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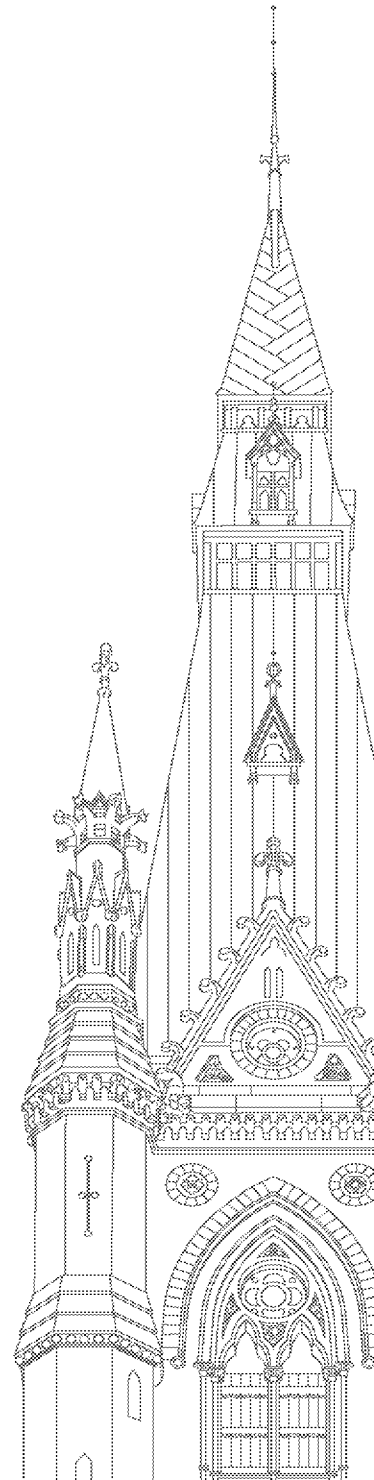
Standing Committee on Procedure and House Affairs

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Thursday, June 15, 2023

Chair: The Honourable Bardish Chagger



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• (1105)

[*English*]

The Chair (Hon. Bardish Chagger (Waterloo, Lib.)): Good morning, everyone.

I call the meeting to order.

Welcome to meeting number 84 of the Standing Committee on Procedure and House Affairs.

The committee is meeting today to study the question of privilege related to the member for Wellington—Halton Hills and other members.

As always, if you're using your earpiece, keep it in your ear or keep it out, but please don't let it interfere with the microphones.

All comments should go through the chair. As always, I do feel that it's going to be a faster-paced meeting, so I would like to maximize your time. I will remind you that the question of privilege related to the member for Wellington—Halton Hills and other members is the reason we're here. I would appreciate our staying relevant so that I don't have to be interrupting. I would really appreciate minimizing the number of comments I have to make. I would just like for us to be able to go from member to member and to maximize the time with the minister.

With that, we have with us the Honourable Marco Mendicino, Minister of Public Safety, alongside the associate deputy minister, Tricia Geddes, from the Department of Public Safety and Emergency Preparedness.

Minister, you will have up to 10 minutes for opening comments. I would just remind you that there are two official languages so maintain a good pace for the interpreters.

With that, thank you for replying to us so quickly and for being here.

Welcome to PROC.

Hon. Marco Mendicino (Minister of Public Safety): Thank you very much, Madam Chair.

[*Translation*]

Good morning, everyone.

[*English*]

First, I would like to acknowledge the presence of my associate deputy minister for public safety, Tricia Geddes, and to begin by thanking all of the people who get up every day to protect our

country's democratic institutions, the people who work with them and all Canadians. The security of Canada's democracy is of paramount importance, and the safety and security of our national institutions is thanks to them.

Foreign interference has become an increasingly pervasive threat to democracies worldwide.

[*Translation*]

Hostile actors, such as Russia, the People's Republic of China, the PRC, and the Iranian regime, continue their attempts to undermine our national interests and to threaten Canadian security.

[*English*]

This is not a new phenomenon, but the challenges surrounding foreign interference have become more complex and insidious and are constantly evolving. That is why our government has taken strong action since forming government in 2015.

Madam Chair, let me explain to the committee the four pillars that underpin our plan to combat foreign interference: prevention, protection, accountability and transparency.

First, all good strategies must start with prevention.

[*Translation*]

The Digital Citizen Initiative is designed to strengthen democracy and social inclusion in Canada by developing citizen resilience to foreign interference and online disinformation and by establishing partnerships to support a healthy information ecosystem.

[*English*]

Among the initiatives funded through the DCI is the Canadian Digital Media Research Network, which is undertaking activities to help Canadians become more resilient and to think critically about the information they consume online.

Within the federal government, my predecessor, Minister Blair, issued a letter to all parliamentarians in 2020 providing information and resource support to them. As you know, Madam Chair, CSIS continues to provide briefings to parliamentarians to better understand how to protect themselves and their offices from foreign interference.

Second, we are increasing protection. We're mobilizing new tools and resources to ensure the safety of Canadians including parliamentarians. This includes most recently increasing funding for the RCMP by \$48.9 million to protect Canadians from harassment and intimidation by foreign actors, to increase its investigative capacity and to proactively support communities most at risk of being targeted.

We're also working with the Sergeant-at-Arms and the PPS here on the Hill to provide more security for parliamentarians and their staff and we have recently established a new national counter-foreign interference coordinator, which is being headed out of my department at Public Safety Canada.

Third, we are making sure we hold hostile actors more accountable.

• (1110)

[*Translation*]

The RCMP reported that it had shut down foreign interference activities relating to the so-called police stations and that it was conducting some 100 investigations into the matter. The RCMP will be on the lookout for any future threats.

My colleague Ms. Joly recently expelled a foreign diplomat and is also implementing a system of sanctions against the Iranian regime. We will continue to use all government resources at our disposal to force hostile actors to account.

[*English*]

Also, we are pursuing, as you know, the creation of a foreign influence transparency registry. We have concluded the official public consultation phase of that exercise, in particular working with and engaging diaspora communities so that we can create this new tool in the right way.

Finally, we know that transparency is fundamental to countering foreign interference and to building the trust and confidence of Canadians. We're taking lessons and recommendations from the National Security and Intelligence Committee of Parliamentarians.

I've already mentioned two very concrete examples, which I am leading, of the implementation of those recommendations, through the creation of a national coordinator to combat foreign interference, as well as the creation of the foreign influence transparency regime. There's also NSIRA and most recently, the work that was completed by the Right Honourable David Johnston in his first report. It's a report that lays out a path forward to continue, through a public exercise, the engagement of Canadians so that they better understand how it is our national security establishment is equipped to fight against foreign interference.

Our government and our national security agencies being more open than ever about the threats we are facing is the best way to protect and strengthen our democracy.

Of course, we know that foreign interference has an impact well beyond our elections and elected officials. All facets of Canadian society need to be protected from this potential threat. When individuals in Canada are subjected to intimidation, harassment or manipulation by foreign states or their proxies, these activities are a

threat to our sovereignty and to the safety of all Canadians. They will never be tolerated. Law enforcement will independently take the appropriate actions that are necessary.

With several federal by-elections fast approaching, the security and intelligence threats to elections task force has been activated to ensure the protection of our electoral processes. When it comes to our economy and society writ large, we know that academic institutions, energy and technological sectors and many others are a vector for this threat.

[*Translation*]

All of these measures and investments follow the principles of prevention, protection, accountability and transparency that I mentioned earlier. And they transcend political and partisan lines. All members of Parliament share a moral imperative to uphold our country's institutions and to keep our constituents, and their fellow citizens, safe.

[*English*]

We know that threats to democratic institutions persist, such as foreign interference and disinformation, but I want to reassure all members of this committee and in Parliament, and, indeed, Canadians that our government will continue to take all of the steps that are necessary to mitigate those threats to our national security landscape, including by tackling foreign interference.

Thank you.

The Chair: Thank you, Minister.

We will enter into six-minute rounds, starting with Mr. Cooper,

• (1115)

[*Translation*]

who will be followed by Mr. Fergus and Ms. Michaud,

[*English*]

and then Mrs. Blaney.

Mr. Cooper, you have six minutes through the chair.

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

Thank you, Minister and Associate Deputy Minister, for appearing this morning.

Through you, Madam Chair, to the minister, the director of CSIS, when he appeared at committee on Tuesday, confirmed that the issues management note of CSIS that warned that MP Chong and his family were being targeted by the Beijing regime was sent to the deputy minister of public safety.

What happened once it reached the deputy minister?

Hon. Marco Mendicino: Madam Chair, I want to thank my colleague for the question.

As you said, Mr. Cooper, you heard the CSIS director indicate his intentions about that memo. You also heard very clearly from my predecessor, the public safety minister at the time, Minister Blair, that he did not receive that memo.

What I can assure you, Mr. Cooper, and the members of this committee, is that through the ministerial directive that I have recently signed off on, we have strengthened the ability of elected officials to be briefed on these issues—

Mr. Michael Cooper: Minister, I asked a specific question. If you can't answer it, that's fine. Just say you can't answer it.

What happened once the memo reached the deputy minister of public safety?

Hon. Marco Mendicino: What I can tell you is, very clearly, the intention of the CSIS director, and the fact that Minister Blair did not receive that memo, that has been addressed through the ministerial directive that I have implemented.

Mr. Michael Cooper: It was sent to your deputy minister, so have you instructed your department to open an investigation to find out what happened to that memo once it reached public safety, yes or no?

Hon. Marco Mendicino: Madam Chair, we have addressed this issue through the ministerial directive, which requires CSIS to directly brief me where there's foreign interference with parliamentarians, as well as the Prime Minister.

Mr. Michael Cooper: I take it from your answer that the answer to that question is no.

Through you, Madam Chair, Minister, when you last appeared before this committee on April 27, you said, unequivocally, and without qualification, “the RCMP has shut down the so-called police stations”.

We now know that isn't true, at least as of April 27, when you appeared before this committee. The Beijing United Front Work Department organizations that host two illegal police stations in Montreal have said that no action has been taken against them. Jody Thomas, the Prime Minister's national security and intelligence adviser, told this committee on June 1, when asked how many illegal police stations are still operating, “We are aware of two in Montreal, and work is being done to ensure that they cease to operate.” That means they were still operating as of June 1 contrary to what you said on April 27.

Why did you tell this committee the opposite of what is true?

Hon. Marco Mendicino: Madam Chair, the first thing I want to make abundantly clear to members of this committee is that the RCMP have consistently said that they have been on top of this issue by disrupting foreign interference activities in relation to the so-called police stations. Madam Chair, as you know, that does not mean there may not be future efforts, but I am confident that, on the basis of the authorities and of the resources that we have provided to the RCMP, they will be vigilant. You've heard, most recently, from Commissioner Duheme, who appeared before this committee himself to confirm that the foreign interference activities in regard to these so-called police stations will continue to be disrupted in a timely way.

Mr. Michael Cooper: Minister, with the greatest respect, through you, Madam Chair, you can't talk your way out of this. You made a statement on April 27. You didn't provide any qualifications. It was an unequivocal declaration that all of the illegal police stations were closed.

Jody Thomas, when she appeared before this committee, contradicted exactly what you said. I did listen to the RCMP when they appeared before this committee two days ago. Upon pressing the RCMP, they appeared to acknowledge that at least one of the stations is still operating, and an investigation is under way with respect to the other in Montreal.

You provided this committee with inaccurate and incomplete information in what I would submit, with the greatest respect, was a deliberate attempt to mislead this committee and to mislead Canadians about illegal police stations operated by Beijing on Canadian soil.

Respectfully, Minister, how can anyone believe anything you say?

Hon. Marco Mendicino: I stand by my statements before this committee. The RCMP have been clear and consistent in regard to these foreign activities in relation to the so-called police stations.

Madam Chair, I encourage all members of this committee to continue to listen to the RCMP, because they are providing timely, accurate briefings. They carry out those operations in a manner that is independent from the government, but I am confident that the government has provided the RCMP with the tools, the resources and the authorities that are necessary to deal with these foreign interference activities.

• (1120)

Mr. Michael Cooper: Thank you for that.

Minister, you mislead this committee, and that's a fact. I would submit no one can believe anything you say.

How many arrests have been made in connection with Beijing's illegal police stations? Just give a number.

Hon. Marco Mendicino: Madam Chair, I'm pleased to reiterate what Commissioner Duheme told this committee just a couple of days ago, I believe, which is that they are advancing approximately 100 investigations in regard to foreign interference.

Mr. Michael Cooper: I asked the question: How many arrests have been made? You know the answer to that, Minister. The fact that you're unwilling to say it, I think, speaks volumes to your unwillingness to come here and to answer straightforward questions.

How many have been arrested? Just give a number.

Hon. Marco Mendicino: Madam Chair, I have a couple of points because I want to be responsive to my colleague's question.

First, the fact that there are 100 investigations ongoing—

Mr. Michael Cooper: The answer to that, Minister, is zero—zero arrests.

Hon. Marco Mendicino: —reflects how serious this is. Second is the fact that the—

The Chair: I'm going to pause.

Mr. Cooper, I was actually going to give you back the floor because the beep went off and I'm like, "He's kind of hearing what I'm saying." It has taken a bunch of meetings but we're getting there—awesome, high-fives—I'll throw you back the floor. I'll get you to get one more question in and we'll go on our way. We hear the beep, beep, beep. You know what my reaction is going to be, and then it's almost like you like it.

I find that odd, but every one got the show. We feel better. Great.

Minister Mendicino, the floor is yours, and then I'll be going to Mr. Fergus.

Hon. Marco Mendicino: Thank you very much. I'll try to be concise in my response, Madam Chair.

First, the fact that there are 100 ongoing RCMP investigations into foreign interference shows they're taking this matter seriously. If there are arrests, obviously they will be updated by the RCMP, but lastly, let's not underestimate the value of the ability and the capacity to disrupt those activities, which is precisely what the RCMP has done in regard to the so-called police stations.

The Chair: Thank you.

Mr. Michael Cooper: The number is zero.

The Chair: Mr. Fergus.

[*Translation*]

Hon. Greg Fergus (Hull—Aylmer, Lib.): Thank you very much, Madam Chair.

Minister and Madam Deputy Minister, thank you for appearing before us today.

[*English*]

My question will actually be regarding the police stations.

We had the RCMP come here and they testified that they have disrupted the illegal activities at these locations, but they added an important caveat. The caveat was that these buildings and locations are still there and that there are other activities that are perfectly normal and perfectly appropriate that go on at those locations. So to say that we've shut them down would be an overstatement. It would be to say that those activities have been shut down.

Do I have a correct reading on that, Minister? Do you have anything further to add on that?

Hon. Marco Mendicino: It's very important to make the clarification that foreign interference activities in regard to the so-called police stations refers to the activities themselves.

I would add something else. It is that the resources we are giving to the RCMP through budget 2023—as I said, roughly \$49 million—is a way in which we can be sure that we can better protect Canadians and, specifically, diaspora communities, who are often the target of foreign interference activities.

Mr. Fergus, what I would say, through you, Madam Chair, is that it was disappointing to see that Conservatives did not support budget 2023. They often talk tough on national security. They talk tough on foreign interference, but they voted against the budget, which would have given the RCMP additional capacity to deal with the very foreign interference activities that you're talking about, and

they've also voted against other authorities that would equip our national security establishment with additional tools to fight foreign interference.

Hon. Greg Fergus: Minister, as a follow-up to that, what are the challenges that you have with folks conflating the nefarious activities of the police stations with these community centres?

Hon. Marco Mendicino: Madam Chair, that's an important question because the geographic locations where these so-called police stations are located attract people for totally legitimate purposes. They could be going to the same space to participate in extracurricular activities or to be getting other essential supports.

It is my assessment that it is one of the challenges that is presented, just really distinguishing what are legitimate activities from potential foreign interference activities. I think we need to be very sober about the reality that the PRC is deploying a wide array of tactics when it comes to foreign interference, not only through these so-called police stations, but equally through our economy, through our academia, through other attacks on our democratic institutions, which is why the way in which I structured my opening remarks lays out the plan, the plan that is based on prevention, protection, accountability and transparency. The additional tools and resources that we, as a government, have put into place are all about advancing that plan so that we can tackle foreign interference.

• (1125)

Hon. Greg Fergus: Minister, as you're surely aware, we have had substantial testimony that speaks to, frankly, the information breakdown that has happened amongst our security and intelligence information sharing and the lack of coordination in that regard.

What is the government doing to rectify these snafus?

Hon. Marco Mendicino: Madam Chair, that too is a critically important question. As the minister, I'm responsible and accountable for my office, my department and the agencies that report to me. It is important to identify where the challenges have been around information and intelligence flows.

In my job as the Minister of Public Safety, by identifying that issue, I believe we have begun to address it through the issuing of a new ministerial directive. The point there is that where there is foreign interference in relationship to parliamentarians, I'm now to be directly briefed by the service so that we can be sure that the issue is being addressed and so that we can be up front with Canadians about how we're doing that work.

I would also say that Mr. Johnston's first report, a report that is very substantive and incisive, does lay out an additional number of steps in which we can continue to strengthen our internal governance when it comes to intelligence and information flow, because that is the best way in which the government can take the appropriate actions that are necessary to deal with foreign interference. That's precisely what I'm committed to doing.

Hon. Greg Fergus: I have a final question for you or the deputy minister. I asked this question of the CSIS director, and I'd like to ask it of you.

It seems that the framework in which we have set up the structure to respond to these issues, our whole security intelligence network, was set up in response to terrorism threats. It seems that the frame has changed. How do we now adapt our structures to deal with these new and emerging...perhaps an ongoing emerging, but just a new way of looking at the threats faced through foreign interference now?

Hon. Marco Mendicino: I'll say a few words and then I'll turn it over to ADM Geddes.

I think what your question touches on is the need to think about how we frame national security concerns. You're right; after 2001, in the wake of the 9/11 tragedy, the government put into place a national security strategy. Today, yes, of course we continue to be vigilant against anti-terrorism, but we also have to think about foreign interference.

The Chair: Thank you. When the beep goes, we can't pass it to the ADM. I'm sorry. Maybe there will be another opportunity.

Madam Michaud.

[*Translation*]

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Madam Chair.

Minister, thank you for being with us today. We very much appreciate it.

We're here to shed light on the intimidation of Mr. Chong, the member for Wellington—Halton Hills. Unfortunately, we're also here to shed light on your contradictions. We're hearing of all kinds of them from you and your colleagues these days. You say that briefing notes and emails were lost, and you simply plead ignorance within many ministers' offices.

You mentioned transparency earlier in your opening remarks. However, Minister, in every respect, you've been anything but transparent in the foreign interference file since day one. You are the Minister of Public Safety Canada. You are responsible for ensuring safety, and you have a duty to be informed and to gather information. To say that an email was lost, that you weren't briefed or that the note went missing: these aren't acceptable answers.

How can you explain why the person who should be informed first in a security matter in Canada was informed last instead?

• (1130)

Hon. Marco Mendicino: Madam Chair, I want to tell my colleague Ms. Michaud, through you, that I absolutely agree with her. It's my duty as Minister of Public Safety to ensure that we have a system in which information circulates in an efficient, transparent and clear manner. That's why I've issued a new directive within my department to reinforce our protocols.

I've acknowledged that this incident has uncovered problems, but now I'm focusing on reinforcing protocols so the government can take the necessary measures to combat foreign interference.

Ms. Kristina Michaud: Minister, this isn't the first time your remarks have subsequently been disproven.

Madam Chair, with your permission, I'm going to ask a few questions in quick succession because we've compiled a list of ex-

amples of this, and there have been many situations in which the minister said one thing and we subsequently learned the opposite.

Minister, you said last year that the police had asked you to invoke the Emergency Measures Act. However, we later learned that was not the case. How do you explain that?

Hon. Marco Mendicino: Madam Chair, the decision to invoke the Emergency Measures Act was made in the midst of an unprecedented incident. The situation on the ground was a national emergency, and the decision to invoke the act was made in light of discussions and consultations with police services.

That's exactly what I said before Judge Rouleau, and he confirmed the fact that the decision in question was the right one. It was the correct decision to restore public safety on the ground.

Ms. Kristina Michaud: I expect my brief questions to be followed by equally brief answers.

Thank you, Minister. In the matter of the so-called Chinese police stations, you told us that they had been shut down. However, we learned shortly thereafter that, once again, that wasn't the case. Mr. Cooper demonstrated that a little earlier.

Once again, how do you explain that?

Hon. Marco Mendicino: Our colleague Mr. Cooper asked the question, and I'm going to repeat, before this committee, the remarks I previously made. The RCMP is taking specific measures regarding the so-called police stations and will continue to monitor that threat. That's clear.

Ms. Kristina Michaud: Minister, you said a few days ago that you hadn't been informed that the murderer Paul Bernardo would be transferred to a medium-security prison. However, we subsequently learned that the briefing note was sent to you and that your office was informed of those facts.

How do you explain that? Was it because your office didn't forward the information? Why doesn't information get through to you?

[*English*]

Mr. Ryan Turnbull (Whitby, Lib.): I have a point of order, Madam Chair.

The Chair: Mr. Turnbull, go ahead on a point of order.

Mr. Ryan Turnbull: I know I was a bit late getting here, but my understanding is we're studying foreign interference today, and it's specifically a question of privilege. I don't know whether this question is relevant. I wanted to point that out and seek your advice on that.

The Chair: I did, at the top of the meeting, remind us that... I know that, on Parliament Hill, everything is important. That's why we do a whole list of important things.

One of our colleagues has brought up the issue of foreign interference on a question of privilege that was sent to this committee. I hope I'm never in that position, but I would also hope that, as an elected official, my question of privilege would be given the importance it needs. I would encourage us to stay on that topic, as well. There's always something more exciting happening.

The time is yours, Madam Michaud, but we are here on the question of privilege related to the member for Wellington—Halton Hills and other members.

[*Translation*]

Do you want to continue with your question or ask another one?

Ms. Kristina Michaud: I'm going to continue, Madam Chair, and to explain to my colleague Mr. Turnbull that all the minister's contradictions regarding public safety in Canada have landed us in the middle of this foreign interference and intimidation campaign against our colleague Mr. Chong, from Wellington—Halton Hills. The minister has to be transparent. He's accountable. Since he has contradicted himself on numerous occasions, we're entitled to answers. The public is entitled to answers as well. I believe that brings us back to the main question.

How is it that we learned about this through the media, that we learned from leaked information that some of our fellow MPs were being targeted by foreign interference and intimidation campaigns conducted by Chinese diplomats? How is it that, when we ask the Minister of Public Safety questions on these matters, his answer is that he wasn't aware of them?

I'm simply trying to understand the situation. I think Canadians and Quebecers are trying to understand it too. So I expect answers from the Minister of Public Safety. I think all the points we've addressed today are extremely important, and they bring us back to this problem.

So, once again, I'm going to give the minister an opportunity to explain to us how it is that briefing notes don't get to him, that emails get lost, that the minister who is supposed to ensure public safety in Canada isn't aware of everything that goes on and that our democratic institutions are the target of foreign interference.

• (1135)

Hon. Marco Mendicino: I want to thank the member for that question.

Departmental responsibility requires that I take action when problems and challenges arise. I want to emphasize, in response to that question, that I'll be taking specific measures, such as new ministerial directives to reinforce the protocols. The objective is to ensure that information is communicated to my office, to my team and, even more importantly, to the government so we can take the necessary measures to respond to public safety challenges. That's my focus.

The Chair: Thank you.

Go ahead, Ms. Blaney.

[*English*]

Ms. Rachel Blaney (North Island—Powell River, NDP): Thank you, Chair, and thank you to the witnesses for being here today.

I admit that I share frustration with my colleagues and with Canadians about how often it feels that this story is changing from one thing to another.

What I keep hearing from the minister, through the chair, of course, is that a ministerial directive has been made and now everything is good. I understand that the ministerial directive was made on this on May 16 to inform MPs if they are being targeted in any way.

I think it's also important that we make sure everybody understands that if a new minister is appointed, that directive would have to be made again. It's sort of a short-term solution. I'm not sure that it's actually a full solution, and in fact it's not, but it is a short-term band-aid to deal with this big issue.

Is there a timeline to move forward with permanent legislation so that we can see this fixed in a comprehensive way, instead of this ad hoc band-aid solution, keep finding the holes in the sinking boat, patch something up and hope that it works? I'm wondering whether there is an actual plan for legislation.

Hon. Marco Mendicino: Madam Chair, through you to my colleague Ms. Blaney, the answer is yes. Certainly it remains the focus to introduce legislation that would create a new foreign agent registry as quickly as possible.

I also want to assure my colleague that there is a plan, and that plan is based on the four pillars that I outlined in my opening remarks. Again, just to be clear, they are prevention, protection, accountability and transparency.

I agree with my colleague Ms. Blaney that it is important we continue to strengthen the internal governance around the sharing of information and intelligence. The ministerial directives do succeed through governments and they succeed through administrations. The ministerial directive that I issued in regard to parliamentary foreign interference is a way in which we can strengthen those protocols.

To use your metaphor, Ms. Blaney, there are definitely waves, but the boat is being reinforced so that we can navigate those waters.

Ms. Rachel Blaney: You're putting together what I see as needing a fundamental change in legislation to make sure that MPs are oriented appropriately and you're mixing it up with the foreign agent registry. I'm not clear on why you're putting those two things together.

I guess my first question is what the timeline is for legislation. You didn't give me a timeline. I would like a timeline.

Second, we know that on May 9 the foreign agent registry consultation was closed. When are we going to get the "what we heard" report?

Hon. Marco Mendicino: First, Madam Chair, I was very pleased to be able to lead the public consultations on the foreign agent registry. That was an extremely valuable exercise. It allowed us to engage with thousands of Canadians both online and directly in person.

As my colleague said, we intend to publish a “what we heard” report in the very, very near future, certainly by this summer, and as a result inform the creation of this important tool.

I would reiterate that this tool has to be seen against the backdrop of all the other concrete actions the government has taken to date when it comes to foreign interference, including by giving new authorities to CSIS and by raising the bar on transparency through NSICOP and NSIRA.

When we talk about the next steps, including legislation, what you have is a very comprehensive plan to deal with foreign interference.

• (1140)

Ms. Rachel Blaney: My next question is on the diaspora.

We know there are long-term communities who have come forward to talk about the challenges they're facing on a personal level with foreign interference and who have largely gone ignored.

In the consultation process, how did you include these communities? In the rollout process of the foreign agent registry, I'm wondering how you're working with those communities to make sure the rollout is done in a way that is friendly and doesn't target the very people we are trying to get to share with us.

Hon. Marco Mendicino: Madam Chair, Ms. Blaney makes a very important point. One lesson from the public consultation on the registry was that there is fear of retaliation from within diaspora communities if they engage in any public discussion.

As we think through the next steps on consultation once we table the legislation involving the registry—and indeed once we continue to engage Canadians more broadly on the suite of other legislative reforms, which we may want to visit again—we do need to turn our minds to creating atmospheres that are safe and secure so that Canadians feel they can step forward, give their best advice and give their best feedback into this without being worried about being targeted, marginalized or stereotyped, which is the whole point of foreign interference.

It is critically important that we do create those conditions that will allow them to engage, so that we can bring them along in this discussion and build their trust and confidence.

The stakes are very high, Madam Chair. What's at risk here is our capacity to fight against foreign interference. To do that, we do need to bring along Canadians. That's our commitment.

The Chair: Thank you.

We'll now go to Mr. Calkins for five minutes, followed by Mr. Noormohamed.

Mr. Calkins.

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Thank you, Madam Chair.

Through you to the minister, do you know what an issues management note is?

Hon. Marco Mendicino: Yes.

Mr. Blaine Calkins: That's your final answer? I'm jesting.

Already you're ahead of your predecessor, who is now verbally sparring with CSIS over the information exchange that should have happened in relation to MP Chong.

Prior to issuing your ministerial directive, can you tell this committee how many of your issues management notes you've personally read?

Hon. Marco Mendicino: Madam Chair, I want to thank my colleague for the question.

I am obviously briefed routinely—weekly and often daily—on issues. The point of the ministerial directive was to ensure that there is a stronger intelligence flow from our officials to the elected branch of government. We feel as though we have strengthened internal governance on that point.

Mr. Blaine Calkins: You have indicated that you know what an issues management note is. They've been around, according to CSIS, since 2015. My specific question is: Do you see each issues management note that is issued to you by CSIS, yes or no?

Hon. Marco Mendicino: I will see issues management notes. They take different forms. Some come directly from the department, some come directly from elite agencies and some come directly from my staff.

What's important is that there is a dialogue and a flow of information so that in my capacity as Minister of Public Safety, I can appropriately be up front with Canadians about any issue that touches on national security or public safety, and so that, where appropriate, I exercise certain ministerial authorities to protect Canadians from issues like foreign interference.

• (1145)

Mr. Blaine Calkins: In the context of being up front with Canadians and establishing the credibility of what's being said here so that we can formulate a report and have proper recommendations going forward, Minister, in January 2022, you talked about getting advice from law enforcement asking for the triggering of the Emergencies Act, which we found out not to be true.

In October 2022, you had an issue where you misled a federal judge by backdating documents.

In January 2023, you had an issue about the Safe Third Country Agreement working effectively and miscommunicated that to Canadians.

In April of this year, you had to scrap your amendments to Bill C-21 after saying that you weren't targeting law-abiding hunters.

In May of this year, you indicated that CSIS never shared intelligence that the Communist regime had targeted Mr. Chong and his family, which we now know is not true.

In May of this year, you talked about police stations still being open, which we know now categorically wasn't true.

Now we know that not only did the Correctional Service of Canada tell your department and your ministry in May of this year, but you were also cc'd on that same memo from your own boss, who forwarded it on to your department or your ministry.

Last night, reading through Twitter, your boss, through the Prime Minister's Office, has said that they sent you that same note and there was no indication, according to the reporter, that you responded to the Prime Minister's Office. The Prime Minister's Office found out on the 29th, the day before you said you found out on the 30th, that Paul Bernardo was being transferred from a maximum security prison to a medium security prison.

It is—

The Chair: There is a point of order.

Mr. Blaine Calkins: I'm trying to establish the credibility of the witness, Madam Chair.

Mr. Ryan Turnbull: This isn't a courtroom, but okay.

The Chair: Do you have a point of order, Mr. Turnbull?

Mr. Ryan Turnbull: Madam Chair, it's the same point of order as last time. I just want to ask for relevance.

I don't know how Mr. Calkins thinks this is relevant to foreign interference, which is what we're here to study. I'd really like to know how this is relevant to our current study.

The Chair: I was just waiting to see where the question was landing, because Mr. Calkins has been around a long time, and he knows how this works.

I was hoping that we were coming back into it. Perhaps that was the case, Mr. Calkins?

Mr. Blaine Calkins: The issue is the information that's being shared. Not only you but also other ministers of the Crown are being blamed for our not getting the information. There is no doubt in my mind, Madam Chair, that the minister had the information about this transfer and had the information about all of the other things pertaining to Mr. Chong and every other issue I mentioned.

Given that, Madam Chair, I'm going to ask the minister if he can do the one thing that I think he knows he should do. He has a microphone in front of him right now. With all of the issues that have been caused under his watch and the issues specifically pertaining to my colleague Mr. Chong, will he do the honourable thing and resign right here, right now?

Hon. Marco Mendicino: Madam Chair, I'm focused on one thing and one thing only. That is to do my job to protect the safety and security of Canadians.

That question is so riddled with inaccuracies and falsehoods that it doesn't even begin to warrant an answer.

The Chair: Thank you.

I love watching the House, because I'm cool and hip like that. I do believe that a motion was moved in the House on a similar topic, which means that the chamber is seized with that issue.

Here, I would ask that we try to get to a response to the question of privilege from our colleague and to the question on foreign interference in elections. I can only try.

Mr. Noormohamed go ahead.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Thank you, Madam Chair.

Thank you, Minister and officials, for being here today.

I came here today because I'm keenly interested in the issue of foreign interference. I am surprised that we haven't really had much of a focus from opposition colleagues on foreign interference. Perhaps we can come back to the issue of the day.

During my time as a public servant at Public Safety and PCO, under three different prime ministers of different political stripes, I recall there was a substantial level of concern dating back to the time of the McDonald commission around the notion of how we share intelligence. This has plagued Liberal and Conservative governments. No doubt we are here having a similar discussion today.

I think one of the most important things we can establish is how we make sure, in the context of the question of privilege, that we build a safer environment for Canadians.

Minister, when you think about the path forward, what, in your view, are some of the things that need to happen or that are already happening to ensure that we are right in how we address and deal with intelligence and to ensure that we don't conflate the notion of intelligence with actual evidence?

• (1150)

Hon. Marco Mendicino: This is an issue, Madam Chair, that I'm extremely concerned about. It takes me back to my days as a former federal prosecutor, when I dealt with cases involving national security. Indeed, one of the biggest challenges, which continues to confound not only Canada but many democracies, is understanding how it is that we transition from actionable, credible intelligence to admissible evidence that can be used in a court of law to prosecute and hold responsible those who commit acts that pose a threat to public safety and national security.

One of the things the government is very much focused on doing is revisiting that particular question. That can be done through legislation. There are currently Canada Evidence Act provisions that do allow for proceedings, in which judges get access to classified information and make determinations based on privileges that can be asserted by the government to protect national security and the people who work within those institutions, with the relevance and the probity of that evidence so that it can then be used in open proceedings.

I will say that it is a very challenging exercise. We have to strike the balance correctly. As you and the government pose the question—and I'm talking not just about the question—we do have to really think through the evolutions in the threats to our national security landscape. You talked about coming back to foreign interference in this discussion today.

Madam Chair, through you to Mr. Noormohamed, I could not agree more. The stakes have never been higher. We have to set aside the partisanship. We have to set aside the distractions. We have to be focused on the issues at hand. What's at stake is our democracy, our economy and, most importantly, the Canadian people and their safety and security.

Mr. Taleeb Noormohamed: Thank you, Minister.

My next question is for Ms. Geddes.

I have had the privilege of working for people who have sat in your seat and who are incredible public servants. It is always a privilege to ask our most senior public servants questions around some of these issues that you live every day.

We live in a world right now where we hear all the time that if everybody had access to this information, we wouldn't have the problems that we do.

Can you bring us back to why it's so important to distill intelligence in a way that allows people to make informed decisions, and the material risks of putting everything that might be collected in the realm of intelligence into the public domain?

Ms. Tricia Geddes (Associate Deputy Minister, Department of Public Safety and Emergency Preparedness): Thank you very much for the question.

I have worked in the national security community for some time, and I can tell you that one of the most important drivers is for us to make sure that the people who are providing us with that intelligence—and people are sometimes putting their lives at great risk to provide that intelligence.... We are paying very careful attention to how we can take that very sensitive information we have received and find a way to be able to convert it into advice, so that the government can act on some things and turn it into evidence, as the minister described, or so that we can use it for action.

Those are really important pieces of intelligence that we want to be able to use, but in so doing, we have to be incredibly conscientious about how we're able to protect those people who have, in many cases, put their lives on the line to be able to give us that information.

Mr. Taleeb Noormohamed: If you were to take what you have just said, and you consider some of what is being discussed in the public domain.... This is not a partisan question. I'd like your answer as a public servant....

Do I not have another minute, Madam Chair?

I guess not.

The Chair: No. They are five-minute rounds.

Mr. Taleeb Noormohamed: Okay.

Thank you very much.

The Chair: Mr. Noormohamed, do you want to put your question on the record really quickly?

Mr. Taleeb Noormohamed: Yes.

When you talked about risk, you talked about methods and sources. What are the risks to the ways in which Canadians might respond if we don't take those steps?

• (1155)

The Chair: Thank you.

Associate Deputy Minister Geddes, I really enjoyed the last answer. We are limited in time, but I would love to have this answer in writing.

[*Translation*]

Ms. Gaudreau, you have the floor for two and a half minutes.

Ms. Marie-Hélène Gaudreau (Laurentides—Labelle, BQ): Thanks very much, Madam Chair.

For the third time; I agree it's quite a challenge for you. My questions will be very brief.

Is it normal for Minister of Public Safety not to have the necessary information to ensure the safety of Canadians and Quebecers?

Hon. Marco Mendicino: It's very important for the Minister of Public Safety to have all the information necessary to do his job. That's why, as minister, I've tried to ascertain the challenges and put specific solutions in place. The new ministerial directive will reinforce our protocols. Yes, there are challenges—

Ms. Marie-Hélène Gaudreau: Thank you, Minister. The last time we met, some major challenges had arisen after the budget was adopted, and I'm aware of that. However, I wonder how one feels, as the Minister of Public Security, when it takes information leaks in the media for an alert to be issued.

Hon. Marco Mendicino: Madam Chair, I entirely share my colleague's concerns about the matter of leaks. Yes, there's a problem there, but I trust our police services to conduct their investigations so that those responsible are brought to justice. For my part, however, I'm focusing on reinforcing information and intelligence management so the government can take the necessary measures to respond to all challenges.

Ms. Marie-Hélène Gaudreau: Let me clarify my question.

CSIS told us it had ministerial directives. If they're preventive measures, as you said at the outset, and if you're doing your job—and I imagine you are—how is it that, as if by chance, action was taken after the leaks? Otherwise, the consul of the People's Republic of China would still be undermining our democracy.

How does someone feel when that happens?

Hon. Marco Mendicino: Madam Chair, once again, the ministerial directive will both reinforce the protocols and prevent future information leaks. That's one of the objectives of that directive.

I've had very good discussions with the people in my department. My deputy minister may wish to add something about the—

Ms. Marie-Hélène Gaudreau: Do you feel you failed in this instance and that now you'd like a do-over? Be honest.

Hon. Marco Mendicino: We will always do what has to be done to solve problems. That's my job.

The Chair: Thank you.

[*English*]

Ms. Blaney is next.

Ms. Rachel Blaney: Thank you, Chair.

I'm going to come back to the foreign agent registry. I asked a question about how the diaspora would be included in the rollout of that program. Can I get something clear that says you're going to have a committee, that you're going to have...? I want to get that clarified. That's question number one.

The second question I have for the minister is on how Mr. Chong talked about the defensive briefing he received. At that time, he had no idea that he and his family, both overseas and here, were being targeted, but he did find it very helpful. I'm wondering, is there any movement towards having MPs all receiving some sort of defensive briefing because of how helpful it seems that it was? Also, how about candidates in future elections?

Could you answer those two questions?

Hon. Marco Mendicino: Through you, Madam Chair, to my colleague Ms. Blaney, first I want to come to the question of engaging with diaspora communities. I took the opportunity to emphasize creating safe atmospheres in which we can engage them because of the heightened concerns around retaliation, but I also want to mention two other examples to Ms. Blaney, which I hope will be responsive.

One is the national security transparency group. That is a group in which we seek to engage directly with diaspora and other communities, including indigenous peoples, as well as the cross-cultural round table on security. Through both of those forums, Madam Chair, we are engaging directly with diaspora communities and indigenous peoples.

The other thing I'll say—and I want to turn it back to Ms. Blaney so she can pick up on the second part of her question if she likes—is that we are working very closely with the service to provide additional support to parliamentarians, as well as their offices, when it comes to foreign interference. You saw in the annual report that was tabled about a month ago, I want to say, that CSIS in the last year has briefed 49 federal parliamentarians. There is more work to be done there, and that is exactly what we will do.

• (1200)

Ms. Rachel Blaney: Will it be expanded during elections for candidates as well?

Hon. Marco Mendicino: The short answer is yes, and I would say that in addition to briefings we've also got the reporting protocols that we put into place, so I'm very pleased to work with Ms. Blaney and all parliamentarians on this issue.

The Chair: Thank you.

With that, we come to the end of our time together.

We wish you a good day, Mr. Mendicino, as well as the ADM.

I will just ask that if there is information you'd like to share, especially the ADM, please send it to the clerk, and we'll have it circulated in both official languages.

Have a good day. The meeting is suspended while we organize the next panel.

• (1200)

(Pause)

• (1205)

The Chair: I'm calling the meeting back to order.

For our next panel, we have with us Mr. Daniel Jean, former national security and intelligence adviser to the Prime Minister, and Mr. Michel Juneau-Katsuya, former chief of the Asia-Pacific unit, Canadian Security Intelligence Service.

Mr. Juneau-Katsuya, I'm going to pass you the floor, and then I'll go to Mr. Jean after.

Welcome back to PROC, and thank you for responding so quickly.

Mr. Michel Juneau-Katsuya (Former Chief of the Asia-Pacific Unit, Canadian Security Intelligence Service, As an Individual): Thank you very much, Madam Chair.

[*Translation*]

Good afternoon, ladies and gentlemen.

I want to apologize to the interpreters because I don't have a written brief, but my remarks will be relatively short. I'll be commenting on the testimony that you heard this week, particularly that of the Royal Canadian Mounted Police and the Canadian Security Intelligence Service, the RCMP and CSIS.

In my view, two problems that have been noted are central to the issues before us today. The first is communication issues. These communication problems are both vertical and horizontal. By that, I mean that there are indeed communication problems among agencies, despite the politically correct language we hear from our senior officials. Information isn't circulating as it should horizontally, which is to say, among agencies. If one person fails to provide information, it can't be said that the other person should have received it or didn't do his job. There's also a vertical communication problem in the transmission of information from the agencies to leadership, that is, the Office of the Prime Minister or of a minister concerned. That unfortunately is another problem that I think we have to examine in order to improve the activities and actions that need to be implemented when we face an issue such as the one before us today.

The other problem is a concept that you've already heard of: the intelligence and evidence dilemma. This is a problem that has been around since CSIS was created. CSIS was unfortunately established for the wrong historical reasons. I was there at its inception. We were ordered never to put ourselves in a position in which we would have to testify. Throughout CSIS's history, there are examples in which that undermined national security. They include Air India, the Adil Charkaoui affair, the Ahmed Ressam affair and the Jeffrey Delisle affair. These are examples in which CSIS and the other agencies, particularly the RCMP, failed to communicate with each other as they should have.

It wasn't the RCMP's fault, but rather that of CSIS, which didn't want to testify or provide information. The RCMP commissioner mentioned that. If information comes from CSIS and the RCMP has to testify in court, it will have to identify the origin of that information, as a result of which the CSIS people will have to testify. However, that's what they want to avoid at all costs. And I mean "at all costs", as you'll understand from my examples, such as the Air India one, for example. People have paid the price for that flawed policy.

These are two major and very important factors that must be taken into consideration in analyzing the foreign interference problem we're dealing with.

• (1210)

[*English*]

I will be able to answer in English. I apologize, since I was simply going ad lib here, but please do not hesitate to ask me questions in English.

Thank you, Madam Chair.

The Chair: Thank you.

We welcome either of the official languages. Never hesitate to speak whatever language comes to mind, especially when there are several in the head. We welcome both of the languages here.

[*Translation*]

French is always welcome, even if the question is asked in English.

Go ahead, Mr. Jean.

Mr. Daniel Jean (Former National Security and Intelligence Advisor to the Prime Minister, As an Individual): Madam Chair, thank you for your invitation. Thanks as well to the members of the committee.

I have decided not to give an opening statement because, when I appeared before you in mid-April, I made some preliminary remarks and subsequent comments that gave you a clear idea of my views on the foreign interference file. Among other things, my opinion is that this is a much broader issue than the electoral one.

[*English*]

In fact, during my exchange in mid-April, I stressed that, in my view, one of the greater concerns remains surveillance, intimidation and harassment of diaspora. Interestingly, since my appearance, you've seen a lot of people from communities coming and talking

about this, and we've also seen information suggesting that it also targeted a member of Parliament, which is a very important thing from a democratic standpoint.

I will leave it there. I will be happy to answer all of your questions.

I think that, as much as we want to go through it, we need to also focus on what needs to be done, strategy and actions. In this context, I hope that, at some point during the questions today, one member of whatever party—I don't mind—is going to ask me to talk about the Australian experience, because I have a lot that I could share on how you move from major concerns to action and strategy.

Thank you.

The Chair: Thank you to you, and good news: Even if somebody doesn't ask you, if that's information that you think should be relevant to this committee, please just send it to the clerk. We will have it translated in both official languages. I can assure you that members are actually well informed, so any insights you would like to provide we would welcome.

I will go to Mr. Cooper, followed by Mr. Turnbull, Madam Gaudreau, and then Ms. Blaney.

Something that's changed since your last appearance is that when it comes to the earpiece, we would ask you to either keep it in your ear or to the side. When it's near the microphone, it causes a feedback loop, which causes a horrible sound in the ears of interpreters. So keep the earpiece in the ear or to the side—and preferably don't fidget with it near the microphone, please, just in case that happens.

Mr. Cooper.

Mr. Michael Cooper: Thank you, Madam Chair.

Thank you to the witnesses for returning to committee.

Through you, Madam Chair, my questions will be for Mr. Jean.

Mr. Jean, since you last appeared before this committee, on April 18, you met with the Prime Minister's rapporteur, David Johnston. At pages 22 and 23 of his report, he confirms that you are the author of a 2017 PCO memo to the Prime Minister that had been reported by Global News. I'm going to ask you some questions arising from Mr. Johnston's findings.

Did you prepare the memo at the request of the Prime Minister's chief of staff, Katie Telford?

Mr. Daniel Jean: First of all, let's maybe try to clarify what has been reported in the media versus the memo that I sent. I think the rapporteur also did that in his report.

The reports by Global News, according to what the special rapporteur said, referred to a draft of that memo, an earlier draft version, that would have been leaked. The rapporteur has had a chance to see that draft. I have not had the chance to see that draft.

Now, the one thing that has changed since I appeared in mid-April is that I have had a chance to see my June 2017 memo. Also, because it's been made public that I'm the author, I can at least talk about the fact that...generally what was in the note, although I cannot talk about the classified information itself.

I was the author of the June 2017 memo that was sent to the Prime Minister. I was the final author, the person who signed the memo. Yes.

● (1215)

Mr. Michael Cooper: Did you prepare any of the drafts?

Mr. Daniel Jean: Well, I would have seen some draft, right? It's always the way it works. You see some earlier draft. You make corrections. It returns. I cannot say whether or not I saw the draft of Global, because I've had no access to it. Too, I don't see all the earlier drafts, so....

Mr. Michael Cooper: Did the Prime Minister's chief of staff, Katie Telford, ask you to prepare the memo?

Mr. Daniel Jean: I have no recollection of a request being made to me for a memo by the chief of staff. That doesn't mean it was not the case. It could have happened in the context.... They have a regular briefing with the intelligence assessment secretariat. Maybe they had asked for that. That's possible. But to me, no.

Mr. Michael Cooper: Your answer is, no, she did not request that you prepare the memo.

Mr. Daniel Jean: Me? No. But as I said, that doesn't mean the initial request may not have come to the intelligence assessment secretariat, who do regular briefings to the chief of staff and, at the time, the principal secretary.

Mr. Michael Cooper: Who was the point of contact that resulted in your involvement in the memo?

Mr. Daniel Jean: As I said, I can talk generally about the memo. There were a number of reasons we wanted to do that memo. We were more and more concerned about some of the activities by China. As I said before, at my last appearance, we particularly very concerned at that time about economic security and China trying to acquire sensitive technologies.

It is, actually, a good case today of where this country has acted very responsibly. We're seen as one of the countries who have sharpened quite a bit their instruments when it comes to protecting sensitive technology and all of that. I can say more of that in other....

As I mentioned in my last appearance, before the election of 2015 I was the deputy minister of foreign affairs. We had issued a notice to diplomatic missions to stay out of elections. We were seeing growing concerns that at the local level, maybe some foreign state actors were trying to connect with people. We were concerned about our research. We were concerned that at that time, as you would probably remember, there was a huge corruption—

Mr. Michael Cooper: Thank you, Mr. Jean. I apologize for interrupting, but my time is limited.

Following up on where you more or less left off, Mr. Johnston states in his report that an earlier draft of the memo contained language similar to what was reported by Global News on February

8—namely, that Beijing operatives were “assisting Canadian candidates running for political offices”. However, Mr. Johnston states, “That draft was significantly revised before the memorandum went to the Prime Minister”, and the language specifically warning of Beijing had been removed.

Who objected to the initial warning about Beijing assisting Canadian political candidates?

Mr. Daniel Jean: First of all, I have not seen the draft memo that Global is assumed to have seen. In fact, Mr. Johnston seems to have seen a different draft than the one Mr. Cooper reported on.

Second, the note I sent warned about all kinds of foreign interference activities by China, so there were certainly no objections to sensitizing the government. In fact, one of the main reasons for the note, on top of trying to sensitize the government about us needing to be very conscious, was this: We'd had the U.S. election and a lot of the focus was on cyber foreign interference. We wanted the government to understand that whatever tools we were going to develop needed to be as effective as fighting analog foreign interference. In fact, the tools that were adopted after the special task force—the protocol and all of that—applied as much to cyber foreign interference as they did to analog.

Mr. Michael Cooper: You did sign off on the final memo.

Mr. Daniel Jean: Yes.

Mr. Michael Cooper: The final memo contains language that, as Mr. Johnston says, was significantly revised. There was a suggestion that it should be general and that no single state be specifically identified. Why?

● (1220)

Mr. Daniel Jean: No.

First of all, that's not what the rapporteur's report says. It says that, whatever actions we take, we should be careful. He was talking about taking actions. In terms of the memo, it was very clear we had concerns about growing activities of foreign interference by China.

The Chair: Thank you.

Mr. Daniel Jean: In fact, the first thing the chief counsel of the rapporteur told me is, “Your memo is quite clear.”

The Chair: Excellent. Thank you for that answer.

Mr. Turnbull, you have six minutes.

Mr. Ryan Turnbull: Thank you, Madam Chair.

Thanks to the witnesses for being here today. Welcome back. As the saga continues in this work—it's important work—it's great to hear from you again and have your expertise in the mix.

Mr. Jean, I'll start with a question for you.

You've obviously read the Right Honourable David Johnston's first report. Do you agree generally with the findings in his report?

Mr. Daniel Jean: Generally speaking, I agree with the findings, yes.

Mr. Ryan Turnbull: Thank you.

Mr. Daniel Jean: I don't agree with every specific finding, but generally speaking, yes.

Mr. Ryan Turnbull: Thank you very much.

I think you mentioned previously that a lot of the focus, going back years, was on red flags raised in the U.S. election. A lot of the interference happening raised the threat level for Canada. You mentioned cyber interference or disinformation.

Was that primarily coming from Russia?

Mr. Daniel Jean: It was primarily coming from Russia.

In parallel, we were very concerned about a number of things to do with China. I mentioned economic security. You have to remember that, at that time, Xi Jinping was leading a major anti-corruption campaign. Some people were arguing that some of his targets were more like political rivals. We wanted to be very clear that China should not in any way try to pursue actions in Canada, try to pursue who they said were fugitives. We had a number of conversations with China as well on the importance of going through normal channels.

Mr. Ryan Turnbull: There's no doubt that China has been the main focus of a lot of our discussions on foreign interference, but I note that CSIS...and other reports that have come out for numerous years have identified other state actors who are also trying to interfere in Canada's activities and democratic institutions.

Mr. Jean—I'll go to Mr. Juneau-Katsuya in a second—I want to know whether you think any public process moving forward, in whatever form it takes, should take a comprehensive approach to foreign interference and include those other state actors.

Mr. Daniel Jean: First of all, on the issue of other state actors, at my April appearance, I mentioned that, indeed, there are other countries, particularly when it comes to surveillance and the intimidation of the diaspora.

On your second question, absolutely. I think it's time we focus on the diagnostic of the problem. Whatever process we do to shed some further light on this should not, in my view, delay further the actions that need to be taken.

Mr. Ryan Turnbull: Thank you.

Mr. Juneau-Katsuya, what do you say to that?

Should our approach in whatever public process in the way forward...? That's being decided, I'm sure—negotiated, in terms of what that looks like. Should it be comprehensive and include other state actors—Beijing, but also other countries?

Mr. Michel Juneau-Katsuya: Definitely. We need to be able to, at this point, educate the general population at the same time. That will be one of the aims or purposes of this general inquiry.

At the same time, a fair amount of knowledge has been accumulated through various committees. Over 350 witnesses have come in front of Parliament to testify at various levels. I think we have a good understanding of what's going on.

I will agree with Mr. Jean that there is urgency of going into action and coming out with some clear action, because the price we have been paying now collectively is tremendous. The people are losing trust in our elected officials, in the leadership of this country and in the institutions. Worst of all, our allies are losing trust in our ability to fix the problem.

Mr. Ryan Turnbull: Thank you.

Last time, Mr. Juneau-Katsuya, I asked you about Prime Minister Harper, because you made comments about how many of these threats go back over 30 years and how every government has been influenced or compromised in some respect. You said that PM Harper had become soft on China.

What I'm interested in today is whether there's—

• (1225)

[*Translation*]

Mr. Luc Berthold (Mégantic—L'Érable, CPC): I have a point of order, Madam Chair.

[*English*]

The Chair: Go ahead on a point of order, Mr. Berthold.

[*Translation*]

Mr. Luc Berthold: Madam Chair, I rise on a point of order of relevance.

We are here to study the case of Mr. Michael Chong, and I don't see how Mr. Harper has any connection to the matter under discussion today.

[*English*]

The Chair: I would always encourage relevance, but we did expand the question of privilege to include foreign election interference. In fact, it was a motion presented by a Conservative colleague. As long as it's within the realm of foreign interference, I do find relevance, but I will always encourage people to stay on topic, please.

Mr. Ryan Turnbull: Thank you, Madam Chair.

It is relevant. Foreign interference has been long-standing. Mr. Juneau-Katsuya has mentioned that.

In 2014 PM Harper signed a 31-year trade deal with China. I want to ask you about whether there were concerns expressed at the time. There were reports in the media. I was just looking at some of the reports back then from national security and intelligence experts who flagged that as a real concern.

Has that had an impact on Canada's national security and, in terms of our trade relationship, has it put us in a vulnerable position in any way?

I'll go to you first, Mr. Juneau-Katsuya, and then to Mr. Jean.

Mr. Michel Juneau-Katsuya: I agree, and I did state and will repeat again that, since Mr. Mulroney, every single prime minister has been compromised one way or the other and led to decisions that were questionable in terms of the interests of Canada. We accuse or we impugn this to the agent of influence that succeeded in gaining access to the decision process.

So, yes, Mr. Harper is—quote, unquote—guilty of wrong decisions, but he's not the only one, unfortunately. That's why it is so important at this point to tackle this issue collectively.

Mr. Ryan Turnbull: If I may follow up on that, though, I want to ask you specifically about FIPA and the trade deal. Did that compromise Canada's national security in any meaningful way in terms of China's being able to interfere?

Mr. Jean, maybe I'll point that one to you.

The Chair: I'm going to actually—

Mr. Ryan Turnbull: Give me the same lenience.

The Chair: If it's a one-word answer, I can give it to you; otherwise, I need to go to the next round.

Mr. Jean.

Mr. Daniel Jean: You have to remember that it was signed and that it took two years before it was ratified, and some of the national security concerns were very much at play, but in all our trade deals, in our FIPAs, we always protect our ability to be able to do national security reviews. Other countries have made a mistake not doing that; we have not made that mistake.

The Chair: Thank you.

Madam Gaudreau, you have the floor.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Thank you very much, Madam Chair.

Thank you to the witnesses for being here.

We have met more than 60 witnesses since we began studying this matter in November. I don't have your expertise, and would like you to tell me whether I'm giving an accurate picture of the situation.

We heard that there is an obvious failing with respect to the intelligence culture in Canada and a lack of interest on the part of ministers and the Prime Minister.

This lack of interest means that intelligence reports often fall through the cracks. I also understood that it's systemic. It could ultimately mean that documents are never read. That's what we're trying to understand, and that's why we have invited Mr. Mendicino. It could also lead to the neglect of, and too little funding for, the Canadian Security and Intelligence Service. We were given some numbers on that recently. I'm wondering whether Canada's lack of credibility makes it dependent on the Five Eyes. This has also led

me to wonder whether it's why we are not part of the AUKUS security pact. I'm trying to connect the dots, but perhaps Canada isn't serious enough about defence. I personally have no doubt about that being the case.

Do you believe we are properly protected?

Mr. Michel Juneau-Katsuya: Thank you for the question.

We certainly heard that from several senior and high-ranking witnesses.

We have excellent investigators in Canada, and our reputation is admirable from the operational standpoint. On the other hand, in matters of policy, we've been shooting ourselves in the foot, by which I mean that we've been taking far too long to make certain decisions.

Let's look at the Huawei saga.

Our allies in the Five Eyes came to a decision relatively quickly, while Canada lagged far behind. This ambivalence supports the evidence given here to the effect that since the 1990s, there has been talk of an operation in the United States called Dragon Lord. The purpose of the operation was to monitor political activities and actions in Canada, and we were suspected of being influenced, having been infiltrated, or having failed to take appropriate steps to protect the Five Eyes alliance, and ultimately, Canadian security. Unfortunately, events appear to be consistent with these views.

As early as the 1990s, if allies like the United States, our closest ally, were concerned about certain decisions, they no doubt saw exactly what I saw in my time as chief of the Asia-Pacific unit, and I too tried to alert people. But we were asked to destroy the report rather than take it seriously.

These problems continued, and even increased over the years, and we were unable to see the growing audacity of what certain countries were doing, especially China, which were spending much more time interfering at all levels, whether economic, academic, political and even in the communities.

● (1230)

Ms. Marie-Hélène Gaudreau: Thank you very much indeed.

I would also like to give Mr. Jean the opportunity to answer, because that would lead me to strategy and action.

My comments at the outset were that it was—

Mr. Daniel Jean: For my first point, I would like to talk about two aspects you mentioned, which are the lack of culture and the lack of political interest.

If we were to look, let's say, at the reports to which Mr. Rigby alluded last week, the one from the University of Ottawa, to which I contributed, and the one from CIGI, the Centre for International Governance and Innovation, the lack of a culture was mentioned. However, when these reports were being written, the writers sometimes wondered whether the absence of a culture was also part... They were wondering whether the only time there might be political interest was when there was a crisis of that kind. We definitely need to demonstrate more maturity in terms of national security. That was the first point.

As for the intelligence reports, when the case under consideration is looked at closely, it's obvious that there had been a problem. So you have to go beyond that and find ways of taking corrective action, without going too far.

I worked closely with Prime Minister Harper in various capacities, and was Prime Minister Trudeau's national security advisor, and I can tell you that generally speaking, the intelligence that required action, or at least requests for information, did get to the Prime Minister and the ministers. Appropriate action was often taken.

The June 2017 memorandum is a very good example of this. The purpose of this memo was to make the right people aware of China's foreign interference efforts. As for providing better protection for our elections, it was necessary to go beyond just the cybersecurity aspect, and also look at it from an analogous standpoint. Appropriate mechanisms were introduced to do just that.

With respect to your allusion to the Five Eyes, we will never be in a position to contribute as much as the United States or Great Britain. We don't have the resources. In my conversations with these people over the years, we always point out that quality is more important than volume.

To return to what you said at the outset, Canada has to make Canadians aware of how important this issue is. That's why it's important to continually adjust our mechanisms. That's what Mr. Juneau-Katsuya was saying at the end of his response.

Ms. Marie-Hélène Gaudreau: I have a few seconds left.

I asked the Minister of Public Safety if he had failed in his responsibility. Technically, it's not true that he can't have the information.

Do you think that's what happened? I get the impression that the information was already making the rounds over the past few decades.

Mr. Michel Juneau-Katsuya: When I was speaking about the problem of vertical communication, that's exactly what I was alluding to.

When I said in my earlier testimony that we had noticed some information was reaching the highest level but that, unfortunately, whether for personal partisan reasons, or simply because people had been given bad advice, poor decisions were made.

Ms. Marie-Hélène Gaudreau: Thank you, Madam Chair.

The Chair: Thank you.

[English]

Ms. Blaney.

Ms. Rachel Blaney: Thank you so much, Chair.

I thank both of the witnesses for being here today.

One of the questions that I continue to pursue is the need to see legislation updated.

I'm going to ask both the witnesses this question.

I'll start off with you, Mr. Jean, because I'll be quoting you from when you were visiting us here on April 18. You did talk about the fact that we haven't reviewed the CSIS Act "since 1984". You said that we "should have [a] regular review" and the "review should not be about just looking mechanically at the legislation, but [should bring] forward new measures".

I'm wondering if you could talk a bit—and, like I said, this question is for both witnesses—about what we need to be looking at and what pieces of legislation we've seen in other countries that might best give us input in this committee to address this issue of figuring out the best process to ensure members of Parliament know when they are being targeted and that they're given the information they need to look after not only their own concerns but those of their family members.

• (1235)

Mr. Daniel Jean: Madam Chair, it's an excellent question.

To some extent, the shortcomings of the CSIS Act are at the heart of what you're reviewing right now. When the media first reported on the Chong affair, because of the job I've had, neighbours and people always asked me about it. My first reaction was that I've known Michael Chong for a number of years, and if he says that he hasn't been briefed, I have to tend to believe him because I think he's somebody of very high integrity. At the same time, I have a lot of respect for national security and for CSIS, and I have a really hard time believing that if CSIS had the information that's being reported they would not have taken action. What I'm concerned about is that they may have been very limited in what they could share with Mr. Chong, because of the lack of legislation.

Second, while I have a lot of respect for CSIS, I'll go back to my last testimony. Now that "the crown jewels" are no longer in the government, CSIS needs to change their culture on how to do outreach with people when you have information like that, to make sure that they have enough to be able to defend themselves. When I was NSIA, private sector people would come to me and say, "You should be concerned," but they won't give you more, so you don't have enough to know what posture you need to take. The reality is that the legislation doesn't allow them to do that.

[*Technical difficulty—Editor*] update the CSIS Act. A foreign registry, that's a good thing. It's not a panacea in itself. We should regularly update our national security. We need to do something on intelligence evidence. I would suggest that we do something narrow to start with and then we test it. We should work with civil liberties groups to make sure that it still offers a fair defence to people. There are a number of things that can be done. Awareness, prevention...very important as well.

Ms. Rachel Blaney: Okay.

The minister spoke earlier today about the ministerial directive that just has opened the doors to share information. He seems to think that this is the solution. I think the solution is legislation. I'm wondering about your thoughts on that.

Mr. Daniel Jean: The challenge is that if you go too far... Right now, because of what's happened, everybody is kind of happy with the ministerial directive and wants to make sure that members of Parliament can be protected.

The trouble is that if you go too far with a ministerial directive in the absence of legislation, at some point, people, the courts, will say that you may be out of your boundaries. You need both. You need to modernize our instruments. Other countries update their national security legislation almost every three or four years. We don't do that regularly.

Ms. Rachel Blaney: Thank you.

Mr. Juneau-Katsuya, I do have a question for you. You have been to the committee—on May 11—and you talked about one of the biggest gaps of course being the nomination process. We know that every party has its own process of how they do nominations. When we look at this and we see that there's a particular gap there, and we recognize there may be a lack of information or a lack of awareness at that party level, how do we bridge that gap?

It's very important that in the roles the government plays they're not seen as partisan, but it seems to me that the parties themselves need information to be able to address these kinds of particular gaps that lead to greater vulnerability. I'm just wondering if you have any recommendations for us on that.

Mr. Michel Juneau-Katsuya: Absolutely. Right from the get-go, it's a question of communication and to educate the general public at large.

I would follow on what Mr. Jean said as well. We need to mature as a country in terms of knowledge of what national security is about and what role every single individual in this country plays in national security.

I suggested and I recommended, for example, that every candidate of any party sign a declaration on their honour that they are not either influenced by or under the authority of a foreign state. It's the same thing for their staff.

If we go with just the allegations or the media reports, it looks as if, in 2019, there were some people on the payroll of a foreign country. We need to be capable of having this kind of process, because if we find later that they were lying, they should be prosecuted.

Let's remember one thing. Foreign interference is not only done by diplomats. Foreign interference is also done by Canadians who help those people and what they do is close to treason.

● (1240)

The Chair: Thank you for that.

Ms. Rachel Blaney: Thank you.

The Chair: Mr. Cooper, you are next.

Mr. Michael Cooper: Madam Chair, I want to follow up with Mr. Jean on my last question.

Mr. Johnston's report said that one of the earlier drafts of the 2017 memo referred to or contained similar language to what was in Global News. There was language to the effect of Beijing agents assisting Canadian candidates running for political offices. You said that you didn't see that particular draft of the memo, as I understood you.

Mr. Johnston, then, in his report stated that it was revised:

This memorandum warns him—

—him, being the Prime Minister—

—that public efforts to raise awareness should remain general and not single out specific countries, because of diplomatic sensitivities.

I ask you again, why was the decision made not to, for example, identify or point out the threat posed by Beijing? Why was the language changed?

Mr. Daniel Jean: The note is very clear that we have to be concerned about China and that there are growing concerns. It gives all kinds of examples. I'm not going to go into all the specifics.

In this context, in the work that we're going to try to do to protect our elections—because efforts were under way with the minister of democratic institutions in terms of developing some of the mechanisms to follow—we should also make sure we have mechanisms to deal with analog threats such as the ones I described.

With regard to the one sentence that you were referring to, I want to remind you that at that time, CSIS had not yet started to name China in its annual CSIS foreign interference... It's only recently that we started to name China.

The memo invites action on cyber interference to include... It's not saying don't take action. It's just saying that in doing that, you may wish to manage the foreign relations aspect of it.

Mr. Michael Cooper: Thank you for that.

For the balance of my time, I will now turn it over to Mr. Berthold.

[*Translation*]

Mr. Luc Berthold: Thank you, Mr. Cooper.

Earlier, Mr. Jean, when you were asked whether you agreed with the conclusions of Mr. Johnston's report, you began by saying that you were generally in agreement, but that you had reservations about a number of points. Could you give us the list of points on which you had reservations?

Mr. Daniel Jean: I don't think that this would be in the interest of what you are trying to do here. However, I would be glad to send you the suggestions I made to Mr. Johnston about how we might better prepare ourselves to curtail foreign interference.

Just to be clear, when I answered that question earlier, I wanted to say that I was being asked to assess the overall report. I said that I was generally in agreement with the content of the report, but that here and there, there were a few things on which I disagreed.

Mr. Luc Berthold: We are very interested in information like that. Given what you knew as the national security advisor, we would be interested in knowing what you disagreed with from the report. I won't ask any other questions about it. However, if possible, I would appreciate it if you could inform the committee of the points about which you disagreed, because the core of the problem is in fact the transfer of information.

We heard talk about a black hole when Jody Thomas appeared, about messages that were not reaching the intended recipient, even when it was the minister or the Prime Minister. So it's important. I'm putting myself in the shoes of the people currently watching us as we discuss the process.

For example, you signed a briefing note in June 2017. The final note, the one read by the Prime Minister, was one which in an earlier version was about the financing of a network of candidates. However, it's not clear who requested the briefing note or who worked on them. How does it work? Who approves them? Who makes the decisions at the end of the line? It's your signature on it, but who ultimately decides which are actually sent to the Prime Minister? How many people would be involved in these notes? Who are they? Are any of them political?

• (1245)

Mr. Daniel Jean: Certainly not; the answer to your last question is no.

We work as a team, of course. It's a collective effort, but when we see—

Mr. Luc Berthold: Who's on the team?

Mr. Daniel Jean: When it's a memorandum from the Privy Council Office and enough factors have come into play, making it essential for the Prime Minister to be informed or for recommendations to be made, then it's the national security and intelligence advisor's team that decides to write it.

Someone from the political side of things may on occasion see an intelligence report and ask for more information about it. The notes are prepared by the members of my team, but ultimately, the advisor signs them. As I was saying, the 2017 note was very clear: we were right to be concerned and steps had to be taken with respect to the elections. These mechanisms were implemented.

Mr. Luc Berthold: What isn't clear is the process that led to the final note. Why did the process lead to a version that had to be made public—

Mr. Daniel Jean: I'll give you an example, Mr. Berthold.

At the time, reports from the Canadian Security Intelligence Service often confused diplomatic relations, meaning things that Canadian diplomats do abroad, with things that actually involved foreign

interference. I raised that with the director at the time, and he made an excellent suggestion. We therefore sat down with those of his analysts who were most familiar with China. We looked into the various sorts of examples to determine what was really foreign interference, and what was simply Canadian diplomats doing their work. We wanted to improve the intelligence in order to be able to—

The Chair: Thank you, Mr. Jean.

Mr. Berthold, you let Mr. Jean finish his response, and that's why I gave you a little more speaking time. If we're going to proceed like that, I have no problem allowing more speaking time.

[English]

Mrs. Romanado, you have the floor.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you very much, Madam Chair. Through you, I'd like to thank the witnesses for being here.

Today's meeting is focused on the question of privilege related to the intimidation campaign against MP Chong. I understand, Monsieur Jean, that you were the NSIA from May 2015 until May 2018. With respect to the specifics of the question of privilege, you were no longer in that position when this specific issue was happening with this specific MP, because we understand now, from testimony from the head of CSIS, that the IMU came out after sanctions, following the February 2021 vote in the House of Commons on MP Chong's opposition day motion. I'm going to come to the two of you in your expertise in intelligence and ask some questions.

Mr. Juneau-Katsuya, you mentioned something in answer to a previous question with respect to candidates running who may or may not be loyal to Canada and so on and so forth. As you are both aware, I'm sure, on June 28, 2017, the National People's Congress in China passed the National Intelligence Law and outlined the first official authorization of intelligence in the People's Republic of China. This is a quote:

The intelligence law highlights one important continuing trend within the state security legal structure put in place since 2014: everyone is responsible for state security. As long as national intelligence institutions are operating within their proper authorities, they may, according to Article 14, "request relevant organs, organisations, and citizens provide necessary support, assistance, and cooperation".

Based on this change, this legislation, could you give us some feedback in terms of the change in posture with respect to our intelligence gathering? We know that the position of the national security adviser changed to the national security and intelligence adviser from an OIC dated April 28, 2017. We know that the question of intelligence was increasing in terms of our capabilities or where we were focusing. Can you give us a little more information on how that changed Canada's position and posture with respect to intelligence gathering?

• (1250)

Mr. Michel Juneau-Katsuya: First of all, it demonstrated the aggression at that point that China decided to send a message. We have to understand the way the Chinese government functions with its intelligence services, which is almost in direct line with the central committee that basically gives the marching orders for them.

It also sends the message to the entire diaspora, everybody who is of Chinese descent, that they must collaborate if it comes to them and asks them to collaborate, period, which could potentially make them traitors to the country where they reside, to a certain extent. There is a conflict of interest here that is forced on the people abroad. That is a form of pressure that is exercised on the community.

Unfortunately, understanding how the Chinese intelligence services function and how the Chinese government functions still eludes a lot of the western intelligence agencies, particularly CSIS. CSIS has a long history of being Eurocentric. We worked for decades during the cold war on Russia, and we tend to analyze the intelligence world from a Russian or Eurocentric perspective. The Chinese don't work like this. They work very differently. They have time on their hands because the government is never elected—it just stays on—so the operation can last for five, 10, 15, 20 years. They have no problem.

Mrs. Sherry Romanado: On that note, we know that, according to Hofstede's power index, they are long-term oriented, which means they will play the long game. It may take 10 or 15 years in terms of gathering intelligence. Would you agree with that?

Mr. Michel Juneau-Katsuya: Absolutely.

That is to our detriment because we need to come out with results very quickly. Otherwise, the operational priorities will change. That's why, to a certain extent, the communities have been badly served, because we were not capable of accumulating the information for long enough.

The RCMP has done excellent work to try to catch up since this issue came out. I think it's made very good progress with the community and reaching out to the community, as was testified also by the commissioner. I believe what was said.

Unfortunately, we are still behind. There is also a lack of communication horizontally between CSIS and the RCMP.

Mrs. Sherry Romanado: Thank you.

The Chair: Thank you, Mrs. Romanado.

Ms. Gaudreau.

[*Translation*]

Ms. Marie-Hélène Gaudreau: Thank you very much, Madam Chair.

I'd like to look to the near future. If you were the Prime Minister, the Minister of Public Safety or the Chief of Staff, and there were only a few days remaining before the end of the parliamentary session, what would you do right now, for the future?

Mr. Michel Juneau-Katsuya: There isn't much time left, but we need to prepare right now to enact a foreign interference act. One of

the major problems at the moment for the law enforcement authorities is that it's difficult to investigate these matters and to prosecute those responsible for their wrongdoing. That's because the Criminal Code and the Privacy Act are not giving us enough protection. There are provisions on economic and industrial espionage, and other things of that nature, but for foreign interference, by which I mean intimidating communities and recruiting politicians to work with them, we need legislation of the kind they have in Australia, the U.K. and the United States.

Ms. Marie-Hélène Gaudreau: So to begin with, something has to be done from the legislative standpoint.

Mr. Jean, do you have another suggestion?

Mr. Daniel Jean: I fully agree. I believe we have to go beyond partisanship. There's a process to follow, and the parties are going to agree on it, but we need to fine-tune our instruments, and hence our statutes, like the Canadian Security Intelligence Service Act, sanctions for foreign interference, the registry, etc. Something has to be done on that side of things. That's exactly what the Australians did.

In 2017, the Australians were at their wits' end over the matter of foreign interference. They called upon a journalist who was an expert on China, John Garnaut. He went to Australia and worked with the Australian equivalent of CSIS, and produced a report. It was classified secret, but it's what led to all the measures taken by the Australians, whether their policies, their registry of foreign agents, their stiffer sanctions for foreign interference, and their measures to protect elected representatives. What we need, then, is a good strategy to deal with all these factors, and I think we have the means to get the job done.

• (1255)

Ms. Marie-Hélène Gaudreau: It's something that could be done at the same time.

Mr. Daniel Jean: Yes, it has to be done at the same time, otherwise—

Ms. Marie-Hélène Gaudreau: We can walk and chew gum at the same time, because we're asking for an independent public inquiry. We are here, on the Standing Committee on Procedure and House Affairs. It's not a commission of inquiry.

Do you agree that a public inquiry is essential?

Mr. Michel Juneau-Katsuya: Yes, it has become essential because the people of Canada need to have clear measures and to see that its government is taking the problem seriously. As Mr. Jean just said, all the parties have to work together to deal with this problem, which is now affecting the security of all Canadians.

[*English*]

The Chair: Thank you.

Go ahead, Madam Blaney.

Ms. Rachel Blaney: Thank you, Madam Chair.

I'm going to come back to Mr. Juneau-Katsuya.

I'm curious. When you were here back in May, you talked about the chain of command being a roadblock and how CSIS and RCMP reporting goes directly to the PM. Often, that's where the roadblock is. I think of the issues for members of Parliament, the realities of foreign interference and what that means for both themselves and their loved ones. I look at the diaspora community, what their needs are and the fact that we've heard a lot of testimony from people coming forward to talk about specific activities they've identified that they're very concerned about. They are often coming forward at great risk to themselves and their loved ones.

It gets stuck along the way. I am wondering whether you could talk a little about what this blockage is and how we can get to resolving it. Is that part of your vision around the foreign interference act, for example?

Mr. Michel Juneau-Katsuya: The foreign interference act is definitely an important element that needs to be given to law enforcement so they are capable of working on this.

Your question has several layers to answer.

When we talk about the community, it is our responsibility to protect the community. It is a responsibility of law enforcement, particularly the RCMP, to be capable of getting into the community, receiving grievances from the community, and addressing and hopefully neutralizing the overt actions against the community.

When it comes to the political process, the electoral process, being tackled, we also need to be capable of warning, as soon as possible, anybody who might be targeted because they are opposed to the vision of China. Let's not forget that China recruited some politicians. China recruited some people who now work on behalf of China. They are elected officials. We talk about the ones who are targeted, but we should also be talking about the ones who have been recruited intentionally—consciously or unconsciously—as what we call a “useful idiot”. We have to wake up a little here, on that notion.

The Chair: Thank you.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Thank you very much, Madam Chair.

I have four or five minutes, so I want to put a motion on notice, then use the balance of my time, if there is any, to ask a question of Mr. Jean.

The motion I am putting on notice, which I think can be taken up—

The Chair: I'm going to pause quickly.

Is there any way of our getting that in both official languages?

Mr. Michael Cooper: It's very short. I'm going to read it into the record and it will be distributed—

The Chair: Do the interpreters have it?

Mr. Michael Cooper: I believe they do.

The Chair: That's because we know it's the normal practice. The last time, I kind of let it happen, and then I got concerns raised to me. To keep us moving and knowing that we're close...I'm going to let you do this a second time. In future, I would like you to know

that I need a copy to be given to the interpreters and we need it in both official languages.

I'm putting that on the record. Just because Mr. Cooper got to do it twice doesn't mean everybody else will. The expectation is this: If we're giving notice of a motion in this committee, I need it in both official languages and I would like the interpreters to have it.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Thank you very much, Madam Chair.

The motion reads as follows:

That the committee invite Zita Astravas, Chief of Staff to the Minister of Emergency Preparedness, to appear on her own for two hours, and that she be scheduled to appear within seven days.

Minister Blair, I believe, misled this committee when he, in answer to questions around the IMU concerning MP Chong and his family, not only said that he had not received the IMU, but made the patently absurd claim that CSIS had made an operational decision not to inform him about MP Chong and the fact that he and his family were being targeted by the Beijing regime.

Minister Blair's testimony was contradicted by the director of CSIS, who said, in fact, that no such operational decision had been made. On the contrary, that information had been sent up in the form of an IMU because the fact that the Beijing regime was targeting MP Chong was a matter of particular concern.

On that basis, I think it's appropriate that the chief of staff come before our committee to answer questions about what she knows, because in the face of the minister's testimony, it is relevant to hear from her, but also on the basis that she also had received a copy of that very same IMU.

The minister and his chief of staff, I believe, have much to answer for and as a starting point we should hear from Ms. Astravas.

Now, turning to Mr. Jean, through you, Madam Chair, in your opening remarks you spoke about the Australian model. I would note that Australia has criminalized assisting a foreign intelligence service, something that Canada does not have. Do you think that such a step would be helpful in countering foreign interference?

I will give you the balance of my time to elaborate on some of the points you wish to make about the Australian model.

● (1300)

Mr. Daniel Jean: I think there definitely need to be real deterrents, whether it's through criminalization or some other penalty that you have if you are involved in foreign interference.

When I speak about 2017 and how deeply they were in foreign interference, there was a senator who had allegedly shared classified information with China. They had all kinds of concerns of that nature.

If we're going to have a foreign registry, that's one thing, because a foreign registry will be good for the people who, because of their occupations—lawyers and people like that—will want to comply with the law. As long as there are not huge exemptions, as there are in other things, it will have some effectiveness so people will comply with the law.

There are people who will choose not to comply with the law. They need to be deterred and deterrence means penalties, whether it's criminal, whether it's monetary, but there need to be real deterrents. That's crucial.

You definitely need to do something about providing more ability. On problem number one with the surveillance and intimidation of the diaspora, I was really happy to hear the RCMP testimony this week. We need to work with the communities so that they feel confident they can come forward. Then when people are taking action and they are trying to intimidate people in the community, there should be actions taken against them. That's critical.

In the last couple of years in the work I do, I meet a lot of young Chinese people who say that their parents are dissidents. Their parents say, "I'm scared of what you're doing because either our family back home or we will be intimidated." We need to be able to create space for Canadians who are harassed and intimidated to be able to come forward.

There are a number of measures and, as I said, I have a document that I would be happy to share with the committee. To me, yes, you're trying to shed more light on this, but please, to all parties, go above partisanship and focus on a strategy that can undermine foreign interference. It is in our national interest.

The Chair: Excellent. I am going to thank you. You had seven seconds left to being completed in five minutes, but my sheet shows that more than seven extra seconds were provided.

I'll go with five minutes to Mr. Noormohamed and that will bring us to the end of today's meeting.

Mr. Noormohamed.

Mr. Taleeb Noormohamed: Thank you, Madam Chair.

Thank you, witnesses, for being with us.

I am going to ask one question and then give the rest of my time to Mr. Fergus.

At the ethics committee on June 2, Dean Baxendale, who is the chief executive officer of the China Democracy Fund, testified. He said:

Under the Harper government, a number of MOUs were entered into directly with the RCMP. This allowed some 25 China communist agents—we'll call them "policing agents"—to enter the country to look at repatriating supposed criminals from Canada. A number of them were deported during that period of time—about 290.

I think it's a safe assumption to make that these MOUs have encouraged this practice of policing or intimidating the Chinese community by folks coming from outside.

In your opinion, Monsieur Juneau-Katsuya, had the Harper government taken the consequences of this more seriously where would we be today? Would we be in a different place?

• (1305)

Mr. Michel Juneau-Katsuya: Definitely. When we allow the collaboration with the police in that perspective, we send the wrong message to the community. That's unavoidable.

From that perspective also, we know for a fact that during their stay, some of those Chinese police officers went into doing covert meetings with people. They were not supposed to be doing that. It was reported back to the Minister of Public Safety and back in China through our ambassador and everything.

It is a good example of the misguided policy or misguided decisions that are definitely questionable in terms of why we did such a thing. What was the gain for our nation to allow that kind of pursuit by the authorities when we can question the original intention of their pursuit? It was the same thing when certain companies were authorized to be bought by the Chinese here in Canada. That was given by many different prime ministers before.

We have a process with the Department of Industry to allow for national security to prevent the sale of certain assets. Unfortunately, it's not used enough, to my point.

Mr. Taleeb Noormohamed: Thank you.

I yield the rest of my time to Mr. Fergus.

Hon. Greg Fergus: Thank you very much, dear colleague, Mr. Noormohamed.

Witnesses, first of all, thank you very much.

I have two brief questions.

Sometimes being at committee is like drinking from a firehose. We get a lot of information thrown at us. Then it's sometimes afterwards, upon reflection, that I'm trying to just get a sense of this.

Mr. Juneau-Katsuya, you have come before committee before. I believe it was this one. I'm sorry. I've seen you also at the ethics committee on the same issue.

You said in previous testimony you estimate that about 70% of the Chinese embassy staff are spies. For the purposes of this study, I like to track down my sources. Can you provide the committee with the source for that figure? I've spoken to other foreign policy experts, and they have a hard time putting the number at that high a figure.

Mr. Michel Juneau-Katsuya: That number comes from my experience while I was with CSIS.

Hon. Greg Fergus: Okay.

Again, you were at CSIS until the year...

Mr. Michel Juneau-Katsuya: I was there until 2000.

Hon. Greg Fergus: Okay.

Is it your sense that things could have changed since that time?

Mr. Michel Juneau-Katsuya: If anything at all, it may have increased. Since the mid-1990s, as I testified before, we've noticed the foreign interference coming from the embassy in China. We found, in the record of Elections Canada that the embassy had given that year—1995—money to both the Liberal Party and the Conservative Party. We could see they were preparing the bed for this foreign interference.

Unfortunately, it was not understood or evaluated enough by CSIS, and we let this go on for decades. Even though I left CSIS after 2000, I kept working on the file and investigating the file for various clients. What we've seen is the Chinese become much more bold, much more audacious, in their way of operating, increasing the number of diplomats who are actually intelligence officers.

Hon. Greg Fergus: Thank you very much for that.

I want to get a question to Mr. Jean. I'm probably not going to have enough time for an answer. I'm hoping that you can provide an answer in writing, Mr. Jean.

It's regarding the Australian model. You talked a little bit about what practices we should adopt.

What mistakes can we avoid regarding the Australian model for foreign registry? What measures can we take?

Mr. Daniel Jean: I think the foreign registry is one element in a broader strategy. We should not oversell it.

I would go narrow. I would make sure that it forces people who represent China.... It should be modelled on the Lobbying Act. People who are representing interests of China—maybe they are law firms; maybe they are others—should have to report their contacts like they do under the Lobbying Act. There should be penalties for people who choose to not comply, who will not report. The penalties should be meaningful—going back to the question of Mr. Cooper earlier.

You need to have good measures, measures that are going to deal with what the problem is. That's why I say that I would hope that the committee's work allows us to go above partisanship and develop a strategy that deals with what the problem is, what the best institutions are that we need to update and how we make sure that we are successful in correcting this thing.

Maybe I'm too naive.

• (1310)

The Chair: Thank you.

Mr. Juneau-Katsuya and Mr. Jean, thank you so much for your time today.

A couple of times it was mentioned that perhaps there would be documents that would be relevant for members to receive. I would ask that you send them to the clerk. We'll make sure they're in both official languages and circulated.

I also want to appreciate the fact that, I think one time it was mentioned, the number of witnesses was over 300 at all committees combined. The demand, the ask, is to go above partisanship, because when it comes to our institutions, it is essential that we protect them. We can talk as much as we want on the international stage about democratic institutions, but if we don't protect our own, what does that mean?

I really do appreciate the information you provided to us, and I wish you both a good rest of the day.

Committee members, we'll see you next Tuesday.

Keep well and safe.

The meeting is adjourned.

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