



6th NOTICE TO THE PUBLIC

1. In the coming days, the Commission on Foreign Interference will begin a new round of public hearings to complete the factual phase of its work. While the first factual hearings focused on whether the 2019 and 2021 federal elections were affected by foreign interference, and how information about such interference flowed through the government, these hearings will essentially focus on the present and the future. The goal is to gain a better understanding of how Canada is dealing with foreign interference in its democratic processes, and how it could be doing better.

2. In the coming weeks, the Commission will examine the current capacity of departments, agencies, institutional structures and governance processes to combat foreign interference, and how the capacity of each has evolved over time. As some of the issues addressed in the first round of hearings will be explored in greater depth in this upcoming round, some overlap is to be expected.

[A plurality of viewpoints](#)

3. It is important to remember that before recommending measures to improve our capacity to combat foreign interference, the Commission must hear different, and even opposing, points of view. These different points of view will help inform its findings and recommendations.

4. The Commission will hear from a number of witnesses who will shed light on Canada's ability to combat foreign interference. It will also hear from panels made up of members from various diasporas, which will help the Commission and the public gain a better understanding of the lived reality of these communities. It will also hear from a panel of persons who question the implementation of certain measures, to gain a better understanding of the nature and reasons for their concerns.

5. As in previous hearings, the Commission has benefited from the input of Participants on the topics to be explored or the questions to be put to the witnesses who will appear.

The Public Consultation Process

6. The hearings that are about to begin will also draw on information obtained under the Commission's public consultation program¹. This public consultation program has three components: 1) a call for submissions from the public, 2) meetings with members of diaspora communities, and 3) a questionnaire that can be completed by anyone who is interested in sharing their thoughts with the Commission.

1) Call for submissions from the public

7. The Commission issued an invitation to the public in May 2024. It was posted on the Commission's website in French, English and, in an effort to reach as many people as possible, in 17 other languages. It invited members of the public, both individuals and groups, to share – in the language of their choice – their experiences, observations and

¹ [Commission's website, Public Consultation tab](#)

ideas on the issue of foreign interference in electoral processes and democratic institutions. To assist them, the Commission published several documents, including guidelines for submissions and a summary of the initial report submitted last May. Confidential submissions were welcome. To date, more than 140 individuals and groups have sent in comments, many of them very extensive.

8. A summary of the topics and themes raised in the non-confidential written submissions will be posted on the Commission's website in due course.

2) Meetings with members of certain diaspora communities

9. The Commissioner travelled across the country with members of her team in August and September to meet with members of certain diaspora communities who were likely to be particularly affected by foreign interference and transnational repression. In some cases, these can have a significant impact on their desire or even their ability to participate in Canadian democratic life. The diasporas invited to these meetings are those represented by groups that have been granted participant status in the Commission's work. The Commission asked counsel representing these groups to identify members willing to share their experiences and suggestions. The Commission met with members of the following diasporas: Chinese, Uyghur, Hong Kong, Tibetan, Sikh, Indian, Russian, Falun Gong practitioners, Ukrainian, Tamil, Eritrean, Tigrayan and Iranian.

10. Twenty-two meetings were held during which the Commissioner heard from 105 people, from almost every Canadian province. They were invited to respond to the following two questions in the language of their choice:

Question 1) What impact does foreign interference in Canada's electoral processes and democratic institutions have on you, your loved ones and members of your community?

Question 2: What are your suggestions on how you and members of your community who may be vulnerable to foreign interference could be supported and protected, and how foreign interference could be detected or countered?

11. For security reasons, these meetings took place in private at undisclosed locations. The people the Commission met were not witnesses in the strict sense of the term. They were neither sworn nor cross-examined, but they shared their experiences with the Commissioner and the members of her team, and suggested measures they felt would better protect them.

12. Again, summaries of the information provided by each of these groups will be prepared and made public. They will, however, be anonymized.

[3\) Questionnaire that can be completed by anyone interested](#)

13. The Commission has drawn up a detailed, easy-to-complete questionnaire which will soon be available on its website. It will allow anyone who wishes to do so to share their experiences and ideas about foreign interference with the Commission.

Cabinet Confidence

14. The Commission's discussions with the Government of Canada regarding Cabinet confidence have borne fruit. On August 30, 2024, the Commission's Terms of Reference were amended to provide the Commission access to further Cabinet documents, beyond those already provided.

15. More specifically, the Commission now has access "to those confidential Cabinet documents that came into existence on or after January 1, 2018, and that were prepared and used by officials from CSIS, or other officials involved in national security, to brief Cabinet or its committees on matters related to foreign interference that are strictly operational in nature." This additional information will further the Commission's understanding of the issues that it has been tasked to examine.

16. Discussions with the Government regarding additional information subject to Cabinet Confidence continue.

The NSICOP Report

17. As I noted in my August 29, 2024, Notice to the Public, the Commission has been asked to examine certain of the issues raised in the NSICOP's Special Report on Foreign interference in Canada's Democratic Processes and Institutions (the "NSICOP Report").

18. The Commission investigated allegations contained in the NSICOP Report that some parliamentarians had wittingly or unwittingly participated in acts of foreign interference. To do so, the Commission requested and received all of the intelligence that was provided to NSICOP. It identified and reviewed the intelligence reports referenced in the public and classified versions of the Report. The Commission also requested, received, and reviewed the underlying information and intelligence upon which those reports were based, as well as further information and intelligence relevant to the issues raised.

19. The Commission then examined, *in camera*, senior government and intelligence agency officials about the information and intelligence related to these matters and the investigations that generated that intelligence.

20. The Commission intends to call these witnesses in its upcoming public hearings. The Commission is also working towards making public, to the maximum extent possible without causing injury to national security and within the limits of its duty to act fairly, a summary of the evidence obtained *in camera*.

The Scope of the Commission's Work

21. Participants and members of the public with an interest in the portion of the Commission's work dealing with the NSICOP Report should be mindful of the legal boundaries of the Commission's jurisdiction to deal with these issues.

22. As I have previously noted, the Commission is prohibited by its Terms of Reference from making findings of criminal or civil liability. More broadly, the *Inquiries Act* prohibits the Commission from making a "report against" a person (that is, a finding that would

bring discredit on the person or be unfavourable to their reputation) unless that person has been given notice and a full opportunity to be heard in respect of the allegation against them.

23. Because the allegations contained in the NSICOP Report are based on classified information that cannot be disclosed to the individuals in question, those individuals would not be in a position to be heard in respect of any potential findings that the Commission might consider making against them. Indeed, the Commission would not even be in a position to advise the individuals that their activities may have formed part of NSICOP's review.. Thus, as a result of its dual obligations to respect national security confidentiality and the rules of procedural fairness, the Commission cannot make any findings that might identify the individuals involved in the allegations.

24. That said, the Commission's mandate does allow it to examine, report on, and make certain findings and recommendations in respect of the allegations in the NSICOP Report, and it intends to do so. As required by its Terms of Reference, the Commission will exercise its duties in a manner that will not compromise any other investigation or prosecution.

25. Importantly, it should be noted that the Commission's obligations under the *Inquiries Act*, the rules of procedural fairness, the protection of national security, and the protection of ongoing investigations apply not only to that portion of its work dealing with the NSICOP report, but to all of its work. The Commission's mandate is not to attempt to identify specific individuals or organizations as alleged foreign interference agents; it is neither mandated nor in a position to do so. Rather, the Commission's mandate is to

examine and assess Canada's capacity to detect, deter and counter foreign interference in its electoral processes and democratic institutions as a whole.

The Commission's Efforts and Commitment to Transparency and Public Disclosure

26. The Commission is determined to make public as much information as possible. To that end, Commission counsel have worked tirelessly – and successfully – to find ways of achieving this, within the limitations mentioned above. These efforts are ongoing and will continue through to the very end of the Commission's mandate.

27. The Commission enters the next stage of its work well informed and ready to bring its work to a successful conclusion. Though mindful of the politically volatile environment in which it will be operating, the Commission remains committed to pursuing its mandate with independence, impartiality and objectivity, so as to further the public's understanding of foreign interference in their democratic institutions and electoral processes. Canadians deserve nothing less.