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## *In Camera* Examination Summary: Zita Astravas

Commission Counsel examined Zita Astravas 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 witness. 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

### 1.1 Witnesses and Role as Chief of Staff

- [1] The witness confirmed the accuracy of the summary of her interview of March 19, 2024 and adopted its content as part of her evidence before the Commission.
- [2] Ms. Astravas served as Chief of Staff for the Minister of National Defence from 2017 to 2019. She also worked as the Prime Minister's Director of Media Relations during the 2019 federal election. After the federal election, she served as Chief of Staff for Mr. Bill Blair, then Minister of Public Safety and Emergency Preparedness ("**Public Safety**").
- [3] In her role as Chief of Staff, Ms. Astravas was the most senior ministerial staffer on the Minister's political staff. Her duties included hiring staff for the Minister's office, scheduling meetings, for the department, overseeing media statements and Memoranda to Cabinet ("**MCs**") logistics, and acting as the Minister's key political advisor. She also worked closely with other ministerial offices, including the Prime Minister's Office ("**PMO**") and the Deputy Minister and deputy heads at Public Safety.

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- [4] Ms. Astravas said that ministerial Chiefs of Staff collaborate to ensure their respective ministers are aligned on policy and alert to items of interests for their respective portfolios. Chiefs of Staff also coordinate joint announcements by ministers.
- [5] Ms. Astravas explained that the size of a ministerial office team depends on the portfolio. When she was Chief of Staff at Emergency Preparedness, which is a smaller portfolio, she had a smaller team. At Public Safety, she estimated her team would have been just under 20 people. At National Defense, her team was significantly larger.

## 1.2 A Warrant

### 1.2.1. Reception of the Warrant Package

- [6] Ms. Astravas confirmed that when the Canadian Security and Intelligence Service (“**CSIS**”) sends a warrant application package to Public Safety, the package goes first to the Deputy Minister of Public Safety.
- [7] Commission Counsel directed Ms. Astravas to a chronology of events surrounding a warrant (the “**Warrant**”).<sup>1</sup> The warrant package received from CSIS included letters sent from the Director of CSIS, David Vigneault, to Minister Blair and to his Deputy Minister, Robert Stewart. The letters requested authorization for an application to the Federal Court for warrants, and attached an application package.
- [8] Ms. Astravas said the Department would notify her when the Minister’s office received a warrant application. When the application package for the Warrant arrived, the Minister’s office was dealing with the COVID-19 pandemic and associated challenges. All warrants processed during her tenure came in paper form.
- [9] Ms. Astravas was asked about a memorandum dated four days after the date of the application package from the Deputy Minister to Minister Blair recommending that he approve the Warrant application. Ms. Astravas did not recall when she received the application package and the Deputy Minister’s memorandum. She explained that all documents received by Public Safety were date-stamped but she did not necessarily view documents the day they arrived at the ministerial office.

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<sup>1</sup> Chronology Relating to Warrants, created by AGC Counsel for PIFI Litigation Team.

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- [10] Ms. Astravas explained that she received all documents in a warrant application package in a tabbed folder. The departmental liaison or another public servant would deliver the package to Ms. Astravas or her office and would maintain constant positive control of it. She did not store warrant materials herself. She usually reviewed them in a secure facility (“**SCIF**”) and never reviewed them outside the parliamentary precinct.
- [11] Ms. Astravas could not recall when she received the documents related to the warrant application. Normally, Ms. Astravas would be notified by a member of the public service that classified materials awaited her review.
- [12] Ms. Astravas said she knew of Minister Blair’s expectation that warrants be reviewed promptly. There was no set timeline for review of warrant applications. Ms. Astravas would notify the Minister that documents required his attention and would often schedule a meeting between the CSIS Director and the Minister. They spoke fairly frequently in person when the Minister was in Ottawa. For the most part, however, meetings occurred through secure video conference in the CSIS Toronto regional office because of the pandemic.
- [13] Ms. Astravas said that the Department would likely track applications through the Public Safety departmental liaison. Public Safety tracked documents that required signatures, such as MCs.
- [14] Commission Counsel referred back to the initial letter from the CSIS Director to Deputy Minister Stewart attaching the request for a warrant and recommending the Minister approve the request on or before a specified date, six days later. Ms. Astravas testified that she would have read it. She noted that at Public Safety, there was often a discrepancy between the date stamp on documents and the date she received documents in her office. Sometimes, by the time she received a document, the recommended date for signature had passed. She said timeliness was an issue at Public Safety.
- [15] Commission Counsel then referred to the memorandum from Deputy Minister Stewart to the Minister recommending approval of the warrant application. The memorandum is dated four days after the application package arrived and states that CSIS was seeking the Minister’s signature on the same day. Ms. Astravas testified that it was not

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uncommon for a memorandum to request a same-date signature. She added that she had a good relationship with the CSIS Director and regularly discussed what was coming in and out of Public Safety. If a matter was urgent, she expected the Director to notify her. The Director never flagged the warrant as an urgent matter, although briefings were arranged between Ms. Astravas and CSIS on the subject. She confirmed that all warrants were a priority for the Minister.

- [16] Ms. Astravas could not recall the precise date she advised the Minister that approval had been requested by CSIS for the Warrant. She was referred to her interview summary by Commission counsel where she stated that Minister Blair was first provided with the warrant package 54 days after the application package arrived (which was also the day the Minister was first briefed on the warrant package (the “**Minister Briefing**”). She said that the Director and the Minister had discussed issues related to the warrant a number of times before the warrant application arrived. She also said the Director had advised the Minister that CSIS would be moving forward with this warrant application.
- [17] Ms. Astravas talked with Minister Blair every day, sometimes several times. It was important that Minister Blair be kept informed on all issues. However, given the nature of the classified information contained with the Warrant application package, she could not simply call the Minister to tell him it was ready for his review. She said that would be inappropriate and cavalier way of treating such information.

### 1.2.3 Briefing by CSIS on the Warrant

- [18] Ms. Astravas does not recall whether she advised Minister Blair of the Warrant before the CSIS briefing she attended nine days after the date of the memorandum from Deputy Minister Stewart (the “**Initial Briefing**”). She stated that she could not have advised him of the subject of the warrant via email or phone because the information was classified. She did not recall the specific day she first reviewed the warrant application package, but thought it must have been before the briefing. She would not know the subject of the warrant unless she was physically in the office. She did not recall when she informed the Minister that the warrant package had been received. Generally, she would tell the Minister he needed to go to a SCIF to deal with matters related to national security.

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- [19] Ms. Astravas did not recall how the Initial Briefing came about, but stated that it was not unusual for there to be briefings on any warrant pursued by CSIS.
- [20] Ms. Astravas described her role as Chief of Staff in the warrant approval process. She said that warrants contain very sensitive information and require a reviewer to be indoctrinated into several programs. She always ensured that she and at least one other individual in the Minister's office had the necessary indoctrinations to ensure business continuity in case she was unable to review the documents. She reviewed all warrant application materials to ensure she was aware of what the Minister was signing and to ensure all necessary clerical procedures had been complied with when it arrived for the Minister's review. She asked questions in briefings for her own understanding, but recognized and respected that intelligence and operational issues were matters for CSIS, the Department of Public Safety and the Minister. Ms. Astravas explained that during her time at National Defence, it was her practice to have regular discussions with the Chief of the Communications Security Establishment ("**CSE**") whenever CSE was seeking authority to carry out a particular mandate. There was a culture of asking questions at CSE to ensure understanding and accountability. She brought that experience to Public Safety, where she felt it was important that she have an understanding of the authorities being sought and to ensure the Minister himself had an opportunity to meet and discuss matters with the CSIS Director.
- [21] Ms. Astravas testified that there would usually be two meetings in relation to warrant applications: (i) a briefing from CSIS to PS officials and ministerial staff that she would attend to better understand what was being asked; and (ii) a meeting between the Minister and the Director in a secure facility where they could discuss the application and any other sensitive topics. It was a regular practice for her to receive briefings from CSIS and to facilitate discussions between the Minister and Director about warrants.
- [22] Ms. Astravas did not recall whether she advised the Minister of the Initial Briefing she attended about the warrant. She did not usually seek input from the Minister before briefings on warrant applications due to the nature and sensitivity of the classified information. To do so would require booking time in a secure facility. She would normally meet with the Minister before his briefing by the Director to go over the

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materials to be reviewed. The Minister typically appeared an hour before the briefing with the Director to review materials.

- [23] Commission Counsel referred to an internal CSIS email listing questions asked at the Initial Briefing. This included questions about how the activities described met the threshold to obtain a warrant.
- [24] Ms. Astravas testified that the questions she asked were typical of those she would ask of a warrant application. She recalled a separate conversation about the Vanweenen list [a list of individuals who may be in contact with the target of the warrant and could be impacted by the warrant].
- [25] CSIS would often provide answers to her questions in briefings to the Minister. She had a strong relationship with the Director. He would always undertake to provide the information she needed. If she required information in order to move forward with an application, or take some kind of action, she stated this explicitly to the Director. That did not occur in this case. Ms. Astravas did not raise any concerns about the warrant with the Director. She explained that a warrant application is a CSIS document, over which CSIS holds the pen. It was not her responsibility to provide substantive feedback or direction. At no point in any warrant application would Ms. Astravas prescribe changes to a warrant application.
- [26] Ms. Astravas did not recall whether she received any further information about something listed in the affidavit supporting the warrant application. She reiterated that it was not her role to provide input on an operational matter.
- [27] Ms. Astravas explained that another of her questions related to the nature of the warrant. Her questions were all aimed at gaining a better understanding of the perspective of CSIS, not to question the assessments contained in the application. She underscored that access to classified information was limited in her office, and given the sensitive nature of warrants, she treated the information particularly carefully.
- [28] Ms. Astravas said she took her responsibilities with respect to classified information very seriously. She regularly asked the Director with whom she could discuss intelligence to ensure it was only with those with the appropriate clearance and a need-

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to-know. Ms. Astravas did not mention the warrant to anyone beyond PS and CSIS officials, the other cleared individuals within the Minister's office, and the Minister himself.

#### 1.2.4 Further Briefing on the Vanweenen List

- [29] Ms. Astravas testified that she had asked for, and received, a briefing on the Vanweenen list. She did not recall the date of the briefing or the date she requested it. She believed it occurred separately from the Initial Briefing.
- [30] Commission Counsel referred to an email sent about a week before the Minister Briefing that refers to a conversation that occurred between the Director and the Minister's office about the warrant that same day. Ms. Astravas was not a party to the email. Ms. Astravas agreed that this could refer to the briefing on the Vanweenen list. The briefing was to help her understand what a Vanweenen list was, how it came to be, and what impact the warrant would have on the individuals listed. At no point in any warrant application would Ms. Astravas seek changes to the warrant application, including the Vanweenen list. The briefings were for her information only.
- [31] Ms. Astravas confirmed her understanding, based on the documents provided to her, that Minister Blair first reviewed the warrant package the same day he signed it (which was the same day as the Minister Briefing). She did not recall whether she had spoken to him in advance of that day about the warrant or Vanweenen list in any detail. Any such discussion would have to occur in a classified space.
- [32] Ms. Astravas testified that Minister Blair understood that warrant applications required his approval. Her general practice, when a warrant application was submitted by CSIS, was to advise the Minister that he needed to attend a SCIF as there were matters that required his attention. Ms. Astravas could not specifically recall if or when she communicated this message to the Minister in respect of the warrant.
- [33] Commission Counsel referred to an internal CSIS email, which she had never seen before, sent the day after the Initial Briefing, in which the author expressed concern that the warrant application package was in danger of not being approved by the Minister. Ms. Astravas testified it was not her responsibility to determine whether a warrant

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application should be approved. If she had to communicate a question from the Minister to CSIS, she ensured that CSIS understood who was asking the question. Her questions at the Staff Briefing were only to inform herself. She never suggested the warrant would not be signed. At that time, the Minister had not seen the warrant application package and therefore had not expressed any reluctance toward signing.

#### 1.2.6 Steps Taken After the Initial Briefing

- [34] Ms. Astravas discussed the steps that were taken after the Initial Briefing to get the warrant before the Minister for his approval.
- [35] She explained that the Director and the Minister would talk often. The warrant was not raised in any of those conversations as a matter of urgency. Further, there were a number of other files under consideration between CSIS and the Minister during the relevant time period.
- [36] In her interview, Ms. Astravas advised the Commission that a warrant application would be presented to the Minister when she and CSIS agreed it was “ready.” Ms. Astravas explained that “ready” meant that the paperwork was in line, that a time had been set to brief the Minister and that a secure facility was available. The notion of readiness was meant more in the logistical sense than in the substantive sense.
- [37] Ms. Astravas recalled that CSIS may have pulled back the warrant to make an edit. This was normal practice. The Director was very open when something was urgent. He would either express that to Ms. Astravas or the Minister. That did not occur with respect to the Warrant.
- [38] For briefings to the Minister, Ms. Astravas would normally coordinate a time for the Minister and the Director to meet in person or by video conference. She did not recall whether her office or CSIS arranged the Minister Briefing, shortly after which he approved the warrant application.
- [39] Commission Counsel noted the 54 calendar day interval between receipt of the application and the Minister Briefing. Ms. Astravas did not have her schedule or that of the Minister’s to refresh her memory or explain the timeframe. She said that the Minister had other pressing responsibilities during this timeframe, including facilitating the



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COVID-19 response, as well as a piece of legislation relating to gun reform in relation to the 2020 Nova Scotia mass shooting. She relied on the deputy heads to alert her to priorities and urgent matters. No one advised her that the warrant was urgent. If any of the deputy heads had asked for time with the Minister, she would have facilitated that. They also had the Minister's phone number.

- [40] Commission counsel noted that during the first half of 2021, the Minister was able to review and approve other warrant applications. Ms. Astravas distinguished between warrant renewals and warrant applications. Commission Counsel directed Ms. Astravas to a document which suggested the average time from CSIS sending an application to signature by the Minister was eight days. She testified that the Minister and the Director had spoken numerous times during the 54-day period and the Warrant was never flagged as an issue of concern.
- [41] Commission Counsel referred to an internal CSIS email from the affiant that expressed concern about the perceived delay in obtaining the Minister's approval. The affiant identified concerns, which included a concern that the longer the application is delayed, the more dated the information in the application becomes. Ms. Astravas confirmed that this concern was not communicated to her or to the Minister. She agreed that warrants were generally considered a priority by Minister Blair, in part to ensure the information supporting the application remained current.
- [42] Ms. Astravas did not recall whether the Minister had any questions about the warrant application during the Minister Briefing. She confirmed that the Minister signed the warrant package that day without requesting any changes, but did ask for an update within six months.
- [43] Commission Counsel referred to an internal CSIS email from the affiant post-dating the Minister Briefing. In it, the affiant states that if asked by the Federal Court about the delay in approval by the Minister of the Warrant application, the affiant would describe the delay as unusual. He noted that while he was a part of discussions and briefings with the Minister, none of those briefings indicated what the Minister was thinking or why there was a delay.

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- [44] Ms. Astravas agreed that it took some time to approve the warrant. She relied on the CSIS Director and the PS Deputy Minister to flag priorities and they did not do so in relation to this warrant. She reiterated that the Minister first looked at the application on the date it was signed. She did not have any specific recollection of any conversation with the Minister advising him the application was ready for his review before that date.
- [45] When asked whether the 54 day delay period was caused by the Minister being indecisive about the warrant's approval, Ms. Astravas stated the Minister has signed every warrant ever put in front of him. In this particular case, Minister Blair signed the warrant on the day when he first saw it.

### 1.3 Information Flow Relating to Matters Concerning MP Michael Chong

- [46] Ms. Astravas confirmed that she did not receive any intelligence relating to Michael Chong that was later the subject of media leaks, nor did she receive any other intelligence on the alleged targeting of Mr. Chong and other MPs.
- [47] Ms. Astravas explained that when she first assumed her post at Public Safety, her predecessor informed her that there would be a weekly intelligence binder presented for the Minister's review. Due to a leave taken for personal reasons, Ms. Astravas received less than three binders before the pandemic began. Once the pandemic hit, the binders stopped coming. The Deputy Minister advised her that it was not possible to continue producing the binder at that time, given the circumstances. As a result, the Minister's office ceased to receive weekly intelligence packages from CSIS. The practice of weekly reading binders did not resume during her tenure as Chief of Staff.
- [48] Ms. Astravas said she provided all intelligence she received to the Minister. However, there was no regular or set schedule for delivery of intelligence from CSIS following March 2020 because of the pandemic. She was dependent on CSIS and the Department to inform her if there any classified documents that needed the Minister's attention. Physical copies of the documents would need to be provided to her. CSIS flagged intelligence for her and the Minister on a less-than-weekly basis.
- [49] Commission Counsel referred to the National Security and Intelligence Review Agency report, which states that at least one of the reports about Mr. Chong would have been

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provided to Minister Blair as part of a weekly reading package.<sup>2</sup> Ms. Astravas stated that there was no regular dissemination of intelligence products to the Minister at that time, and that any intelligence she received was shared with the Minister in a timely fashion. She noted that the lack of regular intelligence flow was a frustration. If Minister Blair had received any intelligence pertaining to a threat against any parliamentarians, he would have responded appropriately.

[50] Commission Counsel referred to an email attaching a CSIS issues management brief that summarized defensive briefings delivered to two MPs. Ms. Astravas is listed on the distribution list for the email. She testified that, nevertheless, she did not receive the document. She was not aware that information was sent to her via Canada's Top Secret Network ("**CTSN**") through the departmental liaison. She did not have a CTSN account and relied on others to notify her of information directed to her attention.

## 2. Examination by the AGC

[51] Counsel for the Attorney General of Canada referred to the warrant chronology, and noted that the warrant was approved three weeks after the Minister approved the application. Ms. Astravas agreed that this suggested the information contained in the affidavit was sufficiently current.

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<sup>2</sup> NSIRA, "Review of the dissemination of intelligence on People's Republic of China political foreign interference, 2018 – 2023", para 103.