



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 fédérales

IN THE MATTER OF THE FOREIGN INTERFERENCE COMMISSION

AFFIDAVIT OF KENNY CHIU

I, Kenny Chiu, of the City of Richmond, in the Province of British Columbia, AFFIRM:

1. On August 16, 2024, I was interviewed by Counsel for the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions (“Commission Counsel”).
2. Following that interview, Commission Counsel prepared a summary of my evidence.
3. I have reviewed a summary of my evidence, a copy of which is attached as **Exhibit “A”** to this affidavit (the “Witness Summary”).
4. I do not wish to make any changes, additions, or deletions to the Witness Summary. I adopt the contents of the Witness Summary as true and accurate.
5. I adopt the contents of Exhibit A as part of my evidence before the Commission.

AFFIRMED before me remotely in
accordance with O.Reg 431/20 in the City of
Ottawa, in the Province of Ontario, from the
city of Winnipeg, in the province of
Manitoba, this 27th day of September 2024

A Commissioner, etc.

Kenny Chiu

This is **Exhibit "A"** to the affidavit
of Kenny Chiu, affirmed before me
this 27 day of September, 2024

A handwritten signature in black ink, appearing to be 'Kenny Chiu', written above a horizontal line.



Interview Summary: Kenny Chiu (Stage 2)

Kenny Chiu, former Member of Parliament for Steveston-Richmond East from 2019 to 2021, was interviewed by Commission Counsel on August 16, 2024.

Notes to Readers:

- Commission Counsel have provided explanatory notes in square brackets to assist the reader.

1. On being informed of the cyberattack on members of IPAC

- [1] During his tenure as the Member of Parliament (“**MP**”) for Steveston-Richmond East, which he represented from October 2019 to September 2021, Mr. Chiu became involved in the Inter-Parliamentary Alliance on China (“**IPAC**”). [IPAC is an international group of legislators from democratic countries focused on relations with the People’s Republic of China (“**PRC**”) and the challenges it poses to human rights and the rules-based order]. Mr. Chiu joined IPAC because he saw value in parliamentarians from western democracies coming together to establish common policies in confronting the PRC. However, he described his involvement in IPAC as “low-profile” and did not regularly attend meetings. His membership in the organization ceased when he was no longer an MP.
- [2] On May 3, 2024, Mr. Chiu became aware that he was a target of a cyberattack in 2021 conducted by the Advanced Persistent Threat 31 (“**APT31**”) hacking group. IPAC executive director Luke de Pulford informed him that he was a target over a phone call. Mr. de Pulford had been trying to contact Mr. Chiu through various channels. Mr. de Pulford advised him that he was one of the parliamentarians targeted. He did not provide details about what device or account was hacked.
- [3] Mr. Chiu contacted MP Garnett Genuis, an IPAC co-chair, the same day or the day after to inquire further. Mr. Genuis informed him that it was an official parl.gc.ca account that

was targeted, and not a personal account. No one has ever confirmed which official address(es) was targeted, his public account or the account used for internal communications; or to confirm that none of his private addresses was compromised. He has not received any further information regarding the APT31 cyberattack on his account.

- [4] Despite discovering through the media that the FBI had notified the Canadian government of the cyberattack in 2021, he has not to date been contacted by either the Government of Canada or the House of Commons on this issue.
- [5] Mr. Chiu was for a time very concerned about the cyberattack. He was fearful that, had his electronic communications been compromised, the hackers would have access to an unimaginable amount of important personal and financial information. Since learning of the cyberattack, he has become more vigilant and taken certain defensive measures to upgrade his cybersecurity. Other than Mr. Genuis, he has not spoken to any other targeted IPAC members.
- [6] Mr. Chiu believes the government of Canada should have informed him about being a target of the cyberattack. In his view, the government should have taken countermeasures when it learned of the attack, such as summoning the PRC ambassador, to send a message that Canada takes these threats seriously and supports the work of its parliamentarians. He believes it is important that Canadians know that the government has their backs, whether it is current or former MPs, or anyone interested in serving as one.

2. Attempt at Chinese community outreach during 2021 election

- [7] In discussing various community organizations and associations, Mr. Chiu recalled that in August 2021, during the federal election campaign, he persuaded the Conservative Party leader's office to meet with a Chinese community organization based in the Greater Vancouver Area that had positioned itself as a think-tank. He thought it would be a good idea for the CPC to attend the meeting and listen to what they had to say, even if they were skeptical of the organization's discourse, which tended to espouse pro-PRC narratives.

[8] Mr. Chiu and the head of the organization planned a sit-down meeting. Mr. Chiu and CPC leader Erin O'Toole were to attend the meeting on behalf of the CPC and discuss with several leading figures of the organization. A few days before the meeting was scheduled to take place, someone from Mr. O'Toole's office contacted him to tell him the meeting was not going to go ahead. When Mr. Chiu asked for the reasons behind the cancellation, he was told that CSIS had advised Mr. O'Toole's office not to attend the meeting, because of concerns regarding three individuals scheduled to participate in the meeting. Mr. Chiu was told the names of these individuals, but he can only recall one. The meeting never took place.

3. The Foreign Influence Transparency Registry becoming law

- [9] Mr. Chiu is pleased with the swift adoption and coming into force of Bill C-70, An Act respecting countering foreign interference [which was tabled in the House of Commons on May 6, 2024 and received Royal Assent on June 20, 2024].
- [10] He approves of the legislation because it is not just a foreign agents registry. It empowers other government agencies to take proactive measures and address transnational repression. It has been several years since he tabled his private member's bill which proposed a foreign influence registry [Bill C-282, an Act to establish the Foreign Influence Registry]. If it were today, he would not just be proposing a registry anymore. A registry has its limitations, and effectively collects "low hanging fruit".
- [11] He expressed concern over the breadth of the Foreign Influence Transparency Commissioner's mandate and over the concept of "arrangements" which, in his view, is open to broad interpretation and could catch a lot of ordinary, harmless activity in the course of also capturing covert actions and nefarious arrangements. He points out that "arrangements" can be deferred for future considerations, and smart and sophisticated threat actors will never be caught with a cheque. If too many Canadians are caught unintentionally by the legislation, this may play into pro-CCP narratives that the provisions are effectively anti-Asian and that they are creating discrimination and persecution. He describes the interests of protecting Canadians' rights and freedoms while also responding to foreign interference threats as a "conundrum" facing Canada.

4. The effect of sanctions on the House of Commons Subcommittee on International Human Rights

- [12] As discussed during his stage 1 interview, Mr. Chiu was appointed as vice-chair of the Subcommittee on International Human Rights of the House of Commons Standing Committee on Foreign Affairs and International Development. Following the presentation of the Uyghur Report, which concluded that the atrocities committed against Uyghurs and other Turkic Muslims in Xinjiang amounted to crimes against humanity and genocide, the PRC, on March 27, 2021, imposed sanctions on the Subcommittee collectively and Michael Chong individually. Mr. Chiu noted it was unclear what it meant to sanction a committee collectively, but he interpreted it to mean he would be at risk of arrest or disappearance if he were to travel to the PRC, even though he had not been named individually. In his view, this ambiguity is how the PRC creates fear through sanctions.
- [13] He knows of one MP who has resigned from the Subcommittee following the announcement of sanctions imposed on it. This MP officially resigned soon after the sanctions were announced, as he did not want to be listed as a Subcommittee member given his and his family's business interests.