



Summary Report

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Panel Theme: Diplomatic Perspectives on the Foreign Intervention ‘Gray Zone’

Let me begin by thanking the Commission for this opportunity to participate in your deliberations. The recent revelation on electoral interference landed in a time of already declining trust in one another and our public institutions and weakening commitment to democracy. How the government responds will be important not only for shoring up trust in our elections, vital to our democracy, but also for demonstrating and affirming our commitment to democratic values.

There has always been a grey area

As the Commissioner set out in her initial report, foreign interference is not new but it is changing, with new players, more sophisticated tools and greater challenges for open democracies. The Commissioner describes foreign interference as “Clandestine, deceptive, or personally threatening activities by a foreign state, or those acting on its behalf, which are detrimental to the interests of Canada.” While there is no formal definition of foreign interference in Canadian law, the CSIS Act describes it as “deliberate and covert activity undertaken by a foreign state to advance its interests, often to the detriment of Canada...or may involve a threat to any person.”

One of the challenges in developing a comprehensive approach to combatting foreign interference in Canada’s internal affairs and specifically in our elections is the difficulty in determining where legitimate foreign influence ends and foreign interference begins. While experts can broadly agree on what activities are unquestionably legitimate attempts to influence a foreign country and what are egregious or malign instances of interference, there is an acknowledged grey zone that can lead to different interpretations among agencies within a country and to disputes between countries. A number of experts have therefore argued that we need much clearer definitions of foreign interference if we are to develop effective strategies to counteract it.

Certainly, there is value in renewing and updating our understanding of the guidance provided by the U.N. Charter and the Vienna Convention on diplomacy and its application in changing times, and in ensuring that our laws are updated to capture the most egregious threats to individuals and our institutions. But, I am convinced, we will not be able to define the grey zone away and there would be more risk than benefit in trying to update the Vienna Convention or establish any new international protocol. We should certainly continue to work with like-minded countries to define areas where we can agree on specific threats and joint initiatives. But as we cannot hope to eliminate the grey zone, any comprehensive strategy will have to focus on how to manage it.

Foreign influence is a central feature of international relations. Virtually all interactions between states involve some aspect of influence as each tries to promote its interests, ideally in a manner consistent with its values. Lobbying, marketing positive images of the country, “targeting” and developing relationships with influential actors are or at least can be appropriate means of trying



to influence a foreign country to advance our interests, We know that some countries are less committed than others to recognize the distinction between influence and interference at all, and the risks of foreign interference from those countries are on the rise. But beyond this, we also know that countries, even presumably like-minded countries, may interpret the boundaries differently depending on differences in political culture and circumstances. A key aspect of diplomacy is to navigate the grey zone, define the boundaries to determine how most effectively to use the techniques of “soft power” and to determine when the receiving state is likely to find influence to have crossed the line into “sharp power”.

Sometimes foreign influence is welcomed or even invited as it is seen to be furthering the national interest. The Canadian government, for example, welcomed President Clinton’s federalism speech in the midst of the Quebec referendum on separation. Some attempts at soft power may be worrying even if they have crossed no line, especially if they are extensive or from a country with whom relations are already strained. And sometimes whether influence has crossed the line will be contested as we have often seen when, for example, diplomats seek to promote human rights or democratic values or touch on sensitive political issues in sensitive times. The federal government was less pleased when in 1967 French President Charles de Gaulle included the phrase “Vive Quebec libre” in a speech during an official visit to Canada. It is through negotiation and diplomacy that this grey zone is most effectively if imperfectly navigated.

The grey zone is getting greyer

The world of international relations, of influence and interference, has changed in ways that make this grey zone even larger or, perhaps, greyer. Most notable are the massive transformation in information and communications technology and the proliferation of non-state actors in the influence business, not least multinational corporations that have powerful economic tools for pursuing their interests irrespective of any national interest. It has become increasingly difficult to identify with confidence the sources of inappropriate influence. The registry of foreign agents that would come into effect with the passage of Bill C-70 is an important step but will not of course capture the full panoply of actors, official and otherwise, acting covertly to exert inappropriate influence. There is no substitute for high quality intelligence.

With respect to our transformed information environment, disinformation has become one of the defining issues of our times. In 2016 the Oxford dictionary named “post-truth” the word of the year. Just a few years later, the Webster dictionary declared “gaslighting” the word of the year. Our transformed information environment of social media and personal messaging apps, not to mention AI, has provided new powerful tools for deception and disruption and new challenges for identifying and combatting malign foreign interference.

As the pandemic was winding down, I had the privilege of chairing an international panel for the Council of Canadian Academies (CCA) on misinformation in health and science. What the panel discovered was that disinformation and conspiracy theories around the safety of vaccines, or the use of masks or even whether the pandemic was a hoax not only affected the choices and therefore health and well-being of many Canadians, they also became intertwined with identity and ideology. That is to say, campaigns of disinformation on issues that seem to have nothing to do with electoral



politics and occur outside the electoral period may over time have everything to do with electoral politics.

The proliferation of influencers in this information ecosystem not only makes it difficult to identify the source of interference, it blurs the line between foreign and domestic. While the CCA panel, for example, did identify some deliberate foreign disinformation campaigns, it was often difficult to know with confidence the source of disinformation especially with the increasing number of private actors and organizations involved.

Even when it is clear that foreign interests are involved, it may be difficult to ascertain if they are acting on behalf of the foreign state. Further, it is often the case that foreign interests are not simply working through domestic agents, wittingly or not, but are often simply amplifying, through various means, the messages of domestic influencers. The “foreign-ness” of the disinformation – apart from concerted campaigns – may be less important than combatting the misinformation whatever the source.

Some considerations for managing the grey and building trust

Given the inevitable greyness, a comprehensive approach to combatting foreign interference in our elections will need to be multi-layered. One layer might focus on foreign interference with election interference as just one element, given that the threats to democracy go well beyond threats to elections, notwithstanding the obvious importance of the latter which is after all the mandate of the Commission. Furthermore, clearly what happens outside the election period and which on its face seems unrelated to electoral politics can, it turns out, have profound implications for electoral politics. Another level of the strategy might well address the need to combat disinformation whatever the source, foreign or domestic.

Here one might take some lessons from a number of international efforts to combat foreign interference and misinformation. Sweden, for example, set up and recently expanded the Psychological Defence Agency dedicated to this purpose. Their mission is to coordinate the activities of government agencies understanding that there are often different interpretations of what is interference and different assessments of the risks. Security and intelligence agencies, for example, are likely to be more concerned about the dangers of false negatives while foreign policy experts and other domestic agencies may be more concerned about false positives and their impact on important international relations or on diaspora communities. Intelligence agencies and enforcement agencies will also often view the threshold for intervention differently. The integration of these views by a party that is internally credible and seen as legitimate to other levels of government, non-government agencies and the public is crucial.

The Swedish agency is also charged with working with those other levels of government, agencies, media and the public to increase their resiliency against what is loosely defined as “inappropriate influences”. They define resiliency as the ability to detect and resist campaigns of influence and disinformation. Their focus is on understanding Sweden’s own vulnerabilities and how to decrease them. The agency offers training to journalists and promotes public education in the belief that public awareness and vigilance are key.



The Swedish agency has made a point of principle that it is only interested in foreign interference and disinformation, not homegrown versions, to assure the public that they are in no way constraining citizens' freedom of speech or unduly limiting the information available to citizens. But recent evidence suggests that that's an impossible line to draw consistently and that some of the most damaging and disruptive disinformation is in fact homegrown. The final report of the CCA disinformation [panel surveys Canadian and international initiatives](#) to combat disinformation whatever its source, in a manner consistent with free speech. Canada is already doing a lot. There is much more to do.

We can also draw lesson from how various countries have worked to ensure their efforts don't further erode already shallow trust in public institutions and help to build trust in elections. The Swedish Psychological Defence Agency has, for example, made outreach and transparency a priority. Similarly, the Center for Strategic and International Studies [has drawn lessons](#) from France's success in countering foreign interference in the 2017 presidential election, highlighting specifically the importance of transparency, leadership from credible, independent, non-partisan officials, and public engagement and education.

The challenge will require a whole-of-society approach and collaboration with like-minded countries. To be effective, to learn and adapt, and to build trust, it will be important to work in partnership across political parties to the extent possible, and across levels of governments, in partnership with media, civil society and the private sector and with like minded countries to define areas of agreement and joint initiatives to tackle shared threats.

In a post-truth world where social and political trust is in decline and commitment to democracy is slipping, how we combat inappropriate interference must seek not only to build trust in our elections but also to demonstrate our commitment to democratic values.