

**PUBLIC INQUIRY INTO FOREIGN INTERFERENCE IN FEDERAL  
ELECTORAL PROCESSES AND DEMOCRATIC INSTITUTIONS**

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**Written Submissions of the Chinese Canadian Concern Group**

Stage 1 Hearings March 27–April 12, 2024

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**April 15, 2024**

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# Introduction

1. The Canadian Security Intelligence Service (“CSIS”) recognizes foreign interference to be one of the greatest strategic national security threats facing this country.<sup>1</sup> Accordingly, CSIS has developed “a broad operational and analytical capacity to investigate, analyze, and advise on the threat.”<sup>2</sup> In turn, the Government of Canada has responded by implementing the Security and Intelligence Threats to Elections (“SITE”) Task Force, the Critical Election Incident Public Protocol (“CEIPP”), and the National Security and Intelligence Committee of Parliamentarians (“NSICOP”), among other measures to protect our democratic systems from foreign interference.<sup>3</sup>

2. Despite these well-intentioned efforts, the evidence received by this inquiry supports the conclusion that foreign interference had a significant adverse impact on the 2019 and 2021 general elections. The people most affected were Canada’s large Chinese diaspora, who were the target of persistent efforts by the People’s Republic of China (“PRC”) and Chinese Communist Party (“CCP”) to manipulate their participation in our democracy.

3. Members of the Chinese diaspora were subjected to mis- and disinformation campaigns, manipulation of Chinese-language media, coercion by proxies, deplatforming, covert campaign financing, threats, intimidation, and other deceptive and coercive tactics – all on Canadian soil. These tactics targeted political candidates and their constituents, impacted platforms, and may have had an observable effect on participation rates and voter preferences in those elections. In 2021, the outcome of half a dozen ridings may have been affected.

4. The Chinese Canadian Concern Group on the Chinese Communist Party’s Human Rights Violations (the “Concern Group”) makes these submissions following the conclusion of the Commission’s “Stage 1” hearings from March 27 to April 12, 2024. This stage focussed on terms

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<sup>1</sup> CAN.DOC.000017 CSIS Institutional Report for PIFI at p 3

<sup>2</sup> *Ibid*

<sup>3</sup> Foreign Interference Commission, *Volume 14 (floor)*, Day 14 of Public Hearings (10 April 2024) at p 159 (Rt Hon Justin Trudeau)

(a)(i)(A) and (B) of the Commission’s terms of reference, which require the Commission to examine foreign interference in Canada’s 2019 and 2021 general elections (“GE43 and GE44”).

5. The Concern Group will focus these submissions on foreign interference by the CCP and its impact on the Chinese diaspora in Canada. The Concern Group will submit that more could have been done to protect the diaspora in those elections, particularly by specific, targeted messaging to the diaspora on the threat of foreign interference by the PRC, allowing people to be better informed and to better protect themselves.

## The Chinese Diaspora in Canada

6. The Chinese diaspora in Canada is comprised of more than 1.7 million people, making it one of the largest ethnic populations in the country,<sup>4</sup> and making Canada home to one of the largest populations of ethnic Chinese people outside of China.<sup>5</sup>

7. On March 27, 2024, the Commission heard evidence from a panel of witnesses representing various Canadian ethnic groups. They provided an overview of the context in which foreign interference is experienced by and impacts those communities. All members of the panel described similar vulnerabilities among their respective communities, similar impetuses to leave their homelands and come to Canada, and similar qualities that kept them united as a community. All panel members felt they and their communities were ongoing targets of foreign interference by their home states. And all believed Canada could be doing more to protect their communities and ensure their participation in public life.

8. Ms. Winnie Ng, a Concern Group member and Co-Chair of the Toronto Association for Democracy in China, described the Chinese community in Canada as diverse, complicated and non-

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<sup>4</sup> Statistics Canada (table) “2021 Census of Population.” Statistics Canada Catalogue no. 98-26-00092021001. Ottawa. Released March 20, 2024. <<https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/sip/index.cfm?Lang=E>> (accessed April 15, 2024).

<sup>5</sup> OCAC “Selected countries with the largest number of overseas Chinese 2022 (in millions)” (2024) <<https://www.statista.com/statistics/279530/countries-with-the-largest-number-of-overseas-chinese/>> (accessed April 15, 2024)

homogenous. The diaspora is comprised of different waves of newcomers from China, each with a different set of ideas and challenges, and spanning the whole spectrum of political beliefs.

9. Ms. Grace Dai Wollensak, National Director of the Falun Dafa Association of Canada, testified about the Falun Gong community in Canada, which has grown rapidly since the early 1990s. Many Falun Gong have fled persecution in China. According to Ms. Wollensak, they have been subjected to various forms of foreign interference in Canada for more than 20 years.

10. Mr. Mehmet Tohti, Executive Director at Uyghur Rights Advocacy Project, described life in Canada for the approximately 2,500 members of the Uyghur community, many of whom have fled repression and violence in China. They too have been subjected to relentless foreign interference by the PRC.

11. The Chinese diaspora is particularly vulnerable to foreign interference for at least three reasons. Primarily, this is due to the relentless intensity of the PRC to exert control over all people with Chinese ancestry. The PRC has blurred the distinction between PRC citizens living abroad and citizens of foreign states of Chinese heritage.<sup>6</sup> The CCP seeks to influence overseas communities, foreign governments and other actors to take or adopt positions in support of Beijing's preferred policies, discourage dissenting views, and harass or undermine groups that are critical of the CCP.<sup>7</sup> It does this in part through the United Front Work Department ("UFWD"), which is responsible for conducting covert influence operations both inside and outside China.<sup>8</sup>

12. Another reason is that leaders in the Chinese community within Canada have considerable influence over the diaspora, and are specifically targeted by the PRC.<sup>9</sup> These may include community and business leaders, academics, journalists, and current and former elected officials, including Parliamentarians and Senators. Ms. Ng described how members of the Chinese diaspora look to them as "opinion" leaders. These individuals are seen by the PRC to have the potential to impact public opinion on important political issues, including domestic policy, foreign policy and the

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<sup>6</sup> CAN.SUM.000005 Country Summary: People's Republic of China at p 3 [CAN.SUM.000005]

<sup>7</sup> CAN005792 CSIS National Security Brief (25 February 2020) at p 2

<sup>8</sup> CAN005784 CSIS Intelligence Assessment (18 February 2020) at p 4

<sup>9</sup> CAN.SUM.000005 at p 3

public's perception of the PRC. By virtue of their status and influence, they are prone to becoming proxies or agents of the PRC.

13. Language barriers are another reason the Chinese diaspora is more susceptible to foreign interference. Many immigrants rely on Canadian-based Chinese language media or home state media for information, either out of necessity or a preference over mainstream Canadian media. Canadian-based Chinese language media agencies may be pressured to conform to CCP ideals and messaging. Many people rely on social media or instant messaging apps – where there are no checks on misinformation – for their news and engagement with the world. For the Chinese diaspora, the messaging app WeChat is popular and widely used, despite being heavily monitored and censored by the CCP. For many, WeChat is their only link to family and friends in China, where it may be the only option available. This creates a problem with respect to monitoring foreign interference as WeChat's parent company Tencent has not joined other social media companies in agreements with Canada seeking to prevent the spread of misinformation online.

## PRC Interference in Canada's Elections

14. Winnie Ng encouraged the Commission to look beyond those recent elections to the 1990s to properly understand the context in which foreign interference exists in Canada today. For many in the Chinese diaspora, the Tiananmen square protests and massacre in 1989 were a turning point in their relationship with the PRC and the start of the present-day threat of PRC interference in Canada.

15. The PRC does not limit foreign interference to election periods, but rather continuously seeks to exert its influence in Canada.<sup>10</sup> In the period leading up to GE43, PRC interference appears to have increased drastically in Canada with bilateral policy issues such as the two Michaels, Meng Wanzhou, and Huawei creating heightened tension between the two countries.

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<sup>10</sup> WIT0000043 *In Camera* Examination Summary: A Branch within the CSIS ADR Directorate at para 6 [WIT0000043]

16. China is now the leading foreign threat to Canada's democratic institutions. In 2021, a SITE briefing note describes the PRC as remaining "the most significant foreign interference (FI) threat to Canadian interests."<sup>11</sup> In 2022, a top secret CSIS briefing note to the Prime Minister put it this way: "China is – by far – the most significant threat due to the scope of its FI activities and the level of resources it expends."<sup>12</sup>

17. According to CSIS Director David Vigneault, in order to combat foreign interference we must understand the foreign state's objectives.<sup>13</sup> In China's case, the CCP has a goal to preserve the power of the party over time and to combat the perceived threats to the CCP known as the "Five Poisons": Uyghurs, Tibetans, adherents of the Falun Gong, members of the Chinese democracy movement, and advocates for Taiwanese independence.<sup>14</sup>

18. Canada's international role may also explain the PRC's particular interest in interfering with our democracy. This includes Canada's role in the G7, NATO and the Five Eyes Alliance, Canada's international reputation, Canada's strong economy and economic resources, Canada's proximity to the United States, and Canada's significant Chinese diaspora community.<sup>15</sup>

19. Regardless of the PRC's objectives, it is clear that it has taken an interest in our elections. According to CSIS, the PRC was engaged in a number of activities in Canada that constitute foreign interference related to GE43 and GE44.<sup>16</sup> The PRC used a wide range of both CCP (i.e. UFWD) and state (i.e. the Ministry of Foreign Affairs) entities, as well as Canadian and Canada-based proxy agents to engage in foreign interference activities.

20. During the 2021 writ period, the Rapid Response Mechanism administered by Global Affairs Canada ("RRM Canada") described the PRC as being highly capable and motivated against Canada, and acting in a sophisticated, pervasive, and persistent manner against all levels of Canadian

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<sup>11</sup> CAN005824 SITE TF Update on Foreign Interference Threats to Canadian Democratic Institutions (13 September 2021) at p 2 [CAN005824]

<sup>12</sup> CAN015842 Briefing to the Prime Minister on Foreign Interference Threats to Canada's Democratic Institutions (26 October 2022) at p 1

<sup>13</sup> Foreign Interference Commission, *Volume 10 (floor)*, Day 10 of Public Hearings (4 April 2024) at p 155 (David Vigneault) [Day 10]

<sup>14</sup> *Ibid* at p 156, see also CAN.SUM.000005 at p 3

<sup>15</sup> WIT0000043 at para 7

<sup>16</sup> CAN.SUM.000005 at p 2

government and civil society.<sup>17</sup> According to RRM Canada, the PRC's efforts covered a spectrum of activities ranging from overt, influence-based diplomatic practices through to clandestine and deceptive activities grounded in foreign interference. Some of these tactics will be described further.

### Mis- and Disinformation Campaigns

21. Mis- and disinformation campaigns were used widely by the CCP, particularly during GE44. During the 2021 writ period, RRM Canada observed widespread disinformation campaigns that appeared to be coordinated by the CCP, including what was believed to be a CCP operation aimed at discouraging voters from voting for candidates Erin O'Toole and Kenny Chiu and the Conservative Party of Canada ("CPC").<sup>18</sup> The disinformation spread about Mr. O'Toole cast him as "anti-China" and seeking to sever ties with the PRC and ban WeChat, among other things. Surprisingly, even the Chinese Ambassador to Canada broke diplomatic custom and made comments to Canadian media criticizing Mr. O'Toole and the CPC for being "anti-China", perhaps launching the mis- and disinformation campaign that would follow.<sup>19</sup>

22. RRM Canada first detected the narrative that "The Conservatives almost want to break diplomatic relations with China" in two articles published on September 8, 2021 in the *Global Times*, a CCP tabloid.<sup>20</sup> The *Global Times* article was prompted by the publication of a piece in the *Hill Times* that reviewed the three major Canadian parties' stances on China-Canada relations. The content of the *Global Times* article was then spread widely on Canadian WeChat news accounts such as *York BBS*, *105.9 Yes My Radio*, *Global Chinese Convergence Media*, *Today's Commerical News*, *GTA Life*, *iToronto Life* and *Vancouver Headlines*, without credit, obscuring the narrative's point of origin.<sup>21</sup>

23. A similar campaign targeted Mr. Chiu for his proposal of Bill C-282, the *Foreign Influence Registry Act*. Mr. Chiu had won his seat in 2019 and was seeking re-election in 2021. Mr. Chiu was concerned about events unfolding in Hong Kong and had become aware of foreign interference –

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<sup>17</sup> CAN005824 at p 2

<sup>18</sup> *Ibid* at pps 1-2

<sup>19</sup> Foreign Interference Commission, *Volume 9: English Interpretation*, Day 9 of Public Hearings (3 April 2024) at p 7 (Erin O'Toole) [Day 9]

<sup>20</sup> CAN006595 RRM Canada Open Data Analysis (13 September 2021) at p 2

<sup>21</sup> *Ibid*, see also CAN.SUM.000004 Summary - Possible People's Republic of China Foreign Interference-Related Mis or Disinformation at p 2

which he described as “shadowy activities” – happening in Canada.<sup>22</sup> He believed “sunlight would be the best disinfectant” and had proposed this bill to encourage transparency about attempts at political lobbying in Canada by foreign states.

24. After less than two years in office, Mr. Chiu lost his seat in GE44. He believes foreign interference by the PRC was a significant factor in his loss.

25. Professor Benjamin Fung studied the CCP’s disinformation campaign in GE44 and provided evidence to the Commission by way of affidavit.<sup>23</sup> Prof. Fung is a Professor in the School of Information Studies at McGill University and the Canada Research Chair in Data Mining for Cybersecurity, and a member of the Concern Group. He has published over 200 papers on data mining and machine learning, and has worked closely with Defence Research and Development Canada on cybersecurity since 2010. One of Prof. Fung’s areas of expertise is authorship analysis (the study of writing styles to identify the author of a text or the author’s characteristics), which encompasses aspects of machine learning, deep learning, and data mining.

26. Prof. Fung focused on events surrounding the campaign of CPC candidate Kenny Chiu in GE44. He observed that in early September 2021, during the writ period, disinformation about Mr. Chiu and his proposed *Foreign Influence Registry Act* began to appear. He cited the example of a message shared in a private WeChat group of only 56 members by an individual purporting to express her own personal views (the “WeChat post”). The WeChat post was critical of Kenny Chiu and the CPC as being anti-China. It stated that Mr. Chiu is on a “counter-sanctions” list and is banned from travelling to China.

27. One week following the WeChat post, an article appeared in *Today Commercial News* (“TCN”), a publication widely distributed in the Chinese Canadian community. Prof. Fung described the TCN as a forum for CCP propaganda operating in Canada. Portions of the TCN article reproduce word-for-word (or nearly so) the text in the WeChat post. The similarity would be obvious to any reader.

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<sup>22</sup> Day 9 at p 91 (Kenny Chiu)

<sup>23</sup> WIT000005\_AF Affidavit of Ben Fung



28. Prof. Fung concluded it was likely that either both texts were copying from the same CCP-sanctioned source, or both texts had the same author. Reproducing the text nearly verbatim is typical of CCP propaganda. Prof. Fung observed various other features of the message that made it likely to have originated in China with the express or tacit approval of the CCP.

29. Prof. Fung described a proliferation of other social media posts and news articles in Chinese-language media that were critical of the CPC in the lead-up to the election. These increased in number as election day approached. The *Global Times* (a CCP-affiliated publication) published an article describing the CPC as “unusually hostile” to China.

30. Prof. Fung says the CCP’s strategy is based on fear and nationalism, and that the CCP’s strategy is to “plant seeds” that will create an environment in which disinformation can spread. Those seeds were exploited in a disinformation campaign against Kenny Chiu over WeChat, social media, and Chinese-language news media by claiming that the *Foreign Influence Registry Act* would be used as a tool of discrimination against Chinese Canadians.

31. Ultimately, it seems the CCP’s strategy against Mr. Chiu may have been successful. Mr. Chiu lost his seat to the opposition candidate and saw a reduction of his share of the vote by eight percentage points, which was contrary to trends across the country showing increases in total votes for the CPC.

### **Manipulation of Canadian-Based Chinese Language Media**

32. According to CSIS, the PRC uses its control and influence over Chinese language media and social media applications to influence the Chinese diaspora in Canada.<sup>24</sup> The PRC promotes pro-PRC narratives, spreads disinformation, and seeks to influence public discourse on PRC-related issues, while minimizing or suppressing, and at times censoring, content it deems “anti-China”.

33. Bo Basler, the Director General of Public Safety Canada, explained that in 2019, candidates the PRC disliked received little to no coverage in Chinese language news media, and would not be

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<sup>24</sup> CAN.SUM.000005 at p 4

invited to Chinese-Canadian community events. He described the PRC using various “levers” to exert influence over Canadian and international Chinese-language media.<sup>25</sup>

34. In 2021, the SITE Task Force observed online media activities aimed at discouraging Chinese Canadians from supporting the CPC, Erin O’Toole and Kenny Chiu.<sup>26</sup> While not conclusively determining this activity was a PRC-directed foreign interference campaign, the SITE Task Force observed indicators of potential coordination between various Canadian-based Chinese language news outlets and PRC and CCP news outlets.

35. An example of one such news article was provided to the Commission by the Concern Group and put to Kenny Chiu during his testimony.<sup>27</sup> This article, appearing in *Today Commercial News* on September 9, 2021, states in the title that Mr. Chiu introduced the *Foreign Influence Registry Act* to suppress the Chinese community. Mr. Chiu denied this intent and the assertions in the article.

36. Winnie Ng described her experience organizing an annual candlelight vigil commemorating the victims of the Tiananmen Square massacre, something she has done for 34 years.<sup>28</sup> Every year she had promoted the event in Canadian-based Chinese language newspapers, until approximately eight years ago when the newspapers suddenly refused to carry the ads. The newspapers may have been coopted by the PRC, or become fearful of repercussions for advancing a narrative counter to the PRC.

37. In contrast, MP Jenny Kwan described how two prominent Chinese-language newspapers in Vancouver had carried ads promoting pro-PRC policies, such as the police crackdown against protestors in Hong Kong.<sup>29</sup> She also described how Chinese state media has been able to buy airtime on Chinese-language radio to espouse its narrative. She echoed the concerns of Ms. Ng that Chinese-language media in Canada is manipulated by the PRC.

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<sup>25</sup> Day 10 at p 257 (Bo Basler)

<sup>26</sup> CAN003781 Threats to the Canadian Federal Election 2021 (17 December 2021) at p 1

<sup>27</sup> CCC0000004 Today Commercial News article (9 September 2021)

<sup>28</sup> Foreign Interference Commission, *Volume 6: English Interpretation*, Day 6 of Public Hearings (27 March 2024) at p 155 (Winnie Ng) [Day 6]

<sup>29</sup> WIT0000012.EN Interview Summary: Jenny Kwan at para 21

## Influence and Control over Individuals and Organizations

38. Winnie Ng described one of the tactics of the PRC – she called “entryism” – to usurp legitimate Chinese Canadian organizations, such as community groups, using proxies.<sup>30</sup> By installing leadership friendly to the PRC, the PRC can control the influence and direction of these organizations. Often this means steering the organization away from positions that might be harmful to the interests of the PRC.

39. CSIS has made similar observations. In 2019, CSIS noted that PRC influence in the Greater Toronto Area likely relied on a densely-connected network of PRC-linked individuals working to advance the PRC’s interests. The interference was focussed on four professional communities: political candidates, party staffers, local Chinese Canadian community members, and PRC officials. Individuals leveraged their overt positions within their respective communities in loose coordination with one another to clandestinely advance the PRC’s agenda.<sup>31</sup>

40. Meanwhile, in Greater Vancouver, CSIS identified in the course of GE43 that some PRC officials likely favoured particular political candidates and political parties, and clandestinely leveraged Canadian and Canada-based intermediaries to support the PRC’s preferred candidates.<sup>32</sup>

41. In a briefing note for a meeting between CSIS and the Office of the Commissioner of Canada Elections (“OCCE”) dated November 2, 2021, CSIS noted the PRC builds relationships with school board trustees, municipal councillors, politicians, political staffers, businesspeople, academics, and people in the media to advance its agenda.<sup>33</sup>

42. The Concern Group suggests there may be people at all levels of government, including MPs and Senators, who may be beholden to the interests of the CCP. This might be reflected by their publicly-held positions and voting history on issues related to the “Five Poisons” – where Canada’s

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<sup>30</sup> Day 6 at p 159 (Winnie Ng)

<sup>31</sup> CAN004728 CSIS National Security Brief: Foreign Interference in the 2019 Federal Campaign of Dong Han (1 October 2019) at p 1

<sup>32</sup> CAN.SUM.000003 People’s Republic of China Officials – Foreign Interference Activities in Greater Vancouver in the 2019 General Election at p 2 [CAN.SUM.000003]

<sup>33</sup> CAN019304 Meeting between CSIS and OCCE (March 2022) at p 2

and China's interests typically diverge sharply, or on sensitive bilateral issues such as the two Michaels and the Uyghur genocide.

### **Disinvitation and Deplatforming**

43. In 2019, CSIS observed PRC interference in the form of political candidates perceived as “anti-China” being excluded from attending local community events related to the election.<sup>34</sup> According to CSIS, this is accomplished with the help of PRC proxy agents, hiding the direct involvement of PRC officials.

44. MP Jenny Kwan agreed with the Service's observations.<sup>35</sup> She testified that in 2019 there was a shift in her relationship with the “Big Five” Chinese community organizations in Vancouver. She had historically had good relations with these organizations, but as she became more vocal on China's human rights violations there was a change in attitude towards her.<sup>36</sup>

45. In the Chinese diaspora, invitations to and recognition at community events are perceived as signs of respect and approval. Ms. Kwan noted that community leaders at these events began to shy away from engaging with her, and constituents began to speak to her in hushed tones, all apparently as a consequence of her vocal, anti-PRC stance on issues such as the CCP's treatment of Uyghurs and the Hong Kong National Security Law.

46. This shift in her relationships with the community was most obvious in the reduction of invitations she received to community events. Ms. Kwan described being dropped from the invitation lists of major Chinese community events to which she had historically been invited and treated as an honoured guest. In her place were elected officials who were known to espouse views favourable to the PRC.

47. In relation to one such event, the Concern Group issued a press release dated February 18, 2022 with the heading “CCP suspected of manipulating the political ecology of Chinese Canadians

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<sup>34</sup> CAN.SUM.000003 at p 2

<sup>35</sup> Day 9 at p 166 (Jenny Kwan)

<sup>36</sup> *Ibid* at p 157 (Jenny Kwan)

through Lunar New Year celebration events.”<sup>37</sup> The release accused two Chinese community groups of disinviting MP Kwan in favour of other officials more favourable to the PRC, including the Chinese Consul-General and an MP from outside the riding. In her testimony at the inquiry, Ms. Kwan agreed with the assessment.<sup>38</sup>

48. Ms. Kwan described the experience of another elected politician, former BC MLA Richard Lee, who was “shunted” from Chinese community events. If Mr. Lee was invited, the representatives from the Chinese consulate would not attend, and consequently, that resulted in Mr. Lee receiving fewer invitations.

49. Kenny Chiu was also a victim of deplatforming by the CCP or its proxies. Following GE44, MP Michael Chong and other party members met with Chinese Canadians in the Greater Toronto Area and BC’s Lower Mainland in roundtable-type events, to solicit the views of Chinese Canadians about the PRC and its policies.<sup>39</sup> He described what they heard as “pretty shocking.” One participant reported that two hosts on a Chinese-language radio station in Vancouver were instructed by the station’s ownership not to mention Kenny Chiu’s name on air. One host nevertheless interviewed Mr. Chiu and was terminated as a result.

### **Covert Funding of Election Campaigns**

50. There has been considerable evidence at this inquiry suggesting the possibility of covert funding by the PRC in election campaigns. CSIS intelligence suggests the existence of “slush funds” operated by PRC officials in Canada, possibly for foreign interference-related purposes.<sup>40</sup>

51. The nomination contest in Don Valley North in 2019 may have involved PRC interference in the form of recruiting and transporting foreign exchange students who had been coerced into supporting Liberal MP Han Dong. Mr. Dong has been unable to explain who paid for the bus to

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<sup>37</sup> JKW0000065\_R CCP suspected of manipulating the political ecology of Chinese Canadians through Lunar New Year celebration events (18 February 2022)

<sup>38</sup> Day 9 at p 162 (Jenny Kwan)

<sup>39</sup> WIT0000018.EN Stage 1 Interview Summary: Michael Chong at para 15 [WIT0000018.EN]

<sup>40</sup> CAN.SUM.000010 People’s Republic of China – Threat Actors, Contact with Candidates and Staff, and Funding of Threat Actors at p 2

transport those students to the nomination contest, despite allegations those students were recruited and pressured by the PRC to support Mr. Dong in the nomination contest.

52. A campaign event in Vancouver in 2021 organized and paid for in support of the Liberal candidate in the Vancouver East riding came under intense scrutiny at this inquiry. The invitation for the event specifically targeted “Chinese nationals”. The event took place at the Floata Seafood Restaurant during the writ period on August 28, 2021.

53. Gabriel Yiu, campaign manager for MP Jenny Kwan, provided evidence on the circumstances surrounding the lunch by way of affidavit.<sup>41</sup> Despite a complaint filed by Ms. Kwan’s party and an investigation by the Office of the Commissioner of Canada Elections, questions remain about the source of funds used to pay for that lunch.

54. Related issues, brought sharply into focus in Don Valley North in 2019, are party membership rules and the regulation of riding nomination contests. These critical components of our democracy have shown vulnerability to foreign interference. The Concern Group hopes these issues will be revisited in stage 2 of this inquiry’s process.

### **Surveillance, Threats and Travel Restrictions**

55. Other forms of foreign interference include surveillance, threats and the imposition of travel restrictions on people in Canada and their families in China.

56. Winnie Ng had observed direct and indirect threats against individuals who spoke out against CCP policies. She testified these threats are designed to silence critics of the CCP and force loyalty among people of Chinese descent. She described the presence of six PRC-operated “police stations” in Montreal, Vancouver and Toronto, and the lasting impact of those operations, even if they have been shut down: “we never know whether [the police stations] are operating in another form or not.”<sup>42</sup>

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<sup>41</sup> WIT0000008\_AF Affidavit of Gabriel Yiu sworn March 29<sup>th</sup>, 2024

<sup>42</sup> Day 6 at p 162 (Winnie Ng)

57. In April, 2021, a member of the Concern Group received death threats through text messages and phone calls from unknown caller(s) after the Group issued an open letter to BC Premier John Hogan.<sup>43</sup> The Concern Group's letter called for the removal of an individual who had been appointed an advisor to the Premier and who had a history of publicly denying the Uyghur genocide.

58. Mehmet Tohti testified the members of the Uyghur community fear abduction when travelling to countries allied with the PRC in Central Asia and the Middle East. They also have difficulties obtaining visas and experience other forms of transnational repression. He described being threatened and cut off from family members in China. He described members of the Uyghur community being harassed and even physically attacked after protesting at the Chinese consulate in Vancouver.

59. Michael Chong described receiving an email purporting to be from the PRC's Ministry of Foreign Affairs and indicating that he was barred from entering Chinese territory. The email stated it would be shared with other Asian countries. He understood this to be a threat that he could be extradited to China if he travelled to such countries.<sup>44</sup>

## Impacts of PRC Interference on the Chinese Diaspora

60. The preceding submissions have laid the foundation for the Concern Group's assertion that foreign interference had significant adverse impacts on the Chinese diaspora and, accordingly, on the integrity of GE43 and GE44. This assertion is aimed squarely at the Commission's mandate: "to examine and assess interference by China...including any potential impacts, in order to confirm the integrity of [GE43 and GE44]".

61. It is important to recognize that the impacts of foreign interference on an election could never be measured objectively. Chief Electoral Officer Stéphane Perrault described this as "qualitative exercise only", and said one could never draw a "straight line between [foreign interference activity]

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<sup>43</sup> CCC0000182 Chinese-Canadian Human Rights Concern Group Members Receives Death Threats (14 April 2021)

<sup>44</sup> WIT0000018.EN at p 3

and the results, unlike, for example, destruction of ballots or election fraud.”<sup>45</sup> Nevertheless, recognizing the impact of foreign interference is perhaps the first step to countering it.

62. Members of the diaspora panel testified about the impact of foreign interference on their respective communities. Winnie Ng described the “self-censoring” that occurs in the wake of intimidation and threats and the fear instilled by Article 23, the Hong Kong National Security Law.<sup>46</sup> She described difficulties advertising her annual Tiananmen Square massacre vigil, and contracting with suppliers, perhaps because those companies have been coopted by the PRC or because they fear negative consequences themselves. Ms. Ng described a recent protest in Toronto against Article 23 at which attendees wore “heavy-duty head gear” to protect their identities.

63. Mehmet Tohti described the impact of foreign interference on an individual’s wellbeing and quality of life: “[Foreign interference] touches your life. It touches your safety. It touches your security. It touches your family comfort. It touches your career. It touches your future. You don’t get sleep and you don’t know what kind of bad news you are receiving when you wake up tomorrow morning.”

64. Jenny Kwan observed her constituents acting nervously or fearfully around her, advising her to focus on “local issues”, and expressing concerns about the privacy of their ballots.<sup>47</sup> Some expressed concerns about repercussions for themselves or their family members in China if they supported Ms. Kwan in the election. Some expressed fear about participating in the democratic system at all.<sup>48</sup>

65. These impacts of PRC interference targeting the Chinese diaspora may have played out at the ballot box in GE44. Erin O’Toole described the CPC “possibly” losing between five and nine seats to foreign interference in that election. His observation is supported by CPC modelling and post-election analysis, finding reduced voter turnout in those ridings and supporting the possibility of

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<sup>45</sup> Foreign Interference Commission, *Volume 7: English Interpretation*, Day 7 of Public Hearings (28 March 2024) at p 12 (Stéphane Perrault)

<sup>46</sup> Day 6 at p 163 (Winnie Ng)

<sup>47</sup> Day 9 at pps 167-168 and 179 (Jenny Kwan)

<sup>48</sup> *Ibid* at p 180 (Jenny Kwan)



voter suppression. The outcome also affected his political aspirations personally, and became a “compelling narrative” for his ouster as leader of the party.

66. Kenny Chiu echoed concerns that foreign interference may have suppressed votes in his riding in GE44. Mr. Chiu’s loss in that election offers a case study on the effectiveness of PRC interference. As a result of his perceived anti-PRC stance, Mr. Chiu became the focus of an intense disinformation campaign, casting him as racist and hostile to the interests of all Chinese people. He lost supporters and volunteers, and ultimately his seat.

## The Failure to Notify the Chinese Diaspora

67. Despite the evidence of apparent PRC interference that was known in advance of GE43 and GE44, at no point did any of our national intelligence and security agencies, the SITE Task Force, the Panel of 5, the Prime Minister or any other authority ever issue a notification or warning to members of the Chinese diaspora.

68. This was arguably a missed opportunity to deter and counter PRC interference. Such notice could have been targeted and informative, and empowered members of the Chinese diaspora to better protect themselves. A notice could have been tailored to the form, substance and scope of the foreign interference detected. It could have been language appropriate, reaching members of the diaspora who did not speak English or French. It could have been issued on appropriate platforms, including social media and Canadian-based Chinese language media. It could have assured people Canada’s elections were free and fair and well-protected from foreign interference, and inspired confidence in the integrity of our democracy.

69. The justifications for not providing such notice have been unconvincing. Allen Sutherland, Assistant Secretary to the Cabinet, Machinery of Government and Democratic Institutions, suggested a warning might play into the objectives of adversaries trying to sow doubt about Canadian democracy.<sup>49</sup> He suggested that if the Panel of 5 intervened too often, the public would

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<sup>49</sup> WIT000040 Interview Summary: Privy Council Office – Democratic Institutions (Allen Sutherland)

stop listening, or might think their democracy is not working.<sup>50</sup> In regards to misinformation brought to the attention of the Panel during GE44, he suggested attribution was difficult. He attempted to differentiate between the misinformation about the Prime Minister in the Buffalo Chronicle and the misinformation about “policy issues” circulating on WeChat.

70. There appears to have been a double standard at play. Misinformation in English about the Prime Minister was sufficiently significant to justify intervention, but misinformation in Chinese circulation only among the Chinese diaspora was not. While Mr. Sutherland stated that those factors did not mean the latter situation was less significant, that fact that the misinformation in Chinese was left to the “democratic ecosystem” to “cleanse itself” suggests a different level of concern about that misinformation.

71. Erin O’Toole had a more optimistic view on what a notice targeting the Chinese diaspora might have accomplished. He suggested a notice or warning would have been helpful to those targeted by misinformation, that it could have given them alternative sources for unbiased news or the ability to report instances of intimidation.<sup>51</sup> He testified that “targeted warnings and messaging, particularly in Mandarin and Cantonese, and in the case of 2021, was warranted, and it was a mistake not to raise the alarm.”<sup>52</sup>

## Conclusion

72. Recognizing the adverse impact of foreign interference on our elections is necessary to justify efforts to better protect our democracy. PRC interference surrounding GE43 and GE44 had a significant adverse impact on the integrity of those elections. The government systems in place to detect, deter and counter foreign interference did not adequately achieve those goals, particularly with respect to PRC interference targeting the Chinese diaspora. A warning or notice to members of the diaspora would have been justified and effective.

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<sup>50</sup> *Ibid*

<sup>51</sup> Day 9 at p 35 (Erin O’Toole)

<sup>52</sup> *Ibid* at p 44

73. The Concern Group makes one final submission in recognition of a possible general election in the Fall of 2024. This stage of the inquiry has revealed critical vulnerabilities to our general elections that expose our democracy to the ongoing threat of foreign interference. Accordingly, it may be open to the Commissioner to make interim recommendations now. The terms of reference specify only a final deadline by which the Commissioner must satisfy the direction at subsection (E) to: recommend any means for better protecting federal democratic processes from foreign interference that the Commissioner may consider appropriate; in other words, the terms of reference do not restrict the ability to make interim recommendations now. Such recommendations may prove extremely valuable should a Fall election be called.

ALL OF WHICH IS RESPECTFULLY SUBMITTED,

This 15<sup>th</sup> day of April, 2024



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