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Addendum to *In Camera* Examination Summary: Former NSIAs: David Morrison, Vincent Rigby, Michael MacDonald, and Greta Bossenmaier

Mr. David Morrison, Mr. Vincent Rigby, Mr. Michael MacDonald and Ms. Greta Bossenmaier were examined by Commission Counsel during *in camera* hearings held between February 28 and March 6, 2024. The following addendum contains information provided by the witnesses that is relevant to Part C of the Commission's Terms of Reference and 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.

Notes to Reader:

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

1. Examination by Commission Counsel

1.1 Flow of intelligence related to Michael Chong

- [1] Commission counsel reviewed the intelligence that emerged in 2021 with respect to an effort by the People's Republic of China ("**PRC**") to gather information about Michael Chong and others who had supported the Uyghur motion, with a view to potentially sanctioning them. Commission counsel then asked the panel why it appeared that serious action, such as the decision to declare a PRC diplomat *persona non grata* ("**PNG**") and a ministerial directive in respect of briefing Parliamentarians on foreign interference, was taken in 2023 after the media leaks, rather than in 2021 when the intelligence first emerged.
- [2] Mr. Morrison noted certain caveats to the reporting and language used in some of the reporting.

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- [3] Mr. Morrison further explained that all of the reporting highlighted by the Commission describes the possibility of economic sanctions, which are legal. Mr. Morrison testified that imposing economic sanctions is not foreign interference. He described economic sanctions as a key part of every country's diplomatic toolkit. He testified that Global Affairs Canada ("**GAC**") imposes economic sanctions, and also conducts research on officials from a variety of countries, including the PRC, with a view to applying potential economic sanctions. In particular, GAC has applied sanctions to Chinese officials for their activities in Xinjiang. Mr. Morrison noted that in Canada, GAC must meet a certain threshold using open-source information to apply a sanction, because that decision can be judicially reviewed. He also explained that you are not supposed to apply sanctions to a person's relatives. However, it is not necessarily nefarious for a diplomat to conduct research on the people who were involved in the Uyghur motion.
- [4] Mr. Morrison also explained the "action/reaction" nature of diplomatic sanctions, noting that Chinese officials announced that they were sanctioning Michael Chong and all of the members of the House subcommittee on human rights and foreign relations over the Uyghur motion *after* Canada sanctioned Chinese officials over the PRC's activities in Xinjiang.
- [5] Mr. Rigby testified that he was the NSIA at the time the reporting with respect to Mr. Chong was first circulated. He does not recall reading these reports specifically, but suspects that he did. He explained that, in deciding how to respond to the intelligence, he would have taken into consideration certain caveats to the reporting and the language used in the reporting. He further noted that the language in the reporting is vague. He further testified that gathering information on individual MPs is common practice for diplomatic services and that Canada's diplomats do the same.
- [6] Mr. Rigby was asked whether he asked for more information on the reporting and he testified that he did not. He explained that this issue was not specifically brought to his attention, except that he was copied on the IMU from CSIS informing the Minister that Mr. Chong and another MP would receive a briefing. He may have had a brief conversation with the Director of CSIS about it, but could not specifically recall. It was not elevated to the Deputy Ministers Intelligence Committee for action or otherwise

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flagged as something requiring urgent response. He understood this type of behaviour to be a part of the PRC “playbook.” He noted that earlier, he suggested to the Prime Minister that all MPs be briefed on FI.

- [7] Mr. Rigby believes that seeing these reports, he would have likely thought to keep a watching brief on the issue, to see how it develops. He usually wants an assessment product on that type of reporting. He did not typically bring unassessed intelligence to the Prime Minister. Mr. Rigby explained that at no point during his tenure as NSIA did he receive a particular product in respect of Mr. Chong that demanded immediate action; rather, over time, the issue slowly gathered more momentum. He explained that he would have been alive to the nuances of the language of the report in his assessment of it. He explained that after 30 years in the S&I community, he has learned not to jump to conclusions and push the panic button prematurely.
- [8] On the specific question about why the Chinese diplomat was PNG'd in 2023 and not 2021, Mr. Morrison testified that the Globe and Mail was inaccurate in reporting that the decision to declare the Chinese diplomat PNG in 2023 resulted from the diplomat's actions with respect to Mr. Chong. He explained that, under the Vienna Convention, governments do not need to give a reason to PNG a diplomat, and in this case, a reason for the PNG of the diplomat was not given. People made the assumption that the decision had something to do with Mr. Chong [because of the leaks].
- [9] To the contrary, Mr. Morrison, explained that, by the time GAC decided to PNG the diplomat, GAC had been raising the issue of foreign interference with the Chinese Embassy for two years, approximately 30 times and in four formal diplomatic notes. The decision to expel the diplomat was made in 2023 to express Canadian displeasure with Chinese foreign interference. In response, one of Canada's diplomats was kicked out of China, so it was not a measure that was taken lightly.