



## 5th NOTICE TO THE PUBLIC

1. The Commission on Foreign Interference will hold public hearings in Ottawa starting September 16, 2024. Factual hearings will be held from September 16 to October 16, to be followed by policy consultations from October 21 to 25.

### The Factual Inquiry

2. Throughout the summer, the Commission continued its investigative work, focusing on clause 'C' of its Terms of Reference, which directs the Commission to examine and assess the capacity of relevant federal departments, agencies, institutional structures and governance processes to permit the Government of Canada to detect, deter and counter any form of foreign interference directly or indirectly targeting Canada's democratic processes.

3. The investigative work proceeded along two main lines. On the one hand, Commission counsel examined a large number of documents and met with numerous individuals identified by the Commission as likely to make useful contributions to its work and, in certain cases, to testify during the factual hearings. On the other hand, the Commission also held close to three weeks of *in camera* hearings to receive information that could, if disclosed, be injurious to the critical interests of Canada or its allies, national defence or national security. In an oral decision delivered in early July, the Commissioner indicated that she retained the discretion to rehear witnesses or evidence heard during the *in camera* hearings at subsequent public hearings, if after hearing the evidence she determined that this could be done without causing injury. The written decision on this

matter is being issued today. In keeping with this decision, and to maximize the transparency of its work, the Commission will rehear some of the witnesses heard in the *in camera* hearings during the next series of public hearings, and some of the evidence introduced at these hearings will be submitted again. The Commission will table summaries of the evidence heard during the *in camera* hearings in the course of the public hearings.

4. The public hearings in September will allow the Commission to further its work of understanding the mechanisms in place to counter foreign interference and considering their effectiveness. In this context, as it did at the hearings held in the spring and for similar reasons, the Commission has offered to grant certain Interveners<sup>1</sup> additional participation rights, namely to cross-examine witnesses and to have access to documents in the Party database, as the Parties do.

5. In its June 17 Notice to the Public,<sup>2</sup> the Commission took note of the House of Commons' request that the Commission investigate the facts and events discussed in a report by the National Security and Intelligence Committee of Parliamentarians (NSICOP).

6. This report was preceded by another report on foreign interference, published by the National Security and Intelligence Review Agency (NSIRA), in April.

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<sup>1</sup> The Conservative Party of Canada, the New Democratic Party of Canada, the Bloc Québécois and Erin O'Toole.

<sup>2</sup> The Notice is available on the Commission's website, under *Documents/Procedural Documents*.

7. The Commission notes that NSICOP, NSIRA and the Commission are distinct and independent entities. Their respective mandates, as well as the powers granted to them, are different.

8. In its Notice to the Public, the Commission emphasized that it would endeavor to shed light on the facts and events mentioned in the NSICOP report within the framework it has already established for executing its mandate, and in accordance with the rules and principles applicable to any independent commission of inquiry. These rules and principles include the obligation to respect the principles of procedural fairness and the fundamental rights of any person affected by its work, in compliance with the rule of law. It goes without saying that the Commission will also respect its legal obligations, in particular those arising from the and the *Canada Evidence Act*, *the Privacy Act* and *the Canadian Security Intelligence Service Act*.

9. With this in mind, Commission counsel have undertaken the exercise of identifying and analyzing the information and intelligence on which certain statements in the NSICOP report are based.

10. As the Commission has noted on more than one occasion, its role is not to assign guilt or responsibility. Other entities have the jurisdiction to identify and pursue any individuals who may have committed an offence, if warranted. Indeed, the Commission's Terms of Reference expressly instruct the Commissioner to perform her duties without expressing any conclusion or recommendation regarding the civil or criminal liability of any person or organization.

## Policy consultations

11. The factual public hearings will be followed by policy consultations. These will take the form of roundtables designed to stimulate discussion and exchanges on how best to strengthen the protection of federal democratic processes from foreign interference. Organized by the Commission's Research Council,<sup>3</sup> the roundtables will bring together experts from various backgrounds, in a format that allows them to discuss the issues in the context of the Commission's mandate.

12. There are two components to planning and organizing the roundtables: identifying the topics to be discussed and drawing up a list of the experts most likely to make a useful contribution. The Research Council will seek input from Commission Participants on each of these questions. It will also consult external experts in subjects relevant to the Commission's mandate. The Research Council will fine-tune its work based on the comments it receives. The final roundtable program will be posted on the Commission's website prior to the roundtables.

## The public consultation

13. In addition to the contributions of witnesses, Participants and external experts, the Commission will benefit from the public consultation process it is conducting. As part of this process, the Commission invited members of the public to share their experiences,

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<sup>3</sup> The Research Council is made up of four senior academics working in various fields relevant to the Commission's mandate. The expertise of each is described on the Commission's website, under the *About* tab.

observations, and ideas on foreign interference in Canada's federal electoral processes and democratic institutions. Since then, the Commission has received over 100 submissions, which Commission counsel are currently analyzing. A summary of these submissions will be made public. There is no doubt that some of the suggestions contained in the submissions received will enhance the Commission's work.

14. Further information about the public consultations in which the Commission has engaged will be provided in the coming weeks.

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15. The Commission is committed to ensuring the greatest possible transparency in its work. Both factual the hearings and policy consultations will be held in public; anyone interested is invited to attend, in person or by webcast.