

**IN THE MATTER OF THE PUBLIC INQUIRY INTO FOREIGN INTERFERENCE IN
FEDERAL ELECTORAL PROCESSES AND DEMOCRATIC INSTITUTIONS**

AFFIDAVIT OF MICHAEL MACDONALD

I, Michael MacDonald, of the City of Ottawa, in the Province of Ontario, AFFIRM THAT:

1. On February 16, 2024, I was interviewed by Counsel to the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions ("Commission Counsel") in my capacity as the former Assistant Secretary to the Cabinet (Security and Intelligence) at the Privy Council Office ("PCO"), along with Vincent Rigby, David Morrison, and Martin Green.
2. On March 5, 2024, I was examined by Commission Counsel in my capacity as the former Assistant Secretary to the Cabinet (Security and Intelligence) at the PCO, along with Greta Bossenmaier, Vincent Rigby, and David Morrison.
3. In advance of the public hearings, Commission Counsel prepared a public summary of our interview and examination, which was reviewed for National Security Confidentiality ("NSC").
4. In the course of the NSC review, some of the information was necessarily removed or nuanced in order to protect the disclosure of information that could be injurious to the critical interests of Canada or its allies, national defence or national security.
5. I have reviewed the public summary of our evidence, a copy of which is attached as **Exhibit "A"** to this affidavit (the "Unclassified Interview Summary").
6. I have reviewed the public summary of our evidence, a copy of which is attached as **Exhibit "B"** to this affidavit (the "Unclassified *In Camera* Examination Summary").
7. The Unclassified Interview and Examination Summary and the Unclassified *In Camera* Examination Summary contain an accurate account of the publicly disclosable information that I provided to the Commission. I do not wish to make any changes, additions, or deletions to the Unclassified Interview Summary and the Unclassified *In Camera* Examination Summary. Insofar as the Unclassified Interview Summary and the Unclassified *In Camera* Examination Summary contain information provided by other interview and examined participants, that information is accurate to the best of my knowledge and belief.

8. I adopt the contents of the Unclassified Interview Summary and the Unclassified *In Camera* Examination Summary ascribed to me as part of my evidence before the Commission.

AFFIRMED before me in the city of Ottawa
in the Province of Ontario on April 10, 2024

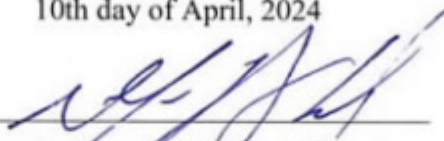


Commissioner for Taking Affidavits



MICHAEL MACDONALD

This is Exhibit "A" referred to in the Affidavit of
Michael MacDonald, affirmed before me this
10th day of April, 2024



Commissioner for Taking Affidavits

UNCLASSIFIED



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

Interview Summary: Mr. Vincent Rigby, Mr. David Morrison, Mr. Michael MacDonald and Mr. Martin Green

Senior national security intelligence officials and former officials from the **Privy Council Office ("PCO")** were interviewed in a panel format by Commission counsel on February 16, 2024. The interview was held in a secure environment and included references to classified information. This is the public version of the classified interview summary that was entered into evidence in the course of the Commission's *in camera* hearings held in February and March 2024.

Notes to Reader:

- This preamble and the text contained in [square brackets] are explanatory notes provided by Commission Counsel for the assistance of the reader.
- This summary has been prepared pursuant to 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 interview 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 in conjunction with the Institutional Report prepared by PCO (the "**PCO IR**") and the public summary of the *in camera* examination of the interviewees.

UNCLASSIFIED

Presentation of the Interviewees

- [1] David Morrison was appointed the Foreign and Defence Policy Advisor to the Prime Minister ("FDPA") in 2018, serving in this role until 2022. While serving as FDPA, he simultaneously served as acting National Security and Intelligence Advisor to the Prime Minister ("NSIA") from early December 2019 to late January 2020 (between the retirement of Greta Bossenmaier and the appointment of Vincent Rigby), and again from July 2021 to January 11, 2022 (between the retirement of Mr. Rigby and the appointment of Jody Thomas).
- [2] Vincent Rigby was appointed the NSIA in January 2020, and served in this role until June 2021.
- [3] Michael MacDonald served as the Assistant Secretary to the Cabinet of the Security and Intelligence Secretariat, which supports the NSIA, from May 2020 to June 4, 2023, and now works at the Treasury Board of Canada Secretariat ("TBS"). He served as temporary NSIA from July 16, 2021 to August 3, 2021, while Mr. Morrison was on temporary leave.
- [4] Martin Green serves as the Assistant Secretary to the Cabinet of the Intelligence Assessment Secretariat ("IAS"), which also supports the NSIA, and has done so since 2015.
- [5] The NSIA is housed within the Privy Council Office ("PCO"), and provides policy and operational advice, as well as intelligence, to the Prime Minister ("PM") and Cabinet on matters related to national security, including foreign intelligence. The NSIA is responsible for convening the security and intelligence community to support the coordination of government responses to all types of foreign interference ("FI") threats.

Background and Mandate

Preliminary Correction to PCO IR

- [6] Mr. Morrison noted that the PCO IR does not list his appointment as acting NSIA between Ms. Bossenmaier's retirement and Mr. Rigby's appointment.

UNCLASSIFIED

NSIA Roles and Responsibilities

- [7] Mr. Rigby explained that the NSIA's role is three-fold: The NSIA (i) advises the PM on national security matters; (ii) coordinates the security and intelligence ("S&I") community; and (iii) liaises with the Five Eyes [the intelligence agencies of Canada, the United States, the United Kingdom, Australia and New Zealand] and other stakeholders. He noted that the COVID-19 pandemic was underway during his tenure as NSIA, and COVID-19-related matters formed the bulk of his work during his term as NSIA.
- [8] Mr. Morrison explained that the majority of his work as NSIA centred heavily on national security, such as the evolving situation in Ukraine and ultimate invasion by Russian forces, as well as efforts towards the release of the two Michaels [Michael Kovrig and Michael Spavor]. Given the range of matters at play, the coordination function of the NSIA role predominated while he held the position.
- [9] Mr. Green clarified after the interview that one of the roles of the IAS is to send intelligence reports to the NSIA, the PM and the **Prime Minister's Office ("PMO")**. The IAS focuses primarily on foreign intelligence, but has recently started incorporating domestic intelligence into its reports. Mr. Green explained that marrying foreign intelligence and domestic intelligence capabilities is a challenge at IAS and across the Five Eyes intelligence communities.

Intelligence Products Received by the NSIA

- [10] Mr. Green noted that intelligence products received by the NSIA must be both policy-relevant and also policy-neutral, failing which there might be a tendency to use intelligence to support a pre-established and desired policy outcome. He noted that it is important to distinguish between raw and assessed intelligence. Raw intelligence must be approached with nuance, as it lacks context. Generally, the PM should receive assessed intelligence, and not one-off raw intelligence reports.
- [11] Mr. Rigby stated that "intelligence" is a broad term. He explained that intelligence can be open-source (e.g., news articles, diplomatic reporting), or closed-source (e.g. signals intelligence, human intelligence). Open-source intelligence sometimes helped to inform the advice he offered to the PM. Generally speaking he approached raw intelligence with

UNCLASSIFIED

caution. For example, if he received a single-source report and the source had an uncorroborated reporting history, he would read and evaluate the report with healthy skepticism. Mr. Rigby noted that he would be hesitant to circulate such a report widely, as raw, unconfirmed intelligence can often be misinterpreted without the appropriate context. Further consideration included whether the intelligence was actionable.

- [12] Mr. Morrison explained that in his various roles, he has always been a consumer of intelligence. He confirmed that the NSIA reads numerous types of classified and open-source intelligence (e.g. media, social media, diplomatic reporting), and digests a wide array of information each day. The essence of providing advice to the PM is being well-informed, and intelligence is one source of that.
- [13] Mr. Morrison explained that raw intelligence rarely formed the basis for immediate action. He recalled three instances where an intelligence report required immediate action. In each case, the intelligence was signals intelligence, which can be more reliable than human intelligence. The first case involved an event that took place outside of Canada [unrelated to foreign interference, Canadian elections and democratic processes] and its protracted aftermath. He briefed the PM immediately. The second case involved a significant piece of intelligence disseminated in the weeks following the 2021 federal election concerning potential FI during this election involving a specific country. Mr. Morrison again flagged the report immediately within government. He viewed this intelligence as the closest thing to a "smoking gun" that he had seen during his tenure as NSIA. The third case involved intelligence on a threat to Canadians [unrelated to foreign interference, Canadian elections and democratic processes]. Again, Mr. Morrison flagged the report to his staff, and again, he was told action was being taken.
- [14] Mr. Rigby recalled two instances in which intelligence formed the basis for immediate action. The first is related to the first item identified by Mr. Morrison above. The second was related to Russia [in a situation unrelated to Canadian elections or democratic processes].
- [15] Mr. MacDonald noted that as Assistant Secretary, Security and Intelligence Secretariat, the best intelligence he received was intelligence that was operationally actionable (i.e., intelligence that would list names, targets, motivation, locations). Mr. MacDonald provided

UNCLASSIFIED

a series of specific instances where intelligence led to a response (i.e. this type of intelligence enabled relevant agencies to take actions to monitor or halt the threat activity described, and enabled Mr. MacDonald to monitor the actions taken and ensure threats were being addressed).

- [16] Mr. MacDonald added that assessed intelligence was also helpful, especially when it identified trends. In such circumstances, policy actors are able to address these trends in policy proposals under consideration.
- [17] Mr. Morrison commented that intelligence containing specific names can be helpful. However, he acknowledged that there are legislative and privacy policy restrictions that apply to naming Canadians in intelligence reporting. Without this information, he explained, it can be harder to make connections between various intelligence products.

Role in Committees

- [18] The panel discussed the various committees that pertain to foreign interference [nine committees at the Assistant Deputy Minister ("ADM") level and corresponding committees at the DM level]:

Deputy Minister Committee Intelligence Response ("DMCIR")

- [19] Mr. Morrison noted this committee was set up less than a year ago.

Deputy Minister Intelligence Committee ("DMIC")

- [20] Mr. Rigby noted this committee was set up to consider strategic intelligence assessments as well as more operational single source reporting that might require an immediate response. He added that the committee met regularly under his leadership.

Deputy Ministers Foreign Interference Committee ("DMFI")

- [21] Mr. Morrison noted that DMFI has existed for approximately one year, and is predominantly occupied with the legislative response to FI (e.g., the Foreign Agent Registry, etc.). It meets weekly.

UNCLASSIFIED**Deputy Ministers Committee on Operational Coordination ("DMOC")**

- [22] Mr. Morrison explained that DMOC is concerned with information-sharing. The committee meets weekly, and works well. He noted that the DMCIR meeting takes place in the hour before the DMOC meeting to focus on intelligence.
- [23] Mr. Rigby expressed that DMOC was the most important body for him as NSIA. He would generally open the meeting with updates on national security concerns and his reports to the PM. The Deputy Ministers would then bring their own information and updates on issues they faced.

Assistant Deputy Minister National Security Operations Committee ("ADM NS OPS")

- [24] Mr. MacDonald explained that ADM NS OPS met weekly. It was the mirror of DMOC on the intelligence side. Mr. MacDonald would brief the discussions at ADM NS OPS to the NSIA in advance of the NSIA's attendance at DMOC.

Assistant Deputy Minister Tactical Committee ("ADMT")

- [25] Mr. MacDonald stated that ADMT was created about a year and a half ago. This committee deals with cutting-edge operational issues. For example, if Communications Security Establishment ran an active cyber operation, the issues and operational needs would be discussed at this committee.

Deputy Minister Electoral Security Coordinating Committee ("DM ESCC")

- [26] The witnesses were referred to a memorandum to the PM that describes the performance of DM ESCC.
- [27] Mr. MacDonald explained that during the elections, the elections security architecture is in operation. During the election, an ADM committee that mirrors the DM ESCC was also created, and met to discuss election and security issues, such as disinformation campaigns that would prevent individuals from reporting to polling stations. Although the document referred to contains a "lessons learned" for the 2019 DM ESCC architecture,

UNCLASSIFIED

none of the panellists were aware of an equivalent document for 2021. Mr. Rigby added that there is a **Security and Intelligence Threats to Elections Task Force (SITE TF)** After-Action Report for 2019 that contains broader "lessons learned" for the 2021 election in general.

Specific Issues

2019 Election

- [28] The witnesses were referred to a document that lists briefings the PM received in relation to allegations of FI in the Don Valley North riding during the nomination campaign. One bullet states that the PM received a briefing in late September / early October 2019, which is not reflected in the PCO IR. Mr. MacDonald could not clarify, as he was not at PCO at that time. Mr. Morrison echoed that as FDPA, he had not been informed of these allegations at the time. Mr. Rigby stated that this briefing would have occurred during Ms. Bossenmaier's tenure.

2021 Election

- [29] The witnesses were referred to a **Canadian Security Intelligence Service ("CSIS")** Intelligence product. This intelligence product details certain allegations of FI related to a situation during the 44th general election. Mr. MacDonald noted that the document was distributed to "Named Recipients Only", and speculated it may have been sent over the **Canadian Top Secret Network ("CTSN")**. He confirmed that this document would have likely been delivered to PCO.
- [30] Mr. Morrison noted that these allegations were mentioned in information that the SITE TF presented to the **Panel of Five ("P5")**. He noted that certain designated members of the Liberal Party of Canada were briefed on this by the SITE TF.
- [31] Mr. Morrison explained that as acting NSIA, his staff would prepare a binder of daily intelligence for him. He had no recollection of seeing this document, but noted that it was in the materials presented to SITE TF to P5, so he would have been made aware of this information.

UNCLASSIFIED

- [32] Mr. MacDonald was referred to a document on FI that summarizes the briefing to the designated members of the Liberal Party of Canada. It is dated September 11, 2021. Mr. MacDonald explained that the first two pages were speaking notes prepared by an employee present at the briefing. The second two pages appear to be a debriefing of what had been discussed. Mr. MacDonald, who was present at the briefing, explained that he recalled the briefing, but had never seen the debriefing notes.
- [33] The interviewees were then referred to a document that appears to be a draft of CSIS speaking notes for a briefing to the PM on the same subject. It is dated September 22, 2021. Mr. MacDonald and Mr. Morrison could not recall whether this briefing ever occurred. Mr. Morrison stated it was likely that the PM would have been aware of the related issue. That said, he could not say whether CSIS had briefed the PM specifically on this issue.
- [34] The interviewees were then referred to a specific CSIS report dated June 20, 2023. Mr. MacDonald did not know why CSIS wrote another report on the issue in 2023. Mr. Green could not state with certainty whether he had seen the document, but noted that it was not uncommon for CSIS to circulate a new summary of an issue if they had any updates or new information. Mr. MacDonald noted that he had left PCO a few weeks earlier, on June 4, 2023, to work at TBS. Mr. Morrison explained he had never seen this document.

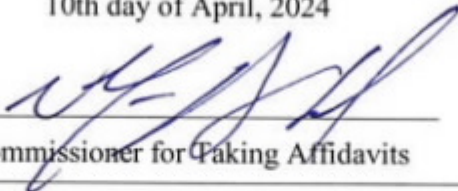
People's Republic of China FI

- [35] The witnesses were then referred to **CAN005784**, dated February 18, 2020. This is a **CSIS Intelligence Assessment ("IA")**.
- [36] Mr. Rigby did not recall seeing this document. He pointed to an excerpt of the document, which states the findings within the IA are "initial", and the result of an "early, ongoing investigation". He suspected that if he read this document, this language may have dissuaded him from bringing this IA directly to the PM. However, he noted the intelligence contained therein was reflected in a **Daily Foreign Intelligence Brief ("DFIB")** on February 21, 2020.

UNCLASSIFIED

- [37] Mr. Green confirmed that the intelligence contained in that DFIB did not go into the **PM's Weekly Intelligence Brief ("PMWIB")**. PMWIBs are given to the **Prime Minister's Office ("PMO")**.
- [38] Mr. Morrison flagged p. 2, footnote 2, of the IA. He shared his view that CSIS could be more judicious in its language, but also acknowledged that the report is written for the S&I community and not for public consumption. He expressed that this language would have caused him to monitor this issue, but did not require immediate action.
- [39] Mr. Green stated that there is "grey area" between foreign interference and legitimate diplomatic activities, and much of the behaviour discussed in the IA was normal political activity.

This is Exhibit "B" referred to in the Affidavit of
Michael MacDonald, affirmed before me this
10th day of April, 2024



Commissioner for Taking Affidavits

UNCLASSIFIED



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: Ms. Greta Bossenmaier, Mr. Vincent Rigby, Mr. David Morrison and Mr. Mike MacDonald

Former National Security and Intelligence Advisors to the Prime Minister (“NSIAs”) were examined by Commission counsel during *in camera* hearings held between February 28 and March 6, 2024. The witnesses – Greta Bossenmaier, Vincent Rigby, David Morrison and Mike MacDonald – were examined in panel format. Counsel for the Attorney General of Canada appeared on behalf of the Government of Canada and had the opportunity to examine witnesses. The hearing was held in the absence of the public and other Participants.

Notes to Reader

- Commission Counsel's explanatory notes are contained 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 in conjunction with the **Privy Council Office (“PCO”)** Institutional Report and the unclassified interview summary prepared by Commission Counsel.

UNCLASSIFIED

1. Examination by Commission Counsel

- [1] Mr. Rigby, Mr. Morrison and Mr. MacDonald confirmed the accuracy of the classified summary of the Commission Counsel interview on February 16, 2024. The witnesses adopted the classified version as part of their evidence before the Commission.
- [2] Ms. Bossenmaier was not present for the interview with Commission Counsel. She clarified the Panel of Five 2019 witness summary noting that as a member of the Panel and as the co-Chair of the **Deputy Ministers Elections Security Coordinating Committee ("ESCC")** she served as a direct link between the two.

1.1 Role of the NSIA

- [3] Ms. Bossenmaier explained that the NSIA has three main roles: (1) to provide the **Prime Minister ("PM")** and Cabinet with advice about national security issues, operations, and policy, (2) to act as a coordinator and convenor within the national security community, (3) to deal with international partners and countries within and beyond the Five Eyes. Mr. Rigby described the latter role as stakeholder engagement writ large. He explained that the NSIA will sometimes engage with domestic partners like police commissioners and members of the academic community. Mr. Rigby also added that at various times the Foreign and Defense Policy Advisor reported up through the NSIA instead of through a separate channel. The witnesses agreed that the role of the NSIA has changed over time as each incumbent has shaped it to meet the demands of their time.
- [4] Mr. Morrison testified that during his tenure as Acting NSIA in the fall of 2021, he was focused on intelligence related to foreign interference as a member of the Panel of Five, and afterwards. The broader national security issues that were ongoing at the same time included the fall of Kabul and evacuation of Canadians from Afghanistan, negotiating the release of Michael Kovrig and Michael Spavor (who were released on September 24, 2021), a crisis in Ethiopia where it looked like there might be a need for another evacuation of Canadians, a trade crisis, as well as multiple summits (e.g., the climate change summit and the G20 summit in Rome). All of these had national security dimensions.

UNCLASSIFIED

- [5] With respect to intelligence, Mr. Morrison described the NSIA's role as one of discernment, meaning the role of the NSIA is not merely to feed intelligence through to the PM but rather to bring a worldview that contextualizes any piece or body of intelligence. For instance, CSIS has a security mandate and a focus on threats, and that informs their worldview and the lens through which they see things. As National Security Advisor, he took that as an input, but also looked at other available intelligence, including a steady stream of diplomatic reporting, open-source media, and conversations with foreign counterparts and with the Prime Minister to form a broader worldview, and advise the Prime Minister. Of course, matters that are urgent or pressing are handled differently. But intelligence that comes in the NSIA's daily packet, which contains information from many sources, is used to form a view and advise the Prime Minister. Mr. Rigby agreed that the NSIA has an all-source approach to intelligence.
- [6] Mr. Rigby testified that a lot of the information coming from CSIS and CSE is often unassessed intelligence. Assessed products typically only come after there is a body of intelligence gathered over a period of several months. In deciding whether to bring something to the Prime Minister, the NSIA has to ask whether the intelligence is ready to be briefed up and is something the Prime Minister needs to see, or whether it makes sense to let the story develop, unfold and mature
- [7] When asked whether signals intelligence is inherently more reliable than human source intelligence, Mr. Rigby explained that it is difficult to make that generalization. Mr. Rigby explained that every piece of intelligence has to be tested and put in context, which may mean going back to the source to learn more. Human sources often have agendas, they approach things from a certain context, so you have to learn about their reporting history and how reliable of a source they are. While some might say that signals intelligence is much more reliable because it's a recording, it's not necessarily as simple as that. For example, even in a telephone conversation, people may know they're being recorded, and may say things that they want another state to hear. Mr. Morrison added that if you have a recording of a telephone conversation, you know that what was said, was indeed said. But he agreed that one must still be skeptical because it could be designed to influence you. With human sources, you need to consider whether the information is true

UNCLASSIFIED

or not and/or whether it might be designed to throw you off. Ms. Bossenmaier added that even with a recorded conversation, due diligence is required to determine whether the people in the recording are actually the people identified as speaking, and whether they are having a genuine conversation [as opposed to a conversation designed to mislead]. Due diligence is required regardless of where the intelligence is coming from. There are different nuances to that work depending on the type of intelligence. She noted that understanding intelligence requires thinking about the mosaic effect, and how different pieces of the puzzle come together at different times to form a picture. Sometimes you might not know where a piece will fit until you have enough to form a picture.

1.2 Chronology of NSIAs

- [8] Mr. Morrison served as Interim NSIA after Ms. Bossenmaier retired in early December 2019, until Mr. Rigby was appointed to the role in January 2020. On June 30, 2021 Mr. Morrison again assumed the role as Interim NSIA. From around July 22, 2021- August 8, 2021 Mr. Morrison took a medical leave of absence. Mr. MacDonald assumed the role of temporary NSIA from July 16 to August 3, 2021.

1.3 Secretariats supporting the NSIA

- [9] The **Security and Intelligence Secretariat (S&I)** housed within PCO is the policy center of the national security community and sometimes the defence and policing community. Mr. MacDonald served as Assistant Secretary to the S&I Secretariat for three years. He described it as a place of coordination, meeting with colleagues across the community once or twice a week so that the entire national security community could be kept apprised of each others' work, mirroring the coordination work that the NSIA performed with its colleagues at that level. In times of crisis or heightened vigilance, this secretariat was responsible for pulling together the appropriate people within government, where there needed to be operational coordination. The S&I secretariat is also responsible for the security operations, including clearance process and the vetting of individuals for Governor-in-Council appointments. Like the NSIA, the S&I secretariat also forged relationships with domestic and international partners, including the Ottawa Police

UNCLASSIFIED

Service, the Parliamentary Protective Service, Head of Senate Security, and counterparts within the Five Eyes.

- [10] **Deputy Ministers Committee on Operational Coordination (DMOC)** is a committee that meets weekly in a secure space to discuss pressing national security issues and share information. This committee is chaired by the NSIA and attended by representatives from all of the core national security agencies and government departments whose mandates have a national security element. While there is sometimes a topic or two on the formal agenda, it is also the forum where participants provide updates on what they think the others need to know, or ask about particular pieces of intelligence. It is a “don’t miss” meeting because of the cross-pollination that take place. No matter what else is going on, you will see the people you need to talk to at DMOC. Where there is anything that is urgent or fast-breaking, an *ad hoc* DMOC meeting is called. Mr. Rigby explained that DMOC is focussed on policy and operational updates, as compared to other committees that may have more long-term/strategic policy mandates. When he was NSIA, Mr. Rigby would use the DMOC to ask about what he needed to know in order to brief the Prime Minister, and there is was an expectation that people would come forward. He added that DMOC also conduct exercises on various scenarios. Mr. Morrison and Ms. Bossenmaier reflected on the level of trust that exists among the participants of DMOC and how that creates an atmosphere in which they feel comfortable calling each other and sharing information. Mr. Macdonald added that the **Assistant Deputy Minister National Security Operations Committee (“ADM NSOps”)**, which mirrors DMOC at the ADM level, supports DMOC and also meets weekly.
- [11] During Mr. Rigby's tenure, he also ran the Deputy Ministers Intelligence Committee, which looked at both strategic and operational level intelligence.
- [12] **Deputy Ministers Election Security Coordination Committee** was established in the lead up to the 2019 election, and was co-chaired by the NSIA and Elections Canada. This committee was set up to ensure that Elections Canada and the Commissioner of Elections were brought together with the key intelligence agencies to deal with elections security. This Committee was active during both Ms. Bossenmaier and Mr. Rigby's tenures as NSIA. Mr. Morrison confirmed that during his tenure as acting NSIA, this

UNCLASSIFIED

committee met once in July 2021 but he did not recall whether it met subsequently in the period leading up to the 2021 election.

1.4 Election Periods

- [13] Ms. Bossenmaier explained that the NSIA had many active national security matters on her plate in 2019, including both policy issues moving through Cabinet, and operational issues. At that time, amongst other things, Michael Kovrig and Michael Spavor were arbitrarily detained and, the government had to respond to a situation related to counter-terrorism. The measures that were adopted in advance of the 2019 election were the first “whole of government” effort put in place to protect an election. This required ensuring that everyone was tuning their systems and processes up to look for and consider foreign interference in the election process and establishing what the baseline foreign interference landscape looked like. The Panel of Five was put in place, the SITE Task Force was stood up, political party representatives were cleared to Secret levels and being briefed. Ultimately, she described an all hands on deck effort by the government to create an ecosystem to safeguard the election during this time period. She remarked that in her discussions with international partners, the magnitude and scope of this effort (including the Panel of Five, the SITE Task Force, , was seen as novel, and a leading practice in 2019. Other countries were interested in what Canada was doing and wanted to know how it was working out.
- [14] Mr. Rigby noted that foreign interference is not a new phenomenon – it has been around for a long time. But the game changer was the allegations around Russian interference in the 2016 United States Presidential Election; this was the turning point that informed decision-making and pushed the structures that were set up for 2019.
- [15] Ms. Bossenmaier recalls being briefed on FI threat activity during the 2019 election. As a member of the Panel of Five, she confirmed that nothing rose to the level such that the Panel considered it could have a material impact on the election. Ms. Bossenmaier continues to be of this view.

UNCLASSIFIED

[16] Ms. Bossenmaier was asked about a **CSIS National Security Brief (“CNSB”)**¹ that was recalled in October 2019, which contained allegations about FI in the Don Valley North riding nomination process. Ms. Bossenmaier said it was reasonable to assume that she would have read the report and discussed it with the CSIS Director, given the importance of foreign interference to her at the time, but she does not specifically recall doing so. Ms. Bossenmaier does not know why the Director decided to recall the report, as that is a question for the Director himself. Ms. Bossenmaier does not recall ever asking that a report be recalled. Ms. Bossenmaier explained that it was not in her remit to direct that a report be recalled or changed. It was within her remit, as NSIA, to have a conversation with the Director about a report and ask questions like “what does this mean?”, “how comfortable are you?”, “where does this fit into the mosaic?”, “how did this transpire?”, “are the right people on the distribution list?” and “how does this fit with another piece of intelligence?”. But she explained that the heads of the security agencies have their own authorities and are responsible for reporting anything they felt was important to report on.

1.5 Diplomatic Responses to Foreign Interference

- [17] Mr. Morrison was asked about diplomatic responses to alleged foreign interference. He explained that economic sanctions are legal and indeed a key part of any country’s diplomatic toolkit. Research with a view to potential economic sanctions is something that Canada, like other nations, performs. The word “sanctions” (particularly when it is coming through translation) should therefore not be taken as something necessarily nefarious, or even necessarily foreign interference, nor is research on politicians. In Canada, we have to meet an “open-source” threshold (i.e. rely on open source information) in order to apply sanctions because it can be subject to judicial review. Mr. Rigby concurred that these are normal activities for foreign embassies and something that is expected. Mr. MacDonald also noted that there is a grey zone in the context of FI, and that sometimes what CSIS describes as FI might instead be foreign influence or aggressive diplomatic behaviour.
- [18] With respect to the *persona non grata* regime, Mr. Morrison explained that under the Vienna Convention, a country can ask a foreign diplomat to leave for any reason. There

¹ CAN004728

UNCLASSIFIED

are a number of diplomatic tools short of declaring a diplomat *persona non grata*. Canada does not "PNG" a diplomat lightly, because it leads to a response. In the case of the PNG that occurred in the spring of 2023, it was preceded by a series of diplomatic efforts over the course of two years, including raising the issue of foreign interference dozens of times, and issuing several formal diplomatic notes. In response to Canada's decision, a Canadian diplomat was kicked out of China.

1.6 Volume of Intelligence

- [19] Mr. MacDonald spoke to the volume of intelligence produced by Canada, emphasizing that it is vast. Canada produces roughly 68,000 intelligence products per year, not including Five Eyes intelligence. He approximated, conservatively, that during his three years within PCO he read through about 25 000 to 28 000 intelligence reports. Some of the reports he received were of keen interest to Mr. Macdonald in his role. Others were not.