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Public Inquiry Into Foreign Interference  
in Federal Electoral Processes and  
Democratic Institutions

Enquête publique sur l'ingérence étrangère  
dans les processus électoraux et les  
institutions démocratiques fédéraux

## *In Camera* Examination Summary: Nathalie Drouin, Gina Wilson, Marta Morgan, Monik Beauregard

Lead officials from the 2019 **Panel of Five (“the Panel”)** were examined by Commission counsel during *in camera* hearings held between February 28 and March 6, 2024. The witnesses were Nathalie Drouin, Gina Wilson, Marta Morgan, and Monik Beauregard. Counsel for the Attorney General of Canada appeared on behalf of the Government of Canada and had the opportunity to examine the witnesses. After ruling on an application from the Government of Canada, the hearing was held in the absence of the public and other Participants.

### Notes to Reader:

- Commission Counsel have provided explanatory notes in square brackets to assist the reader.
- This summary has been produced in reliance on subclause (a)(iii)(C)(II) of the Commission’s Terms of Reference. It discloses the evidence pertinent to clauses (a)(i)(A) and (B) of the Commission’s Terms of Reference that, in the opinion of the Commissioner, would not be injurious to the critical interests of Canada or its allies, national defence or national security.
- This summary contains information that relates to the Commission’s mandate under clauses (a)(i)(A) and (B) of its Terms of Reference. Information provided during the examination that relates to other aspects of the Commission’s Terms of Reference has been omitted from this summary, but may be adduced by the Commission at a later stage of its proceedings.
- This summary should be read with the unclassified interview summary prepared by Commission Counsel.

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## Examination by Commission Counsel

### Roles and Responsibilities

[1] Each witness described their organizational mandate and their roles and responsibilities as Panel members.

a) Ms. Drouin was Deputy Minister of Justice for the 2019 Panel. She participated in all the Panel meetings in 2019. Ms. Drouin noted that the chair of the 2019 Panel was the late Ian Shugart, who has since passed away. Ms. Drouin is currently Deputy Clerk of the **Privy Council Office (“PCO”)** and **National Security & Intelligence Advisor to the Prime Minister (“NSIA”)**.

b) Ms. Wilson is currently a deputy minister in the federal government. In 2019, she was the Deputy Minister of Public Safety Canada. She was at the Panel of Five for the first seven meetings, until mid-September 2019, after which she went on leave and was replaced by Ms. Monik Beauregard.

c) Ms. Beauregard, an Associate Deputy Minister of Public Safety, replaced Ms. Wilson as a member of the Panel of Five for the remainder of the 2019 election period. Ms. Beauregard has since retired from public service.

d) Ms. Morgan was Deputy Minister of Foreign Affairs and she was a member of the Panel beginning in May 2019, right through to the end of the Panel. She was also a member of the Panel in 2021 in the same capacity, as Deputy Minister of Global Affairs.

[2] In 2019, the Panel fulfilled its mandate only during the writ period, to fill a gap when regular Ministerial oversight of departments and agencies is somewhat restricted.

### The Plan to Protect Canada’s Democracy

[3] Ms. Drouin explained the Panel of Five was created by the **Plan to Protect Canada’s Democracy (the “Plan”)**. One of the initiatives of the Plan was the Cabinet Directive that created a Protocol—the **Critical Election Incident Public Protocol (the Protocol)**—to handle any critical incidents during an election. Part of the Plan was also to create the

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**Security and Intelligence Threats to Elections Task Force (“SITE TF”)**, which provided information and intelligence to the Panel of Five.

- [4] Ms. Drouin explained that the Plan was created in response to allegations of **foreign interference (“FI”)** in relation to elections in the United States and France. In the United States, former President Barack Obama described that the government faced a significant dilemma when deciding whether it should publicly disclose foreign interference incidents during the 2016 election. Senior officials within the US Government were worried that the act of disclosing such incidents could in itself be perceived as interference to favor a party over another.
- [5] In response to these international incidents, the Canadian government sought to create a transparent and independent mechanism to equip and advise individuals of FI that could impact Canadian federal elections. Ms. Drouin noted there were other initiatives under the Plan, including a program on digital literacy lead by Canadian Heritage and the creation of the **Rapid Response Mechanism (“RRM”)** lead by **Global Affairs Canada (“GAC”)**.

### Composition and Operation of the Panel

- [6] Ms. Drouin explained that the Panel is composed of the Clerk of the PCO, the Deputy Minister of GAC, the National Security and Intelligence Advisor (who is first advisor to the Prime Minister when it comes to policy and national security matters), the Deputy Minister of Public Safety and Emergency Preparedness (“Public Safety”), and the Deputy Minister of Justice.
- [7] Ms. Drouin stated that the Panel operated on a consensus basis. The Clerk did not have a veto in their deliberations. They were all bringing their own perspective. As Deputy Minister of Justice, Ms. Drouin brought a legal lens to Panel discussions. She described her role as being a challenge function. It was not part of her day-to-day job to receive intelligence. She was privy to some intelligence, but it was not her job at Justice to look at intelligence products. She came with a fresh eye, and brought that challenge function to the rest of the members.

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- [8] Ms. Wilson was privy to intelligence as Deputy Minister of Public Safety, so that was the lens she was bringing to the conversation and to the Panel. The first several Panel meetings were really making sure they spent a lot of time understanding their role, understanding why they were invited to participate, and understanding what they were going to be working on going forward. There were models emerging, in some Scandinavian countries, but the Panel was unique in nature. Following the establishment of the Panel of Five, a lot of countries were interested in what they were doing. They felt like they were leading the charge.
- [9] Ms. Morgan explained that from the GAC perspective, as the department that is responsible for the conduct of foreign relations, GAC obviously plays an important role in all aspects related to bilateral relationships with other countries. GAC is also an important member of the security and intelligence community and undertakes many activities abroad, internationally and with allies, multilaterally, to promote democracy globally, so it had some expertise in that space as well. In the context of the democracy strategy writ large, GAC established the RRM, which was looking at identifying foreign-generated disinformation in social media using public sources, in elections globally, not just in Canada.
- [10] The Cabinet Directive on the Critical Election Incident Public Protocol reflects the Panel's role. Part 2 states that "the Protocol is an application reflective of the caretaker convention. The caretaker convention puts into practice the principle that the government is expected to exercise restraint in its activities and 'restrict itself' [in certain matters] except where the action is 'urgent' and 'in the national interest.'"
- [11] Ms. Drouin explained that caretaking is a convention by which, because the House is not sitting, the respective ministers and government should exercise some reserve. It means that decisions should be only those that need to be taken on a continuous basis or based on urgencies. At all times, departments and agencies can exercise their respective authorities. During the Caretaker period, there is increased delegation from Ministers to public servants. This principle underlies the Critical Election Incident Public Protocol. For that reason, the Panel of Five is only in operation as per the Protocol during that period. The Panel fills a gap when the regular government machinery is somewhat restricted.

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- [12] Part three in the Protocol, “scope of application”, indicates that the Protocol has a limited mandate. It is only initiated to respond to incidents that occur within the writ period and that do not fall within Election Canada’s areas of responsibility.
- [13] The Panel had discussions with the Chief Electoral Officer of Elections Canada before the writ dropped to develop a common understanding of roles and responsibilities, a cohesive interpretation of the Protocol, the scope of the Panel’s remit, and the scope of Elections Canada’s remit. For example, Elections Canada was responsible for determining election procedures, handling advance voting, and dealing with incidents on Election Day that could prevent citizens from voting (e.g. protestors blocking citizens from voting). Ms. Drouin found these discussions helpful.
- [14] Ms. Drouin agreed that there could be overlap between the responsibilities of the Panel and Elections Canada. For instance, if an FI incident arose on Election Day, the Panel and Elections Canada might both be engaged depending on the nature of the incident. Ms. Drouin testified that Elections Canada would be responsible for measures that, for instance, sought to safeguard the electoral process by modifying the time and place of a vote. She considered that such measures were easier to implement and are independent from those available to the Panel.
- [15] Part Five of the Protocol also sets out the process by which Canadians would be notified of an incident that “threatens Canada’s ability to have a free and fair election.” It also sets out that “the national security agencies will provide regular briefings to the Panel on emerging national security developments and potential threats to the integrity of the election.” If the head of a national security agency became aware of interference in the election, they will consider options to effectively address that interference.

### Threshold for Making Announcements

- [16] Ms. Drouin explained that Panel had a lot of conversations early on about the Protocol itself and its interpretation. They started to have regular baseline intelligence briefings by SITE TF, by the head of CSIS, David Vigneault, and the head of CSE, who was Shelly Bruce at the time. They discussed the intelligence that was provided to them, and they were also doing a lot of scenario exercises intended to exercise their judgement. Ms.

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Drouin stated that she viewed those exercises as very helpful in terms of making sure that they were- or not- on the same page when it came to the interpretation of the Protocol. Ms. Wilson agreed there was a lot of practice.

- [17] The threshold is set out at Part Six of the Protocol, and states that, “a public announcement during the writ period would only occur if the Panel determines that an incident or an accumulation of incidents has occurred that threatens Canada’s ability to have a free and fair election. Determining whether the threshold has been met will require considerable judgement. There are different considerations that could be included in making this judgement: It also states that, “although a disruptive event or interference may emanate from domestic and/or foreign actors, as a starting point, the focus should be on foreign interference”.
- [18] The Panel did not make any announcements in 2019. Ms. Drouin agreed that the Panel collectively developed an interpretation of the threshold that was a high threshold. This was because an announcement could also have an impact on the outcome of an election. The Panel had to balance the potential impact of a statement compared to the impact of the issue they were facing.
- [19] Ms. Drouin also explained the considerations the Panel looked at to determine whether or not an incident had the potential to influence a free and fair election. The intelligence has to be reliable. The threshold cannot be met if you receive information that is not corroborated; a single source. In terms of impact, the Panel looked at whether something could be done to mitigate the potential impacts, for example, was there an organization that could correct the situation.
- [20] The Panel started meeting well in advance of the writ period. Those meetings focused on developing the Protocol, figuring out how to apply it, and working through practice scenarios. Ms. Drouin explained that the Panel developed an understanding of the key considerations that would inform the decision to make an announcement by conducting tabletop exercises
- [21] Ms. Drouin was shown an Annex called, “Questions and Considerations towards determining the Threshold” from the Panel’s second meeting with her handwritten annotations. The Annex stated, in part, “recognizing that the decisions require nuanced

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judgment and are highly dependent on context, some questions to possibly consider when assessing if the threshold has been met may include, 'to what extent is the incident(s) vote changing'? Ms. Drouin wrote beside that question, "riding level?".

[22] Ms. Drouin explained that the Panel discussed whether the impact on the integrity of the election applied to federal elections as a whole, or on a riding-by-riding basis. The Panel did not come to a conclusion/consensus as to whether the impact of the incident(s) on the election should be considered on a riding by riding basis or on a national basis. The Panel considered incidents of FI at the riding level, but they were not confronted with an incident of alleged FI that came close to reaching the threshold, even at the riding level. The Panel therefore did not have to confront the issue. Ms. Wilson explained in those initial meetings, there was a lot of back and forth around the threshold. They would ask each other and themselves, 'what if it's one riding? What if it's ten ridings?' They were trying to play out scenarios in their mind. They decided they needed to do those kinds of scenarios as part of the process.

[23] When asked about a record of discussion for Meeting Six on September 9, 2019 that reflected a Panel agreement that potential interference activities should be assessed for their impact on a single national election rather than on a riding basis, Ms. Drouin explained the Panel had not reviewed or approved the record of discussion. The members would sometimes have received copies of the minutes in the next meeting's package. Ms. Drouin confirmed that the Panel had not come to a conclusion at any point during the Panel 2019 on the riding-by-riding impact issue.

[24] Al Sutherland, Democratic Institutions Secretariat, prepared a placemat that dealt with various considerations for a Panel announcement. The document was developed toward the end of the Panel 2019, as a result of all of their exercises, and then it was used as a tool for 2021. Ms. Drouin described the placemat as a legacy of the 2019 Panel. She believed that it represented the decision tree. Ms. Wilson had not seen the placemat, so believed it would have been created after she went on leave.

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## Panel Toolkit

- [25] Ms. Drouin explained that relevant departments still act where necessary, even during the Caretaker Period. For example, if during the election, there was a story about Immigration, Refugees and Citizenship Canada (IRCC) accepting people following pressure by the leader of party A or B, IRCC would be entitled deny the allegation. Departments maintain their responsibilities during the Caretaker Period.
- [26] Ms. Drouin explained that one main thing the Panel was doing, both in 2019 and 2021, was monitoring what was happening, and considering whether the ecosystem was correcting the situation. To illustrate the purpose of the Panel's monitoring, Ms. Drouin used as an example the following scenario: a fake video showed that a politician was affiliated to organized crime, and the video went viral. The politician's reputation may be damaged irreversibly. However, some civil organizations came forward and showed the video was fake. In that case, the Panel's intervention is not necessary.
- [27] The ecosystem includes social media platforms, other civil society organizations, academics, news organizations, or federal government departments and intelligence agencies. There are a lot of organizations and bodies that can course-correct things.
- [28] The Democratic Institutions Secretariat, developed contacts with social media platforms to ensure relationships were in place if a platform were to be asked to remove certain content.
- [29] Ms. Drouin stated that this was a "wait and see" approach. If disinformation continues to circulate widely, it is more likely that it will have a significant impact.

## Disinformation Incident

- [30] Ms. Morgan explained that around two weeks before the 2019 election, the RRM began to detect negative articles about the Prime Minister being circulated on the Buffalo Chronicle, which is a U.S. based website. The information started to gain traction and started to look like it was spreading.
- [31] These are things that are challenging to determine in the moment, but there are ways to assess social media to get a better idea of whether that is happening. The RRM was



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monitoring what was happening on social media. They looked at whether the information was spreading in a manner that was coordinated or inauthentic. This could indicate that it was being directed through foreign interference, as opposed to legitimate interest by Canadians. Those kinds of questions need to be answered because an increase in social media activity during an election period is not, in itself, suspicious.

[32] In this particular case, BuzzFeed and the Toronto Star investigated the allegations that were being published, determined them to be false, and made that information public. So legitimate media sources publicly stated that what was being circulated was incorrect. The story died down about a week before the actual election. The RRM continued to investigate the source, but the information was debunked and the story ran out of steam. As a result, it became an issue that was unlikely to affect the election.

[33] To measure the potential impact of something like that, you go back to the placemat and consider scale, spread and duration. With a story like this, you ask how many individuals are engaged with it? How widely does it spread? Does it gain traction over some period of time? Ms. Morgan explained that it is challenging to ascertain exactly the impact on election results.

[34] In the Buffalo Chronicle case, because it could not be determined that it was inauthentic or foreign interference, and it spread for a little while but then ended, those factors suggest that it didn't meet the threshold that the Panel would have used for an announcement. In addition, the issue had already been addressed throughout the broader information ecosystem within Canada.

[35] When asked how to verify on social media whether something was coming from abroad or whether it was domestic, Ms. Morgan noted that it is complicated to do it in a short period of time. She said that sometimes one is able to ascertain, and other times, it is much more ambiguous. That is why, in a sense, the mandate of the Panel evolved a little bit between 2019 and 2021. The 2021 Protocol recognized that there could be challenges, in the short election period, determining between foreign and domestic.

[36] Ms. Drouin added that Canada, for various reasons, does not have a mechanism to effectively monitor domestic social media platforms. Canada does not want to be a state that monitors its own citizens. While things can be detected online, there is no surveillance

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or collection system regarding what is going on at the domestic level. In that context, the RRM can see whether a message is amplified by a source located outside Canada, but it cannot see what is happening domestically on a platform like WeChat. For Ms. Drouin, this does not mean there is a gap in the legislation. Rather, it raises a broader policy issue on the state's access to communications involving Canadians.

[37] Ms. Drouin noted that Canada's democratic regime made it more vulnerable than autocratic states. While these limitations at the domestic level pose real challenges to the monitoring of online activities, they are what make Canada a free society in which individual rights are respected. The line between rights and freedoms and national security is one that should be drawn by the public through political discourse.

### Information Flow to Panel

[38] Ms. Drouin confirmed that the Panel received daily reports from SITE TF called SITREPs, as well as CSIS Intelligence products, oral briefings, and information from the RRM.

[39] Ms. Drouin explained that the Panel's main tool in these briefings was the ability for the Panel to request additional information and to ask more questions. The Panel could ask the CSIS Director or others to come back the week after with a little bit more detail on something or to get more information on what they know about the pattern of a particular threat actor. These Q&A sessions—with SITE members and the other agencies—was one of their biggest tools.

[40] Ms. Drouin advised that she had seen some "talking points" documents from CSIS for David Vigneault during her preparation to testify. She explained that the Panel did not receive the written copy of the "talking points".

[41] Ms. Wilson noted that towards the end of her participation in the Panel (before the writ dropped), the Panel was starting to understand that various potential threats existed.

[42] When she started working on the Panel, Ms. Drouin assumed that Russia would be one of the main threat actors. When the Panel got briefings from David Vigneault in particular, they found out that Russia did not have a lot of interest in Canada's elections, but China was more sophisticated in its operations. The baseline briefing on threat actors identified China, Russia, India and Iran.

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[43] Mr. Vigneault explained the modus operandi of China, which included working with proxies and working with the diaspora. He explained that because China has a long-term strategy, they do not mind investing in an individual for the long-term. At that time, China was not particularly active when it came to cyber activity. Ms. Drouin could remember hearing expressions like that they have a “pragmatic” view, meaning that they could favour a party more than another, but, at the end of the day, they will favour a candidate who will fit their purpose, and they will try to disrupt candidates that do not value China’s objectives.

### Panel Meetings

[44] Ms. Drouin explained that the Panel met at various times before and during the writ period. The Panel met weekly during the writ period. The meetings started with SITE members, providing the Panel with updates and specific facts. The Panel was able to ask questions, but it was important for Mr. Shugart that the deliberation was just amongst the Panel members. The intelligence agencies were not in the room when the Panel deliberated about specific issues. It was just the Panel and some PCO people from the Democratic Institutions Secretariat, like Al Sutherland, the Deputy Secretary Ian McCowan, Deputy Clerk Catherine Blewett, and the Assistant Deputy Minister of Communication.

[45] The Panel continued working through the tabletop scenarios throughout the writ period. As a result, their deliberations encompassed both potential scenarios and real intelligence they were receiving.

[46] Ms. Wilson and Ms. Drouin agreed that the primary sources of incoming intelligence were CSIS and RRM. Ms. Morgan explained that the daily SITE TF updates were key. CSE also provided information.

[47] Ms. Drouin could not recall whether the Panel ever discussed the SITREPs informally as they came in, or reserved their discussion for weekly meetings. Ms. Beauregard explained that the Panel was limited by where/when they could discuss the reports because of the classified nature of their contents. Because of the Panel Members’ busy schedules, they met and discussed issues exclusively at Panel meetings. Ms. Morgan could not recall any special meetings that were called in between the scheduled Panel meetings.

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## Specific Incidents

### Allegations of FI in a Nomination Contest: Don Valley North

- [48] Ms. Drouin recalled receiving information from CSIS about alleged irregularities in a Liberal Party nomination contest in Don Valley North (“DVN”) in September 2019. She received this information over Canada’s Top Secret Network (“CTSN”). Ms. Drouin did not have CTSN in her office. Access to CTSN was from another location within her department, therefore someone had to call Ms. Drouin’s assistant to notify her to check her messages.
- [49] Ms. Beauregard did not have a CTSN in the Deputy Minister’s office. The closest terminal was two floors down. She also received a hand-delivered reading package daily, which was taken from her after she reviewed the contents.
- [50] Ms. Morgan also received and reviewed a daily reading package with a collection of intelligence.
- [51] Ms. Drouin could not recall whether she had heard of the specific people named in relation to the alleged irregularities in the DVN nomination process before seeing the connection made in the media leaks between the individual and the nomination process. To the best of her recollection, she recalled discussing the nomination issue during Panel meetings because the irregularities were alleged to be linked to a foreign state. She could not recall whether the Panel discussed the specific individuals involved. Regardless, in terms of the facts themselves, those are probably the facts that attracted the most of the Panel’s attention. That is where they asked more questions. That is not to say that it was necessarily close to the threshold, but those were the facts that really illustrated an attempt at interference.
- [52] Ms. Drouin explained that the first thing that triggered the Panel’s attention was allegations of busing and potential interference in the nomination process. Second, it was a nomination process, and the Protocol for the Panel doesn’t directly look at the nomination process. The nomination processes are guided by the parties’ rules, and not governmental rules or legislation. The Panel also discussed that the nomination process was between two Liberal candidates.

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- [53] The information was not firmly substantiated. It was clear that buses were brought in. But there was no reliable information about whether or not students were forced to vote, whether or not they voted, whether or not they were under threat of losing their visa, or whether or not they were resident in the riding or coming from out of the riding. The Panel noted that they had heard stories of buses of elders going to a nomination process elsewhere and that that was not related to foreign interference.
- [54] Ms. Wilson recalled discussing the allegations during the last Panel meeting she attended. She remembered Don Valley and school buses. There was not a great deal of information or specifics.
- [55] Ms. Drouin testified that nominations are not guided by any federal rules. Nomination processes are guided by the political parties. The pattern attracted the Panel's attention. They wanted to make sure that Elections Canada was aware of the pattern so that they could monitor the voting process during the federal election for a similar issue. Ms. Drouin explained that CSIS or SITE briefed Elections Canada about the issue Ms. Morgan explained that the heads of national security agencies retained their authorities during the election period, should they become aware of information that could involve interference, to inform the affected parties. In this case, CSIS had those authorities. There was also a DM committee that Elections Canada chaired as a mechanism that existed alongside the Panel.
- [56] The Panel believed that the Liberal Party should be informed of potential interference. The best tool is to be aware. The Panel also thought that if the individual was elected, the head of the party should be aware that the individual might be subject to foreign interference.
- [57] Ms. Drouin explained that one of the relevant mitigating measures was that the Liberal Party was briefed by SITE TF members and PCO employees a couple of days after the Panel was told about the allegations. In Ms. Drouin's view, a briefing to a party would reduce potential impacts. A defensive briefing by CSIS to the candidate might also be available, or a TRM, depending on whether or not they were talking about a threat. Those were other mechanisms available to reduce the potential impacts of the foreign interference.

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[58] Ms. Drouin also remembered being told about illegal funding for election campaigns. She stated that conduct was really under the jurisdiction of the Election Commissioner. She remembered that the information about the financial scheme was provided to the Election Commissioner. She could not remember being provided with the names of individuals allegedly involved. Ms. Morgan also could not remember being provided with the names in relation to the alleged financial payments.

[59] Ms. Drouin stated that the Panel understood from the baseline briefing that the PRC had an interest in Don Valley North.

[60] Ms. Drouin reiterated that the Panel did not believe the Don Valley North information met the threshold. First, it was a nomination process and not directly the electoral process. Second, the way to protect was to make sure that, if the candidate was elected, the Prime Minister would be aware of the risk that this individual might represent. Also, the intelligence was evolving and not firmly substantiated.

[61] Ms. Drouin remembered a conversation about how Elections Canada should be aware of the pattern from the nomination process in case it occurred during the election.

Reporting Regarding Election Day Irregularities In a Riding

[62] Ms. Beauregard stated that she would not have received a report about a riding that came in after 6:00PM on a Friday via CTSN, until the following week, because there would have been no one there to receive it at the time. She added that was the case unless she had received an urgent “you must see this because there is going to be a meeting.” She would have remembered if that happened. If the NSIA had decided that this was something they needed to have a conversation over, Ms. Beauregard would have received an email on the open side, and then she would have gone to get the information, but doesn’t remember any of that happened.

[63] Ms. Morgan had no recollection of the chronology of events between October 18 and 21, 2019. She remembered discussing issues at the Panel meetings, and does not think there were any special meetings called between the scheduled Panel meetings.

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- [64] Ms. Beauregard remembered that there was a meeting scheduled on Election Day, but she could not remember whether it took place. Ms. Morgan was also unable to remember whether they had a meeting on Election Day.
- [65] Ms. Drouin said that the Panel was aware that Elections Canada was going to be briefed about the potential for irregularities on election day in a riding but was unclear on the timeline of that briefing.
- [66] Ms. Morgan added that one of the elements of the Protocol was that the heads of national security agencies retained their authorities during the election period, should they become aware of information that could involve interference, to inform the affected parties. CSIS could take measures that it would normally take to make sure that the appropriate organizations were involved.
- [67] Ms. Morgan stated that Protocol anticipated that there could be situations where national security agencies would need to inform the affected parties.

## Draft CNSB

- [68] Ms. Drouin, Ms. Beauregard and Ms. Morgan did not remember receiving a draft CNSB after the election about a person who was viewed as likely undertaking foreign interference. Ms. Beauregard agreed that she was on the distribution list for the report, but speculated that the document would have been part of a reading package, so she doesn't remember that one specifically. Ms. Drouin, Ms. Beauregard and Ms. Morgan also did not recall receiving an updated CNSB on the same individual on December 3, 2019, which removed the CSIS assessment that it was likely that the individual had had an impact on the 2019 election.
- [69] Ms. Drouin said that the report would have triggered discussions had they had received it during the writ period.
- [70] Ms. Drouin said she didn't remember discussing specific numbers. Her memory was that they were told about a financial pattern that may happen that Elections Canada should look at.
- [71] Ms. Morgan stated that this appeared to be a provincial government issue, which may not have fallen within the remit of the Panel. Instead, the issue would have fallen into the

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ongoing remit of the national security agencies and all of the communities within government that need to be preoccupied with this sort of issue.

[72] Ms. Morgan also noted that they were receiving daily SITREPs from the SITE Task Force throughout the election period which indicated that the threat trend was stable. The intelligence agencies were not, during that period, seeing an increase in the threat trend. Had the intelligence agencies indicated that there was something the Panel needed to focus on because a threat trend had increased, the Panel would have discussed the issue, asked for more information, tried to ascertain the implications, and undertaken all of what they had talked about in terms of criteria. That kind of advice from the intelligence community was also a really important factor for them as the Panel in terms of where and when they might need to seek more information, make a judgment, and potentially intervene.

[73] Ms. Morgan explained that the threat trend was an important factor. The Panel had to make an independent assessment of information and discuss those issues. But the national security agencies' assessment was also factored into the Panel's consideration about the overall threat level.

#### Threat Reduction Measure Against FI-efforts From Foreign State

[74] The witnesses were asked about three related SITREPS regarding a TRM that was conducted in advance of the 2019 Federal election to reduce the threat posed by the Government of Pakistan. The threat was monitored and assessed to have effectively reduced the threat of interference.

[75] Ms. Drouin recalled these updates but could not recall the subjects of the TRM. She believed the purpose was to equip the individual with information about the threat.

[76] Ms. Drouin confirmed that none of the issues flagged for the Panel came close to the threshold; not at the riding level, and not overall.

#### Commentary on Media Leaks

[77] Ms. Drouin was surprised by three allegations that surfaced in the news media: (i) the articles relating to alleged foreign funding, which reported a specific number of \$250,000. She remembered talking about funding but not the specificities; (ii) allegations relating to



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Han Dong and the conversation he was alleged to have had with the PRC. That was completely out of the Panel's radar; and (iii) the so-called network of eleven candidates.

[78] The specifics of these matters had not come to the Panel's attention during the writ period. She believed that the use of the word "network" was unfortunate, as it gives the impression the individuals were working in concert.

[79] Ms. Morgan commented that she felt that the Panel had received a good flow of information during the writ period itself. She was retired when the leaks began to occur and did not have specific comments to offer on the leaked information. She underscored that there was a very organized process to get the Panel the information it needed to make decisions and to assess which issues needed attention and to make decisions.

#### Examination by Counsel for the Government of Canada

[80] Ms. Beauregard explained that there were mechanisms in place to allow the Panel to meet quickly if an incident happened in between regularly scheduled meetings. It likely would have taken 10-15 minutes to schedule an urgent meeting where necessary.

[81] Ms. Drouin was asked what she meant by the term 'evidence' when she spoke of the allegations of irregularities in Don Valley North and her view of the difference between allegations and facts. She noted that the intelligence provided was evolving and was not firmly substantiated.

[82] Ms. Drouin was referred back to the email from Mr. Lyall King that explained how a particular report had been circulated and to whom. Ms. Drouin explained this email reflected her view that the system worked. People receive a lot of information in the intelligence environment. In some cases, she receives products that are very specific in nature; other times, she receives broader analysis. When the system sees something that is acute or important, it is meant to trigger a reaction, a communication to key individuals, and then it triggers an action. Ms. Drouin explained that this email is an example of that reaction, which triggered action—in this case, Elections Canada needed to be informed. The relevant email was an example that showed that the system would act when important things arose.

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[83] Ms. Drouin distinguished between FI and foreign influence. FI is secret, deceptive and poses a threat. It is meant to advance the interests of a foreign country in a clandestine and deceptive way. Influence, by contrast, may form part of the ordinary course of global and diplomatic relations, such as an official openly, and without any deception, expressing a view on global policy issues. For example, Prime Minister Trudeau promoting the rights of the LGBTQ community at international conferences is an example of foreign influence, not foreign interference. Indeed, his actions are overt and not deceptive.

[84] In Ms. Drouin's view, the Panel should only make an announcement if FI has an impact on the integrity of the election. The Panel assessed that none of these incidents had an impact that compromised the fairness or outcome of the election.