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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

Interview Summary: The Honourable Mélanie Joly*

The Honourable Mélanie Joly was interviewed by Commission counsel on February 28, 2024. The interview was held in a secure environment and referenced classified information. This is the public version of the classified interview summary that was entered into evidence in the course of hearings held *in camera*. It discloses evidence that, in the opinion of the Commissioner, would not be injurious to the critical interests of Canada or its allies, to national defence or to national security.

Notes to Readers:

- Text contained in square brackets are explanatory notes provided by Commission counsel to assist the reader.

1. Background

[1] Minister Joly has held the following cabinet positions since being elected in 2015:

- Minister of Canadian Heritage, from November 4, 2015, to July 18, 2018;
- Minister of Tourism, Official Languages and La Francophonie, from July 18, 2018, to November 20, 2019;
- Minister of Official Languages and Minister of Economic Development, from November 20, 2019, to October 26, 2021;
- Minister of Foreign Affairs since October 26, 2021.

* Translation.

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2. Role of the Minister of Foreign Affairs

- [2] The role of the Minister of Foreign Affairs includes promoting and protecting the interests of Canada at the international level. The Minister also ensures compliance with the Vienna Convention on Diplomatic Relations in Canada. She is also responsible for managing any diplomatic issues that may affect the interests of Canadians.

3. Geopolitical Situation and Foreign Interference

- [3] Minister Joly pointed out that there is a security crisis at the international level, with certain countries testing the rules that have ensured global stability since they were established after the Second World War. According to the Minister, these countries are “testing democracies,” and Canada must act. Canada’s foreign policy is rooted in the protection of sovereignty principles while using pragmatic diplomacy.
- [4] First, Canada is committed to protecting its territorial sovereignty and democracy. The Minister identified Canada’s Indo-Pacific Strategy, which recognizes China’s growing global influence and describes Canada’s approach to countering foreign interference activities, specifically those from China. Regarding the protection of Canada’s democracy, the Minister stated that one of the major challenges Canada faces is the rise of online disinformation as a vector for foreign interference. According to her, our response to this form of interference must also evolve.
- [5] Second, Canada is committed to pragmatic diplomacy, which involves using proactive and direct dialogue on the international stage, even with countries that adopt positions contrary to those of Canada.
- [6] Minister Joly explained that when she became Minister of Foreign Affairs in 2021, diplomatic relations between Canada and China were at their lowest. Specifically, Michael Kovrig and Michael Spavor had just been released after a long period of being arbitrarily detained by China. Soon after being appointed, Minister Joly was tasked with managing a situation relating to Ukraine that would eventually turn into a war, following Russia’s invasion of that country. While the Minister recognized foreign interference as

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an important issue that has always existed, she said it was not on the agenda at that particular time.

- [7] Minister Joly indicated that, prior to the spring of 2023, no incidents of foreign interference in elections or democratic processes had been brought directly to her attention.

4. Distinction Between Influence and Interference

- [8] Canada's proactive dialogue on the international stage inevitably involves some degree of influence. However, the Minister stressed the importance of distinguishing between foreign influence and foreign interference.
- [9] Foreign interference is a hostile activity undertaken by a foreign state, or its proxies, that is purposely covert, malevolent, clandestine and deceptive. Influence, on the other hand, includes activities by a foreign state, or its proxies, undertaken in an open and transparent manner for the legitimate purpose of shaping Canadian government policy. In other words, influence is the hallmark of diplomacy, according to Minister Joly.

5. Tools to Counter Foreign Interference

Diplomatic Measures

- [10] A Minister of Foreign Affairs does not have the mandate to monitor or ensure that diplomatic representatives comply with Canada's security rules. Rather, it is the responsibility of the Royal Canadian Mounted Police ("RCMP") and Canadian Security and Intelligence Service ("CSIS") to protect national security.
- [11] Minister Joly intervenes when credible information regarding a potential violation of the Vienna Convention on Diplomatic Relations or potential foreign interference activities is brought to her attention. The Minister has a range of diplomatic measures at her disposal. These include approaching or summoning an ambassador, imposing economic sanctions, refusing to grant a visa to an individual and even revoking the visa of a diplomatic representative. This last measure is equivalent to declaring this diplomat

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persona non grata. As a result, this person would lose diplomatic protection and be required to leave Canada within a short period of time.

- [12] Choosing the appropriate diplomatic measure involves a number of considerations and interests. First, Minister Joly explained that for any action she might take against a foreign state, she must anticipate a reciprocal response from that state against Canada. Second, she must assess the potential impacts of the proposed diplomatic measures. These impacts include the consequences for the safety of Canadians and Canadian diplomats abroad, for international trade, for employment, for investment in Canada and for Canada's bilateral relations with the state to which the measure applies.

Rapid Response Mechanism Canada and Public Attribution

- [13] As with diplomatic measures, Minister Joly explained that Rapid Response Mechanism Canada ("**RRM**") contributes to countering foreign interference in democratic processes. Specifically, this mechanism helps detect online disinformation campaigns, which have increasingly become vectors for foreign interference. According to Minister Joly, this is Canada's best mechanism for identifying trends or any coordinated action in the digital sphere. In this respect, in 2023, RRM detected a social media disinformation campaign against Michael Chong. The Canadian public was informed of this matter, as was Mr. Chong through a Global Affairs Canada briefing. Alongside the Netherlands, Canada also co-chaired the process leading to the launch of the Global Declaration on Information Integrity Online, which directly addresses the issue of the spread of disinformation online.
- [14] Canada was also able to detect a "Spamouflage" campaign targeting the Instagram accounts of 47 Members of Parliament and publicly attribute the campaign to its author. Minister Joly explained that, in a number of democracies, Spamouflage is a growing trend whereby automated tools create fake accounts in order to boost the number of comments on a user's social media post. A similar trend has been observed in elections in the U.S. and in France. The Minister added that public attribution is of course a carefully considered measure taken only on the basis of credible, corroborated facts.

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6. May 2023: Media Leak of Classified Information and Aftermath

- [15] In early May 2023, a media leak brought to light the allegation that Zhao Wei, a Chinese diplomat in Canada, had violated his diplomatic obligations. Minister Joly immediately requested and obtained information on the matter from CSIS. The Chinese ambassador to Canada was approached. The possibility of declaring Zhao Wei persona non grata was evaluated and ultimately imposed as a sanction. Minister Joly stressed that she expected such a decision to prompt a strong reaction from China, possibly even the expulsion of Canadian diplomats in China. Having such a situation as a possible consequence would pose a major problem and put Canada at a disadvantage. This was just one of many concerns that Minister Joly needed to deal with at the time.
- [16] The Minister was fully aware of the situation with Zhao Wei and that it was important for Canada to clearly define its “red line.” She ultimately recommended the expulsion of the diplomat. China responded by expelling Canada’s consul in Shanghai.
- [17] In mid-May 2023, following the expulsion of Zhao Wei, and in response to other media leaks regarding foreign interference, Minister Joly attended a meeting with the Clerk of the Privy Council, CSIS officials and other ministers. Minister Joly asked CSIS to provide a true picture of the situation to help her manage any diplomatic consequences. During this meeting, the Minister asked CSIS officials whether a list of diplomats likely to be declared persona non grata had been forwarded to Global Affairs Canada.¹ One CSIS official stated that they would look into this. To date, the Minister has not received any such list.

7. India

- [18] Minister Joly explained that Global Affairs Canada only informed her of India’s foreign interference activities following the media leak in the spring of 2023. It has long been

¹ CAN017676.

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known, however, that India accuses Canada of sympathizing with pro-Khalistan separatists.

8. Flow of Information

- [19] As Minister of Foreign Affairs, Minister Joly is generally briefed twice a month on international issues or conflicts, with the aim of positioning Canada optimally in its bilateral or multilateral relations. The Minister noted she also regularly receives a briefing before leaving on an international diplomatic mission. In emergency situations, she also receives intelligence on an ad-hoc basis, as needed.
- [20] Prior to her position as Minister of Foreign Affairs, Minister Joly was not exposed to classified information and, specifically, intelligence on foreign interference. Her current cabinet team is generally briefed twice a week by her ministry's intelligence department. Director General of Intelligence at Global Affairs Canada, Philippe Lafortune, and his team prepare the information contained in these briefings. Since March 2023, specific intelligence about foreign interference in Canada has been provided to the Minister, including through CSIS products. Minister Joly does not, however, have a direct relationship with CSIS or Communications Security Establishment Canada unless she requests it. The Minister also mentioned that, in recent months, a new Director position has been created within her cabinet to address these issues.