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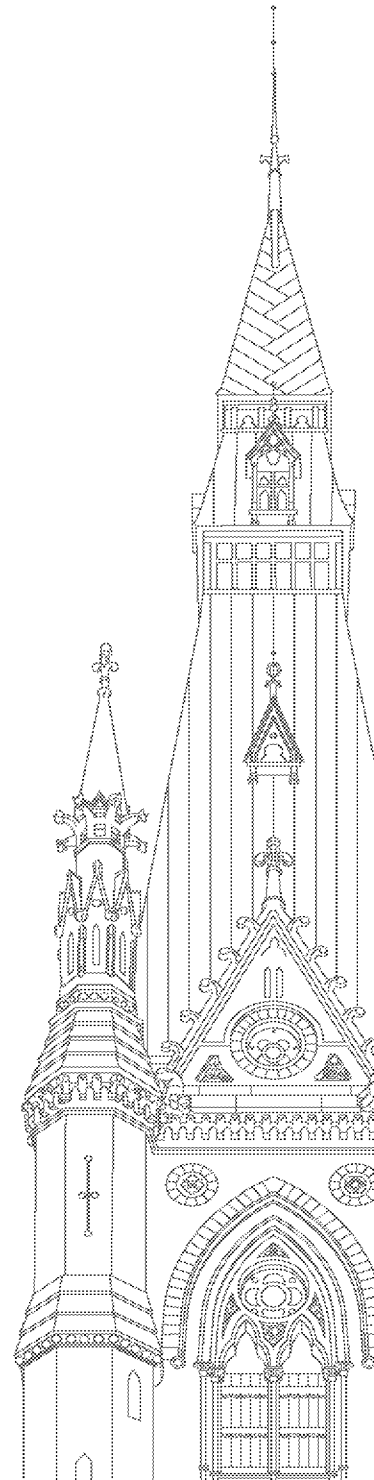
Standing Committee on Access to Information, Privacy and Ethics

EVIDENCE

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Tuesday, May 9, 2023

Chair: Mr. John Brassard



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• (1610)

[English]

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

Welcome, everyone, to meeting number 70 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; therefore, members can attend in person in the room and remotely using the Zoom application. Should any technical challenges arise, please advise me.

I see we have Mr. Bains on Zoom today. Please note that we may need to suspend for a few minutes, as we need to ensure that all members are able to fully participate.

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

I would like to welcome our witness today. From the Pierre Elliott Trudeau Foundation, we have Mr. Edward Johnson, chair of the board of the foundation.

We will be having votes in about 50 minutes. Can I have the committee's consent to get through Mr. Johnson's five-minute comments and then perhaps the first round? That will put us at 39 minutes, which will give us plenty of time to get upstairs.

Are we good with that, Mr. Fergus?

Hon. Greg Fergus (Hull—Aylmer, Lib.): Yes.

The Chair: Everybody is good with that.

You'll notice that we amended the meeting notice to include an in camera session related to information. That information relates to the documents that we have received and an update to the committee on the translation of those documents. We will be doing that, but again, we're going to have to determine how we are for time when we get back after the votes. My plan is to still have that committee business portion at the end.

Mr. Johnson, I want to welcome you to the committee. You have up to five minutes, sir, to address the committee. Go ahead, please.

Mr. Edward Johnson (Chair of the Board of the Foundation, Pierre Elliott Trudeau Foundation): Thank you, Chair.

I'll cover three points now: the mission of the foundation, governance matters raised in previous testimony needing correction, and a message to our scholars.

First, I'll go to the foundation. The Pierre Elliott Trudeau Foundation is a non-partisan charitable scholarship foundation created in 2002, with broad cross-party support in the House of Commons. The first board of directors included Bill Davis, Roy Romanow and Peter Lougheed. It was granted a \$125-million endowment by the government, and since then it has spent some \$95 million providing 295 doctoral scholarships, plus mentorships and fellowships, and related programming. We achieved that without touching the capital, which now stands at \$145 million. Today we rank up there with Rhodes, MacArthur and Fulbright as a sought-after scholarship, and many of our scholars say that their involvement was a life-changing experience.

Our directors and members are all volunteers. The overwhelming bulk of private donations to the foundation are from board members. The Trudeau family has no financial interest whatsoever in the foundation.

President Fournier and I enjoyed a friendly and effective working relationship over almost all of my two years as chair. But intense national attention beginning on February 28, relating to a donation seven years ago totalling \$140,000 by a Chinese Canadian entity put severe pressure on the entire foundation at its busiest time of year. The consequences are well known.

Let me add that the foundation has been subjected to unwarranted and unfair attacks. The Chinese Canadian donation came to us through the Université de Montréal. We were never offered \$1 million, and we never received any red flags from CSIS.

Turning now to previous testimony before the committee, it's important that I respond to some earlier testimony here.

At no time did I receive a legal opinion on possible conflict of interest involving me or other directors relating to the 2014-17 donations, but I did not need a legal opinion to tell me what I instinctively knew. I was on the board at the time, so I should not be involved in any oversight of any outside review of those donations. At no time did I resist or attempt to narrow such an independent review, nor, to my knowledge, did any other director.

Throughout March, with concurrence of outside counsel, I urged that an independent review should be overseen not by Ms. Fournier, not by me, but by a special committee of three directors, who had no involvement whatsoever in the foundation in the years 2014-17. I proposed this formally to the full board meeting on March 31.

As to my eligibility to chair that meeting, there was no question. My interests aligned perfectly with the interests of the foundation. I wanted an independent review, and so did the rest of the board, and it was my duty as chair to preside.

There were two outside lawyers from two firms advising the board at that meeting, and both said they had not given opinions on conflicts of interest. Neither they nor any director questioned my legitimacy to chair or to vote at that meeting.

Over the subsequent week, a board consensus emerged among directors that indeed the outside review should be overseen by a special committee of three, as I had originally recommended, and that it must not report to management.

I'm providing the committee with the memo I sent to the entire board and Ms. Fournier on Easter Thursday, April 6, proposing a path forward. To my disappointment, the board resigned on April 10, Easter Monday, before the consensus reflected in my memo could be given effect.

As to my eagerness to have an independent outside review, I wrote to the Auditor General on April 14, three days after the board resignations, to ask her to investigate all aspects of the receipt and handling of these donations by the foundation. I'm providing copies of my letter here.

Looking ahead, I want to say a special word to our scholars, mentors and fellows and to our marvellous and enthusiastic team at the foundation. The Pierre Elliott Trudeau Foundation will continue to provide its outstanding academic program, and thanks to the volunteers on our finance committee, we continue to be well financed. Our excellent team is working ahead on the selection of our next cohort and planned leadership development events. It's an exciting future for the foundation.

Thank you.

● (1615)

The Chair: Thank you, Mr. Johnson.

Members, I've been advised by the clerk that we do have a hard stop at six o'clock this evening. There are other committee meetings this evening as well.

I appreciate your opening remarks, Mr. Johnson.

We'll go to Mr. Barrett for six minutes.

Sir, go ahead, please.

Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC): Thank you, Chair.

Thank you for being here today, sir.

Who requested that Mr. Alexandre Trudeau sign the donation agreement for that \$140,000 that was backed by Beijing?

Mr. Edward Johnson: I wasn't involved in that decision and wasn't aware of it at the time.

I heard the testimony of both Mr. Trudeau and Mr. Rosenberg here last week explaining how that came about.

Mr. Michael Barrett: Do you know how many scholarships bear the name Pierre Elliott Trudeau across the country?

Mr. Edward Johnson: Of ours, there are 295 so far.

Mr. Michael Barrett: Those are scholarships with universities and educational institutions.

Mr. Edward Johnson: Yes, that's right, here and abroad.

Mr. Michael Barrett: What was the number?

Mr. Edward Johnson: It's 295 so far.

Mr. Michael Barrett: Of those 295 so far, how many of those agreements did Mr. Alexandre Trudeau sign off on?

Mr. Edward Johnson: None, to my knowledge.

Mr. Michael Barrett: The reason I ask is that, as you heard in Mr. Trudeau's testimony, the reason he said that he was required to sign the donation agreement from these folks acting on behalf of the dictatorship in Beijing was that it invoked his father's name. He also said that it was the only time in 20 years that he signed a donation agreement.

It's highly suspicious that we have this one occurrence, this one donation, that is the subject of this meeting.

You said that it didn't raise any red flags for you. You were on the audit committee at the time. The process of having the donation receipt sent overseas, having officials from a foreign government in the meetings to agree on the donation agreement and the circumstances on the signing ceremony, that didn't raise any red flags for you?

Mr. Edward Johnson: I wasn't aware of it at the time. This matter didn't come before the audit committee, to the best of my knowledge.

Mr. Michael Barrett: No one ever asked if it was illegal?

Mr. Edward Johnson: I can't say that.

Mr. Michael Barrett: Did people ask at the time if this was illegal?

Mr. Edward Johnson: I'm unaware of whether anyone did or did not. I'm sorry.

Mr. Michael Barrett: CSIS recorded a conversation between the Beijing consulate and the donor. Are you aware of that now?

Mr. Edward Johnson: Is that the Globe and Mail report of February 28?

Mr. Michael Barrett: Yes.

● (1620)

Mr. Edward Johnson: I've read the article.

Mr. Michael Barrett: In that conversation, the donor was instructed by Beijing to make a donation to the Trudeau Foundation for the express purpose of gaining favour or access to the Prime Minister. You're aware of that from the article.

Mr. Edward Johnson: I'm aware of that allegation. It was also to give \$1 million, I believe, according to the newspaper report, to the foundation.

Mr. Michael Barrett: Knowing that now, having read those reports from CSIS in the Globe and Mail article, do you see the red flags for the donation?

Mr. Edward Johnson: Well, first—

Mr. Michael Barrett: With the benefit of hindsight.

Mr. Edward Johnson: In my opening remarks, I mentioned that at no time was there \$1 million offered to the foundation.

Mr. Michael Barrett: The foundation did receive \$140,000.

Mr. Edward Johnson: That's correct.

As for a red flag, when the president and I became aware of that article, we both agreed and subsequently worked with others in the foundation to repay the donation, the \$140,000 on the basis of that allegation. Whether or not it was true, it put us in a position that we felt we must repay this money.

Mr. Michael Barrett: It obviously raised enough concern that CSIS's report was, in fact, correct that you felt compelled to return the donation.

Mr. Edward Johnson: I can't say whether it was correct.

Mr. Michael Barrett: But you can say that it was compelling enough that you returned the donation.

Mr. Edward Johnson: The article in the newspaper raised sufficient concern among us and among others involved in the foundation. We felt that was the appropriate course.

Mr. Michael Barrett: It raised that concern with me, too.

Were you part of the committee that selected Pascale Fournier as the chief executive officer?

Mr. Edward Johnson: I was not on the search committee.

Mr. Michael Barrett: Does the Trudeau Foundation have by-laws that address foreign influence?

Mr. Edward Johnson: No. We have bylaws, but I don't recall anything specific in the bylaws that deals with foreign influence.

Mr. Michael Barrett: We have a report from CSIS that says the Trudeau Foundation was used as part of a foreign influence operation. We have no mechanisms in place at the foundation to prevent it being used in a foreign influence operation, yet when Mr. Trudeau was here, he said that it was impossible for there to have been a foreign influence operation carried out using the foundation.

How is it possible that he is correct?

Mr. Edward Johnson: I can't speak for him. My own view is that there has never been an opportunity for a so-called foreign influence operation to influence the foundation.

Mr. Michael Barrett: I think we just discussed the evidence on it, sir.

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

We're going to Ms. Saks for six minutes.

Go ahead, please.

Ms. Ya'ara Saks (York Centre, Lib.): Thank you, Chair.

Thank you, Mr. Johnson, for joining us here today.

I'd like to start with the fact that you're one of the founding members of the foundation. Can you explain why you took on the role of chair of the board of directors in 2021?

Mr. Edward Johnson: I was asked to chair it. I've been a member since 2002 and involved since 2001. I was involved over a long period of time.

I joined the board in 2011, and the outgoing chair and, I gather, a number of members of the board of directors asked if I would take on the chair.

Ms. Ya'ara Saks: As a founding member of the foundation, what was the initial mandate? Maybe you could speak to that and how its operations have evolved and carried through the past 22 years of work the foundation has done in terms of supporting scholars.

Mr. Edward Johnson: I should add that I'm having difficulty picking up the floor feed, but I can hear it well enough without my earphones.

We operate under a funding agreement from the Government of Canada, which is overseen by the ISED department, the innovation department. That sets out pretty strict parameters on our program. The requirements for our program require that we do scholarships, mentorships, fellowships and a public interaction program. We provide the scholars with opportunities to move outside their narrow fields of study and become exposed to other aspects of Canada and the world, from meeting senior people in government to going abroad and meeting people abroad.

● (1625)

Ms. Ya'ara Saks: Thank you for that.

Just to clarify, when the foundation was formed through ISED, as you mentioned, did all political parties support the creation of the Pierre Elliott Trudeau Foundation?

Mr. Edward Johnson: There was cross-party support throughout the House.

There was never a vote. One party was a little less enthusiastic than the others, but the rest were overwhelmingly in favour. The speeches from all the parties on that occasion back in February 2002 are quite moving.

Ms. Ya'ara Saks: Would you be able to say that the Trudeau Foundation is a non-partisan organization?

Mr. Edward Johnson: It is very much so, from the get-go.

Ms. Ya'ara Saks: As part of your governance structure, are all your staff screened to that effect?

Mr. Edward Johnson: Are all our staff which?

Ms. Ya'ara Saks: Are they screened in terms of being non-partisan?

Mr. Edward Johnson: They are not formally, but the fact is we've.... I don't recall any identifiable party people involved with the staffing of the foundation.

Ms. Ya'ara Saks: Okay.

The previous witnesses here made it pretty clear that, in their opinion, there was no foreign influence in terms of this specific donation. As you've indicated, it was not \$1 million, as some colleagues keep quoting. As a matter of fact, it was a \$200,000 donation and the foundation only received \$140,000.

When the Globe and Mail article came to light, did you feel that it tainted the ability of the foundation to keep the donation, in terms of the high level of integrity of scholarship and the work that it's done over the past 22 years?

Mr. Edward Johnson: That's correct.

We felt that we did not want to have that smear hanging over us. We are special because of our name, particularly, and we're vulnerable to political attack, so that was very much operating on our mind.

Ms. Ya'ara Saks: Maintaining the integrity of the foundation and the good work that it has done over the past 22 years was the priority in that decision-making process around the donation?

Mr. Edward Johnson: Absolutely. It was very much so.

Ms. Ya'ara Saks: How has this process impacted the foundation in terms of the work that it's doing right now?

Mr. Edward Johnson: It has not impacted our work. We are working ahead and our staff are working energetically, as I mentioned in my opening remarks, to implement our program and to move to the next steps in the natural flow of our program. We hope to be naming a new scholar cohort very soon. We have a number of scholar-related leadership events in the works.

Ms. Ya'ara Saks: Leading into that, you mentioned scholarship events. Are any of those scholarship events...? Previous testimonies indicated that these events are non-partisan in their activities—

Mr. Edward Johnson: That's correct.

Ms. Ya'ara Saks: Can you confirm that the activities of the foundation are, in fact, non-partisan?

Mr. Edward Johnson: Absolutely, I can.

Ms. Ya'ara Saks: Are the scholarship recipients vetted?

Mr. Edward Johnson: Are they vetted?

Ms. Ya'ara Saks: In terms of their partisan or ideological—

Mr. Edward Johnson: Not at all. No.

Ms. Ya'ara Saks: What are the criteria for those scholars to participate in what is known as a prestigious program?

Mr. Edward Johnson: There's an intensive interview application process through the review of the applications, and then there are the interviews with semi-finalists and the selection of finalists. It's a long and very labour-intensive process.

Ms. Ya'ara Saks: I will ask this last question.

Since you have been with the foundation for the past 22 years, you have seen its evolution. Do you see the process of the governance structure as having grown over time to be robust in its consideration of all its activities?

Mr. Edward Johnson: Yes, I believe it has and very much so.

The Chair: Thank you.

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

Mr. Johnson, you indicated that your volume wasn't appropriate. Are you able to hear?

Mr. Edward Johnson: I think I have it now. Thank you very much.

Mr. Matthew Green: Are you okay for translation?

Mr. Edward Johnson: I haven't tried it for translation.

The Chair: Make sure it's on your preferred language. It's the bottom button, Mr. Johnson.

• (1630)

Mr. Edward Johnson: Right. I have it. Thanks.

The Chair: Thank you for that, Mr. Green. I spoke to the clerk about that, because I picked up on what Mr. Johnson said.

[Translation]

Mr. Johnson, do you speak and understand French?

[English]

Mr. Edward Johnson: I do my best.

The Chair: I just wanted to make sure.

[Translation]

It's because the next speaker will be Mr. Villemure of the Bloc Québécois.

Mr. Villemure, you have the floor for six minutes.

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

Mr. Johnson, thank you for being with us today.

I'm going to take another approach completely. Your testimony today is very optimistic, as was Alexandre Trudeau's. It is in stark contrast to Ms. Fournier's, which was quite pessimistic.

How do you explain the difference in perceptions?

Mr. Edward Johnson: I can't explain it. I'm sorry, but I can't speak for her.

For my part, I know what's going on at the foundation right now, and that makes me absolutely optimistic.

Mr. René Villemure: All right.

What I took from Alexandre Trudeau's testimony last week was that the fault lay with Ms. Fournier and the other eight members who resigned. In short, he said it was the fault of others, not his own. What is your take on that kind of statement?

Mr. Edward Johnson: I must say that this is not my testimony. As I said in my introductory remarks, I had a very close and fruitful professional relationship with Ms. Fournier. I very much enjoyed the program that she instituted during her years with the foundation.

Mr. René Villemure: Ms. Fournier actually mentioned to us that you had a good relationship. As she said, until the end, she had a very good relationship with everyone.

Mr. Edward Johnson: Absolutely.

Mr. René Villemure: What made everything so different in the end? There was obviously a conflict. The Globe and Mail article triggered fears. What happened after that to go from a good relationship, avowed as such, to a resignation?

Mr. Edward Johnson: I cannot explain her resignation. However, I can say that, as a result of the publication of this article and the allegations of the Canadian Security Intelligence Service, the national attention that has been brought to our organization has created tremendous pressure on the foundation, on her, on her team, and on the board of directors. Based on all my experience at the foundation, I would say that it has been a very difficult time for our entire team.

Mr. René Villemure: There was a conflict.

Mr. Edward Johnson: There is no particular conflict that I could point to. That said, the pressure created a very difficult atmosphere.

Mr. René Villemure: Ms. Fournier asked to have an audit conducted by a forensic accounting firm, I believe. She had six questions for a lawyer, according to what she related to us. So you proposed to have an ad hoc committee of three board members and outsiders to assist you, which is a good governance practice.

Mr. Edward Johnson: That's right. I believe that is a basic governance practice.

Mr. René Villemure: Then she insisted that all three members recuse themselves, right?

Mr. Edward Johnson: What three members are you talking about?

Mr. René Villemure: I am talking about those who were to be on the audit committee.

Mr. Edward Johnson: I don't understand.

Mr. René Villemure: All right, I'll phrase it differently.

Ms. Fournier wanted this committee to be completely independent, and not to include three board members.

Mr. Edward Johnson: I understand.

She agreed with me, initially. We talked about it in mid-March. For the overview, I always advocated for a committee of three independent people who had nothing to do with the foundation during the period in question. There was no resistance from her at that time.

● (1635)

Mr. René Villemure: What changed?

Mr. Edward Johnson: I don't feel that she changed that much. She and I wanted an outside attorney who had had nothing to do with the foundation before, and a professional accounting company overseen by the attorney. However, I thought the oversight should be done by a committee of three board members. I don't recall seeing any resistance from her on that.

Mr. René Villemure: You had a joint solution, but having those three members present was an issue, as I understand it from her testimony. Is that possible?

Mr. Edward Johnson: I didn't hear that in her testimony, but maybe I misunderstood her.

Mr. René Villemure: There is no problem.

Mr. Edward Johnson: In my experience, there was no disagreement on this point.

Mr. René Villemure: According to Mr. Alexandre Trudeau, the donation received from China was the first and only foreign donation made to the foundation. Is this the case, to your knowledge? I am not talking about \$100 donations.

Mr. Edward Johnson: No, there were two or three other foreign donations.

John MacBain of the McCall MacBain Foundation made one of over \$1 million, which was classified as foreign, because that foundation is based in Switzerland. However, Mr. MacBain is Canadian and was the chair of the foundation's board at the time.

Another Canadian board member who worked in California also made a substantial donation, a few hundred thousand dollars, as I recall. That was a foreign donation as well.

The Chair: Thank you, Mr. Johnson.

Thank you, Mr. Villemure. I gave you a little more time.

[*English*]

Matthew, you have six minutes.

Go ahead, sir.

Mr. Matthew Green: Thank you.

Mr. Johnson, during her appearance, Pascale Fournier explained that she had put a donation acceptance policy in place at the Pierre Elliott Trudeau Foundation that involved a thorough review of donors. Prior to Ms. Fournier's presidency, did the foundation have a donor acceptance policy in place?

Mr. Edward Johnson: We had a donations policy I think since 2003.

Mr. Matthew Green: Was it thorough?

Mr. Edward Johnson: To the best of my knowledge, it was state of the art at the time.

Mr. Matthew Green: It was state of the art at the time?

Mr. Edward Johnson: Yes, when it was put in place and through the period during which it was in place.

Mr. Matthew Green: During the period when it was in place, as the foundation received donations, did it require an investigation into the source of the funds?

Mr. Edward Johnson: I don't recall the content of the policy.

Mr. Matthew Green: But it was thorough and state of the art.

Mr. Edward Johnson: That's right.

Mr. Matthew Green: You would have been involved.

Mr. Edward Johnson: No, not entirely. That would be really management who would oversee the implementation—

Mr. Matthew Green: Surely they would report to the board.

Mr. Edward Johnson: They would report to the board once the donation got through the screens of the donation policy—

Mr. Matthew Green: But you don't know—

Mr. Edward Johnson: It depended on the donation, because a lot of donations were never reported to the board. We would learn about them in the newsletter if they were significant.

Mr. Matthew Green: You didn't have real-time financial reporting to your board?

Mr. Edward Johnson: Not day by day.... Look, we were—

Mr. Matthew Green: Not day by day but quarter by quarter. Surely at a board meeting as sophisticated as the Pierre Elliott Trudeau Foundation's, you would have reports from the staff to the board outlining donations. Surely your testimony today isn't that you would hear about it in newsletters.

Mr. Edward Johnson: The newsletter was circulated to all the board members, but no, we were a board who met twice a year for three hours.

Mr. Matthew Green: Okay, I'll accept that, but in your time.... You shared with me that you have a political background. You had political experience prior, and we don't have to get into that, but I think you would appreciate the nature.... I think you referenced it in your remarks. You referenced political attacks, given the nature of the foundation and reputational risks to the foundation, given the namesake.

What policies did you have in place to safeguard the foundation from reputational risks or political attacks?

• (1640)

Mr. Edward Johnson: I can't recall the precise wording of the donations policy of that day, but we had senior people on our staff of excellent good judgment, and that, I believe, would be an important check on—

Mr. Matthew Green: Mr. Johnson, I'm going to put to you, sir, that this is now the second time I've heard this line. The other one was from Mr. Rosenberg, this idea that you had excellent people and to just trust them and take their word for it. Unfortunately, in my opinion, it's what has landed us here, sir.

Having served in other capacities, just basic local NGOs, the level of reporting, the level of detail and the level of reputation risk, particularly relating to government money, not to mention \$125

million of it, I would hope would require a higher level of diligence in reporting.

I want to give you the opportunity to reply to one of the issues that were put by Ms. Fournier, and it is around this notion of recusal, which was, I'm sure, in the testimony by her that you would have reviewed. Recusal was an issue she brought up. At any time, did she ask you to recuse yourself from the oversight?

Mr. Edward Johnson: Of...?

Mr. Matthew Green: Of the review committee. You had mentioned that you wanted to chair—

Mr. Edward Johnson: No, I had told her that I should not be involved in the oversight.

Mr. Matthew Green: But you were involved in the committee that decided how the oversight was going to happen.

Mr. Edward Johnson: No. We never got to that, frankly.

Mr. Matthew Green: I'm sorry. Let me rephrase it.

Were you chairing the meeting in which the terms of reference of the review committee were discussed, and did she ask you to recuse yourself from that committee?

Mr. Edward Johnson: I wasn't asked to recuse myself from it, because it would have been the full board, but it didn't review the terms of reference of the inquiry or the review—

Mr. Matthew Green: Pascale Fournier stated that the mandate she wanted to pursue in the scope of the independent review created friction on the board. You'll know that she has agreed to submit to us, on an in camera basis, documents supporting information that she believes will substantiate some of her claims. Would you agree that there were instances when Ms. Fournier was personally attacked while you were chairing the board meeting?

Mr. Edward Johnson: No. I saw none of that. I did see some tough questions, but they were questions that she had invited.

Mr. Matthew Green: She stated that the mandate she wanted to pursue with the friction.... Did you have any concerns regarding the scope or the way in which she wanted to do the review? You alluded to this, I think, in previous testimony.

Mr. Edward Johnson: I don't recall having specific concerns. I think we've—

Mr. Matthew Green: Is the review currently under way?

Mr. Edward Johnson: No, it is not.

Mr. Matthew Green: You have a \$145-million endowment that is now brought before the ethics committee under allegations of foreign interference based on a national news outlet reporting on a CSIS link, and you have not continued with a thorough review and investigation of this matter.

Mr. Edward Johnson: I have not been involved, but I know that my two colleagues, who remain on the board, are working assiduously to try to move that process forward, but we're hampered by the fact that we don't have independent directors who fit my definition of independence. Therefore, some other mechanism has to be sought for oversight of the thing.

Bear in mind that the full board resigned just a few weeks ago. It was a matter of going back to square one then, having no independent directors—independent in the sense of not involved in any way at the time in 2014 to 2017. We had none of those directors, so it becomes—

Mr. Matthew Green: I'm out of time, but I do appreciate your responses.

The Chair: You are, Mr. Green.

Thank you, Mr. Johnson.

At the beginning of the meeting we agreed that we were going to complete the first round. We've done that, so we have 23 minutes before the vote.

Mr. Johnson, if you could hang around a little bit, we should be back here roughly around 5:10 or 5:15. We have a hard stop, as I mentioned, at six o'clock, so we're going to need to leave some time for in camera committee business.

My expectation is that we'll probably get through maybe four questions. We'll start with Mr. Cooper when we get back for five minutes. Then we'll go to Ms. Hepfner, and then Mr. Villemure and Mr. Green. After that we're going to determine where we are on time.

Go ahead, Mr. Barrett, before we suspend.

• (1645)

Mr. Michael Barrett: Yes, if there were consensus, we would have time for an additional round and seven minutes to get upstairs to the chamber.

The Chair: I'm okay with that. I didn't want to be so bold as to ask, but we could probably have Mr. Cooper, and one more, Ms. Hepfner, right after that.

Are we okay with that?

An hon. member: Sure.

The Chair: Okay.

Mr. Cooper, go ahead. You have five minutes.

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

Just so I'm fully clear, there's been no progress made, no offer, no accounting firm, nothing has happened with respect to undertaking a review.

Mr. Edward Johnson: I can't speak to that, because I haven't been involved.

Mr. Michael Cooper: Okay.

On March 1, a cheque was written to return the donation. That was the day following the report in *The Globe and Mail*. Who was that cheque made out to?

Mr. Edward Johnson: I don't recall. I don't know. I wasn't involved with that cheque. That would have been the function of management.

Mr. Michael Cooper: You have no idea whom the cheque was made out to.

Mr. Edward Johnson: I'm told it was the donor, and I have no reason to question that.

Mr. Michael Cooper: Well, Mr. Johnson—through you, Mr. Chair—you said, on April 12, 2023, in the *National Post* that the \$140,000 had been refunded to the same person who was on the cheque and the same person who issued receipts for the Canada Revenue Agency for the donation.

Those are your words, so surely you must be able to state who that person or entity is.

Mr. Edward Johnson: I wasn't interviewed by the... I didn't talk to the *National Post*. I don't know where that comes from.

Mr. Michael Cooper: That is what the *National Post* attributed to you on April 12, 2023.

Further to that, Ms. Fournier stated in her testimony that you were involved in crafting the March 1, 2023, statement from her indicating that the foundation had refunded the money to the donor. Were you involved in crafting that statement?

Mr. Edward Johnson: Yes, I was.

Mr. Michael Cooper: You're telling me that you otherwise have no idea, even though you apparently said that the funds were returned to the donor.

Mr. Edward Johnson: That's correct, because I had assurances from Dr. Fournier that was the case.

Mr. Michael Cooper: Dr. Fournier indicated that, upon the cheque's being sent, it came back to the foundation and that, as of March 23, it had come back for a final time before a decision was made to sit on it and to essentially freeze those funds.

Has that cheque since been returned? Has it been cashed?

Mr. Edward Johnson: The funds have been returned to the donor.

Mr. Michael Cooper: The funds have been returned to the donor.

Mr. Edward Johnson: Yes, subsequent—

Mr. Michael Cooper: Who is the donor?

Mr. Edward Johnson: I can't tell you the name. That's the—

Mr. Michael Cooper: Mr. Johnson, you're the chair of the Trudeau Foundation, aren't you?

Mr. Edward Johnson: I am.

Mr. Michael Cooper: How is it possible that you can't confirm who the recipient is of \$140,000 from your foundation? How is that possible?

Mr. Edward Johnson: I wasn't involved in the repayment.

Mr. Michael Cooper: But you just—

Mr. Edward Johnson: I was not involved in the repayment.

Mr. Michael Cooper: Sir, you stated just a few seconds ago that it has been returned to the donor.

Mr. Edward Johnson: Correct.

Mr. Michael Cooper: So, who is it?

Mr. Edward Johnson: I can't tell you.

Mr. Michael Cooper: You can't tell me.

Mr. Edward Johnson: No. As I say, I was not involved.

Mr. Michael Cooper: It's \$140,000. It's been, now, a month and a half, two months, and you haven't bothered to inquire where \$140,000 in the middle of a national scandal went.

Mr. Edward Johnson: I was satisfied that it had gone to the donor.

Mr. Michael Cooper: How could you be possibly satisfied that it went to the donor? How?

Who did you talk to?

Mr. Edward Johnson: I talked to our counsel and to people in the foundation involved in repaying it, repaying the donation to the donor.

• (1650)

Mr. Michael Cooper: Is that donor in Canada? Is that donor in Beijing? Is it the China Cultural Industry Association? Is it Millennium Golden Eagle International (Canada) Inc.?

You used some very specific language in your opening statement in which you referred to a donation coming from a Chinese Canadian entity. What are you referring to there?

Mr. Edward Johnson: I'm basing that on the testimony of Mr. Rosenberg and on the information that's come to me through our counsel and through my colleagues on the board.

The Chair: Thank you, Mr. Johnson and Mr. Cooper.

Ms. Hefner, you have five minutes. Go ahead, please.

There are 16 minutes left before the vote.

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

Thank you, Mr. Johnson, for being here to answer our questions today.

So far in this study at this committee, we've learned from Pascale Fournier, Morris Rosenberg and Alexandre Trudeau that the foundation is not a partisan organization, that staff are not selected or screened based on partisan background, and that no one in the organization lobbied to participate in political events.

They also confirmed that the foundation was never pressured to do any Canada-China conferences, that the association that made the donation never asked that any conferences be done, that the foundation never felt an obligation to respond on Canada-China relations as a result of the donation, that there was never any intervention to choose academics from China, and that there was no interference in the operation of the foundation.

We have learned that the foundation had no relationship with the government, that neither Madam Fournier nor Mr. Rosenberg nor Mr. Trudeau had any business or political relationship with the Prime Minister or the Prime Minister's staff. In fact, to quote Madam Fournier, the Prime Minister "was not invited to" and did not receive any documentation from "our membership meetings or our board of directors or governance committee meetings. He did not receive invitations or materials of any kind."

Do you agree with those statements?

Mr. Edward Johnson: I do.

Ms. Lisa Hefner: Thank you.

We've heard from all three witnesses so far in this study that there has been no foreign interference in this case. We heard from Mr. Trudeau that there was no intent "to influence the Justin Trudeau government by a donation to the Pierre Elliott Trudeau Foundation", that there was no mystery "around the identity of the donors or their affiliation", and that there was nothing "illegitimate about [his] signing of the donation contract". He said that there were no "irregularities around the issuance of the charitable receipt", no inappropriate or unusual instructions from the donor to the foundation, no refusal on the part of certain board members to recuse themselves from an investigation of the donation, no legal advice from the foundation's lawyers that certain board members had conflicts of interest and that governance charges were required, and that the foundation did not seek to influence the government of Justin Trudeau or even had any connection with the government of Justin Trudeau.

Do you agree with all those statements, as well, sir?

Mr. Edward Johnson: Yes, I do. To the best of my knowledge, that is correct.

Ms. Lisa Hefner: Thank you.

In the last meeting, I asked Alexandre Trudeau if any relationship exists between the foundation and the Trudeau government. Mr. Trudeau responded:

There never has been. No. It's an academic institution that does scholarship work.

...there is the relation to the ministry of innovation, as it's now called. As I remember it, it was the industry department when we started. It's a reporting duty, which we do. All of those are available...but that's a civil service relationship monitoring the contract that was granted to the foundation at its creation to administer these scholarships, fellowships and mentorships.

That's the relationship. There is no political relationship and there never has been.

Do you agree with that as well?

Mr. Edward Johnson: I do indeed.

Ms. Lisa Hefner: Sir, are you having trouble hearing me with the chatter going on across the table?

Mr. Edward Johnson: My sound pickup seems to be a bit sporadic again.

Ms. Lisa Hefner: Chair, maybe you could ask the members across the table to be more respectful.

The Chair: I'll ask the members to keep it down a little bit here.

Ms. Lisa Hefner: I just hear chatter.

The Chair: I've asked the members to keep it down in their conversations.

Go ahead, Ms. Hefpner.

Ms. Lisa Hefpner: Okay, thank you.

When asked about Beijing consular officials who attended meetings with the foundation to arrange the donation, Mr. Trudeau responded:

I wasn't at any meeting. Maybe there were, on the signing ceremony.

One of the issues that you have to understand is that the donors, Mr. Zhang Bin and Mr. Niu Gensheng, don't speak a word of English. A lot of the time you're thinking that they are using consular officials as basically free and appropriate translation services, as opposed to getting someone who's not trained in that kind of diplomatic translation.

Do you know anything about this, sir? Do you have any input on that statement?

• (1655)

Mr. Edward Johnson: I'm afraid I don't. I wasn't there.

Ms. Lisa Hefpner: When Mr. Alexandre Trudeau was asked about why his signature was needed during those meetings, he responded to Mr. Barrett, I think, saying:

You understand why. I was giving the approval for the Université de Montréal to use the name of my father. I was acting as a family member to say that the Université de Montréal could use the name of Pierre Trudeau to launch a scholarship program.

Since you've been with the foundation since its inception, I wonder if you have any insight into this statement.

Mr. Edward Johnson: Yes.

I don't know if I can add to what you've said. That was what I heard Alexandre Trudeau say here a few days ago.

As I say, I was not involved at the time in any of the goings on around the donation, so I can't really....

Ms. Lisa Hefpner: Does it make sense to you though that this would be the reason?

Mr. Edward Johnson: Yes, it does.

The Chair: That's all the time we have. Thank you, Mr. Johnson and Ms. Hefpner.

We should get back here probably around 5:20 or so. There are 11 minutes left with the bells. We are going to start with Mr. Villemure when we get back.

We have to figure out the time here. I'll figure it out over the vote.

We're going to suspend for votes.

• (1655)

_____ (Pause) _____

• (1720)

The Chair: I will reconvene the meeting. It's 5:25.

• (1725)

[*Translation*]

I'm going to give the floor to Mr. Villemure and then Mr. Green for five minutes each. Then we'll start again with the Conserva-

tives, for five minutes, followed by the Liberals, also for five minutes. Finally, there may be two-and-a-half-minute rounds.

[*English*]

I've asked for 15 minutes on the committee business, but I think we probably could get through it in 10 minutes.

[*Translation*]

Mr. Villemure, you have the floor for five minutes.

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

Mr. Johnson, I'm just trying to put the pieces back in the right order. You have eight board members who resigned at the same time as Ms. Fournier, or thereabouts.

Mr. Edward Johnson: I think there were thirteen or fourteen of them.

Mr. René Villemure: All right, but eight members resigned. Is that correct?

Mr. Edward Johnson: No. There were 13 or 14 members who resigned on the same day.

Mr. René Villemure: All right. So they resigned at the same time that Ms. Fournier did.

Mr. Edward Johnson: There was a gap of an hour or two.

Mr. René Villemure: All right. They can't all be wrong. They must have had reasonable cause to resign.

Mr. Edward Johnson: Yes, I imagine so.

Mr. René Villemure: However, at no time were you told about the reasons. Is that right?

Mr. Edward Johnson: I can't comment on the motives of all these board members. I have spoken with a few, but not all of them.

Mr. René Villemure: Mr. Johnson, I have been asking you a few questions from the beginning. You told me that, for example, Mr. Rosenberg said this or that you read this in the Globe and Mail. However, I'd like to know what you think about it.

I understand that you haven't had first-hand conversations with everyone, but you are the chair of the board. You have held important positions in the past and you have an opinion.

Mr. Edward Johnson: Yes. What do you want my opinion on?

Mr. René Villemure: I would like to get your opinion on the set of questions I am asking. I'd like to know what you think, rather than what Mr. Rosenberg would have said.

Mr. Edward Johnson: All right. I understand now.

Mr. René Villemure: You are the chair of a board of directors, and members resign en bloc, which is somewhat unusual. There was pressure, I think. What do you think about that?

Mr. Edward Johnson: Yes, this is absolutely unusual. I'm so sorry about that, because it's a result of the national attention that's been given to the foundation, which has put a lot of pressure on the board. I am sorry that these resignations have taken place because, personally, I believe that we would now be in the middle of the external review. The board could have been dealing with all the other important issues that occupy a board.

Mr. René Villemure: Earlier, my colleague across the aisle asked you several questions about whether you were hiring people based on their political background and so forth. I won't repeat everything she said, because she said quite a bit.

I understand that this was not a criterion for recruiting members or scholarship recipients, but you can't, in a non-partisan foundation, spare the thought that you are a Power Corporation alum. So there are quite a few people who come from the Liberal sphere, even if it is not a criterion for admission as such. There is, I would say, a network around the foundation. Is that the case?

Mr. Edward Johnson: It must be said that there are several networks, such as the academic one. Other people, like myself, come from a variety of backgrounds.

Mr. René Villemure: All right. Nonetheless, there are not a lot of Bloc Québécois members.

You talked about the \$1-million donation to the University of Montreal and the \$200,000 or \$140,000 that were given to you. Is it common for a university to make such a request of you?

Mr. Edward Johnson: In my opinion, it isn't. I am not, however, aware of all the steps and conversations that would have taken place with the universities.

I agree with you that it was a unique circumstance. All I know about it comes from the other witnesses who have appeared here before the committee.

Mr. René Villemure: What exactly is your role? What is your sphere of activity?

• (1730)

Mr. Edward Johnson: As chair of the board, it is to ensure good governance of the organization and the board itself.

Mr. René Villemure: According to the answer to my colleague's question earlier, the governance seemed to be deficient, as there was no policy for donations and such. That was up to you.

Mr. Edward Johnson: Yes, but let me switch to English, as I need to clearly articulate my point.

The Chair: Please finish quickly, Mr. Johnson.

[*English*]

Mr. Edward Johnson: Yes, sir.

In my role, I want to make sure that we have various things in place, but I require the co-operation of the full board in making those things happen and management as well in supporting them—

[*Translation*]

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

I need to keep to the schedule, because we don't have much time.

[*English*]

Mr. Green, you have five minutes. Go ahead, sir.

Mr. Matthew Green: Mr. Johnson, given your past history with the Trudeau family, is it safe to say that the children would have grown up around you in some capacity?

Mr. Edward Johnson: They would have encountered me—

Mr. Matthew Green: How long have you known the Prime Minister for?

Mr. Edward Johnson: The current Prime Minister?

Mr. Matthew Green: Current.

Mr. Edward Johnson: Gosh, since about 1980.

Mr. Matthew Green: Did you have any conversations with the Prime Minister during your time as the chair of the board regarding the foundation after he was elected Prime Minister?

Mr. Edward Johnson: No, none.

Mr. Matthew Green: Did Mr. Rosenberg, in his term as president, bring forward any concerns regarding the donation to the board?

Mr. Edward Johnson: Not—

Mr. Matthew Green: In 2016, recall, there was some negative press.

Mr. Edward Johnson: Yes, and that's just what I'm thinking of. I'm sorry. At that point, negative press was brought before the board and discussed—

Mr. Matthew Green: What was your response as chair of the board?

Mr. Edward Johnson: I wasn't chair then. I was a director at that time.

Frankly, I'm not sure whether that was actually brought before the board or whether it was before...but, no, it must have been before the board. It must have been before the board that we had that presentation—

Mr. Matthew Green: What did the board do about it?

Mr. Edward Johnson: [*Inaudible—Editor*] informed about it.

I don't recall anything specific other than reviewing what was being said to the media about it.

Mr. Matthew Green: So you did nothing in response. You just reviewed.

During Pascale Fournier's turn as president and CEO, did she bring forward any concerns regarding the donation to the board?

Mr. Edward Johnson: To my recollection, not before the newspaper article, the February 28—

Mr. Matthew Green: And you categorically deny all the allegations put forward in the Globe and Mail article.

Mr. Edward Johnson: I'm in no position to do that. All I can say is the allegation.... I could take it specific by specific, but I can say that we did not receive—we were never offered, to the best of my knowledge—a million dollars.

Mr. Matthew Green: I'm talking about specifically foreign interference.

Mr. Edward Johnson: I'm unaware of any foreign interference.

Mr. Matthew Green: Would you consider an article of that nature on a national platform to be defamatory?

Mr. Edward Johnson: Arguably.

Mr. Matthew Green: You're here before the ethics committee because of it.

Mr. Edward Johnson: Unfair, I would say, at least; unfair.

Mr. Matthew Green: You are a lawyer by training, correct?

Mr. Edward Johnson: Correct.

Mr. Matthew Green: How do you respond to that legally? Did you ask for a retraction?

Mr. Edward Johnson: No.

Mr. Matthew Green: Why not?

Mr. Edward Johnson: I can't say. The idea of asking for a retraction frankly never crossed my mind.

Mr. Matthew Green: If I'm chairing a foundation bearing the name of the former prime minister, while the current Prime Minister, his son, is the Prime Minister, and his brother is on the board, and these allegations drop....

I'll give you some grace, because I've never read a CSIS report. I don't know any of it to be true, quite frankly. When I read it on the face value of it, I'll give you the courtesy and the grace to say we don't know if it's true, and yet I am shocked in the lack of defence from your foundation to the allegations that are made, aside from what's happening here in the statement that went out.

Mr. Edward Johnson: Well, it is out there now that at no time were we approached by a Chinese donor offering us \$1 million.

Mr. Matthew Green: No, but it was \$200,000, and the donor was Zhang Bin. In testimony previously, you couldn't confirm whether you knew who the donor was. Can you not see how that's a problem?

Sir, you are a very intelligent man. You're learned. You have a tremendous history. You've been on this board for quite some time, and yet in your preparation for the seriousness of today's committee, you couldn't reference who the donor was. Do you not see that as a problem?

• (1735)

Mr. Edward Johnson: I'm chair of the board. I cannot and must not be involved in every detail of—

Mr. Matthew Green: You have a fiduciary duty as chair of the board.

Mr. Edward Johnson: Right.

Mr. Matthew Green: That's why you have errors and omissions insurance, to ensure that you're not put in a legal.... You're a lawyer. I can't accept at face value that you don't see why this would be a problem.

Mr. Edward Johnson: I believe I can rely on assurances from others more closely involved as to what has been done and whether what has been done is proper.

Mr. Matthew Green: Your job is to respond to it.

Ms. Fournier brings allegations.

The last question I have for you regards the concerns that she has purported to this committee that she brought to you directly at the board meeting. What was your course of action after that?

The Chair: Give a very quick response, please.

Mr. Edward Johnson: It was very much to do our best to establish an independent outside review of the entire matter and all the circumstances around it.

Mr. Matthew Green: It hasn't begun yet.

Mr. Edward Johnson: No, it would have been.... I would say that it's well under way—

The Chair: Thank you, Mr. Johnson.

Mr. Green, I have to stay on time here.

[*Translation*]

Mr. Berthold, you have the floor for five minutes.

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

Good evening, Mr. Johnson. You said that the foundation has never been influenced by the Beijing regime, correct?

[*English*]

Mr. Edward Johnson: Right, to the best of my knowledge.

[*Translation*]

Mr. Luc Berthold: All right. You took the time to clarify that.

In your view, does this \$140,000 donation, which has since been repaid by the foundation and which, according to the Canadian Security Intelligence Service, had been reimbursed to the donor by the Beijing regime, constitute a prima facie case of attempted interference by the Beijing regime?

[*English*]

Mr. Edward Johnson: If the allegations were correct, then there would be an arguable case that it was an attempt at influence—if they are correct.

[*Translation*]

Mr. Luc Berthold: You never questioned the facts.

Mr. Edward Johnson: You can't question them; this is an article that quotes someone quoting a conversation that the Canadian Security Intelligence Service allegedly recorded.

Mr. Luc Berthold: We saw that a diplomat from the Beijing regime was expelled from Canada, according to the same sources.

According to his own words, it seems that Mr. Rosenberg was naive to foreign interference and this gift from the Beijing regime. For his part, Mr. Alexandre Trudeau said that he had no reason to suspect an interference attempt by the Beijing regime. Do you side with the Rosenberg camp or the Trudeau camp?

Mr. Edward Johnson: It's neither one nor the other, because I have my own point of view. As I told you, as far as I know, there was no attempt to influence the foundation.

Mr. Luc Berthold: So, you say there was no attempt to influence the foundation. Do you understand that the regime in Beijing has no interest in trying to influence the foundation, but rather has an interest in influencing Mr. Trudeau's government?

Mr. Edward Johnson: I cannot comment...

Mr. Luc Berthold: You say that Beijing did not try to influence the foundation, and I understand that the foundation was not the target. However, Mr. Johnson, can you at least admit that the Pierre Elliott Trudeau Foundation, which is named after a former prime minister, one of whose sons, Alexandre, is an active member and whose other son, as everyone knows, is Prime Minister of Canada, can be an interesting target for an authoritarian regime like Beijing or anyone else who wants to exert influence?

[*English*]

Mr. Edward Johnson: I really can't comment on that. I don't—

[*Translation*]

Mr. Luc Berthold: You've worked for several Liberal ministers in your career, haven't you?

Mr. Edward Johnson: Yes.

Mr. Luc Berthold: So you're always going to side with the Trudeau family in your responses.

You asked to testify here, you came unprepared, and you are unable to tell us anything about the cheques and receipts. It is obvious that you are currently protecting someone or something. I don't know who it is or what it is, but it is unthinkable, incomprehensible, and most importantly, unacceptable that you were not better prepared for your appearance here. You knew we were going to ask you questions about the receipts and the cheques, and as chair of the foundation, you didn't ask anyone there to get those answers. Why didn't you want to know anything?

• (1740)

Mr. Edward Johnson: We proceeded in the right way and I am satisfied with that.

Mr. Luc Berthold: Isn't it rather that you didn't ask the questions because you didn't want to have to answer them in front of the committee members?

The Chair: Mr. Berthold, let me stop you for a moment.

Mr. Fergus, you have a point of order.

[*English*]

Hon. Greg Fergus: I believe, sir, that it would be appropriate to allow our guest here to be able to answer a number of questions, because there were a number of questions that were asked. I think he should be given an opportunity to do so. He was trying to do so in his second language. I don't know if there's a possibility for him to answer the questions before a new series of questions is asked.

The Chair: Thank you, Mr. Fergus.

[*Translation*]

Mr. Berthold, I had stopped the clock. If you ask the witness a question, you must indeed wait for him to answer it. You have the floor.

Mr. Luc Berthold: Mr. Johnson, you have worked in political offices and mentored many political campaigns, as reported by several witnesses. Given all the experience you have in politics, do you admit that no one wanted to influence the Trudeau Foundation? Do you admit that it was rather the politician Trudeau, now Prime Minister, who was the target of the Beijing regime, according to the Canadian Security Intelligence Service report?

With all your experience in politics, can you at least admit that the foundation may have been a target for a regime wishing to influence members of the Trudeau family and the Liberal family?

[*English*]

Mr. Edward Johnson: I have seen no evidence that would support that. Based on the evidence that's in the public domain, I'm very skeptical of that being the motive behind this donation. It should be borne in mind that the same donor made, a year or two earlier, a donation to the University of Toronto of \$800,000 to honour Norman Bethune, a Canadian who had a role in China. Then he comes back to Université de Montréal with another \$1 million honouring another Canadian who was instrumental in developing relations with China.

[*Translation*]

Mr. Luc Berthold: I see you do know some of the details, Mr. Johnson.

The Chair: Thank you, Mr. Johnson and Mr. Berthold.

[*English*]

For the benefit of the committee, because of the disruptions that we've had today, I've made a decision to push off committee business. I've talked to the clerk. We can do that on Friday. We're going to continue for as long as we can up to six o'clock.

Mr. Bains, you have five minutes. Go ahead, sir.

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

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

During Mr. Rosenberg's appearance on May 2, he said that the gift in question was intended for lectures to be delivered in collaboration with Université de Montréal.

Why did the donation go unused by the Pierre Elliott Trudeau Foundation between 2016 and 2023?

Mr. Edward Johnson: I don't know. The explanation that was given to me—I have this second-hand—is that once the original news articles appeared in, I think, 2016 or 2017, raising questions about whether this might have been intended for some kind of political influence, neither the donor nor the foundation management pursued the notion of the seminars originally intended and originally discussed in what I'm told was the run-up to the donation. To the best of my knowledge, there was no effort from the donor to ask for something else to be done.

Mr. Parm Bains: Thank you.

The foundation board is made up of independent members, ISED appointees, and members of the Pierre Trudeau estate. What's the interplay between the three types of board members?

Mr. Edward Johnson: They all work together. There have been no government members for a number of years on the board. We are left with the regular members, which I believe are 14, and two family members named by the family. The interplay among them and between them is.... There is no distinction.

• (1745)

Mr. Parm Bains: Can you confirm that the independent members of the board control the majority of the board?

Mr. Edward Johnson: Do you mean the non-family members?

Mr. Parm Bains: The independent members of the board, so non-family or whoever the independent members are.

Mr. Edward Johnson: Non-family and non-government members absolutely control the board.

Mr. Parm Bains: Okay.

In our last committee meeting, Mr. Trudeau said that the board had a consensus to create an independent committee. Was this the case?

Mr. Edward Johnson: No. The consensus went the other way. At the March 31 board meeting where this was discussed, I had recommended the creation of the independent committee. The board, however, some directors, said they thought it would be better if the outside review were to report to the full board. That was the way it was left at the end of that meeting. That was the unanimous view.

During the subsequent week, a rear guard view began to emerge of should we be doing this with the full board, and isn't it more appropriate that it be reporting to an independent committee of three—three so-called independents—who were not involved in any way with the foundation from 2014-17?

Two board members wrote to the board, one after the other, proposing that idea and proposing that the board revert to that. I then wrote a subsequent memo, which I referred to in my opening remarks and which I have passed to the clerk, saying that I felt there was a consensus emerging around the idea of.... There was a consensus emerging in the other memos from other directors who were themselves uninvolved and independent from the China events, and that we might consider moving forward on the basis of that consensus.

The Chair: You have two seconds, Mr. Bains.

Mr. Parm Bains: That's okay.

The Chair: Thank you, Mr. Bains.

I'm sticking to the time.

We're going to conclude with Mr. Brock for five minutes, Mr. Fergus for five minutes, and then we're going to go to Monsieur Villemure and Mr. Green for two and a half minutes, and that'll take us to the end.

Go ahead, Mr. Brock.

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

Thank you for your attendance, Mr. Johnson.

I understand that you bring to your testimony today a significant history in the political field, the legal field and the governance field, as well as a significant period of time on the Pierre Elliott Trudeau Foundation.

I'm actually shocked, unbelievably shocked, that you came before this committee. You've indicated in previous statements that you wanted an opportunity to correct some of the factual discrepancies in Ms. Fournier's statement. You wanted an opportunity to rebut many of those statements.

I'm really gobsmacked, sir, that you are unable to answer basic questions with respect to the refund of this donation. You are the chairman of this particular organization, managing \$125 million in taxpayer-funded money. You had to have known that one of the questions put to you, sir, would be in relation to the donation and the refund.

I want to go to those questions and that line a bit more in detail.

You are unable to tell me...because you were not responsible for issuing the cheque to return to a particular donor of the \$140 million. Is that correct?

Mr. Edward Johnson: That's correct.

Mr. Larry Brock: But you will undertake to tell this committee who, in fact, did so at the foundation.

Is that correct? Do you undertake to do that?

Mr. Edward Johnson: I can undertake to do exactly that.

Mr. Larry Brock: You'll further undertake to tell us who exactly the refund was issued to, okay?

You will also tell us, sir, how that donation was transferred to the donor, whether by electronic transfer, whether by issuing a cheque from the foundation or by some other capacity.

Is that all understood?

• (1750)

Mr. Edward Johnson: I believe so.

Mr. Larry Brock: Okay.

Now, I want to talk about the actual receipts that were given by the foundation itself when the money actually came in. You must be aware, sir, that there was an issue amongst the members as well as board members with respect to the discrepancies related to those receipts. Do you agree?

Mr. Edward Johnson: I'm not sure there was an issue. There was a concern raised by Dr. Fournier about whether or not the receipts had been properly issued. Subsequently we heard the testimony of Mr. Rosenberg, who was involved very much at the time—

Mr. Larry Brock: Sure. I'll cut to the chase. Two receipts were prepared by the foundation, the first for an installment of \$70,000 in 2017 and the second for an installment of \$70,000 in 2018, presumably coming from the same donor, the same source, yet two receipts from the Pierre Elliott Trudeau Foundation were completely different. One was sent to a corporation with an address in Hong Kong, which was subsequently directed by the Chinese government to send it on to Beijing. The second receipt was sent to a shell corporation, the Millennium group in Dorval, Quebec.

You, sir, as the chairman of the board, must be aware of that.

Mr. Edward Johnson: My understanding from what I've heard in the previous testimony and what I'm informed is that both receipts went to the donor.

Mr. Larry Brock: But you don't know that, sir. You're basing it....

I'm asking again. What preparation, sir, did you do for your testimony today?

Mr. Edward Johnson: I discussed a broad range of things. I reviewed a broad range of things, but I'm chair of the board, and my involvement in day-to-day detail is quite minimal.

Mr. Larry Brock: You're the chairman of the board. You came here because you wanted to clear the air and correct the factual inaccuracies from Dr. Fournier. This is your opportunity, and I'm sorry, sir, you don't have the opportunity to say, "I don't know. I didn't look into it." You're relying on previous testimony, sir. That does not give you a pass. That is not proper governance.

The Chair: Mr. Brock, your minutes are up.

Mr. Larry Brock: I really question what governance policies you had in place.

The Chair: Your six minutes are up. Thank you.

Mr. Ferguson, you have five minutes. Go ahead, please.

Hon. Greg Fergus: Thank you, Mr. Chair, and through you, I'd like to thank Mr. Johnson for being here today.

Mr. Johnson, I'd like to go through a bit of the timeline and perhaps leave with a general question.

I'd like to confirm with you that Mr. Zhang had made a donation to the University of Toronto earlier than 2014 for an amount of about \$800,000. Is that correct?

Mr. Edward Johnson: That's my understanding, yes. It was in honour of Dr. Norman Bethune, a Canadian.

Hon. Greg Fergus: That's right. It was in honour of Dr. Norman Bethune, who played a major role in China's modern development.

Mr. Zhang also approached l'Université de Montréal in 2014 to try to make another donation in honour of Pierre Elliott Trudeau, who was the prime minister at the time when they opened up normal relations with China. Is that correct?

Mr. Edward Johnson: That is what I understand.

Hon. Greg Fergus: So negotiations really started then. That's when the foundation was brought in, because of the use of the name of Pierre Elliott Trudeau. Is that your understanding?

Mr. Edward Johnson: That's my understanding, again, from the testimony of Alexandre Trudeau. That's right.

Hon. Greg Fergus: Fair enough.

Were there any conditions, as far as you were aware, attached to the donation in terms of being able to talk about China, to promote the interests of the—

Mr. Edward Johnson: The agreement, and I think the agreement is included in the materials that have been provided to the committee and which I have read, specifies what the foundation is to do, and it's pretty broad. It has a lot of latitude, so that's the framework within which the donation was to be acted upon.

• (1755)

Hon. Greg Fergus: Mr. Chair, I forgot to start my clock. Can you tell me where we're at?

The Chair: There are two minutes and 53 seconds remaining.

Hon. Greg Fergus: Thank you, sir.

Was there any contact between the foundation and Prime Minister Justin Trudeau's office, as far as—

Mr. Edward Johnson: To the very best of my knowledge, there was absolutely none.

Hon. Greg Fergus: Was there any contact between you, the board and the Government of Canada, aside from your fiduciary responsibilities to ISED and perhaps to the Canada Revenue Agency?

Mr. Edward Johnson: Outside of our responsibilities to ISED, there were none to my knowledge.

Hon. Greg Fergus: As far as you know, there was no quid pro quo, in terms of that donation and any contact with the Government of Canada, to try to influence the affairs of the Government of Canada.

Mr. Edward Johnson: As far as I know, there was none.

Hon. Greg Fergus: Once again, back in 2014, when the initial approach was made, who was prime minister at the time?

Mr. Edward Johnson: It was Mr. Harper, I believe.

Hon. Greg Fergus: Right. It wasn't as if this was done with the full light that things were going to work out for the third party in the House of Commons at the time.

Mr. Edward Johnson: That's correct. It was not obvious at that time. As one who has a political ear to the ground, it was a long shot.

Hon. Greg Fergus: Indeed, it was.

Mr. Johnson, why do you do what you do? Why are you involved with the Trudeau Foundation?

Mr. Edward Johnson: I'm happy to be involved in preserving the name, and in recognizing a great man, a great public servant and a statesman, but as time has gone on and we have given the scholarships and have had our events and so on, I've met the scholars. Every time I meet the scholars, I'm so impressed with these young, brilliant people who are going to be making huge contributions to Canada. I am pleased that we are able to reinforce that and perhaps expand their knowledge of the country and lead them to be more effective as leaders.

We have dinners and so on with students. During COVID, we couldn't. However, every once in a while, we've now been able to have them, and it's so refreshing to meet these young minds. Some of them, like the young rocket scientist scholar who is working as an epidemiologist at Johns Hopkins University, are tremendously impressive. To the—

The Chair: Mr. Johnson and Mr. Fergus, that's five minutes.

[*Translation*]

Mr. Villemure, you have the floor for two and a half minutes.

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

Mr. Johnson, two and a half minutes is not very long. I've done a review of your resume and experience. It's impressive.

Today, however, your testimony was mostly repetition of other people's testimony, which I find amazing. So for the time we have left, I would like you to tell us your opinion of the truth. Why should we believe you more than Ms. Fournier, among others?

[*English*]

Mr. Edward Johnson: I'm here to answer, and I must say, by the way, that I was invited to come here. I was not insisting on coming or asking to come here.

[*Translation*]

I have done my best to answer the questions honestly and fully. That is the limitation. I can't tell you things I don't know.

Mr. René Villemure: Yes, obviously. However, given your experience, which is seriously impressive, I'm surprised to learn that so much has escaped you or that you've been so uninvolved. We're talking about an issue that's making national headlines, and you're telling us that you talked to one person, but not the other. I'm just curious, because your resume doesn't suggest that.

• (1800)

Mr. Edward Johnson: I can't change your mind if you don't believe me.

Mr. René Villemure: I don't have an opinion, I'm asking you.

Mr. Edward Johnson: I assure you that I am telling you the truth, but I cannot tell you more than I know.

Mr. René Villemure: Do you understand that it may be difficult for us to have only that portion where you testify from Mr. Rosenberg's or Mr. Trudeau's testimony?

It's just a question. I'm curious. We are not accusing you at all, but I would like to know what Edward Johnson thinks.

Mr. Edward Johnson: About what question do you want to know what I think?

Mr. René Villemure: I'd like to hear your thoughts on the set of questions you've been asked today.

[*English*]

Mr. Edward Johnson: I welcome them. I welcome the questions. I've done my best to answer them to the best of my ability and knowledge.

[*Translation*]

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

The Chair: Thank you.

[*English*]

Mr. Green, bring us home.

Mr. Matthew Green: Thank you very much.

Mr. Johnson, you would agree that the foundation's purpose in perpetuity is to preserve the legacy of Pierre Elliott Trudeau?

Mr. Edward Johnson: *Inter alia*, yes.

Mr. Matthew Green: You would agree that this scenario has cast negative aspersions on the foundation, perhaps justly or unjustifiably—

Mr. Edward Johnson: Utterly unjustifiably, yes.

Mr. Matthew Green: Okay.

In terms of the governance of the board, we've heard that you meet twice a year and you're not fully briefed. Would it be fair to say that it's a bit of a rubber stamp board in the management of it?

Mr. Edward Johnson: Not in the least, and by the way, on my watch, we've increased our meetings. I was talking about what it was like back then. On my watch, we've increased the number of meetings and—

Mr. Matthew Green: To how many a year?

Mr. Edward Johnson: To three a year, and our meetings are far longer than the three hours that they used to be. We do a lot.

Mr. Matthew Green: Okay, fair enough.

Regarding the April 14 request to the Auditor General, is the Auditor General taking on a forensic investigation into the foundation?

Mr. Edward Johnson: Regrettably, she is not. She has informed me that she would not.

Mr. Matthew Green: She would not.

You would likely have heard the discourse around the table around Chinese foreign interference. You likely would have heard about the prima facie parliamentary privilege of MP Michael Chong. You would obviously have heard the allegations around the foundation and Chinese police stations operating here. You would have heard all of these things.

Your foundation, sir, has been dragged into that world of allegations around Chinese foreign interference. As the chair, you have a duty to help preserve the legacy of the foundation. Would you agree that one of the ways to best provide the most amount of clarity around this—because we've now sat through many witnesses, and I'm not sure we have clarity—would be to be included in a public inquiry, should David Johnston, at the end of his special rapporteur position, present that?

Would that be something that you think would be helpful in clearing the name of the foundation in a very clear and unequivocal way?

Mr. Edward Johnson: I don't think that would be necessary in order to clear the name of the foundation. I think that we can—

Mr. Matthew Green: We've done so here today?

Mr. Edward Johnson: I'm sorry?

Mr. Matthew Green: Do you believe that you've done so here today?

Mr. Edward Johnson: I've done my best, but I'm answering pretty narrow questions—

Mr. Matthew Green: Sure, for which you don't have the answers.

Mr. Edward Johnson: Well, as I say, I've done my best. I can't tell you what I don't know.

Mr. Matthew Green: But if there is a public inquiry, you would co-operate with it.

Mr. Edward Johnson: Of course.

Mr. Matthew Green: Thank you.

The Chair: Mr. Green, thank you.

That concludes our round of questioning.

Mr. Johnson, on behalf of the committee, I want to thank you for appearing today.

I apologize for the interruptions. It's the business of Parliament, but I appreciate your patience on behalf of the committee and on behalf of Canadians as well.

Thank you to our technicians and our clerk.

Monsieur Villemure.

[*Translation*]

Mr. René Villemure: I have a point of order, Mr. Chair.

We were supposed to spend time on committee business. Now, I wish we could take a moment to discuss what's going on on the document side. It will be brief, but I think it is necessary.

[*English*]

The Chair: I can do it now. I think I did it at the beginning.

We could reasonably expect to have documents by the latter part of this week, perhaps by May 11. The challenge, so that the committee is aware, is on the ATIP document, which is a public document. It's already out there. It's 160 pages. If we wait for that, the problem is we're going to be waiting a much longer period of time.

I've instructed the clerk to release the documents in their entirety, because I believe that the context and timeline are critical in the committee's understanding of just what was going on within the foundation and based on Madam Fournier's notes.

If that satisfies the committee, that's the update.

There may have been some other things that I would have liked to discuss, and I'll consider that on Friday as part of committee business. Is that okay?

Okay. Thank you, everyone.

The meeting is adjourned.

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