



Second Decision on Standing

1. Michael Chong requests that he be granted standing as a Party in the factual and policy phases of the Inquiry.
2. These are the reasons why I grant him this standing.

Background

3. Mr. Chong's application follows on from the decision I rendered on December 4, in which I ruled on the applications for standing the Commission had received at the time, including one from the Conservative Party of Canada (CPC). In its application, the CPC requested the right to participate in all aspects of the Commission's inquiry, adding that one of its MPs, Michael Chong, who in its view had been the target of a disinformation operation by the Chinese government during the last two general elections, would play a leading role.

4. I concluded that the CPC had a direct and substantial interest in the work of the Commission, but since this interest was of a general nature only, I granted the CPC standing as an Intervener. I reached the same conclusion with respect to the NDP. Thus, the CPC will have the right to be informed of all public hearings of the Commission, to attend them, to have access to exhibits introduced into evidence, and to make submissions. However, it will only be able to exercise certain participation rights, such as the right to question witnesses, if it can demonstrate to me how this is appropriate in the circumstances.

5. In my December 4 decision, I wrote that I was of the opinion, based on the CPC's allegations, that Mr. Chong might have a significant direct and real interest in the Commission's work that is distinct from the CPC's. I indicated that he might consider it preferable to obtain separate standing and separate representation. I therefore granted him five days, following my decision, to file such a request if he wished to do so.

6. It is against this backdrop that Mr. Chong has filed this application for standing in both the factual and policy aspects of the Inquiry. He seeks Party status, which would entitle him to all recognized participation rights.

Mr. Chong's Application

7. Mr. Chong is a CPC member of Parliament and is the Shadow Minister of Foreign Affairs for the Official Opposition. Essentially, Mr. Chong claims to have been the object of several disinformation campaigns and other forms of interference aimed at discrediting him. He states that these campaigns were done by or on behalf of the government of the People's Republic of China. He refers to several incidents that occurred from 2020 until as recently as May 2023. He also indicates that it was while reading the Globe and Mail that he learned that the Canadian government had known, since 2020, that a Chinese diplomat was gleaning information about him and his extended family living in Hong Kong, and then was passing it on to the Chinese authorities. He also alleges that an assessment of the situation was carried out by the Canadian Security Intelligence Service (CSIS) in 2021, but that he was not informed of this by the Canadian government until much later.

8. He adds that various events in recent years also suggest that the Chinese government is trying to interfere in his work as a Parliamentarian.

9. He therefore claims to have both a personal and reputational interest in the Commission's work.

Decision

10. The detailed allegations contained in Mr. Chong's application persuade me that he has an important direct and substantial interest in the Commission's work. I also believe that he will be able to make a necessary contribution to this work by providing information on certain events and several exchanges he has had on this subject. Also, his experience and his viewpoint as a current Parliamentarian involved in issues related to foreign interference will be useful in the policy phase as well. In addition, Mr. Chong's participation will undoubtedly contribute to the thoroughness of the Inquiry.

11. I note that, although Mr. Chong is not alleged to have been compromised by the Chinese Government or to have been complicit in any foreign interference, his personal interest in the outcome of this Inquiry is nevertheless strong. Mr. Chong is a sitting Member of Parliament and there have been allegations that the Government of Canada failed to alert him of his status as a target of foreign interference, and that this represents a failure on the part of government. Without making any comment about whether this criticism is or is not fair, in my view Mr. Chong has a personal and direct interest in any conclusions I may eventually arrive at with respect to the adequacy of the Government's actions related to him.

12. I therefore grant Michael Chong Party standing in the factual phase of the Inquiry and standing in the policy phase of the Inquiry.

13. As with the Applications I considered in my December 4, 2023, decision, I defer making recommendations on Mr. Chong's request for funding until a later date. I hope to release my recommendations for all Participants who have requested funding soon.

Signed

Commissioner Marie-Josée Hogue

December 14, 2023