



2nd NOTICE TO THE PUBLIC

1. The Foreign Interference Commission began its work in mid-September 2023, and is now preparing to hold its first public hearings. The purpose of this notice is to inform the public of certain important aspects of the Commission's work to date, and to advise of its next steps.

STANDING AND FUNDING PROCESS

2. In November 2023, less than two months after being established, the Commission launched a Standing and Funding Process. Before this, the Commission had to hire its staff, set up its infrastructure, organize its offices and obtain all the required security clearances.

3. The Standing and Funding Process initially attracted 55 applications. Four of these applications were withdrawn by the applicants, and one additional application was subsequently filed, bringing the total number of applications decided to 52.

4. In its decisions of December 4 and December 14, 2023, the Commission granted 23 standing applications. The Commissioner decided to divide Participants into two groups according to the significance of their interest: Parties, who have full participation rights, and Interveners, who have certain defined participation rights. This distinction will allow the Commission's hearings to proceed efficiently and will enable it to dive deeply into the evidence despite the limited time available.

5. Of the 52 applications received, 18 were granted standing (as Parties or Interveners) in the factual phase of the Commission's work. One additional application, filed in late December 2023, remains under consideration.

6. In addition, a group of media outlets and an organization focused on freedom of expression and right to information were granted standing as Parties in the preliminary public hearings that will precede the factual phase (see below).

7. Of the applicants granted standing, 12 submitted Applications for Funding but one application was then withdrawn. It is anticipated that Funding decisions will be communicated to the applicants and the public shortly.

8. The Commission's process of document collection and analysis is underway and will continue in the coming weeks.

PRELIMINARY PUBLIC HEARINGS

9. The Commission's first set of public hearings will begin on January 29, 2024. They will extend over 5 days and will take place at 395 Wellington Street in Ottawa. The Rules of Practice and Procedure applicable to these hearings will be circulated to the Parties for comment and published on the Commission's website soon.

10. These will be the preliminary hearings mandated by clause (a)(i)(D) of the Commission's Terms of Reference in relation to National Security Confidentiality (the "NSC Hearings"). They will serve to prepare the next public hearings, at which the Commission will examine the substantive issues arising from Stage 1 (clauses A & B) of its mandate, *i.e.*, questions as to possible foreign interference and information flow relating to the 2019 and 2021 elections. One purpose of the NSC Hearings will be to

identify the best ways to address the challenge of making as much of the information received by the Commission as possible public in its hearings and reports, when much of that information will originate from classified documents and sources.

11. The Commission will hear from both fact witnesses and recognized experts at the NSC Hearings. The experts will assist the Commission and the public in understanding both the risks that can arise from the disclosure of classified information and the practices that can be adopted to permit the disclosure of as much information as possible, given the applicable legal and national security constraints.

12. The public is invited to attend the Commission's preliminary hearings, which will also be webcast.

WORK FOLLOWING THE PRELIMINARY PUBLIC HEARINGS

13. Once the NSC Hearings have been completed, the Commission will consider the information obtained and the recommendations made and will then work to render some of the classified information and documents it has obtained publicly disclosable. The Commission's aim is to present as much evidence as possible at the Stage 1 public hearings, which are likely to take place at the end of March 2024.

14. These hearings and the ensuing work will enable the Commission to file a first report on the issues set out at clauses A & B of its Terms of Reference *i.e.* questions as to possible foreign interference and information flow relating to the 2019 and 2021 elections.

15. The Governor-in-Council has extended the deadline for the filing of this first report from February 29, 2024, to May 3, 2024, at the request of the Commission. The

reason for this is that the Commission will need time, after the NSC Hearings, to render the classified information it has received publicly disclosable so it can be presented at the public hearings in March 2024.

16. This process is long, complex, and resource-intensive, but it is essential, as the Commission wishes to maximize the transparency of its work and is committed to holding a public process before delivering its first report.

17. Once the first report has been submitted, the Commission will focus its efforts on Stage 2 of its mandate (the “Policy Phase”), which means that, in accordance with clause (a)(i)(C) of the Terms of Reference, it will 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. The Commission is assembling its Research Council and is in the process of identifying experts who will assist in this aspect of its work. Further details regarding the Policy Phase will be provided at a later date.

18. The second stage will give rise to a second report containing the Commission’s analysis, conclusions, and recommendations, which must be submitted by December 31, 2024.

PUBLIC INPUT PROCESS

19. Over the next few months, the Commission intends to put in place a process that will enable anyone who wishes to communicate with the Commission on issues relating to its mandate to provide observations, suggestions, and share relevant experiences.

This will be a user-friendly process, and those who choose to submit information will be able to request that their identity and certain information they provide be protected.

20. The Commission understands that some individuals may fear reprisals if they testify or provide information to the Commission. Accordingly, the Commission's Rules of Practice and Procedure include numerous measures to protect the safety and security of individuals who provide information to it. For instance, persons producing documents have the opportunity to redact irrelevant personal information before their documents are disclosed to any Parties, Participants, or the public (rule 26). In addition, witnesses who wish special arrangements to be made for the presentation of their testimony may submit a request for accommodation (rule 51). If necessary, the Commission may even decide to hear evidence in private, meaning that only the Commissioner, Commission counsel and an official stenographer may be present when the evidence is given (rules 82 to 84). This last measure is exceptional, but one that the Commission chose to include in its procedures so that it is available if necessary to protect those providing information to the Commission.

21. The Commission has also created an e-mail address – conf@pifi-epie.gc.ca – that can be used to transmit information in confidence. The Commission itself has put in place strict internal measures to ensure that any information provided through this email address will be kept confidential.

22. The Commission invites the public to consult its website frequently, as it intends to report regularly on the progress of its work.