbying or participated in organizing party political events.

Mr. Morris Rosenberg: That is correct.

Ms. Soraya Martinez Ferrada: Okay.

Ms. Fournier also said that the Prime Minister had not been invited and had not received any materials related to your membership meetings or to your board of directors or governance committees.

Was that the same situation during your term?

Mr. Morris Rosenberg: Certainly.

Ms. Soraya Martinez Ferrada: So you have never provided information from the foundation to the government?

Mr. Morris Rosenberg: Never.

Ms. Soraya Martinez Ferrada: Okay.

Mr. Morris Rosenberg: In fact, there have been exceptions.

I had an obligation to report to Innovation, Science and Economic Development Canada.

Ms. Soraya Martinez Ferrada: Okay.

Since you received public funding, you had to report to it on your activities, but you did so in connection with your contractual obligations with the government in relation to the donation.

You did it in any case because you were receiving public funding and you had to provide a report on your activities, but that was in connection with your contractual obligations to the government regarding the donation. Is that correct?

Mr. Morris Rosenberg: Yes, that is correct.

Ms. Soraya Martinez Ferrada: Information was never communicated proactively.

For example, regarding the discussions with the association, in connection with the committee that was created between the universities and the foundation, you did not give information to the government.

Mr. Morris Rosenberg: Absolutely not.

There is no coordination with the government regarding donations.

Ms. Soraya Martinez Ferrada: So the donation was managed solely by that committee, with no interference from the government.

Mr. Morris Rosenberg: Yes.

Ms. Soraya Martinez Ferrada: Okay.

Mr. Morris Rosenberg: As I said, most of the negotiations took place before the 2015 election. The agreement had not been signed at that point, because a small part, which did not come from us, dealt with the Université de Montréal, and it was not ready. The donors, who rarely visited Montreal, had already left and we had to wait for another time.

• (1615)

Ms. Soraya Martinez Ferrada: Okay.

Ms. Fournier also said that the foundation had never been pressured to organize conferences between Canada and China. Since the donation was connected with an agreement for organizing conferences, in particular concerning relations between the two countries, were you pressured to organize such conferences?

Mr. Morris Rosenberg: I was never pressured by anyone.

Ms. Soraya Martinez Ferrada: So the association did not follow up to do anything regarding the donations given. It did not make calls or send emails to ask why that had not been done.

Mr. Morris Rosenberg: No. No request was made by the donors to do anything. Under the agreement, the conferences had to relate to global issues concerning Canada and China. It was very broad, and it was up to us, in collaboration with the faculty of law at the Université de Montréal, to decide the nature of the conferences.

Ms. Soraya Martinez Ferrada: Were you pressured, at some point, or did you feel that there was pressure, to select universities or scholars who come from the Chinese community, for example, or who have a particular interest in China?

Mr. Morris Rosenberg: Never.

Ms. Soraya Martinez Ferrada: Okay.

Can you also confirm for the members of the committee that this donation was made entirely transparently, in compliance with the internal policies of the foundation, and with no interference by China?

The committee members and Canadians who are watching us want to be sure that the foundation is not subject to interference by China.

Mr. Morris Rosenberg: I can assure you of that.

Ms. Soraya Martinez Ferrada: Can you confirm for us that there has been no interference by the government and by the Prime Minister in connection with the donation that was made?

Mr. Morris Rosenberg: I am not aware of any communication with the Prime Minister, his office, or other bodies within the government regarding this matter.

Ms. Soraya Martinez Ferrada: Thank you.

The Chair: Thank you, Ms. Martinez Ferrada and Mr. Rosenberg.

Mr. Villemure, the floor is yours for six minutes.

Mr. René Villemure (Trois-Rivières, BQ): Thank you, Mr. Chair.

I would like to start by tabling a motion that has been provided to the clerk, and that I am going to read for you. Moved:

That, in the context of the Trudeau Foundation component of the study on foreign interference and threats to the integrity of democratic institutions, intellectual property and the Canadian state, the committee may reinvide the witnesses already heard or other witnesses that the committee deems relevant, following the information that will be revealed by the documents transmitted by Ms. Pascale Fournier, former president and CEO of the Foundation.

The Chair: Thank you, Mr. Villemure. Since you have the floor, the motion is in order.

Madam Clerk tells me that she has distributed it and that all members have received it, so we can begin the discussion.

Mr. Fergus, the floor is yours.

Hon. Greg Fergus (Hull—Aylmer, Lib.): Thank you, Mr. Chair.

I would like to know whether the motion can be amended to add the documents that will be provided by Mr. Rosenberg.

The Chair: We have an amendment from Mr. Fergus. Does the committee agree?

[English]

Ms. Khalid, do you have something to say?

Ms. Iqra Khalid: I do. I just want to check with you to see if this motion is tight enough. I just want to make sure that it's not vague, which makes it difficult for you to do your job, Chair.

The Chair: I appreciate that. We've been running into some circumstances where it's open to interpretation.

In my view, Mr. Villemure's motion is appropriate and tight enough and gives direction not just to me as the chair, but also to the clerk. I appreciate you asking that.

We have an amendment from Mr. Fergus. Do we have unanimous consent to accept that amendment?

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: Do we have unanimous consent for Mr. Villemure's motion as amended?

(Motion as amended agreed to [*See Minutes of Proceedings*])

The Chair: Madam Clerk, are you clear on that? Okay.

• (1620)

[*Translation*]

Mr. Villemure, I have stopped the clock. You have 5 minutes and 54 seconds. You may begin.

Mr. René Villemure: Thank you, Mr. Chair. That's great.

Thank you for being here with us today, Mr. Rosenberg.

How did this donation come to the foundation? You are managing the foundation, and all of a sudden, there is a Chinese donation.

Mr. Morris Rosenberg: I am going to try to explain it. As I said, it happened eight years ago now, so the documents I have received have jogged my memory. If I do that, I might take up all your speaking time.

Mr. René Villemure: Try to be brief.

Mr. Morris Rosenberg: Okay.

First, in the package of documents, there is a memo that was sent to me by Guy Lefebvre, at the Université de Montréal, shortly after I took office. He said he had spoken with Alexandre Trudeau, before I took office, about the possibility of a Chinese donor, and that they thought it would be a good idea to wait until I was there. He asked me whether I was available to attend a meeting in Montreal on September 23 and 25, because—

Mr. René Villemure: So the Université de Montréal approached you.

Mr. Morris Rosenberg: Yes.

Mr. René Villemure: Okay.

We will read the documents when we get to them.

Mr. Morris Rosenberg: Okay.

Mr. René Villemure: Thank you.

Under your leadership, what were the connections between the foundation and China?

Mr. Morris Rosenberg: Apart from a committee being created, there wasn't much.

I have here the minutes of a meeting on September 24, at which I was present with Mr. Lefebvre, the two Chinese donors, and the representatives of the university and the foundation. They created a committee of three people—you can see their names—who met several times. I don't know how many times they did it.

That was where the connection between us, China and the Université de Montréal was. On that point, it is very important that I tell you what Mr. Lefebvre said.

[*English*]

He says here that the university wishes to develop a long-term relationship with the foundation. Mr. Zhang's position was that the \$1-million donation would establish scholarships for students at the faculty of law at the Université de Montréal and eventually at other universities in Canada.

[*Translation*]

Mr. René Villemure: Were you receiving donations from other countries?

Mr. Morris Rosenberg: No.

However, I should say something about the article published in the National Post in 2016, which said that there had been a huge increase in foreign donations to the Pierre Elliott Trudeau Foundation. At that time, I said that a majority of that money was coming from a foundation registered in Switzerland in the name of John McCall MacBain and his wife, who are Canadian. Mr. McCall MacBain is now the chancellor of McGill University.

I think there were a few other small donations—I'm not certain, but we didn't count the Chinese donation because the donor was a Canadian company.

Mr. René Villemure: The donations by Mr. McCall MacBain were actually relatively large.

Mr. Morris Rosenberg: Yes, they were very large.

• (1625)

Mr. René Villemure: It was almost \$1 million.

Mr. Morris Rosenberg: Yes. I don't recall exactly, but it was much larger, more than the other donations.

Mr. René Villemure: Yes, it was \$946,000.

What were the reasons why you were dismissed from the foundation?

Mr. Morris Rosenberg: I had accepted the position for a four-year term after a very long career in the federal government. After three years, I told Mr. McCall MacBain, in April 2017, that I didn't want to renew my contract. I gave him enough time to launch a process to find a successor for me.

So there was not an ounce of truth in the allusion made on Friday to my having been dismissed. I had a good relationship with Mr. McCall MacBain and the members of the board of directors; I had good performance evaluations and when I left the foundation I maintained a very good relationship with it.

Mr. René Villemure: So you would say that the remarks made by Ms. Fournier about a departure that was stormy and forced and about managing a crisis that followed the departure of yourself and several members of the board of directors at the same time are false.

Mr. Morris Rosenberg: I can explain that.

Some elements are true, but it was not caused by a crisis. Some members of the board of directors had been there for a long time and wanted to do something else. Some of them told me they would be leaving at the same time as me.

There were problems with a few employees. We were sent someone to help us with that. In one case, we lost our communications director. Because I knew I would be leaving, I decided not to hire a new communications director and to leave it up to my successor to build their own team.

Mr. René Villemure: So there was no crisis management after you left.

Mr. Morris Rosenberg: Certainly there were problems, but I wouldn't characterize the situation as being a crisis. They were the kinds of problems that arise in managing any organization.

In addition, we always adhered to the mandate and objectives of the foundation regarding scholarships, fellows, mentors, conferences, and so on.

Mr. René Villemure: Okay. I gather that you do not agree with Ms. Fournier on this subject.

Mr. René Villemure: Thank you.

Mr. Morris Rosenberg: Definitely not.

The Chair: Thank you, Mr. Villemure.

[*English*]

Mr. Green, you are up next for six minutes. Go ahead, sir.

Mr. Matthew Green: Thank you.

Mr. Rosenberg, I'm going to put a series of questions to you in a rather rapid way. It's not personal. I may interject, take my time back and move on to the next question. I'm going to ask you to try to be as concise as you can.

In 2016, in a National Post article, you stated that the \$200,000 donation was not considered a foreign donation because it was made by a company registered in Canada. However, you issued a tax receipt for a company with a Chinese address. Were they the same company?

Mr. Morris Rosenberg: The tax receipt was issued to the company. The Chinese address, as far as I understand, was the address of Mr. Zhang Bin, who was, I believe, president of the company, or certainly a director of the company, as the document shows.

Mr. Matthew Green: Was it a personal address or a corporate address?

Mr. Morris Rosenberg: I don't know. I'm not sure which address it is, but I will say this: There are letters in here from—

Mr. Matthew Green: I will take the letters under consideration when they're submitted.

Mr. Morris Rosenberg: Okay. They're actually emails. Sorry.

Mr. Matthew Green: I'll take the emails as well.

Do you believe that the donor on the tax receipt was the true donor of the \$200,000?

Mr. Morris Rosenberg: As far as I know, yes.

Mr. Matthew Green: In our last committee meeting, an article from La Presse was referenced that stated that in 2016 a board member made a senior staff member aware that the real donor was not the same donor as on the tax receipt. In her testimony, Pascale Fournier stated that the board member in question was Farah Mohamed.

In 2016, you were made aware that the real donor was not listed on the tax receipt.

Mr. Morris Rosenberg: I'm sorry. I was listening on Friday, and I thought that conversation took place not in 2016 but in the past few weeks. I'm not sure.

Mr. Matthew Green: Were you aware at that time? Were you made aware by Farah Mohamed on the board that it wasn't the same person?

Mr. Morris Rosenberg: No. As far as I'm concerned, the donation was made by the company that's here, registered in Dorval. I had no reason to think it was anybody else.

Mr. Matthew Green: You sent it to China.

Mr. Morris Rosenberg: That's where Mr. Zhang's address was.

Mr. Matthew Green: Did you conduct any type of audit—with any type of eyes-wide-open approach—or a risk assessment with regard to sending a tax receipt to a foreign company or to a foreign location?

Mr. Morris Rosenberg: No, because the only company that could use the tax receipt would be the Canadian company to which it was issued.

Mr. Matthew Green: In her testimony to the committee, Pascale Fournier stated that the 2016 receipt that was issued by the foundation and signed off on by you did not include the names of the two donors who were mentioned in the contract and included the address in China.

Did the foundation have any policies on those types of discrepancies?

Mr. Morris Rosenberg: I don't believe it had any policies on that particularly. I think the policy was that the tax receipt should be issued to the entity—either an individual or a corporation—that makes the donation, and that's what we did.

Mr. Matthew Green: Did what you signed off on include the name of the two donors?

Mr. Morris Rosenberg: I don't remember.

As far as I can tell, we signed off on.... There's one tax receipt in the package to the Millennium corporation, the one in Dorval. The names of the donors aren't on there. There was an issue around what the correct address was.

Mr. Matthew Green: Were the donors board members of Millennium Golden Eagle?

Mr. Morris Rosenberg: Mr. Zhang was a board member of Millennium.

Mr. Matthew Green: Was the other?

Mr. Morris Rosenberg: No.

Mr. Matthew Green: So you issued a tax receipt to a corporation that did not include one of the donors.

Mr. Morris Rosenberg: Yes, because the corporation was the donor.

Mr. Matthew Green: It was not the two people who made the donation.

Mr. Morris Rosenberg: The money came from the corporation.

Mr. Matthew Green: In an annual report in 2016-17, in the information that was shared with the CRA, the name of the company, Millennium Golden Eagle, was not included, but the names of the donors were. Can you explain the discrepancy between that and what you just said?

Mr. Morris Rosenberg: Yes. I thought I did in my opening remarks by saying that I think it made sense for the foundation, having met its obligations to the CRA, to put down the names of the two individuals who were the face of the donation and in whose name these conferences would be held.

• (1630)

Mr. Matthew Green: In any of your board meetings, did any of the board members or any of the senior staff—including legal, financial and otherwise—raise concerns around the discrepancy and the sensitivity of the donations?

Mr. Morris Rosenberg: I do not recall that they did.

The other thing I will say is that there were controls in place at the foundation to deal with the issue of receipting for donations. As you'll see from the package, the correspondence on the receipting was between two more junior employees of the foundation, along with a representative of the China Cultural Industry Association who was working for Mr. Zhang and who simply said, "Could you please send it to this address?"

When you say instructions from China, they were about what address to send it to.

Mr. Matthew Green: Was the address in China the address of the China Cultural Industry Association?

Mr. Morris Rosenberg: The address we have, from the only research I've been able to do, is the same address, ultimately, as the address given for Mr. Zhang in this Canadian government—

Mr. Matthew Green: Sure, but I'm sure a Google search or something would probably bring up.... I want you to have the opportunity to put on the record that it wasn't the China Cultural Industry Association, because you would recognize the relationship between the People's Republic of China and this association as being a proxy. Am I right?

Mr. Morris Rosenberg: I would recognize it. It's what I would call a soft power organization. It was involved in the U of T donation and the U of M donation—two of the biggest universities in Canada.

Mr. Matthew Green: Here's my last question. You mentioned the governance around the board. I'm trying to determine whether significant governance issues have gotten us here today or there's something more. That's where I'm at.

Can you explain to me the nature of how board members are appointed? I understand there are three categories: ISED appointees, Trudeau family appointees and the members. Is that correct?

Mr. Morris Rosenberg: I'd call them independent members.

Mr. Matthew Green: They're not independent of the family. They make direct appointments, do they not?

Mr. Morris Rosenberg: No. I'm sorry. The members of the foundation, who are the equivalent of shareholders of a for-profit

corporation, have two jobs. One is to choose the auditors. The other is to appoint the board.

Mr. Matthew Green: Do you mean all of the board?

Mr. Morris Rosenberg: No, it's the independent members of the board. You have three categories of members: family members, government members and independent members.

Mr. Matthew Green: Who has the majority of the seats on the board?

Mr. Morris Rosenberg: The independents do, I believe.

The Chair: Mr. Green, that concludes our first round.

We are going to go back to Mr. Barrett for five minutes.

Mr. Rosenberg, just so you know, on this committee the exchanges typically happen between the members. I'm not so formal as to have it come through the chair, so any interaction you have is directly with committee members.

Go ahead, Mr. Barrett, for five minutes.

Mr. Michael Barrett: Did you follow the CCIA instructions on where to send the receipt?

Mr. Morris Rosenberg: I believe my staff did. I don't believe I was aware, at the time, of these interactions, and I don't believe I'm copied on any of this material.

Mr. Michael Barrett: The receipt was sent to Hong Kong and then to Beijing. Is that correct?

Mr. Morris Rosenberg: I believe so. I should say that the 160 pages of access—

Mr. Michael Barrett: You signed the receipt, though.

Mr. Morris Rosenberg: Yes, I signed the receipt.

Mr. Michael Barrett: However, you don't know where it was sent.

Mr. Morris Rosenberg: You're asking me to remember, eight years later, where a receipt was sent. I don't.

Mr. Michael Barrett: With all due respect, you said this was an unusual circumstance in that Mr. Trudeau signed this donation agreement in an unusual ceremony with an unusually large donation from a foreign country, which is quite unusual for the Trudeau Foundation. Is that fair? Is this a usual set of circumstances we're talking about here?

I highlight that it's so unusual because that's what we're seeing in public reporting. We're seeing that a donation was made by individuals who were effectively cut-outs for a soft power operation and operating on behalf of a Communist dictatorship looking to wield influence in Canada.

You were the DM of foreign affairs. Is that correct?

• (1635)

Mr. Morris Rosenberg: I was.

Mr. Michael Barrett: In your time in the public service, you would have been briefed and aware of foreign influence tactics as a part of that job. Is that correct?

Mr. Morris Rosenberg: Yes.

Mr. Michael Barrett: Did you not find it odd that this donation from Beijing, from cut-outs acting directly on behalf of the Communist dictatorship in Beijing...were suddenly looking to target a donation to a foundation that bore the name of one of the candidates for prime minister in the election? You said it was a couple of weeks before election day in 2015, and they wanted to get the money out the door quickly. Does that not strike you as concerning, based on your training?

Mr. Morris Rosenberg: As I said in my opening remarks, you have to look at this from the context of 2016. In the context of 2016, just about every university in Canada, many corporations and the Government of Canada—including the Harper government—had changed their attitude towards China.

Mr. Michael Barrett: With all due respect, sir, this is, as you said, very unusual.

I need you to confirm this. How many times did Mr. Alexandre Trudeau sign for donations on behalf of the foundation?

Mr. Morris Rosenberg: I know of this one, and I can't confirm.... I don't know of any others. I'm not sure there weren't ever any others.

Mr. Michael Barrett: Did you have any conversations with Mr. Alexandre Trudeau about this donation?

Mr. Morris Rosenberg: I probably did, but I don't recall them.

Mr. Michael Barrett: Did he ever raise donors or donations from China with you?

Mr. Morris Rosenberg: Do you mean other than this?

Mr. Michael Barrett: Yes.

Mr. Morris Rosenberg: No.

Mr. Michael Barrett: You did an Industry Canada lookup. I want to go back to Mr. Green's question with respect to the China Cultural Industry Association. This link is problematic because of its direct connections to the CCP.

The address that this donation was sent to is incredibly important. You said you're not sure about where it went. Are you able to verify that by searching your records, or would an email search confirm that?

Mr. Morris Rosenberg: I don't have access to the foundation's records. All I have access to right now are the 160 pages that were provided under access to information.

I know that representatives of the foundation are coming. They have access to all of those records, and you, perhaps, would be better to ask them. I can't get those records myself.

Mr. Michael Barrett: I think that in 2016, we were aware of attempts by foreign governments to try to influence our democracy. I want to ask one last question with my remaining time.

You saw the reporting after the donation was received. In 2022 and 2023 you would have been aware, with the benefit of hindsight, of what appears to be a very problematic donation at best but an obvious influence attempt by the Chinese dictatorship at worst.

Do you think it was appropriate for you to accept a role to investigate foreign influence in our elections when this had occurred at

the Trudeau Foundation, which, as has been reported, seems to be quite clearly an influence operation to target the Prime Minister?

The Chair: I need a very quick response, Mr. Rosenberg.

Mr. Morris Rosenberg: Yes.

I didn't see a connection. As I've cited, Professor Wark didn't see how this was an influence operation at all, and neither did I, frankly.

When I took the job, by the way, back in June or July—it was offered by the Privy Council Office—to examine this, I wasn't getting the whole view on whether there had been election interference. I was examining the operation of this one piece, the protocol, and whether it was adequate. I said, “Well, it worked as it was intended to work, but there are some really big problems with it.”

I know that nobody wants to talk to me about my report, but a lot of stuff in that report is critical of the government. There are 16 recommendations on things they need to fix.

The Chair: Thank you, Mr. Rosenberg and Mr. Barrett.

I have Ms. Hepfner next.

Go ahead, please, for five minutes.

Ms. Lisa Hepfner (Hamilton Mountain, Lib.): Thank you, Chair.

Thank you, Mr. Rosenberg, for being here with us today.

I would like to go back to your experience as deputy minister. You served in both Conservative and Liberal governments, and I'd like you to tell us a bit more about that experience and the different ministers you worked for.

Mr. Morris Rosenberg: Sure. I worked for Anne McLellan, Martin Cauchon, Irwin Cotler, Ujjal Dosanjh, Tony Clement, Leona Aglukkaq, Lawrence Cannon and John Baird.

Ms. Lisa Hepfner: Would you say that a deputy minister has to remain non-partisan, and how do you go about doing that in your job as deputy minister?

Mr. Morris Rosenberg: There are a number of ways you go about doing it.

First of all, you don't engage in overt political activity.

Second, to the extent that politicians try to politicize the public service, you push back on that.

Third, you give your best advice. The advice isn't tone-deaf to politics because there is no point in giving advice that has zero chance of being implemented, but it is the best neutral advice you can give.

● (1640)

Ms. Lisa Hepfner: Thank you.

Just a moment ago, you were speaking about your selection by the Privy Council Office to write the 2021 critical election incident public protocol. How does one go about being selected to write a report like that?

Mr. Morris Rosenberg: Well, I got an email from the assistant secretary saying they were looking for somebody to do this independent report, which was done by another former colleague in 2019 after the election. They said, “Are you interested? Here is his public report on the protocol.” I read it, and I called him up and said, “Sure.” It looked like a really interesting job.

The other thing I should—

Ms. Lisa Hefner: It was a purely civil service process.

Mr. Morris Rosenberg: In fact, it was supposed to be independent of the government, so yes, it was a purely civil service process.

At the end of the day, the story about the Trudeau Foundation that there was a meeting in 2014—according to an anonymous source given to The Globe and Mail—where somebody apparently said to this donor, “Give money to the Trudeau Foundation and we'll pay you back”, actually came out on February 28.

I submitted my report before the end of the year, and there was no issue. As I said, I wasn't examining election interference per se; I was examining whether this protocol worked, whether the right people were talking to the right people and whether the standard in the protocol actually made sense because the nature of the problem of foreign interference continued to evolve from the time the protocol was first set up.

Ms. Lisa Hefner: One of the conclusions in your report, per the CBC, was that “attempts to interfere with the 2021 federal election did not affect the results”. However, you also stated, per the CBC, that the government “should consider changing the rules to allow the panel to alert Canadians to ‘potential’ impacts on election integrity.”

Please tell us what that would look like. At what point should Canadians be alerted? What would be the threshold?

Mr. Morris Rosenberg: This is an issue that I didn't actually make a recommendation on, but I said it needs study.

I talked to the Liberals, the NDP and the Conservatives—the Bloc Québécois didn't want to talk to me—and there are different views among the parties, but I felt that the threshold was so high that only something akin to Russian interference in the U.S. election in 2016 would invoke the threshold.

However, what happens if you are aware that one or two ridings or a particular ethnic group is being targeted with false information and nobody says anything to them? I think you may need to consider a way of communicating that to the public without saying the sky is falling and the whole election is going to be undermined, but in specific instances, there is a problem and they should be aware.

This happened in the U.S. before the 2020 election. Three weeks before, there was a press conference by the FBI and their cybersecurity agency about Iranians posing as Proud Boys and emailing voters in Alaska and Florida, telling them, “You'd better vote for

Donald Trump or else.” These agencies came out and said this is false.

Ms. Lisa Hefner: Thank you.

You talked about the length of your time in the public service, so I'm sure you know that since 2015, this government has brought in several measures, including the creation of NSICOP, the security and intelligence threats to elections task force and the National Security and Intelligence Review Agency. There are more.

What was done before 2015 to counter foreign interference?

Mr. Morris Rosenberg: I don't recall what was done before 2015 to counter foreign interference.

The issue has really come up a lot more since the 2016 U.S. election. I think that spurred a lot of other things. There seemed to be Russian interference in the French election. I think that really raised people's sensitivity about this and the need to do things, and I would say that keeps evolving.

Just because the government put a five-point plan in a couple of years ago.... You cannot rest on your laurels. That plan needs to be updated. The nature of the threat is changing.

The Chair: Thank you, Ms. Hefner.

[*Translation*]

We are going to move on to the next speaker.

Mr. Villemure, the floor is yours for two and a half minutes.

Mr. René Villemure: Mr. Rosenberg, I'm sure you understand that I have only two and a half minutes.

I would like to know who organized the meeting of five deputy ministers at the Langevin Building?

● (1645)

Mr. Morris Rosenberg: It was probably me, and I will explain why.

One of the reasons why I got involved with the Pierre Elliott Trudeau Foundation is the fact that, in my opinion, there are too many barriers between the world of research and the world of politics. I thought it was important that people in politics be aware of the research being done, because it is paid for by public funds.

I have to point out that during my own and my deputy minister colleagues' terms, when we had committee meetings—I chaired a committee on global issues, for example—we always tried to invite academics or members of research organizations to come and talk to us about their projects.

Mr. René Villemure: I'm sorry to interrupt you, but we are pressed for time.

It was actually quite surprising to see that the Pierre Elliott Trudeau Foundation was in the Prime Minister's building with access to five deputy ministers. That is not a common occurrence.

Mr. Morris Rosenberg: It may not be a common occurrence, but the Langevin Building is located in downtown Ottawa, so it is very central and it is a place where senior officials often meet. The Prime Minister's office is not the only thing there; there is also the Privy Council office.

The subject of the meeting related to the economic benefits of diversity. Diversity, which is a subject of interest to the government, had been the subject of a research project by one of our fellows and one of our mentors. I spoke with someone and told him it would be useful for his guys to be aware of it.

Mr. René Villemure: I'm sorry again.

Tell me, still, not everybody is given access to the Langevin Building.

Mr. Morris Rosenberg: I think you have to have permission. There are people who are there. It isn't a prison. It's accessible if necessary.

Mr. René Villemure: So you don't find that unusual. I must be worrying about nothing, right?

Mr. Morris Rosenberg: I don't know whether it's as unusual as that. I was at the Privy Council Office too, for five years, and I wanted to hold meetings with people other than public servants. To make public policy, you have to be familiar with various points of view.

[*English*]

The Chair: Thank you, Mr. Villemure.

Mr. Green, you have two and a half minutes, please.

Mr. Matthew Green: Given the media coverage of the donation in 2016, did you consider conducting an audit at the time?

Mr. Morris Rosenberg: No.

Mr. Matthew Green: Did the foundation conduct any further investigation into the donors, the source of the donation or the conditions of the donation in light of the media coverage?

Mr. Morris Rosenberg: No, because the media coverage at that time was making a link between a meeting the Prime Minister had been at—a so-called cash-for-access meeting—and the proximity of that to the timing of the donation, and we knew that there had been no coordination with the Office of the Prime Minister or anybody else in the government on the timing of the donation. We were completely unaware of the dinner the Prime Minister attended.

Mr. Matthew Green: Was there any communication between you and the PMO?

Mr. Morris Rosenberg: No, not me, although I do recall one article that I saw, because there was a lot written about this. There was a call from the Prime Minister's Office to one of the staff in the foundation.

Mr. Matthew Green: Ms. Fournier stated that she remembers reviewing emails between the executive director, Elise Comtois, and the PMO. Were you aware of these emails?

Mr. Morris Rosenberg: I don't recall, but I will say, just to go back, that if there were emails and there were documents that raised questions about this stuff, why didn't the foundation management call me to at least get my view on it so I could see the stuff and—

Mr. Matthew Green: Those are important questions.

There was testimony by Ms. Fournier that there was some disarray in the governance structure. As we saw when you left, board members did leave en masse. That's not typical—

Mr. Morris Rosenberg: I don't think they left en masse.

Mr. Matthew Green: How many board members left at the time?

Mr. Morris Rosenberg: I'd have to go back and see. I know of two.

Mr. Matthew Green: So more left after that.

Mr. Morris Rosenberg: I don't know. Once I left, I left.

Mr. Matthew Green: I can appreciate that.

You're stating that you had no information. Would the executive director have informed you of email communication between the foundation and the PMO?

Mr. Morris Rosenberg: It's possible. I'm really sorry. I'm trying to answer your questions, but I also know enough to say when I don't recall that I don't recall.

Mr. Matthew Green: That's fair.

Do you recall there being meetings hosted at the PMO with the foundation?

• (1650)

Mr. Morris Rosenberg: Absolutely not.

Mr. Matthew Green: No?

Mr. Morris Rosenberg: No, I mean there weren't.

Mr. Matthew Green: There weren't. You're categorically denying—

Mr. Morris Rosenberg: As I answered earlier, we were independent and very sensitive to that independence from the government, and doubly sensitive, I think, when Mr. Trudeau became Prime Minister.

Mr. Matthew Green: Rightly so.

Thank you.

The Chair: Thank you, Mr. Green and Mr. Rosenberg.

[*Translation*]

To finish this round, I am going to allow two people to speak for five minutes each, one Conservative and one Liberal. Then we will go back to six minutes each, and I will be able to make adjustments to speaking times as we get to the end of the meeting.

Mr. Berthold, the floor is yours for five minutes.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Thank you, Mr. Chair.

Mr. Rosenberg, you were deputy minister of Foreign Affairs, is that right?

Mr. Morris Rosenberg: Yes.

Mr. Luc Berthold: How long did you hold that position?

Mr. Morris Rosenberg: It was from 2010 to 2013.

Mr. Luc Berthold: So you are very familiar with all the influence networks and everything that may go on at the international level. Particularly at this time, we are even more sensitive to that.

Did you not find it bizarre that the Pierre Elliott Trudeau Foundation would be receiving such a large amount of money right before an election?

Mr. Morris Rosenberg: Frankly, no.

I can say it again: those were different times. It was after two of the biggest universities in Canada had received money.

Mr. Luc Berthold: When you got instructions to issue a receipt to people who were not the ones who had made the donations, did you not find that bizarre?

Mr. Morris Rosenberg: No, because we receive donations from people who use their company to make donations.

Mr. Luc Berthold: Do you think it is okay to let Canadians believe it is reasonable for two individuals to have made a donation to a foundation and concealed the exact provenance of the company that made the donation?

Mr. Morris Rosenberg: Our intention was not to conceal anything.

Mr. Luc Berthold: You said earlier that you had sent the receipt to an address in Hong Kong, at the request of the donors. But when I look at the documents that the foundation sent, I see that the address on the receipt is indeed in Hong Kong. The address in Hong Kong wasn't just on the envelope, it was actually on the receipt.

Mr. Morris Rosenberg: I don't have that document.

Mr. Luc Berthold: In a document, here, it says: "Official receipt", "Millennium Golden Eagle International (Canada) Inc.", "804-805 Pacific Place", "Queensway, Hong Kong, China".

That is the receipt that was given directly, it isn't just an address where you were told to send a Canadian receipt.

That didn't seem odd either?

Mr. Morris Rosenberg: No, not at that time.

Mr. Luc Berthold: It is your name on the receipt. You signed a receipt to a company incorporated in Canada, sent to Hong Kong, and all of that combined was not enough to make you wonder, despite your experience as deputy minister of Foreign Affairs.

Mr. Morris Rosenberg: No, not at that time, because I think we had been asked to send the receipt to Zhang Bin's address. I thought it was his address, but I'm not certain.

As I said—

Mr. Luc Berthold: Mr. Rosenberg, the receipt does not say exactly what you say.

You talked about a mailing address for sending a receipt. Now, I see that the receipt was sent to an address in China. I'm going to ask you a real question.

Mr. Morris Rosenberg: Who can use the receipt?

Mr. Luc Berthold: Regardless of who uses it, Mr. Rosenberg, it should have raised questions regarding the provenance of the donation, which was different from what you had been promised in the agreement signed by the two donors.

Did it often happen that you sent receipts of that kind overseas? Was that the first time?

Mr. Morris Rosenberg: I don't recall.

Mr. Luc Berthold: To your knowledge, was Alexandre Trudeau involved in other discussions about other donations to the Pierre Elliott Trudeau Foundation?

Mr. Morris Rosenberg: I don't recall.

Mr. Luc Berthold: So that would be the only time when Alexandre Trudeau was involved in a donation of that size to the foundation during the years you were there.

• (1655)

Mr. Morris Rosenberg: It might be better if you asked him tomorrow.

Mr. Luc Berthold: Yes, but to your knowledge, as the former president and CEO of the foundation, was that the only time?

Mr. Morris Rosenberg: To my knowledge, there were no other times, but as I said, it was eight years ago now. I don't have an exact recollection of everything that happened.

Mr. Luc Berthold: Mr. Rosenberg, given all the information available to you, and given also that you had experience as deputy minister of Foreign Affairs and all the circumstances that emerged from the testimony we have heard, we might be a bit surprised at the naïveté with which you handled this information and all the other information at that time.

Unfortunately, you were responsible for the final analysis of foreign interference in the 2021 election. Were you just as naive in the way all the information submitted was dealt with?

Mr. Morris Rosenberg: My report speaks for itself. I was not naive.

I even said that the situation had changed a lot since a few years ago. A lot of testimony from our security agencies indicates that there really is a problem, particularly when it comes to China, but there are also problems with other countries.

Mr. Luc Berthold: Mr. Rosenberg, unfortunately, you have been one of the privileged witnesses to how the Chinese communist regime started wanting to influence the Trudeau government.

The Chair: Mr. Berthold, your five minutes are up.

Mr. Luc Berthold: I didn't see you. Thank you.

The Chair: Thank you.

[English]

Next we have Mr. Bains.

Go ahead for five minutes, please.

Mr. Parm Bains (Steveston—Richmond East, Lib.): Thank you, Mr. Chair.

Thank you, Mr. Rosenberg, for joining us today.

I know you mentioned that nobody wants to talk about your report, but I actually do. I'd like to ask about your work on the foreign interference report.

One of the recommendations we've heard from past witnesses is the need for MPs and senators to be briefed on foreign interference. I know that I was never briefed before my election on steps I could take to protect myself.

What format do you think those briefings should take? Could you touch upon the 16 recommendations and other things?

Mr. Morris Rosenberg: Sure.

First of all, I think a start would be unclassified briefings about what to watch out for and about the kinds of methods that foreign diplomats or others might try to use to entice MPs.

Very importantly, I would add that when my focus was on the federal election, what I learned in doing this work was that this influence starts much earlier. It starts with people who are interested in public issues, people who are community leaders, people who are on school boards, people who are in municipal government and people who are in provincial government. Really, these briefings need to be much broader than just for MPs and senators.

The fact that we haven't yet been briefing MPs and senators, I think, is something that needs to be remedied very quickly. It needs to go beyond that as well. There have to be discussions with provincial and municipal governments to educate them on these issues.

Mr. Parm Bains: Let's say there are bad actors involved. It's hard for our security agencies to warn potential election candidates.

What would the briefing look like in terms of who to look out for, what kinds of things to look out for and what the difference is between interference and influence?

Mr. Morris Rosenberg: This is the big question. It's not an easily resolvable one. I'm not sure all the political parties necessarily want the same thing, because right now my understanding is that the only real vetting that takes place of people is when they are being considered for cabinet. There isn't a general vetting of everybody who might be running for Parliament. That's a lot of work. It takes a lot of resources, but that has to be part of the conversation.

Other things have to be part of the conversation: Who's coming out to nomination meetings? How are these things being run? Are they being manipulated by anybody? Are people who are not Canadian citizens being bused in to vote for preferred candidates?

It's a lot. As I said, it's changing. Because we have been focusing on China, there have been reports recently, and not surprisingly, that the Russians are interested in all NATO countries and are trying to have people be less supportive of Ukraine.

Mr. Parm Bains: You said the nature of the threats is changing as they evolve. What things are you seeing change from before, when you were doing the report?

Mr. Morris Rosenberg: One of the interesting things about my report—and we haven't talked about this at all—is that the protocol talked about not just foreign interference but domestic interference

as well. They are very different animals. One of the problems, and one of the frustrations I had, is that there was no publicity about this protocol before the election, unlike in 2019. The protocol was put up on the government's website when the election was called, and it was different. It then said “domestic interference”, and, frankly, nobody knew exactly what that meant. The only thing I know is that it doesn't mean the typical kind of interference. There were increasing concerns about violence from domestic actors with respect to the leader of NDP and, to some extent, to the Prime Minister, so yes, that's an issue.

I said to the PCO that nobody seemed to really understand well enough what it meant to have domestic interference in this report. I asked the PCO, “What are you going to do about it? Are there different parameters on it than you would apply to foreign interference?”

You cannot take away the free speech of Canadians. Canadians can say whatever they want about an election within the limits of hate or whatever.

● (1700)

Mr. Parm Bains: Are you talking about misinformation and disinformation? Is that a key threat?

Mr. Morris Rosenberg: Yes. It's a key threat from not just foreign actors. We recognize that it's increasing from domestic actors and violent extremists.

Mr. Parm Bains: You mentioned there were a number of countries involved. What other countries do you think were involved?

Mr. Morris Rosenberg: The were the Iranians, Russians and Chinese. There may be some others that I'm not privy to say.

The Chair: Thank you, Mr. Bains and Mr. Rosenberg.

We're resetting now with six-minute rounds.

We are going to Mr. Cooper for six minutes.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Thank you very much, Mr. Chair, and thank you, Mr. Rosenberg.

Mr. Rosenberg, you claim that the source of the donation was Millennium Golden Eagle International (Canada) Inc., yet on July 14, 2016, when you sent international bank transfer instructions, nowhere mentioned in that letter is Millennium Golden Eagle International (Canada) Inc. The only names on that letter were Bin and Niu. Why?

Mr. Morris Rosenberg: I don't have the document, and I can't answer the question because I don't recall that right now.

Mr. Michael Cooper: That's highly suspicious. You signed it. It's highly suspicious that on a document sent to transfer the money, nowhere is that entity mentioned. It just has the names of those donors.

You claim the receipt was sent to the registered office of this company, yet in the September 26, 2016, correspondence with the Trudeau Foundation, the address the receipt was requested to be sent to is the same address as the China Cultural Industry Association. Can you explain that?

Mr. Morris Rosenberg: I'll say two things. First of all, I know that Mr. Zhang was the president of Millennium International and director of Millennium Canada. I'm not sure what his other positions were. He was also the president of the China—

Mr. Michael Cooper: Do you know what the China Cultural Industry Association is? It's a company associated with the United Front Work Department.

Mr. Rosenberg, you said with a straight face that you saw no evidence of a foreign interference network with respect to this donation. What does Millennium Golden Eagle International do, by the way?

Mr. Morris Rosenberg: As far as I know, they're a media company.

Mr. Michael Cooper: Did you ever bother to do any due diligence? Did you bother to even go to their website? Maybe if you did, Mr. Rosenberg—

Ms. Iqra Khalid: I have a point of order, Mr. Chair.

The Chair: This had better be on a procedural basis, Ms. Khalid.

Ms. Iqra Khalid: I'm just wondering if there is any procedure to ensure that witnesses who come before this committee are treated with respect.

The Chair: I'm not seeing any evidence of disrespect. I'm seeing a hard line of questioning from Mr. Cooper. If it does cross that line, I'll deal with it. I do want to remind members of the committee that points of order are made on a procedural basis and not because you don't like what you're hearing.

Go ahead, Mr. Cooper. I stopped your time. You have three minutes and 35 seconds.

Mr. Michael Cooper: Thank you, Mr. Chair.

Did you even bother to go to the website of this company?

Mr. Morris Rosenberg: As I've explained, the way receipting was dealt with—

Mr. Michael Cooper: I guess the answer to that is no, because if you had bothered.... It's a yes-or-no question.

The Chair: Mr. Cooper, you do have to give him a chance to answer, please.

Go ahead.

• (1705)

Mr. Morris Rosenberg: Receipting was done by staff in the foundation in conjunction with our accountant, and when I got a receipt to sign, I assumed it was fine.

Mr. Michael Cooper: Hopefully they knew how to use Google, because had they bothered to do so or had you bothered to do your due diligence, you would have known that the website of Millennium Golden Eagle International states that part of their mandate is to take governmental guidance from Beijing. If you had bothered to do your due diligence, you would have known that Zhang Bin was a political adviser to the Beijing regime.

You came before this committee with a straight face, as the former deputy minister of foreign affairs, and said, "There's nothing to see here" in the face of that. Are you serious?

Mr. Morris Rosenberg: Yes, I'm serious, and I'll answer your question.

First of all, Zhang Bin was introduced to Mr. Lefebvre at the Université de Montréal by our former ambassador in China, Mr. Guy Saint-Jacques, whom I actually spoke to yesterday. Mr. Saint-Jacques was very well aware of the associations that Mr. Zhang had, and I think it was felt that almost everybody in China who was anybody had some connection with the government. The question was, what were they trying to influence?

Mr. Michael Cooper: This agreement began to crystallize with this individual associated with the United Front Work Department, and with this shell company, the address of which was a house in Dorval. It was insisted, as a condition, that the Prime Minister's brother be involved, and all of this was happening one month before a federal election campaign.

Didn't you see anything to be concerned about? Was there no red flag for you to indicate that maybe you should look into this, that maybe you should do your due diligence and that maybe there was something here? Was there nothing at all?

Mr. Morris Rosenberg: First of all, these discussions started in 2014, before I arrived at the foundation and long before the federal election in 2015. Mr. Lefebvre, who was negotiating this principally, was advised by our ambassador in China that Mr. Zhang was a good person to talk to. At that time, there were lots of Canadian organizations dealing with other—

Mr. Michael Cooper: Mr. Rosenberg, one of two things is possible. Either you are completely incompetent or you were wilfully blind. There is nothing in your record to indicate that you were incompetent. The only conclusion I can draw is that you were wilfully blind.

Some hon. members: Oh, oh!

The Chair: Mr. Cooper, thank you for your time.

Let's have some decorum here, please.

We are going now to Mr. Fergus for six minutes.

Go ahead, please.

Hon. Greg Fergus: Mr. Rosenberg, let me first apologize for the needless insults you had there, given your long history in service to our country. We can ask tough questions, but we don't have to be disagreeable to do so.

Sir, let's talk about tax receipts.

Can tax receipts be used by any person or company who doesn't pay taxes in Canada?

Mr. Morris Rosenberg: As far as I know, they can't.

The example I would use is this. I make a donation to a Canadian company, and I'm retired and spend six months in the south of France. If I say, "Send the receipt to my address in the south of France", then I get it there. I would then file the receipt with my income tax to get a deduction for my tax. I think this is something along the lines of what happened here.

The assumption that we were somehow nefariously trying to hide the real identity of the donor... The cheque came from Millennium Golden Eagle International (Canada) Inc. The receipt was made out to Millennium Golden Eagle International (Canada) Inc. This is why I think there needs to be an independent investigation in this whole thing.

Somebody not only needs to look at the documents but also needs to bring in the people at the Trudeau Foundation who were there at the time. Frankly, maybe somebody should go and speak to the company in Dorval. Maybe somebody should speak to the Canada Revenue Agency about whether they thought there was anything untoward about this.

We had no malevolent intent. We thought, and we believed strongly, that we were complying with the law by sending the receipt to the person who made the donation.

• (1710)

Hon. Greg Fergus: That's fair enough.

Let's also talk about the meeting at Langevin Block, as it was known at the time.

You indicated in your testimony, and I think the record would state, that the building is used by the Prime Minister's Office. It's also used by the Privy Council Office with the Privy Council being a central agency of the government. Deputy ministers, of course, have a particular responsibility. The clerk would be your boss.

Mr. Morris Rosenberg: Sort of, yes.

Hon. Greg Fergus: I mean of the deputy minister community, I would assume.

Deputy ministers often go outside to seek advice. Before I became a member of Parliament, I used to work for Canada's universities. I know that on occasion some of our researchers, or, frankly, some of the university presidents or college presidents, were invited to offer an opinion on particular subjects.

Can you please indicate to us what the intention was behind the meeting that you had set up at that time?

Mr. Morris Rosenberg: As I said to Mr. Villemure, the intention of the meeting was.... We knew that the government had diversity and pluralism as a priority back in 2015. A fellow from, I believe, the University of Waterloo and one of our mentors, who was a former diplomat, were doing a research study on the economic benefits of diversity, which varied very much from industry to industry—the ethnic composition varied from industry to industry—and we thought it would be an interesting piece of research that could help the government as it developed its policies.

I spoke with a deputy secretary in the PCO and said, "Hey, we're doing this work. Do you think this would be of interest to people?" He said yes, because it touched the work of Industry Canada, Immigration Canada, Canadian Heritage and I forget who else. It was kind of a horizontal issue. People knew me and thought, I guess, that I had credibility, so they were willing to come to a meeting with me.

Hon. Greg Fergus: I have a minute and 45 seconds left.

Let's go back to the question of influence.

I'd like to go back to a question that Madame Martinez Ferrada asked you. The first contact happened in 2014. Is that correct?

Mr. Morris Rosenberg: Yes, as far as I know.

Hon. Greg Fergus: It was between the then president of the Université de Montréal—

Mr. Morris Rosenberg: No, the vice-rector at the Université de Montréal.

Hon. Greg Fergus: Thank you for that correction.

I certainly remember 2014 because that was the year I was nominated. We were nominated into a situation where we were polling second, moving on to third—dropping in the polls. If you were a foreign government trying to influence an organization, you'd think they would go after the party that was number one in the polls.

There was no request—as you answered the question—from the donor to influence the study program, to speak out on issues or to avoid speaking out on issues. Can you confirm that was the case, that there were no demands whatsoever?

Mr. Morris Rosenberg: There were no demands. In fact, one of the other things that's interesting.... There are two articles in *Le Devoir* that I will provide. One is an interview with Mr. Saint-Jacques and the other is an interview with Mr. Lefebvre. The interview with Mr. Lefebvre said that, absolutely, the Trudeau Foundation wasn't involved from the start. He then says in the article:

[*Translation*]

The involvement of the organization, which was founded in memory of former Prime Minister Pierre Elliott Trudeau, even annoyed the Chinese businessman, according to Mr. Lefebvre. "Zhang Bin was not in a very good mood; he wasn't happy that there was another player"...

[*English*]

According to this article, he wasn't very happy about it.

The Chair: Thank you.

Thank you, Mr. Fergus. We went over time a bit on that one.

[*Translation*]

Mr. Villemure, the floor is yours for six minutes.

Mr. René Villemure: Thank you, Mr. Chair.

Mr. Rosenberg, you have been critical of the fact that no one is talking about your report. We are going to talk a bit about it. I am going to follow up on what my colleague said.

Could you tell me what the difference is between influence and interference?

• (1715)

Mr. Morris Rosenberg: One of the big differences is the influence that we might call the power of persuasion. A lot of countries, including ours, use that.

I have to say, and I want to stress this, that the mindset really was different during the 2010s.

Mr. René Villemure: What is the difference between influence and interference?

Mr. Morris Rosenberg: Interference is more of a secret intervention.

[*English*]

I'm going to say this in English, just to be clear.

With the Chinese, one thing that's really difficult is.... If you take what happened in B.C.—it was Kenny Chiu's riding—there was stuff that started in China in newspapers and was picked up on WeChat. There were people in the community who said, gee, this guy Kenny Chiu is a bad guy because he'll bring in this foreign influence registry that's going to require all Chinese to register and the Conservative Party is going to break relations or whatever. The question is, how much of this was being orchestrated by Beijing and how much of this was a genuine view of Chinese Canadians or other Canadians?

There are people in Canada who have business relations with China and who have very strong interests in maintaining them. If a party takes a view that's counter to China's, they may, completely in good faith, be expressing their views. On the other hand, there are other people who may have family in China who have been threatened, and they need to speak the party line. How you tell the difference between the two is very hard.

[*Translation*]

Mr. René Villemure: That is ambiguous, actually.

I have read your report. I assume that you had the competencies of a former deputy minister of Foreign Affairs.

Were there other considerations? I'm not talking about partisan considerations. On what basis were you chosen?

Mr. Morris Rosenberg: I was chosen for three of my experiences that were perhaps relevant: one at the Department of Foreign Affairs and another at the Department of Justice. The deputy minister of Justice is a member of the deputy ministers' committee. I also spent five years at the Privy Council Office.

They wanted someone who understood how the machine works. I had that knowledge. My predecessor, Jim Judd, who is a former deputy minister of National Defence and a former director of the security service, had training similar to mine.

Mr. René Villemure: You said earlier that your report wasn't about foreign interference, it was about the use of the protocol. In fact, the report documents what the protocol is, how it was used, and what can be improved. That is clear.

In your report, 23 words out of 23,000 talk about interference. So it is not a report about interference. However, the Prime Minister has been telling us for months that your report concluded that there

was no interference. In the House, we are told that your report concluded that there was no interference, although very little is said about it.

Mr. Morris Rosenberg: The only thing I can say is that I think my report speaks for itself. I did not do any interpretation.

My report deals with the operation of the protocol. At the beginning, I gave a kind of introduction to inform people of what interference is. As well, I quoted what the people I interviewed said, including what the people responsible for the security services said. I also quoted what was said by deputy directors of the Canadian Security Intelligence Service and by senior officials at the Communications Security Establishment, or CSE—

Mr. René Villemure: Mr. Rosenberg, the instruction given in your report is remarkable. I have nothing to say about that.

However, what intrigues me are the four lines on page 46 that say we cannot conclude that there was interference. That is what is said in those four lines. However, our Prime Minister says the report concludes that there was no interference.

That seems to me to be a greatly exaggerated interpretation of your report. Regarding the protocol, the application and the evaluation, your report is exceptional. But it was not a report about interference.

Mr. Morris Rosenberg: It is not a report about interference, and I did not make that recommendation.

[*English*]

I'll say this in English.

The United States Director of National Intelligence does a report on foreign interference, a secure version and a public version, within a couple of months of the election. We should consider doing the same thing.

[*Translation*]

Mr. René Villemure: It is a very interesting recommendation.

Would you agree with me that the interpretation given by the Prime Minister in public is greatly exaggerated?

• (1720)

Mr. Morris Rosenberg: Given that I did not hear what the Prime Minister said, I can't comment on that.

Mr. René Villemure: Okay, thank you.

Rightly or wrongly, your independence has been widely questioned. When someone has a direct connection with the Pierre Elliott Trudeau Foundation and is retained to assess interference, but is not certain whether there was interference in the past, that seems to me to be everything but “independent”.

Mr. Morris Rosenberg: Can you repeat that?

Mr. René Villemure: That isn't “independent”.

Mr. Morris Rosenberg: With all due respect, I think I did the job I was asked to do. Is having been the president of the Pierre Elliott Trudeau Foundation going to mean I am denied access to all sorts of positions?

As I said, I didn't think that what happened in 2016 was connected with interference.

I'm going to read the comments by Professor Wark that I read, again. Just a moment. I'm looking for the passage in question.

Mr. René Villemure: That's fine, I remember what you said.

Mr. Morris Rosenberg: Okay.

Mr. René Villemure: Good. Having worked at the Pierre Elliott Trudeau Foundation doesn't disqualify you. I am simply asking you for your interpretation of that.

Do you think it is reasonable for people to doubt your independence?

Mr. Morris Rosenberg: I think that is the perception some people have, but, in my opinion, it is not accurate.

Mr. René Villemure: Okay, thank you.

The Chair: Thank you, Mr. Villemure and Mr. Rosenberg.

[English]

Mr. Green, you have six minutes. Go ahead.

Mr. Matthew Green: Mr. Rosenberg, I can imagine that being before this committee, considering some of the allegations, insinuations and outright attacks on your character and reputation, is probably not easy for you to sit through.

You've stated that you thought a public inquiry might have helped. Do you agree that perhaps this could have been avoided if the relationship between the former governor general, Mr. David Johnston, the foundation and the investigation into this.... Could that have helped your position as the former president of the organization?

Mr. Morris Rosenberg: I think there are a whole lot of balls up in the air on this.

Mr. Matthew Green: There sure are.

Mr. Morris Rosenberg: I said at the end of my remarks, with respect to all this stuff about the Trudeau Foundation and the 2016 donation, that there should be an independent investigation. It think that's different from the broader issue of an investigation into the issue of election interference.

Mr. Matthew Green: Mr. David Johnston was a member of the Trudeau Foundation. Is that correct?

Mr. Morris Rosenberg: He was a member of the Trudeau Foundation, yes.

Mr. Matthew Green: Would you not do a political risk analysis as a former DM and say this also complicates the relationship with—

Mr. Morris Rosenberg: I was non-partisan as a deputy, and I don't think I'm going to wade into whether.... I have enormous respect for Mr. Johnston.

Mr. Matthew Green: Let me put this to you in a very direct way.

Given the insinuations that have been put here.... Quite frankly, I am unconvinced at this moment that this is simply a matter of governance. It's very difficult for me to unpack what's been presented by your testimony and Ms. Fournier's.

Could you not contemplate that this particular situation would also be included in an investigation of foreign interference given the allegations?

Mr. Morris Rosenberg: I guess somebody would have to look at what the appropriate mandate for that is. I will tell you, whatever happens, whether it's a public inquiry, parliamentary committee, NSICOP or whatever, it will have to have a focused mandate on this. Otherwise, it's just not going to be worth anything.

The other thing I would say is that I really hope that the focus on what happened in the 2021 and 2019 elections doesn't take away from people thinking about what's happening right now as we go forward.

Mr. Matthew Green: I'm going to intervene.

Mr. Zhang is a Chinese citizen. Is that correct?

Mr. Morris Rosenberg: As far as I know, yes.

Mr. Matthew Green: As far as you know...?

Mr. Morris Rosenberg: No. I believe he's a Chinese citizen, yes.

Mr. Matthew Green: You are somebody who's prided yourself in your testimony as being someone who provides the government with advice on protocols. However, in her testimony Ms. Fournier painted a very different picture of the governance of the Trudeau Foundation.

One thing that I've had trouble reconciling, given my experience with a local foundation and the high level of diligence that was presented by a community foundation, is the lack of due diligence, quite frankly, at the Trudeau Foundation. You have all of these subject matter experts around the table at the board. Nobody's raising issues. Nobody—in her testimony—is recusing themselves from the perception of conflict of interest.

Can you just state for the record and perhaps respond to some of those allegations? What was the state of the governance of the Trudeau Foundation under your leadership?

● (1725)

Mr. Morris Rosenberg: I think the state of the governance was pretty good under my leadership.

Mr. Matthew Green: Did you have, in retrospect, the appropriate protocols in place to deal with the political sensitivity of running a foundation on the former prime minister's name, while his son is the current Prime Minister and the Prime Minister's brother is on the board?

Mr. Morris Rosenberg: The first thing that was done was that he stopped being active before I came on the scene.

Mr. Matthew Green: His name didn't.

Mr. Morris Rosenberg: His name...with an asterisk.

Mr. Matthew Green: Do you think that Mr. Zhang Bin would have provided a million-dollar donation after the 2016 pay-for-access Liberal fundraiser dinner? Do you think he would have done that if the foundation's last name was Smith?

Mr. Morris Rosenberg: First of all, they provided us with \$200,000, not a million dollars.

I just want to say one other thing about what was provided and the whole issue of influence.

Mr. Lefebvre actually talked about this in an article that he wrote. 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. I'm telling you—

Mr. Matthew Green: That's the mistake of every western country that thinks it's going to have soft power over China, sir.

Mr. Morris Rosenberg: That's where we were.

Mr. Matthew Green: You were the former DM to foreign affairs.

Respectfully, I've been pretty neutral until that comment. That has a level of hubris, I think, which is the challenge that this foundation is facing, quite frankly. That has gotten us into this mess.

I want to dial in on the \$200,000 donation. I thought a subsequent larger offer was presented and then rejected. I may have collected it incorrectly.

In her testimony to this committee, Ms. Fournier stated that you had not asked to receive the remaining \$60,000 of the donation, which was due on July 1, 2018. Why did you not take the rest of the money?

Mr. Morris Rosenberg: I don't recall. I was just about out the door on July 1, 2018.

Mr. Matthew Green: You don't recall why you...

Just so that we're clear, your records indicate that, in subsequent years, your average donation of total donations was \$25,000. This was an outlier donation. You are an endowment that is not dependent on donations.

You took \$200,000, and then didn't take the last payment. You would have been the one to make the decision not to take the last payment. Why?

Mr. Morris Rosenberg: I don't recall at the moment why.

I would say this. Given all the publicity around the donation in *The Globe and Mail*, we had to put off the conferences that we were going to have.

Mr. Matthew Green: This is my last question.

With that scrutiny, did you enact any type of investigation after that?

Mr. Morris Rosenberg: No, we didn't.

The Chair: That's the first round of questioning.

We're next going to a five-minute round. It's the second round.

We are going to begin with Mr. Brock.

Go ahead, Mr. Brock. You have five minutes.

Mr. Larry Brock (Brantford—Brant, CPC): Thank you, Chair.

Mr. Rosenberg, we've heard a number of issues. I just want to confirm one point with respect to Alexandre Trudeau.

Your evidence is, to the best of your recollection, without referring to any of the documentation you had before you, that Alexandre Trudeau was only instrumental in negotiating one contract for the Trudeau Foundation—yes or no?

Mr. Morris Rosenberg: To the best of my recollection, yes.

Mr. Larry Brock: Thank you.

Following up on Mr. Green's last question to you, I'm not satisfied with your response that it was close to your departure.

That payment was due on July 1, pursuant to the contract. Is that correct?

Mr. Morris Rosenberg: I'd have to look at the contract, but I'll assume it was.

Mr. Larry Brock: The first payment was in 2016. The second payment was in 2017. The third payment...?

Mr. Morris Rosenberg: I'd have to look at the contract to see.

Mr. Larry Brock: Okay.

You also interviewed with Vassy Kapelos on CTV's *Question Period* some time ago. You were quoted as saying that if a situation existed today, in hindsight, looking at it from a 2023 perspective, not a 2016 perspective, you would not have accepted donations. You said, "I think there would have been a different decision made for sure."

Do you stand by that statement?

Mr. Morris Rosenberg: Yes. As I said—

Mr. Larry Brock: Thank you.

You'd agree with me, being a DM of foreign affairs, that the very issue of foreign election interference was very much on the radar map in 2016, as it certainly is in 2023.

• (1730)

Mr. Morris Rosenberg: I would say it was only after the U.S. election.

Mr. Larry Brock: I think you also appreciate, sir, that there have been a number of articles and a number of interviews given by a number of entities that have severely questioned your integrity and your character with respect to your handling of this particular donation, and your being instrumental in preparing the report sent to the Prime Minister.

The media is asking questions and questioning your integrity and ethics. Canadian politicians are asking the very same question. Canadians are asking that question. Chinese Canadians, particularly, are asking that question. Now we find out your former colleagues at the foundation are asking that question.

According to you, from all the evidence—

Mr. Morris Rosenberg: Which former colleagues?

Mr. Larry Brock: I'm not going to specify that.

What I've heard so far from you today is, notwithstanding everything that is going on around the situation, you saw no red flags whatsoever with respect to this donation. Is that correct?

Mr. Morris Rosenberg: At the time, that is correct. We actually thought there was no pressure put on us and the money came with no strings attached. The idea of putting on conferences to do with China was very attractive.

Mr. Larry Brock: Thank you, sir.

There were no strings attached and no direct effort to influence Justin Trudeau, the new Prime Minister of this country. You didn't see any red flags whatsoever.

Mr. Morris Rosenberg: I did not.

Mr. Larry Brock: Is that right?

Mr. Morris Rosenberg: That's correct.

Mr. Larry Brock: In fact, you told Vassy you had “no reason to think there was anything untoward about [the donation]. These donations were for putting on conferences.”

Is that correct?

Mr. Morris Rosenberg: That's correct.

Mr. Larry Brock: This is notwithstanding that, at the time, you also knew there was a report from The Globe and Mail regarding a leaked CSIS source.

Mr. Morris Rosenberg: At the time, no.

Mr. Larry Brock: The CSIS source intercepted a 2014 conversation between Mr. Zhang and an unnamed commercial attaché at one of China's consulates in Canada. They discussed the federal election that was expected to take place in 2015 and the possibility the Liberals would defeat Stephen Harper's Conservatives and form the next government. The diplomat told Mr. Zhang that Beijing would reimburse him for the entire amount of the donation to the Trudeau Foundation, according to the source.

I am gobsmacked beyond belief to listen to you, in the role as president and CEO and a former deputy minister of foreign affairs, suggesting you knew nothing about CSIS intercepting a very important call. You know CSIS reports to the government on any political interference whatsoever. You know that.

Mr. Morris Rosenberg: Would you like me to answer?

Mr. Larry Brock: Yes.

Mr. Morris Rosenberg: Okay. First of all, the first I ever heard of that was in an article that was published in The Globe and Mail on February 28, 2023.

Mr. Larry Brock: No one believes you. Canadians don't believe you, sir.

Hon. Greg Fergus: Mr. Chair—

The Chair: We are again at a point of order.

We have three seconds left here, Mr. Fergus.

Hon. Greg Fergus: I think it's important to raise this, regardless of the time that's left, if it was at the beginning or the end. I'm referring to Standing Order 117, which is decorum.

Mr. Chair, I think it is incumbent upon us to conduct ourselves with decorum and to not only allow only the witness to answer the question, but to refrain from impugning the character of the witness when they're in the middle of answering a question.

I could add—

The Chair: Thank you.

I've read the standing order, Mr. Fergus. My expectation from all members is that they treat our witnesses with courtesy and respect. That's my expectation. If I see any evidence otherwise, I'll certainly intervene. I have intervened on at least one occasion today.

I thank you for that intervention on the standing order.

Mr. Brock, according to my clock, you had three seconds left. I'm not sure we can gain anything—

Mr. Larry Brock: My point has been made.

Thank you.

[*Translation*]

The Chair: The next speaker is Mr. Fergus.

[*English*]

You have five minutes. Go ahead, please.

Hon. Greg Fergus: Thank you very much, Mr. Chair.

Thank you, again, Mr. Rosenberg. Once again, I feel obliged to offer some apology to you.

Let us go a little bit deeper in terms of where we were in 2014. At that time, you had indicated that all governments were seeking to.... China was not considered in a poor light. The regime was not consider in the poor light that it is today.

• (1735)

Mr. Morris Rosenberg: That's correct.

Hon. Greg Fergus: Would we be signing a foreign investment protection agreement at this point, in 2023? Would it be reasonable to say that we signed one in the 2010s, because it was seen to be in the interests of Canada to do so?

Mr. Morris Rosenberg: I assume that when the Government of Canada acts, it's in the interests of the Government of Canada.

Hon. Greg Fergus: That's fair enough.

In regard to that, at the time that this donation was being offered to the foundation, as you indicated in answer to a question from Mr. Green, in fact you thought it was an opportunity for Canada to be able to use its soft power.

In what ways did you think that Canada could have used its soft power? Was it on academic freedom? Was it on research?

Mr. Morris Rosenberg: The negotiations evolved. Mr. Lefebvre, in one of the articles where he talked about this, actually said that he thought at the time that engaging with the Chinese would give him and the Université de Montréal an opportunity to make them familiar with our governance methods, with rule-of-law issues and with human rights issues. Was that naive? At the time, in hindsight, it probably it was naive.

I remember going to China under the Harper government and having a dialogue with my colleague. Part of my instruction—and I followed it—was to raise human rights issues with the Chinese. They don't like it, but we did it because at that time, we honestly believed—this is going back to Bill Clinton and bringing them into the WTO—that if we only brought them into the international economic system, they would become more democratic over time. We were wrong, but we believed that. That belief still existed in the 2010s. That's why we operated that way.

I'm sorry that Mr. Green doesn't buy that, but I think we felt we could do more good. We weren't being told what to do. Having conferences on climate change, on trade and even on human rights issues and other global issues would be a good thing. Some of the Chinese students who were at the Université de Montréal and who would attend those would be influenced by them.

The Université de Montréal believed that the Chinese students—they did have a Chinese students program—being exposed to our way of life and to our rule of law, would, I guess by osmosis in a way, impact China. I don't think any of us saw the current regime coming. It took a number of years for us to change our minds.

In 2017, you had an article in University Affairs by the rector at the University of Ottawa saying they should do more research with China. This was in 2017.

It took a while. It took the wolf warrior diplomacy, the change of attitude in Hong Kong and the kidnapping of the two Michaels for us to realize that this was not the China we were dealing with a few years ago. Until then, I think a lot of us were in a more naive place. Hindsight is 20/20.

Hon. Greg Fergus: It truly is.

In regard, again, to the donation itself, I just want to get back to this. Once again, in terms of sending out the receipt for that donation, you quite cogently pointed out that it was similar to working in a different place.

That receipt really had no value whatsoever, except if it were used for the purpose of filing one's taxes by a business or an individual.

Mr. Morris Rosenberg: As I understand it, yes. I am not a tax accountant, but it seems pretty obvious.

Hon. Greg Fergus: Fair enough.

Thank you, sir.

The Chair: Thank you, Mr. Fergus.

As it stands right now, we started at around 5:52, so we have two and half minutes for Mr. Villemure and Mr. Green. I think we're going to split two and half minutes each between the Conservatives and the Liberals to conclude this round of questioning.

Mr. Villemure, you have two and half minutes.

• (1740)

[Translation]

Mr. René Villemure: Thank you, Mr. Chair.

Mr. Rosenberg, if it were a case of interference, the company would not be concerned about getting a tax receipt, right?

You said earlier that there is a world of perceptions. The prevailing perception is that independence is not possible, even though you are trying to demonstrate it here.

What are your connections with Justin Trudeau?

Mr. Morris Rosenberg: I don't have any. I met Justin Trudeau for about 15 seconds at a cabinet retreat. I was one of the deputy ministers who gave a briefing to members of the new cabinet on relations with—

Mr. René Villemure: I have to interrupt you, Mr. Rosenberg, because my speaking time is limited to two and a half minutes.

What are your connections with Alexandre Trudeau?

Mr. Morris Rosenberg: I know him much better, because he was a member of the Pierre Elliott Trudeau Foundation board of directors when I was working there.

Mr. René Villemure: Even though you met Justin Trudeau for only 15 seconds, do you agree with me that he can still exercise influence, even if he says nothing? His name is well known and he is the Prime Minister; that does carry some weight.

Do you think his name and the fact that he is Prime Minister might constitute influence?

Mr. Morris Rosenberg: I don't know, but for myself, no.

During my career in government, I always gave my opinions to the best of my knowledge and I always acted independently.

That is the spirit in which I held my office at the Pierre Elliott Trudeau Foundation.

Mr. René Villemure: What do you say to the Canadians watching us who do not believe that you are independent, that there was no influence? Some people have a lot of doubts. What would you say to clear that up or confirm it?

Mr. Morris Rosenberg: The only thing I can say is that I have always tried to stay independent. I can't change the perception of people who don't want to believe me, unfortunately.

I have never acted in bad faith, and I have always acted in the best interests of the Pierre Elliott Trudeau Foundation.

Mr. René Villemure: Okay.

Mr. Rosenberg, in 2016, Canada may have been naive about foreign policy and China's designs, but other countries were less so. Things have changed, and the context has also changed.

Canada was naive, but other countries were less so than us, isn't that right?

Mr. Morris Rosenberg: I think every country has followed a gradual path, but things changed suddenly for Canada in about 2018 or 2019.

The Chair: Thank you, Mr. Villemure.

[English]

Mr. Green, you have two minutes and thirty seconds—maybe a couple of seconds extra after that intervention by Mr. Villemure.

Go ahead, Mr. Green.

Mr. Matthew Green: Thank you very much, Mr. Chair.

Mr. Rosenberg, you've now undergone almost two hours of what feels like cross-examination. I want to give you the benefit here. Allegations have been made. There are some direct comments on your character in terms of whether you're believable or not. There was the testimony from Madam Fournier, who raised some significant issues. To the benefit of your reputation and your standing, I want to provide you with the opportunity to say anything in response to any outstanding issues that you would like to have on the record.

Mr. Morris Rosenberg: The one I want to go back to is CSIS uncovering a Chinese plan to donate to the Trudeau Foundation. This appeared in the *Globe* on February 28 of this year. It was based on an anonymous source, apparently not based on a document. This is intelligence.

Intelligence is different from evidence, and I'm going to tell you something some of you may have heard from David Morrison. When he appeared at the other committee, at the House committee, he said, "intelligence rarely paints a full, concrete or actionable picture". It's not truth; it's often inaccurate or partial or incomplete. In fact, we don't know what happened to that intelligence. We don't know where it went. We don't know who was briefed on it. We don't know if anybody was briefed on it. We don't know if it was taken seriously or not. I wasn't briefed on it.

There is a question, and it's a policy question as to how far CSIS should go outside the government when they become aware of something that might affect another non-government Canadian organization. I understand that there are limits on them with respect to revealing sources or methods, but maybe they need to be a bit more proactive in speaking and letting people know—and this is not just CSIS but the whole security community. What is the public interaction and the transparency of the Canadian security community?

I didn't know about this. I don't think anybody knew about this until February 28, and to say that nobody believes me, frankly, I'm insulted by that.

• (1745)

Mr. Matthew Green: I appreciate that.

With my remaining 15 seconds, I would ask, to give you one more opportunity, the following: Would you not agree that an independent public inquiry into the matter might help clear the air?

Mr. Morris Rosenberg: I think an independent public inquiry is a reasonable option. There are other reasonable options as well. I would hope that, if there is an independent public inquiry, it finds a way of making sure that not everything is happening in secret. Because there's an awful lot of security information that will never get into the public, the public part of the inquiry might be very much in question.

Mr. Matthew Green: That's fair enough. Thank you.

The Chair: Thank you, Mr. Green.

Mr. Barrett, you have two and a half minutes, sir. Go ahead.

Mr. Michael Barrett: Sir, you said that intelligence is different from evidence. Of course it is.

Did you meet with PRC diplomats to arrange this donation?

Mr. Morris Rosenberg: No.

Mr. Michael Barrett: We have an ATIP—an access to information record—that says that, in Montreal on the September 24, 2014, you attended a meeting with a consular official from the PRC. Does that jog your memory?

Mr. Morris Rosenberg: Yes, so that.... Yes, I just got a look at that. I'm sorry about that.

Mr. Michael Barrett: At the end of that same document I'm referencing, which you've acknowledged now, it says that, once the proposal is ready, the foundation will involve Alexandre Trudeau. We talked about evidence, so we have evidence that the president of the foundation met with consular officials from a foreign government to arrange a donation, where they have the brother of....

You're shaking your head, sir, but I'm reading to you from the document. You first said that you didn't meet with them, but now you acknowledge that you did because I brought receipts. We have the receipts. You said it was extraordinary, and you couldn't recall another time Alexandre Trudeau would sign a donation agreement. He did it in this case. The foundation met with a foreign government, arranged this donation, ensured.... It's minuted that it was a requirement to have Mr. Trudeau personally involved.

At the time, even without the benefit of hindsight, could you not see that this was a foreign influence operation? This is not based on intelligence. This is based on evidence. You differentiated them before in your response to another colleague.

I'm seeing here that you attended the meeting, that consular officials from the PRC—the communist dictatorship in Beijing—were at the meeting, that the direction was to have Mr. Trudeau involved and that's what they got. They asked for it. The PRC asked for it, and the PRC got it. The Trudeau Foundation got the \$140,000, and the individuals who were cut-outs acting on behalf of the dictatorship both got access directly to the Prime Minister within five months of this two-year process. Within five months, they both had access directly to the Prime Minister.

The Chair: Mr. Barrett, that's your time.

I'm going to give you time for a quick response.

Go ahead.

Mr. Morris Rosenberg: First of all, I apologize. I didn't look at the whole list of attendees. I didn't mean to mislead anybody on that.

Second, this was an initiating meeting. This was not about the donation. At this point, they were talking about a donation to the Université de Montréal and to other universities in Canada. Then there was a committee set up with three people—Mr. Zhang, Madam Comtois and Benoît Moore from the Université de Montréal—and the evolution of this happened as a result of that. It didn't come out of this meeting.

The Chair: Thank you, Mr. Rosenberg.

Thank you, Mr. Barrett.

Mr. Bains, you have the final intervention for two and a half minutes. Go ahead.

Mr. Parm Bains: Thank you.

You talked a little bit about intelligence versus evidence, and we previously heard from a witness.... A former executive at CSIS also stated that documents that are now reported as reports in certain media aren't actually coming from CSIS and that they think they're from somebody else, somebody with an agenda. Where could this be coming from? Ultimately, with respect to how it's being reported—which you've just mentioned—can you expand a little bit on that?

• (1750)

Mr. Morris Rosenberg: We don't know where it's coming from because my understanding is that....

It's interesting. The discussion in the U.S. after that young gamer leaked all that information was that there are thousands, if not more, of top secret clearances in the United States. I don't know how many top secret clearances there are in Canada, but they're not just in CSIS. They are in the Privy Council Office. They are in the Department of Foreign Affairs. They are in the Department of Justice. They are in the Department of Finance. They're in the ministers' offices. They're everywhere. Who knows where it came from? I would say—knowing a little bit about CSIS—that they didn't come from CSIS. That's what I would surmise; I don't know for sure. They came from somewhere.

Then the question is this: What is the the value of them? This is what we don't know. We don't know if this is a draft that somebody had, if this is a conversation that somebody had, if it was dismissed. In other words, the veracity and the weight of the intelligence, when it comes out through an anonymous source, are really hard to gauge, yet it's being taken as the gospel truth.

Mr. Parm Bains: Now I just want to switch a little bit. You also talked about our security establishment engaging with diaspora communities. How can they do that better?

Mr. Morris Rosenberg: After 9/11, I was at the Department of Justice when we did the anti-terrorism legislation. I know that there was a concern that there would be—and there was, in fact—a backlash against people of Middle Eastern origin and other minority

groups, just as I think there's been a backlash against people of Asian origin, starting with the pandemic because of the suspected origins of it. At that time, the government put together a diversity round table to meet with representatives of these communities to at least talk about what the problems were and to find ways to try to mitigate the harm.

Let me be clear. The fact that some communities may suffer a degree of harm is not a reason to avoid investigating legitimate claims of interference, but we need to be aware of that harm and try to work to mitigate it.

The Chair: Thank you, Mr. Bains.

That concludes the session for today.

Mr. Rosenberg, before you leave.... You were here when we had Mr. Ferguson move the amendment on providing the documents.

Is it reasonable—and I'm asking the committee this—to expect that Mr. Rosenberg do this by, let's say, five o'clock on Friday afternoon, May 5? Is that reasonable, committee members?

Ms. Iqra Khalid: Mr. Chair, that's three days from now. Today is Tuesday.

The Chair: I'm asking Mr. Rosenberg as well.

Is that a reasonable request?

Mr. Morris Rosenberg: I assume that I can provide these electronically.

The Chair: Yes, you can provide them to the clerk.

I would ask that all documents that you are to provide and undertake to the committee be submitted before Friday at five o'clock.

The other thing that I do need clarification on from the committee—we didn't do this on Friday—is that Madam Fournier has been providing documents, so I would like to accord her the same opportunity, by Friday at five o'clock, as we just did with Mr. Rosenberg, to provide us with all of the documents that she said she would provide. She's provided some at this point, but there may be more.

For both Mr. Rosenberg and Madam Fournier, do I have committee consensus—the clerk can advise Madam Fournier—to have their documents here by five o'clock on Friday?

Some hon. members: Agreed.

The Chair: Mr. Rosenberg, on behalf of the committee and on behalf of Canadians, I'd like to thank you for appearing before our committee today.

To our clerk, our analysts and our technicians, thank you for your assistance today.

This meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>