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In Camera Examination Summary: Martin Green, Lisa Ducharme

Commission Counsel examined senior officials from the Privy Council Office (“**PCO**”) Intelligence Assessment Secretariat (“**IAS**”) during in camera hearings held in July and August 2024. Counsel for the Attorney General of Canada appeared on behalf of the Government of Canada and had the opportunity to examine the witnesses. The hearing was held in the absence of the public and other Participants. This summary discloses the evidence that, in the opinion of the Commissioner, would not be injurious to critical interests of Canada or its allies, national defence or national security.

Notes to Reader:

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

1. Examination by Commission Counsel

- [1] The witnesses confirmed the accuracy of the summary of their interview and adopted its content as part of their evidence before the Commission.

1.1 Function and Role of IAS

- [2] Martin Green was the Assistant Secretary to the Cabinet for IAS. He retired effective July 5, 2024. IAS has an extensive remit, but its primary function is to provide strategic foreign intelligence assessments to the Prime Minister, Cabinet and senior decision-makers. These assessments come in many formats ranging from short to long. They produce a short daily foreign intelligence brief (“**DFIB**”), as well as national intelligence assessments, which can be quite lengthy and have peer-reviews built into them. Different assessment products undergo different production processes. If IAS is responding to a quick question from a senior leader, it can result in a half-page

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response. By contrast, other reports that cover much broader topics can be quite lengthy. IAS also conducts oral briefings and prepares placemat-style products to use in those briefings.

- [3] IAS performs a coordination function with other intelligence assessment shops at Canada's core intelligence agencies, including the Canadian Security and Intelligence Service ("**CSIS**"), the Communications Security Establishment ("**CSE**"), the Canadian Forces Intelligence Command ("**CFINTCOM**" or "**CFINT**") and Global Affairs Canada ("**GAC**"). It also engages with intelligence assessment counterparts within the Five Eyes alliance. IAS participates in an annual meeting of intelligence assessment shops within the Five Eyes called the Heads of Assessment. The country that chairs and hosts the Heads of Assessment forum rotates every year. Mr. Green described the Heads of Assessment as an extraordinarily valuable instrument.
- [4] Mr. Green explained that there are a number of training bodies attached to IAS, including the Canadian Academy of Intelligence Analysis and the Intelligence Analyst Community of Practice. Mr. Green explained that these organizations, which mirror efforts in other countries, represent an effort to bring standardization, continuous learning, and explore best practices within the intelligence assessment community.
- [5] Lisa Ducharme is the Director of Operations for IAS. As Director of Operations, she handles day-to-day operational needs at IAS and supported Mr. Green in his role, filling in and approving intelligence assessments in his absence. It is her role to support the intelligence function of IAS to ensure that it has the tools, capabilities, and information required to fulfill its mandate, and to make sure that products are disseminated to the clients who are supposed to receive them. She also manages the finances and human resource aspects of IAS.
- [6] Ms. Ducharme clarified that the Canadian Academy of Intelligence Analysis provides the broader intelligence community with leadership for the training of intelligence analysts in critical thinking. She also explained that the Intelligence Analyst Community of Practice looks at standardizing things like recruitment, intelligence analyst development in competencies, and tradecraft standardization.

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- [7] Ms. Ducharme also chairs the Director Generals Intelligence Assessment Coordination Committee (“**DG IAC**”), which supports the Assistant Deputy Ministers Intelligence Assessment Committee (“**ADM IAC**”), chaired by Mr. Green. ADM IAC usually approves intelligence products that are going to the Deputy Minister level and Cabinet. The DG IACC plays more of a coordinating function for enterprise issues, including the advancement of the assessment community writ-large, and coordinating the work on joint assessments.

1.2 Intelligence Products and Audience

- [8] Mr. Green testified that historically, because of the way in which PCO is designed, the focus of IAS has been on strategic foreign intelligence (i.e. intelligence about what is happening in other countries), as opposed to domestic intelligence. Normally, domestic intelligence, particularly on tactical issues (e.g. intelligence from CSIS, RCMP or CSE) would be dealt with by PCO’s Security and Intelligence Secretariat (“**S&I**”). IAS would have line of sight on that intelligence because it is informative, but would not take the lead.
- [9] Mr. Green noted that IAS provides all-source assessments, meaning assessments that incorporate both covert intelligence and open-source information. Mr. Green noted that Canada has privileged access to a lot of information to use in its assessments.
- [10] Mr. Green explained that more recently, when a client receives a foreign intelligence assessment from IAS about something that is going on in another country (e.g. intelligence about a country interfering in European institutions), the client will often ask if it is happening in Canada as well. This has led IAS to start to do multi-badge products with other partner agencies (e.g., CFINT, CSIS, RCMP), and sometimes with Five Eyes partners. Mr. Green explained that the driving force behind these joint products is the need to marry intelligence about what is happening internationally with intelligence about what is happening domestically, a challenge that all of the Five Eyes are grappling with as they have similarly separated domestic and foreign intelligence in their structures. He noted that sometimes, what is happening internationally can be quite different from the Canadian experience. Even on the subject of China and foreign

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interference, Mr. Green noted that Canada is not China's biggest target, and so there are nuances between the foreign experience and the domestic.

[11] Mr. Green was asked who the principal audience is for IAS products. Mr. Green testified that IAS has a fairly big client list. IAS, as part of PCO, serves the Prime Minister. As such, the Prime Minister and the Prime Minister's Office ("**PMO**") are two of IAS's biggest clients, along with the Clerk of the Privy Council, the National Security and Intelligence Advisor to the Prime Minister ("**NSIA**"), Cabinet ministers, and deputy ministers. Mr. Green reported directly to the NSIA. IAS also shares intelligence with Five Eyes allies on certain subjects. IAS does not report to Five Eyes allies, but engages in intelligence sharing and analytic sharing on certain subjects with these allies on a regular basis. IAS readership includes people at CSIS, CSE, and CFINT as well. Mr. Green explained that there are different dissemination lists for different products. Some products have more limited distribution. Others are published on SLINGSHOT where they are more broadly accessible.

[12] Commission Counsel referred to two documents, entitled "National Security Outlook 2023" and "National Security Outlook 2024". Mr. Green explained that IAS publishes two annual products. The first is called The Year Ahead, which is a short report (typically ten pages) that surveys trends and threats internationally. The Year Ahead is developed with input from the entire security and intelligence community. The second is called The National Security Outlook, which is a companion piece to the Year Ahead. The National Security Outlook is based on the Intelligence Priorities and attempts to outline the national security threats and trends of concern. Year over year, the fundamental threats and trends remain broadly the same, but there are nuances. For example, the National Security Outlook for 2023 contains a box on "converging threats" (e.g. organized crime converging with cybersecurity and financial crime; or hostile state actors and cybercrime).

[13] Mr. Green explained that the National Security Outlook is used for senior-level discussions and usually goes to Deputy Ministers each year and enjoys significant readership. It is a tool for all departments to identify where they see themselves within the threat landscape and to ask themselves whether they have any gaps. Mr. Green

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believes that CSIS and CSE like the product because it helps them organize the information that they seek.

[14] Mr. Green clarified that the placement or size devoted to an issue on the National Security Outlook placemat does not denote priority – the issues are not assigned any priority in this product. He noted that it would be difficult to give weighted measure to the issues.

[15] Mr. Green added that many other countries make similar products at the unclassified level, sanitized for public distribution. For example, the White House issues a sanitized trends and threats paper which helps build public support of its activities. Mr. Green thinks doing so is a good idea and testified that he could not supply a good reason why Canada does not do the same, though he noted that there have been sporadic efforts throughout government to publish public reports on national security issues. In Mr. Green's view, a public version would help the government engage Canadians as well as other levels of government, and in turn receive the social license that is sometimes needed in the national security business. He opined that public resilience is the real answer to foreign interference, and a more knowledgeable public will be more resilient to FI efforts.

[16] Ms. Ducharme added that since the Commission's January and March hearings, during which the federal government sanitized and publicly released a lot of information through unclassified summaries, there has been a lot of discussion amongst assessment shops about generating more products at the unclassified level using open-source information, to better inform the public. Ms. Ducharme noted a recent DG IACC meeting with government communications teams on the subject.

[17] Mr. Green explained that the higher the classification of a product, the more limited its distribution can be, and this restricts the use that can be made of it. Therefore, he testified, there is a continuous effort to lower the classification of products. He said that in his view, there is a tendency to over-classify intelligence. In examination by the AGC, he clarified that he cannot be capricious when approving intelligence markings. If a product is classified top secret, it is because it is top secret. At the end of the day, when he signs off on the classification of a product, he is supportive of the classification. He

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explained that each paragraph of an assessed product will quite often carry a different classification level, based on the classification of the underlying intelligence associated with that paragraph. The overall classification of the product as a whole is the highest classification of any information contained in the document. Mr. Green testified that in his experience, NSIAs are always coming to him and asking to lower the classification of documents so that they can be shared and discussed more broadly. Mr. Green says that sometimes he will review a product, and it is really only one paragraph that is raising the classification of a document as a whole, so it is quite easy to change the classification [i.e. by removing that paragraph].

- [18] Mr. Green noted that there is some information that will always carry a higher classification because of the tradecraft involved. Other times, it's the assessment itself – the narrative that has been built using disparate intelligence, which is classified. He also noted that it can be more difficult to change the classification of intelligence that comes from a Five Eyes partner. In order to lower the classification of a product that contains Five Eyes intelligence, short of removing that intelligence from the product, Canada would have to ask the Five Eyes partner to lower the classification of the underlying intelligence. Notwithstanding, Mr. Green testified that there is a lot that can be done at the unclassified level. He indicated that this is something that is being looked at because there is a desperate need to communicate information beyond the security and intelligence community, including with Provinces and Territories, municipalities, academics and businesses.

1.3 IAS Special Report

- [19] Commission Counsel referred to the NSIRA Report which comments on the production and distribution of a particular IAS Special Report in late 2021 and early 2022. Mr. Green was asked about the purpose of the report and his expectation of who would receive it. Mr. Green testified that FI has been around as an issue for decades and is, in that sense, historic. Following GE43, there was a growing number of reports about FI and the PRC. He noted that there were ongoing conversations around foreign interference at the time, including on the difference between foreign influence and foreign interference, and the distinction between foreign interference and normal

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diplomatic activity. He noted that at the time, his assessment was that some of the activity seen did fall into the 'everyday' and some fell into a bit of a gray area. He indicated that the trend that IAS was seeing was that the activity was increasing and becoming more aggressive.

[20] As a result of these conversations, in the fall of 2021, Mr. Green suggested to David Morrison, who was the acting NSIA at the time, that IAS produce a paper that marries what they know is happening internationally, with what is happening domestically (primarily through CSIS). The resulting Special Report was prepared jointly with CSIS. Mr. Green testified that there was a draft at the beginning of December that his analysts wanted to have signed and distributed, which he was not prepared to do at that time. He explained that longer products like the Special Report normally go to an ADM committee or a DM committee to get input and to ensure that there is broad agreement on the assessment. Because the Report contained sensitive materials, he wanted Mr. Morrison to review and provide input. Mr. Green indicated that a draft was provided to Mr. Morrison, and that he met with Mr. Morrison on December 16, 2021 to discuss the draft product. Mr. Green recalls that Mr. Morrison had great comments and provided feedback about the tone of the draft. Mr. Green said that he took those comments "on board" because intelligence is supposed to be factual. Mr. Green recalled that Mr. Morrison pointed out that a number of the activities included the Report were regular diplomatic activity. Mr. Green acknowledged that it is a matter of perception, and in some cases, it may have been regular diplomatic activity. However, in his view, those activities, in combination with other things, showed a growing trend. Mr. Green testified that IAS came out of the meeting on December 16th and made the editorial changes discussed, which he recalls were not extensive.

[21] Thereafter, it was announced that Mr. Morrison would be transferring to GAC and that there would be a new NSIA. Mr. Green testified that it was his decision at the time not to sign off on the draft, because he did not feel comfortable signing off on the Report himself. Instead, he decided to hone the draft for the new NSIA. At his first bilateral meeting with the new NSIA, Jody Thomas, Mr. Green advised her of the draft Special Report, indicating that it was part of an important critical discussion at senior levels and that it is a subject on which there are differing opinions. He delivered hard copies to her

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the day after their meeting, and recommended that it be reviewed by Deputy Ministers and the Clerk. At that time, the Freedom Convoy and the Russian invasion of Ukraine occurred, which were significant events. During the next few months, Mr. Green pushed the paper in bilateral discussions with Ms. Thomas, but to his knowledge it did not reach a deputies meeting.

- [22] A draft of the Special Report [which was never finalized or published] was eventually leaked to the media. Mr. Green recalls seeing it on his TV and feeling ill at the leak. He expressed that the leak was very problematic.
- [23] Mr. Green drew the Commission to the “Key Judgments” section in the draft Special Report. The bullet points state that the PRC poses the most significant FI threat to Canada, and assesses that Canada remains highly vulnerable to the PRC’s FI efforts. He noted that the draft Special Report makes an effort to delineate between FI and foreign influence, though Mr. Green opined there is more work to do in this area. The third Key Judgment clarifies that the focus of the draft Special Report is foreign interference in elections only. He noted that there are other kinds of foreign interference other than foreign interference in democratic processes, including economic coercion, military aggression, and other tools not covered in the draft Special Report. The PRC uses a very big toolkit to accomplish its objectives abroad.
- [24] Mr. Green declined to speculate on whether senior officials were otherwise already aware of the information contained in the draft Special Report, whether there was a lack of understanding of foreign interference or whether the fact that it was not disseminated was a missed opportunity. He reiterated that the draft Special Report was innovative in that it combined the domestic and international pictures. He explained that his hope was that the report would generate a conversation at a senior level and lead to more direction. He explained that at the time, most officials considered foreign interference a major ongoing issue, but he felt there were polarized views on how serious the problem was. He explained that foreign interference is an issue on which there is a whole spectrum of different perspectives. Therefore, he emphasized that this type of conversation is incremental and iterative and needs to be fact-based. Because the threat morphs over

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time, it requires constant vigilance. He hoped the paper would break what he perceived to be a bit of a log jam and promote that facts-based discussion.

- [25] Ms. Ducharme expressed some surprise that this draft report has received so much focus and offered context about the creating, drafting, approving and disseminating intelligence products. She explained that it is not uncommon for reports to be written in draft form, but be delayed or remain unfinished, for various reasons, whether resourcing issues, being overtaken by events or a shift in focus.
- [26] Ms. Ducharme explained that when a report is drafted for one person – in this case, for acting NSIA Mr. Morrison – it is not uncommon to go back and check with that person before disseminating more broadly.
- [27] Ms. Ducharme also noted that analysts routinely recommend a list of clients that they want to receive their products, which may or may not be appropriate. It is ultimately for senior leadership (i.e. the Assistant Secretary, in consultation with others), to decide where a product goes. She confirmed Mr. Green’s testimony that if a product is intended to go to Deputy Ministers or the Prime Minister, there has to be an ADM-level conversation on that product first. It was not an anomaly that this draft, which did not go through an ADM-level review, was not sent to the PMO right away. IAS would typically also want to consult with their S&I and Foreign and Defence Policy colleagues on this type of product. Assessment products do not leave IAS until they are finalized.
- [28] With respect to receiving feedback on the tone of products, she clarified that this is standard business practice. It is routine to ask “are we all in agreement on the wording of this”, recognizing that some analysts are more hawkish or alarmist than others. She testified that this is especially important when producing a joint assessment product. On such products, IAS wants to make sure that there is broad consensus on the language of a product by going through an ADM or DM level discussion.
- [29] On the question of what constitutes standard diplomatic activity, she indicated that having a variety of different opinions on an issue is completely normal. She noted that there are ongoing efforts within the government to try to narrow the gray area through discussion.

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1.4 Deputy Minister Committee on Intelligence Response (“DMCIR”)

- [30] Commission Counsel referred to an undated document of unknown authorship entitled “Lessons Learned Spamouflage”¹ The document asserts that there was some frustration regarding DMCIR and alleges that it was “lagging on the response part” in relation to a specific PRC-led disinformation campaign colloquially known as “spamouflage”. Commission Counsel also referred to another undated document of unknown authorship entitled “GAC Response Timelines and Activities – Summer/Autumn 2023,”² which asserts that the spamouflage item “struggled to get on the agenda at DMCIR.” The witnesses previously spoke to both documents during their interview with Commission Counsel, refuting these assertions.
- [31] The witnesses were asked why the author may have had the impression that it was difficult to coordinate a response from DMCIR.
- [32] Ms. Ducharme testified that she was acting for Mr. Green as the Secretary of DMCIR when the spamouflage event occurred. She testified that she personally attended the DMCIR meeting. Ms. Ducharme testified that she believed the document to be a GAC document, and could not comment on what was communicated to GAC analysts after the DMCIR meeting. However, she explained that the unknown analyst who authored the document might not have received the minutes or the action items arising from that DMCIR meeting, and this explained the incorrect impression expressed in the documents. She explained that DMCIR minutes and action items are very close hold. There are a lot of CSIS operational intelligence products discussed at DMCIR meetings, and therefore, there is a very tight distribution of minutes and action-items (usually only the Deputies themselves and their next in line). She explained that the minutes and action items that came out of the DMCIR discussion on spamouflage likely would not have been distributed to the analyst who wrote these documents and the author therefore was unfortunately unaware of the outcome of those discussions.

¹ CAN025988.

² CAN025982.

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1.5 FI Policy Going Forward

- [33] The witnesses were asked if they were aware of any policy or legislative gaps, or if this Commission could make any recommendations related to the work that they do in the FI space, if there is anything that they would like to see changed or improved. Mr. Green testified that there are a lot of great things happening on foreign interference that he would like to see furthered. He offered his view that the current definition of national security, which is defined in the *CSIS Act*, is too limited. On the difference between foreign influence and foreign interference, he noted that public servants like definitions. He declined to say whether this distinction should be set out in legislation or regulation, but expressed the view that there is a need to define the thresholds more clearly at the federal level, noting that it is sometimes a very tough exercise.
- [34] The other effort that Mr. Green would like to see furthered is the work with respect to open-source intelligence (“**OSINT**”). Mr. Green noted that there are a lot of great things happening in this space and that the broader use of OSINT is a big discussion point amongst the Five Eyes. Mr. Green expressed the view that OSINT could be of particular value to Canada because the largest producers of covert information tend to be other countries, not Canada. OSINT offers an opportunity to “Canadianize” our intelligence, to be less dependent on our allies, and make intelligence easier to use and share with other levels of government.
- [35] Mr. Green noted that there are several challenges to mining open source data, including definitional and legal issues, the last of which requires a public discussion. He explained that if the government were to harvest the open source data of Canadians online, Canadians may say that the government should not be doing so. However, he posited that if something awful were to happen (e.g. if the Convoy protests in 2022 had resulted in serious violence), Canadians may be left asking why the government was not monitoring social media for warning signs. Mr. Green testified that if we approach OSINT in the right way, it could give senior decision-makers the tools needed to speak to the public and increase public confidence in government.
- [36] Ms. Ducharme testified that with respect to legislative or policy gaps in relation to foreign interference, there have been a lot of recommendations already, from NSICOP,

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NSIRA and the Rosenberg and Judd reports, on how to improve Canada's ability to detect, deter and counter foreign interference. She expressed that the community is excited about Bill C-70 and the changes that it has made to the *CSIS Act*, the *Criminal Code*, the *Security of Information Act*, and the introduction of the transparency registry, and that she was looking forward to seeing how those changes played out in practice. She noted that work was being done on other outstanding recommendations, including increasing work with academia and the private sector, to make them more aware of foreign interference and build resiliency. Time will tell whether there are any policy gaps following these changes, but in her view, the changes have all been in a positive direction.