



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

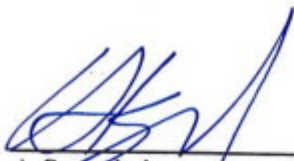
IN THE MATTER OF THE FOREIGN INTERFERENCE COMMISSION

AFFIDAVIT OF YUEN PAU WOO

I, Yuen Pau Woo, of the City of Vancouver, in the Province of British Columbia, AFFIRM:

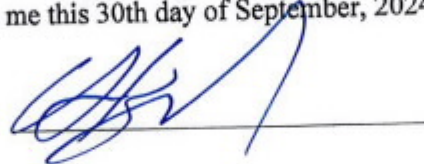
1. On March 1, 2024 and June 4, 2024, I was interviewed by Counsel for the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions ("Commission Counsel").
2. Following that interview, Commission Counsel prepared a summary of my evidence.
3. I have reviewed a summary of my evidence, a copy of which is attached as **Exhibit "A"** to this affidavit (the "Witness Summary").
4. In paragraph 24, I used the phrase "Mandarin-inflected accent." I would modify this to read "Mandarin-accented English". Otherwise, I do not wish to make any changes, additions, or deletions to the Witness Summary.
5. Subject to the qualification above, I adopt the contents of the Witness Summary as true and accurate and adopt the contents of Exhibit A as part of my evidence before the Commission.

He **AFFIRMED**
~~SWORN~~ before me by video conference by Yuen Pau Woo at the City of Ottawa, in Ottawa-Carleton Region, before me at the City of Ottawa, in Ottawa-Carleton Region, on September 30, 2024, in accordance with O. Reg, 431/20, Administering Oath or Declaration Remotely.


A Commissioner, etc.


Yuen Pau Woo

This is **Exhibit "A"** to the affidavit
of Yuen Pau Woo, affirmed before
me this 30th day of September, 2024

A handwritten signature in blue ink is written over a horizontal line. The signature is stylized and appears to be the name of the affiant.



Interview Summary: Senator Yuen Pau Woo

Yuen Pau Woo, Senator, was interviewed by Commission counsel on March 1, 2024 and June 4, 2024.

Notes to Readers:

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

1. Background

- [1] Yuen Pau Woo was appointed as an independent Senator representing British Columbia in 2016. After immigrating to Canada in 1988, Senator Woo worked on international business and public policy issues, especially in the area of Canada-Asia relations. He joined the Asia Pacific Foundation of Canada in 1997 and spent nearly 10 years as its President and CEO. He has taught and published scholarly articles on public policy, international affairs and economics. He is a Senior Fellow at the Beedie School of Business at Simon Fraser University.

2. Views on foreign interference

- [2] Senator Woo has long been concerned about foreign interference ("FI") in Canada. He organized a panel on Chinese foreign interference for parliamentarians in 2018 and published a summary of the panel discussion on his website.
- [3] Asked how he would define foreign interference, Senator Woo said that the most egregious forms of FI include harassment, intimidation, coercion, threats, and assaults on groups or individual. He distinguished this from "foreign influence." Some kinds of "foreign influence" may be uncomfortable or offensive, but it is not clear that they violate the law or the conventions of international exchange.

- [4] Senator Woo also stated that it is not always clear when interference or influence is, in fact, foreign. In periods of social and economic stress, there can be public or political pressure to find an "enemy" source for domestic problems. The tendency in all societies is to find blame among "outsiders" and to identify threats as "foreign". Senator Woo said we should not stand for FI, but we should also be careful about an excessive response to FI due to hysteria, groupthink, and political expediency.
- [5] Senator Woo agreed the People's Republic of China ("**PRC**" or "**China**") has the ability to influence people in Canada who have family or business connections in the PRC. Senator Woo's view, however, was that while we should denounce such activities, there is not much we can do about them. It is repugnant that a PRC agent would threaten a Canadian's relatives in China, but that kind of "transnational repression" is difficult to counter. A foreign agent registry is at best a second or third order solution to this kind of problem. It would be better to focus on building resiliency in the affected communities, for example by educating people to report interference and to learn how to protect themselves. [This comment was made during the March 1, 2024, interview, before the introduction of Bill C-70.] More generally on the effectiveness of Chinese influence operations, he emphasized that just because a Chinese agent has advised a Canadian not to discuss a sensitive topic does not mean that the person will act accordingly.

3. The United Front Work Department ("UFWD")

- [6] The UFWD predates the founding of the PRC. It was formed as an alliance of Communists and Nationalists in the fight against Japan. In 1939, Mao described the UFWD as one of three "magic weapons," alongside armed struggle and building up the Chinese Communist Party ("**CCP**").
- [7] Senator Woo was familiar with the UFWD from growing up in Singapore during the Cold War, when the country was aligned with the West against the communist bloc and the UFWD was viewed as a threat to the country. But he and his contemporaries understood that the UFWD was a vehicle for CCP propaganda and were able to filter it accordingly. Just because people heard what the UFWD had to say didn't mean they believed everything that was said.

- [8] Senator Woo also questioned whether activities linked to the UFWD in fact breaks the law. He noted that FI is usually defined as being covert, but the mission of the UFWD is not secret. He warned that we should not stigmatize people for listening to the Chinese position on an issue and making up their own minds. He noted, for example, that he has been to functions in Canada where a Chinese diplomat would tell the audience that Canada-China relations are in a bad way and would encourage the attendees to vote and to advocate for better bilateral relations. While such actions may offend Canadian sensibilities because of antipathy towards China, they do not amount to FI, according to Senator Woo.
- [9] Asked about the relationship between the UFWD and the Chinese diaspora in Canada, Senator Woo explained that the UFWD is part of the CCP, and that Xi Jinping has expanded its ambit to include businesses and overseas students. The PRC is a Leninist state which puts the CCP in a paramount position over all of society. Even so, most Chinese nationals are not members of the party. The mandate of the UFWD is to co-opt non-party members, including religious organizations, businesses, NGOs, and overseas students.
- [10] The UFWD will reach out to overseas organizations to try and co-opt them, but they will also unilaterally designate an overseas group as a "friendly organization." The UFWD and its subsidiary organizations occasionally invite overseas groups to China to attend "jamborees" where the overseas groups are encouraged to strengthen ties with the "motherland" and to advance the priorities of the PRC. Being named by the UFWD as a friendly organization does not make the organization a Chinese proxy, and participation in UFWD activities is not tantamount to covert or illegal activity, nor is it necessarily a sign of disloyalty to Canada. Senator Woo has yet to hear from Canadian security organizations about the types of nefarious activities the Canadian groups named as part of the UFWD have been involved in, why these activities are considered objectionable, and whether the activities are in fact illegal.
- [11] Senator Woo explained that there is a historically-rooted concept of organic connection between the Chinese diaspora and the Chinese state, which is based on mutual benefit. For some decades after the founding of the PRC, the Communist government in Beijing

held the view that it was responsible for "overseas Chinese" and sought to protect their interests when they were seen to be persecuted. While Beijing no longer holds that view, it nevertheless continues to cultivate the favour of overseas Chinese communities, including through the UFWD. Overseas Chinese, in turn, have become much more diverse, especially in Canada, and while some have no interest in connecting with the PRC, there are many that still do. He said this is not necessarily sinister, comparing it to other ethnic groups, like the Irish diaspora or the Jewish community. Some members of the Chinese diaspora may be linked to the UFWD simply because of their connections to China, for example through clan associations, business groups, cultural organizations, and alumni bodies. He warned that there was a risk that new FI laws could criminalize apparently benign interactions, citing the recent prosecution in Australia of Sunny Duong, who was convicted of "planning or preparing an act of foreign interference".¹

- [12] Senator Woo's view is that the CCP is not interested in domestic Canadian legislation. He does not get lobbied by the PRC on gun legislation, for example, whereas he is frequently lobbied by American interests on that subject.
- [13] Instead, the goals of the UFWD in Canada are twofold. First, the CCP is completely intolerant of criticism of the legitimacy of the CCP's regime and of criticism touching on the "five poisons" [the independence of Tibet, the treatment of the Uyghur Muslim minority, Taiwan independence, Falun Gong, and the Chinese democracy movement].
- [14] Second, China's interest in Canada is mostly aimed at improving bilateral relations, for example on trade and investment issues. He doubted that the CCP has an interest in the outcome of Canadian elections, save a possible preference for leaders or representatives who are perceived as friendlier to China. He said promoting friendly relations with China was not inimical to Canadian interests, even if much of the FI discourse has framed it that way.

¹ <https://www.nytimes.com/2024/03/16/world/australia/foreign-interference-laws-sunny-duong.html>

4. The proper response to FI

- [15] Senator Woo has not seen evidence of interference in favour of particular political parties, leaders, or specific members of Parliament. His view is that much of the purported FI was from Canadian sources, and that there is a collective paranoia about PRC interference and a desire by politicians to weaponize FI. For example, he cited Chinese-language social media reporting in 2021 that then-Conservative leader Erin O'Toole "almost wanted to break diplomatic ties" with China. He said this was a quote from a former policy advisor to Stephane Dion and is a reasonable approximation of the Conservative Party's position in that election. There were numerous mainstream English language media reports to the same effect that came out well before the Chinese language social media posts.
- [16] Senator Woo agreed that the PRC has the ability to bring pressure to bear against Canadians with connections to China but said those levers are more likely to be used against Chinese "dissidents", like Falun Gong practitioners, than to be used to get an "ordinary citizen" to vote a particular way.
- [17] Asked whether the potential for coercion may create a chilling effect on the speech of the Chinese-Canadian community, he said that it probably does. However, he believes the much greater risk is that the Chinese Canadians will fear being stigmatized as foreign agents if they maintain their connections to China, hold views which align with Beijing, or support a less adversarial relationship between Canada and China.
- [18] Asked about Chinese-language media in Canada, Senator Woo said the conventional wisdom is that it is dominated by pro-PRC voices. He said that is likely accurate, and that many older generation Chinese-Canadians likely get their news through such sources. He noted, however, that holding views that are sympathetic to some PRC positions does not make those publications mouthpieces or proxies of the Chinese state. Furthermore, he said the overwhelming narrative in the English-language media is that China is a threat to Canada, and broadly "anti-PRC".

- [19] On Chinese-language social media, such as WeChat, there are large "zones of indifference," even in China, in which people are allowed to engage in vigorous debate about their concerns. Senator Woo acknowledged that criticisms of the PRC's leadership or a post about June 4, 1989, would likely be censored on WeChat, and that the "zones of indifference" are somewhat arbitrary and subject to change. From a Canadian perspective, these limits on free expression are problematic, but the space for discussion in China is not entirely closed off.
- [20] Senator Woo also said that Chinese-Canadians are not dupes or automatons who are easily influenced by PRC propaganda. People who grow up in an authoritarian society learn how to identify propaganda and how to work around censorship—they have a lot of "antibodies" against it. He acknowledged this situation does not reflect Canadian ideals of free speech. But he thought the impact was limited by the fact that Chinese-Canadians are sophisticated about identifying and responding to propaganda, precisely because they have "antibodies" against such.
- [21] Senator Woo agreed that some Chinese-Canadians, particularly those who are older or whose facility in English is not strong, would be more susceptible to self-censorship because of their experience growing up during the Cultural Revolution and fears for their family in China. But this would be a difficult problem to counteract. Those who grow up in authoritarian societies tend to view involvement in politics as a risky activity, and it will be hard to change those views. It would be more effective to focus on preventing the more egregious forms of FI, especially transnational repression (intimidation, harassment, coercion, etc.) against dissidents.
- [22] The more subtle forms of foreign influence would be better addressed by working with diaspora communities to build resiliency. Except in extreme cases, it is impossible to determine if a person's views are a result of their own autonomous decision-making or if they are the result of foreign influence. The danger is that certain issues become a litmus test for whether a person is seen as a Chinese agent or has been interfered with by the Chinese government. Senator Woo believes that loyalty tests are much more likely to chill or inhibit the expression of free speech in the Chinese-Canadian community than acts of foreign interference. Speaking about how he has been

stigmatized, Senator Woo observed that Chinese-Canadians will think that if a Canadian senator can be labelled a foreign agent for expressing his views, they could be subject to the same, or worse.

- [23] Senator Woo does not dispute the experience of Chinese-Canadians and others that the Commission has heard from thus far, namely people who have experienced transnational repression or who live in fear of intimidation by a Chinese agent or proxy. However, he said the Commission should also hear from the broader community of Chinese-Canadians who may have a different perspective. In his estimation, the majority of Chinese-Canadians are more worried about the stigmatizing effects of overzealous efforts to counter FI and the suppression of their civic and political rights, including during an election.
- [24] In his view, the narrative that the Commission has heard thus far is that much FI is done through "proxies", a word that was used a lot in testimony, but never clearly defined. It was said repeatedly that proxies could be found everywhere, including in business associations, cultural groups, NGOs, schools, and legislatures. This expansive understanding of foreign proxies is open to abuse since it begs the question of how we go about identifying such individuals. He heard witnesses insinuating that proxies can be identified essentially by the degree to which they hold views that are friendly to the PRC or which can be typecast as "CCP talking points". According to that view, one might be identified as a Chinese state proxy simply for disagreeing with the actions of democracy activists in Hong Kong, not supporting the Falun Gong, or questioning if the repression of Uyghurs in Xinjiang amounts to a genocide. One could even be stigmatized for having a "Mandarin-inflected accent", using a phrase that is deemed verboten, or asking honestly-held questions about Canadian foreign policy towards China. In Senator Woo's opinion, there is great danger in issues-based, litmus test FI detection, which is the approach that our intelligence agencies have encouraged, and many witnesses have adopted.
- [25] In his view, the Commission has heard from witnesses who suspect FI based on dubious assumptions. In his opinion, MP Jenny Kwan is a case in point. Senator Woo's understanding of her testimony is that she essentially identified people or organizations

as proxies on the basis that they had not invited her to community events. Senator Woo observed that there are many events in Vancouver to which he is also not invited, even though he is a senator of Chinese descent from British Columbia. There are many reasons why Ms. Kwan may not be on an invitation list, including that the leadership of certain organizations disagree with her politics or her views on China-related issues. It is not only unfair to label those organizations as CCP proxies on such thin evidence but also potentially very harmful to them because of the new criminal penalties under Bill C-70 on Countering Foreign Interference [which became law at the end of June 2024].

- [26] Senator Woo also disagrees with MP Kwan's contention that a WeChat post constituted PRC propaganda because it referred to a Chinese term she translated as meaning "Chinese nationals" (i.e. PRC citizens). In fact, the more conventional definition of that term is "Chinese people".² Placing so much weight on a term commonly used by Chinese Canadians and using it as a threat marker is prime example of the dangers of a litmus-test approach to FI.
- [27] In his view, the assumptions made about what constitutes Chinese proxies has to do with a failure to consult with a broader set of members of the community who, he believes, do not share this view.
- [28] Senator Woo stated that in the discourse about FI, Canadians are ignoring the influence of the United States. He is constantly being lobbied by US-aligned interests on various domestic public policy issues, including legislation that is before parliament. While this activity may not be state sponsored, it has a much bigger impact on the lives of Canadians. He believes that the influence of US state and non-state actors on Canadian politics and society is much more profound than any of the examples of FI that have been discussed so far during the inquiry.
- [29] Senator Woo said that Canada also tries to influence the decisions of other governments, sometimes with the help of Canadian "proxies". For example, in preparing for the upcoming US presidential election and its aftermath, the Government of Canada

² Foreign Interference Commission hearing transcript, Volume 9, April 3, 2024, p. 189.

has formed a "Team Canada" to act as a kind of "united front" to go across the US to influence important decision-makers. The goal of these efforts is to promote a healthy US-Canada relationship that is in Canada's interests — not unlike what China is attempting in Canada.

- [30] Senator Woo also wondered about how the actions of the PRC are being interpreted and reported. For example, he brought up the reporting that Michael Chong and Jenny Kwan were "targeted" by the PRC. He said it appeared that there was no interference that was brought to bear on them or their families, since they didn't even know they were being targeted until they were told by the security services in Canada. He also questioned what it meant to be "targeted." He said he has no doubt that the PRC kept a file on Michael Chong, as (he imagined) they (and other governments) might keep a file on him and other Canadian parliamentarians. But he questioned whether this was a hostile act or one that breached international protocol. He said that many Canadian embassies kept tabs on up-and-coming foreign politicians in terms of their connections to and views on Canada. As the CEO of the Asia Pacific Foundation, he would regularly exchange notes with Canadian diplomats on such individuals.
- [31] Senator Woo expressed the opinion that the Commission's initial report seemed to take intelligence reports at face value. He is of the view that there is a disconnect in the initial report between high level claims about an FI threat from the PRC and the actual examples given of presumed FI from China. On the one hand, he says, we are told that FI from the PRC is a pervasive, persistent, existential threat to Canada and its democratic institutions; on the other hand, the concrete FI examples from GE43 and GE44 are at best inconclusive in terms of attribution to a foreign state, and – in the case of Kenny Chiu and Erin O'Toole – cannot even be considered as cases of mis or dis-information. On this point, he is of the view that the Commission has not looked at the intelligence reports critically or considered adequately the damage that can be done if flawed intelligence is taken at face value and acted upon. He is also of the view that the Commission has failed to look at the problem of intelligence leaks and the role of self-serving media in generating public anxiety over FI based on those leaks.

5. On Bill C-70

- [32] In Senator Woo's view, Bill C-70 is an improvement on the *Foreign Influence Registry Act* (Bill C-282) proposed by then-MP Kenny Chiu in 2021. The current bill has benefited from a consultation process, to which he contributed.
- [33] Senator Woo was pleased that the proposed foreign influence transparency registry in C-70 is country-agnostic and that any oversight in registration is subject to administrative penalties rather than criminal prosecution. A third improvement is the use of the term "arrangements" with a foreign state as the criteria for registration rather than the more ambiguous term "related entity", which was proposed by Mr. Chiu. He is, however, concerned about the use of the term "in association with" as one of the definitions of "arrangements", and fears that it could cover a very wide range of individuals and organizations, resulting in serious unintended consequences. He is also concerned about the use of "in association with" in the new criminal offences under C-70 related to Foreign Political Interference and worries that it will lead to a chill in political participation by diaspora communities.

6. On Chinese-language social media

- [34] On the issue of FI through social media, Senator Woo is of the view that we should be as concerned about content as we are with provenance. Accurate content from a state source or even a robot may be annoying, but it is less problematic in terms of threats to our democracy. Such content must be contrasted with blatant disinformation.
- [35] Senator Woo is of the view that we have few options to deal with the problem of foreign-controlled social media. One option is to ban WeChat, as some politicians have suggested. However, WeChat is ubiquitous in Chinese communities; it is also a lifeline for many users because of its functionality as an information, communications, social networking, and payments platform. We would be misguided if we thought users were not aware of the risks of censorship and self-censorship. Users know how to navigate social media in authoritarian environments and are not blind to what is happening.

- [36] In his view, the best antidote is education for a more informed social media-literate population, which would help counter disinformation from any source, including non-Chinese platforms.

7. On nomination processes

- [37] Senator Woo is of the view that it is unacceptable for foreign governments to interfere in any part of the electoral process, including nominations. But nomination processes have been fraught with controversy for years, even without the FI factor. There has long been discussion about how nomination contests are gamed, with the bussing of supporters from a particular ethnic community to a nomination vote being a common complaint. Foreign governments should not be allowed to pay for busses (if indeed they have), but we are not going to solve the problem of block voting by focusing on FI, in his opinion.
- [38] Major political parties are willing accomplices to the current practices around nomination contests. They have previously declined oversight of nomination contests by Elections Canada, preferring instead to self-regulate. It is unacceptable for a foreign government to intervene in nomination contests, but removing FI from the equation will not get rid of nomination controversies, which continue to arise frequently.

8. On FI reporting mechanisms

- [39] Senator Woo expressed the opinion that older members of the Chinese diaspora, in particular those who may not speak French or English, may be fearful of communicating with a security or intelligence agency. It is not just a matter of language but also a matter of trust – if you are from China the last thing you want is to have a visit from a national security or intelligence officer.
- [40] Senator Woo also expressed the added problem that intelligence agencies may hear only what they want to hear. For example, a Chinese Canadian who is opposed to Erin O'Toole's 2021 election platform on China will be reluctant to express such a sentiment because intelligence agencies have in effect labeled such views as emanating from a foreign source and tantamount to foreign interference. The Commission will face the

same problem if it gives credence to the intelligence assertion that harsh criticism of the Conservative party's 2021 election stance on China is based on disinformation and likely the work of foreign agents or their proxies. As a result, intelligence agencies will hear about allegations of foreign agents and their proxies but are highly unlikely to hear from members of diaspora communities about the suppression of their political and civic rights due to overzealous efforts to identify foreign interference.

- [41] Based on his reading of the intelligence assessments of the Kenny Chiu and Erin O'Toole incidents, Senator Woo expressed doubts about the quality and impartiality of CSIS intelligence analysis on China related matters. He provided a critique of the Kenny Chiu and Erin O'Toole intelligence reports to Commission Counsel, dated 6 February 2024.