

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 fédérales

## Interview Summary: Royal Canadian Mounted Police (Commissioner Michael Duheme and Deputy Commissioner, Federal Policing, Mark Flynn)

Senior officials from the Royal Canadian Mounted Police (“**RCMP**”) were interviewed in a panel format by Commission Counsel on June 18, 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 hearings held *in camera* in July and August 2024. It discloses the evidence 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. It does not include information in relation to potential ongoing RCMP investigations.

### Notes to Reader:

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

## 1. Witnesses

- [1] Michael Duheme was appointed the Commissioner of the RCMP in March 2023. Before assuming his current role, he was Deputy Commissioner, Federal Policing (June 2019 – March 2023), and Commanding Officer, National Division (September 2016 – June 2019).
- [2] Mark Flynn began his role as Deputy Commissioner for Federal Policing in March 2023. Before assuming this role, he was the Assistant Commissioner responsible for Governance and Oversight of the RCMP Federal Policing National Security and Protective Policing Programs (December 2020 – March 2023), and Director General for Federal Policing Cybercrime and Financial Crime programs (2019 – December 2020).

UNCLASSIFIED

## 2. Foreign Actor Interference vs Foreign Interference

- [3] The interviewees provided their thoughts on whether there is a common understanding of what constitutes foreign interference (“**FI**”) within the RCMP, and more broadly within the Government of Canada. Deputy Commissioner Flynn explained that the RCMP refers internally to FI as FAI for historical reasons, but noted that the two expressions should be understood as synonymous. He opined that the Government of Canada’s Security and Intelligence (“**S&I**”) Community – of which the RCMP is a part – has a common understanding of what constitutes FI. In his view, the different definitions of FI used within the Government of Canada stem from the need for every agency to fit the definition within their respective authorities, rather than from a more profound disagreement as to what constitutes FI. As an example, he noted that the RCMP’s use of the term FAI reflects the RCMP’s public safety mandate.

## 3. Threat Landscape

- [4] Commissioner Duheme remarked that FAI has become an increasingly important priority for the RCMP over the years.
- [5] With reference to a deck dated April 2023 prepared by Federal Policing National Security, Commission Counsel asked if the FAI threat actors referenced remained the most prevalent. Deputy Commissioner Flynn indicated that the People’s Republic of China (“**PRC**”), Iran, Russia and India are currently the most significant threat actors of FAI in Canada. Other countries have also been involved in FAI, but to a lesser extent. From a cyber-perspective, North Korea, Russia and the PRC have been, and continue to be, major threat actors. Finally, Deputy Commissioner Flynn spoke to a recent FAI incident involving another country.
- [6] Commissioner Duheme noted that this threat landscape assessment was consistent with those of Canada’s Five Eyes Partners.

## UNCLASSIFIED

## 3.1. PRC

- [7] Deputy Commissioner Flynn confirmed that two of the most prevalent forms of PRC FAI are transnational repression and theft of intellectual property.<sup>1</sup> He remarked that PRC “Overseas Police Stations” (“**OPS**”) are a good example of the former.
- [8] Deputy Commissioner Flynn explained that incidents of transnational repression are likely underreported for two reasons. First, members of the Chinese diaspora community typically believe that the PRC will somehow know if they contact law enforcement about illegal activities and fear retaliation (e.g. visas being denied, family member losing employment in the PRC, etc.). Members of the Chinese diaspora are therefore often reluctant to come forward to the RCMP with concerns. Second, there is a trust gap between diaspora communities and law enforcement which the RCMP is continually trying to address. To bridge this gap, the RCMP has increased its publicly visible presence within diaspora communities who suffer from PRC transnational repression. Deputy Commissioner Flynn pointed to the RCMP’s response to PRC OPS as an example. The RCMP sent officers in uniform<sup>2</sup> to known PRC OPS in Canada to demonstrate to the community that the RCMP took this issue seriously and to build trust within the community. Deputy Commissioner Flynn said that this approach, despite not yet resulting in criminal charges, had an impact. The RCMP is now receiving more calls from within the Chinese community.
- [9] Further, Deputy Commissioner Flynn noted that the RCMP’s ranks include officers of all different ethnic backgrounds. The RCMP has a broad base of language skills and are able to meet operational needs, but there are significant capacity issues in some languages that impact operational timelines.

---

<sup>1</sup> CAN045033, p. 9.

<sup>2</sup> Typically, those in Federal Policing are not in uniform.

## UNCLASSIFIED

### 3.2. Iran

- [10] Deputy Commissioner Flynn confirmed that the most significant FAI threat posed by Iran is transnational repression. The RCMP is aware that Iran targets Canada-based relatives of Flight PS752 victims to discourage them from criticizing the state. The targeting is multifaceted in nature. This requires the RCMP to take a layered approach in dealing with and protecting PS752 victims and their families.

### 3.3. India

- [11] Deputy Commissioner Flynn remarked that India's FAI threat activities range from mis- and disinformation campaigns to the types of activities described by Assistant Commissioner David Teboul in the May 3, 2024 RCMP press conference regarding the arrest of suspects. These types of activities are under active investigation, including investigating connections to the Government of India, separate and distinct from the Integrated Homicide Investigation Team investigation. Mr. Flynn reported that the RCMP is actively monitoring the environment for potential threats to members of the Sikh community.

### 3.4. Another country

- [12] Commissioner Duheme and Deputy Commissioner Flynn agreed that another country's FAI threat activities are much less prevalent than those of the PRC, Iran and India. Deputy Commissioner Flynn added that these FAI threat activities are primarily related to transnational repression of dissidents.

## 4. Specific Criminal Investigations

### 4.1 Michael Chong

- [13] Deputy Commissioner Flynn indicated that MP Michael Chong had publicly reported that he and his family were intimidated due to his position and the opinions he had expressed regarding the PRC. As intimidation is a criminal offence under the *Criminal*

## UNCLASSIFIED

*Code*, the RCMP proactively opened a criminal investigation. Deputy Commissioner Flynn confirmed that the file had been closed on December 13, 2023, but mentioned that broader FAI work has not been concluded and that all of the work that is undertaken in discrete investigations is utilized in this broader effort.

## 4.2. Other Criminal Investigations

### 4.2.1. FAI Investigations and Parliamentarians

- [14] Commission Counsel asked the RCMP whether either CSIS or CSE had shared information with the RCMP regarding allegations of current or former Parliamentarians engaging in conduct that could amount to a criminal offence and whether the RCMP has any investigations targeting sitting or former MPs. It was agreed these matters would be discussed at a later time.
- [15] Deputy Commissioner Flynn explained that criminal investigations involving certain public institutions or individuals, such as politicians, must be pre-approved by the Assistant Commissioner, Federal Policing National Security (“**ACFPNS**”) through a Sensitive Sector Request (“**SSR**”), in recognition that such investigations may negatively impact a fundamental institution of Canadian society.<sup>3</sup> In addition to politics, other sensitive sectors include religious institutions, media, academia and trade unions. When launching an investigation into an MP (as an example), the RCMP SSR request includes operational details about investigative steps being proposed and the approving authority considers several discreet factors, such as necessity of the technique/proposed next steps; the impact that the proposed steps may have on the subject of investigation, including unintended consequences; and the potential for mitigation of harm. It is important to note that the analysis is necessary, not to shield subjects from investigation, but is intended to ensure that the investigative steps are carried out in a manner that does not ignore the fact that some investigative steps can

---

<sup>3</sup> SSRs were also described in Deputy Commissioner Flynn’s Stage 1 *in camera* interview with Commission Counsel.

## UNCLASSIFIED

actually cause harm that is not proportional or justified and that the public interest can be harmed. The RCMP undertook to provide the Commission with the SSR policy.<sup>4</sup>

- [16] Deputy Commissioner Flynn gave an example of a SSR. During the time Deputy Commissioner Flynn was ACFPNS, the RCMP was contemplating investigating individual(s) suspected of intellectual property theft on behalf of a foreign state in the academic context. The nature of this type of investigation triggered the need for a SSR, which had to be approved by Deputy Commissioner Flynn before the RCMP could formally take certain steps in the investigation. Deputy Commissioner Flynn considered factors in the authorization such as the recency of the information and the impacts an investigation would have on the targets. Deputy Commissioner Flynn determined that the level of confidence in their involvement in criminal activity was insufficient in comparison to the harm that would likely be caused. After careful consideration, Mr. Flynn decided to refuse the SSR and to direct the investigators to continue the investigation using other means.

#### 4.2.2. Nexus between FAI activities and Criminal or Community Organizations

- [17] Deputy Commissioner Flynn explained that there is a strong nexus between FAI and organized crime. Often, foreign states use criminal networks as intermediaries to hide their FAI activities.
- [18] Deputy Commissioner Flynn added that the PRC also uses certain community organizations as intermediaries to hide their FAI activities. Direct tasking is often unnecessary because the wishes of the PRC are widely understood, as are the

---

<sup>4</sup> The 2003 Ministerial Direction on National Security Investigations in Sensitive Sectors guides the conduct of national security criminal investigations. Per the Ministerial Direction, a SSR must be submitted to Federal Policing National Security in all national security criminal investigations that either require approval, or notification for any of the proposed investigative activities, tools or techniques as they related to the sensitive sectors of academia, politics, religion, media and trade unions. The Assistant Commissioner or Executive Director of Federal Policing National Security is responsible for the approval of the proposed investigative activity, tool or technique that has an impact, or appears to have an impact, on a sensitive sector of Canadian society when the sensitive sector institution itself is the primary focus of the investigation. When the sensitive section institution is the primary focus of the investigation the investigating divisions would complete the designated request form.

## UNCLASSIFIED

negative consequences of not complying. Sometimes individuals are unwillingly forced to act on behalf of the PRC to accomplish FAI activities. For Deputy Commissioner Flynn, this highlights one of the main challenges with which the RCMP has to contend when dealing with Chinese diaspora communities in Canada. While the RCMP may have good reasons to suspect some people of illegal FAI activities, it does not want to further marginalize these communities and recognizes that these communities are the victims of the FAI activity and more needs to be done to protect them from possible vilification.

### 4.2.3. PRC Overseas Police Stations

[19] Deputy Commissioner Flynn explained that PRC OPS have a hybrid purpose. Some locations where PRC OPS operate offer other services. However, they also conduct illegitimate activities such as spying on these same diaspora communities. As Deputy Commissioner Flynn put it, “transnational repression occurs where members of diaspora groups are going to be.” Deputy Commissioner Flynn explained that the RCMP investigated PRC OPS in an effort to stop illegitimate activities. Commissioner Duheme remarked that the RCMP is being civilly sued for having done so. Deputy Commissioner Flynn acknowledged that the legitimate services being offered at some locations have been impacted, however, none of the actions taken by the RCMP prevent those services from continuing.

## 5. Challenges to Detect, Deter, and Counter FAI

### 5.1. Legislation

[20] Commission Counsel asked the interviewees to comment on the May 26, 2023 RCMP’s *Federal Policing: Foreign Actor Interference (FAI) Strategy* which identified that, at that time, FAI threats were inconsistently captured in Canada’s legislation and regulations. This was identified as one of the challenges for the RCMP in countering FAI.<sup>5</sup> Deputy

---

<sup>5</sup> CAN019675, p. 12-13.

## UNCLASSIFIED

Commissioner Flynn replied that a number of these challenges would be remedied by Bill C-70 (the “**Bill**”).

- [21] In Deputy Commissioner Flynn’s view, the *Foreign Influence Transparency and Accountability Act* (the “**Act**”), created through the Bill, will help the RCMP by facilitating, as the title suggests, more transparency. If individuals or entities conducting activities on behalf of a foreign state do not provide the prescribed information, in cooperation with the Foreign Influence Transparency Commissioner, the registry created by the Act will provide the RCMP with a new, valuable source of information when investigating offences with suspected FI elements. Deputy Commissioner Flynn thus saw the registry as a means by which investigations could progress or be launched at an earlier stage than is currently possible. The registry is an added tool to prove the “deception” element of the new *Security of Information Act* (“**SOIA**”) offences. Deputy Commissioner Flynn noted, however, that no individual law or policy will solve the problem of FI and we need to be agile as the environment changes.
- [22] Additionally, the Bill creates a number of amendments to *SOIA*. When asked about these amendments, Deputy Commissioner Flynn opined that the adoption of *SOIA* s. 20.1 would be useful as it would broaden the RCMP’s jurisdiction by adding an extraterritoriality dimension that it lacked previously for certain offences. Further, he opined that, given the broad vocabulary used in *SOIA* s. 20.4, it could apply to individuals who covertly influence lower levels of government, such as school boards. He welcomed this new authority since foreign states typically develop proxies over a long period of time, in the hopes that they move “up the ranks”, from local to provincial or national politics.
- [23] Deputy Commissioner Flynn hoped that some of the new criminal offences introduced by Bill C-70 will assist the RCMP in pursuing new criminal investigations into FAI threat activities.



UNCLASSIFIED

## 5.2. Resource Allocation

- [24] Deputy Commissioner Flynn explained that the RCMP conducts its work through three broad mandates. The first and largest mandate is Contract and Indigenous Policing, under which it provides policing services to all provinces and territories, except Ontario and Quebec, and to Indigenous communities, through contracts negotiated between the federal government and the provinces and territories. The second mandate is Specialized Policing Services, which provides critical frontline operational support services to the RCMP as a whole and to its partners across law enforcement and criminal justice communities. The third mandate is Federal Policing, which makes the RCMP responsible for investigations relating to national security, transnational and serious organized crime, financial crime and cybercrime.
- [25] Deputy Commissioner Flynn explained that, as highlighted in an August 2023 NSICOP report,<sup>6</sup> historically, the RCMP's Federal Policing budget resources were consistently displaced to fund other organizational priorities, most notably Contract and Indigenous Policing. One of the reasons for this was that the Commanding Officer in each division was responsible for, among other things, implementing national policing strategies set out by the RCMP. In practice, the RCMP noted that divisions tended to prioritize the Contract and Indigenous Policing mandate over the Federal Policing mandate, in part because of each division's close proximity with provinces and territories.
- [26] To correct this situation, the RCMP is transforming the Federal Policing program. One of the first steps was the establishment of a regional model. The regional model ensures that all federal resources are reporting through a federal policing chain of command. This aligns authority and accountability. This regional command structure will also ensure that resource management needs of the Federal Policing program are met.
- [27] Deputy Commissioner Flynn explained that a FAI Team was created around 2020, first informally, and then formalized once funding was received. Prior to funding being received for the FAI Team, it was created through the reallocation of resources within

---

<sup>6</sup> NSICOP, *Special Report on the Federal Policing Mandate of the RCMP*, August 14, 2023.

## UNCLASSIFIED

the RCMP. The general responsibilities of the FAI Team were part of the National Security program prior to its formal establishment. Among its mandates, the FAI Team is responsible for educating police officers on FAI threats.

- [28] Commissioner Duheme noted that the repurposing of resources within the organization is not uncommon when initially responding to a new trend. Resources are prioritized based on the trends the RCMP sees. Now the RCMP is at a point where a level of specialization in FAI is required. Deputy Commissioner Flynn explained that shifting some resources from more general national security work into the FAI Team allows for expertise and specialization to develop and in a more efficient way.
- [29] Deputy Commissioner Flynn mentioned that Budget 2023 allocated \$48.9M over three years to the RCMP to help counter Hostile Activities of State Actors. Nonetheless, the need for dedicated FAI-related resources exceeds capacity and is growing. The volume of complaints and the need for additional resources is expected to significantly increase. Deputy Commissioner Flynn indicated that the RCMP does not have sufficient resources to fully meet the depth of its mandate. Consequently, the RCMP prioritizes its work based on the threat posed by various activities.
- [30] Deputy Commissioner Flynn emphasized the high human cost of policing and its impact on the mental and physical health of RCMP employees, providing examples in this regard. The RCMP makes significant efforts to combat threats to Canada's National Security and otherwise fulfill the Federal Policing mandate.
- [31] Deputy Commissioner Flynn mentioned that investigating FAI-related offences can sometimes be more challenging when investigations reveal large volumes of information in another language. Mr. Flynn explained that there are times when the need to do translation work significantly slows the pace of an investigation.
- [32] Commissioner Duheme indicated that while the RCMP does not generally monitor the online environment for mis- and disinformation, in certain investigations that involve specific activity, the RCMP will gather evidence in the online environment. Also, instances of such activity could be reported to the RCMP.

UNCLASSIFIED

### 5.3. Intelligence to Evidence

- [33] Deputy Commissioner Flynn explained that FAI criminal investigations often cross into the national security space given that FAI activities include allegations of election interference, espionage and state-backed harassment or intimidation. For this reason, the RCMP's criminal investigations often rely on intelligence that is received from domestic and international partners.
- [34] In this context, Deputy Commissioner Flynn assessed that one of the main challenges for the RCMP is addressing what is referred to as the "intelligence to evidence" ("**I2E**") problem. Although significant steps in addressing this challenge have already been taken by the RCMP, namely through the implementation of the One Vision framework, Deputy Commissioner Flynn believed that improvements in this area are still needed and that given it is a complex problem, we need to look for the hard solution.
- [35] Deputy Commissioner Flynn expressed the hope that the Public Inquiry into Foreign Interference would offer solutions to mitigate the I2E challenge.

### 5.4. Alternatives to Criminal Prosecutions

- [36] Deputy Commissioner Flynn explained that criminal prosecutions are not the RCMP "gold standard" of threat mitigation and that Canada cannot "police its way out of all problems". Instead, increasing importance is placed on enhancing public safety through whatever means are most efficient and appropriate. For example, disruption measures [which may include regulatory sanctions, financial intervention, and/or immigration inadmissibility, etc.<sup>7</sup>] may be employed. This is particularly true in the FAI context where suspected individuals often leave Canada before criminal investigations can result in prosecutions. The RCMP's goal is to disrupt, dismantle and hold accountable. That goal may be accomplished through traditional investigation and prosecution. Where that is not possible or not an efficient use of resources, Deputy Commissioner Flynn said that

---

<sup>7</sup> CAN019675, p. 13.

## UNCLASSIFIED

the RCMP must look for other opportunities to reduce the threat to public safety and pursue those with equal vigor.

- [37] Shifting away from criminal prosecution is a significant cultural change for the RCMP and this is reflected in the metrics the RCMP uses to evaluate the successes of its operations. Most Departmental Performance Reporting (“**DPR**”) was historically centered on prosecution statistics, which incentivized police officers to focus their energy on closing investigations. *Uniform Crime Reporting (UCR)*, a statistical system used to assess police department performance is an example of this. Deputy Commissioner Flynn noted that the RCMP is looking at other metrics to take better consideration of disruption measures and other activities aimed at enhancing public safety other than through criminal prosecution. However, Deputy Commissioner Flynn acknowledged that this is difficult given assessing effectiveness of these measures is a qualitative exercise.

### 5.5. Information Sharing with the S&I community

- [38] Deputy Commissioner Flynn explained that, in addition to other meetings, the RCMP meets with CSIS at least once a week on average to attend Strategic Case Management meetings as part of the One Vision framework.
- [39] Commissioner Duheme noted that the RCMP officials also meet weekly with members of the S&I community through a number of committee meetings: Deputy Ministers Committee on Operational Coordination (“**DMOC**”), Assistant Deputy Minister National Security Operations Committee (“**ADM NS OPS**”), Assistant Deputy Minister National Security Tactical Committee (“**ADM NS Tactical**”), among others.

### 5.6. Information Sharing within the RCMP

- [40] Deputy Commissioner Flynn discussed the difficult balancing act between granting every investigator access to “closed files” that contain classified/sensitive information and the “need-to-know” principle. He explained that the RCMP uses a system to restrict access to specific files, called the “Access Control List” (“**ACL**”) when there is significant risk of compromise if the information is too broadly known. Very few RCMP units have

## UNCLASSIFIED

unfettered access to all restricted files. Deputy Commissioner Flynn explained that when analysts need to access files for which they do not have authorization, they may make a request. He stated that although this balancing is not perfect, if a unit needs access to a file, the situation gets rectified. It was recognized that this limit to information sharing within the RCMP might be perceived to hinder some FAI-related criminal investigations, which typically rely on sensitive intelligence that is collected over a long period of time and may be relevant to multiple distinct investigations, but that systems are in place to minimize that and to strike the appropriate balance of risk.

## 6. Engagement with the Public and Diaspora Communities

- [41] Commissioner Duheme acknowledged that FAI often targets those that fear reporting incidents to the RCMP. Targeted communities, human rights defenders or political dissidents may choose not to report instances of harassment and intimidation due to threats of physical harm or death to either themselves or family members who are still in a third country. Witnesses or complainants may refrain from providing statements to investigators that could be detrimental to foreign entities for fear of reprisal. FAI investigations are also complicated by the fact that some members of diaspora communities may be victims, witnesses *and* perpetrators of threat activities. Certain public, private or governmental entities may refrain from reporting cybercriminal and ransomware attacks, or theft of intellectual property, proprietary technology and research for fear of reputational damage.<sup>8</sup> Whatever the cause, this impedes the RCMP's ability to attain and maintain visibility on FAI-related threats and criminal activities.
- [42] To combat these challenges, Commissioner Duheme explained the RCMP conducts outreach, training and engagement with police of jurisdiction to bolster their awareness of FAI activities and cultural realities of targeted diaspora communities.

---

<sup>8</sup> CAN019675, p. 17.