

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

**Written Submissions of the Chinese Canadian Concern Group
on the Chinese Communist Party's Human Rights Violations**

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Table of Contents

1	INTRODUCTION	1
2	PRC INTIMIDATION AND HARASSMENT IN CANADA	2
2.1	TARGETS OF THE PRC’S INTIMIDATION AND HARASSMENT	2
2.1.1	Community Organizations	2
2.1.2	Activists and Advocates	3
2.1.3	Academics	5
2.1.4	Political Parties and Politicians	7
2.2	LAW ENFORCEMENT CHALLENGES	8
2.3	OVERSEAS POLICE STATIONS - A CASE STUDY	9
2.3.1	The PRC’s Global Campaign to Control the Chinese Diaspora	9
2.3.2	Canada’s Failure to Detect, Deter and Counter the Overseas Police Stations	11
2.3.3	Deterrence Requires a Criminal Law Response	13
3	PRC INTERFERENCE IN THE CANADIAN MEDIA LANDSCAPE	15
3.1	A THREAT TO NATIONAL SECURITY	15
3.2	THE PRC’S TACTICS AND STRATEGIES	15
3.3	BY CONTROLLING THE PLATFORMS, THE PRC CONTROLS THE CONTENT	16
3.4	THE CRTC’S EXISTING MANDATE TO COMBAT FOREIGN INTERFERENCE	17
3.4.1	The CRTC Regulates “De Facto” Control	18
3.4.2	The CRTC Regulates “False and Misleading News”	19
3.5	THE CRTC’S MANDATE SHOULD BE FURTHER ENHANCED	20
4	OTHER VULNERABILITIES TO FOREIGN INTERFERENCE	21
4.1	LEGAL CHALLENGES WITH PROSECUTING FOREIGN INTERFERENCE	21
4.2	UNREGULATED SOCIAL MEDIA AND THE SPREAD OF MIS- AND DISINFORMATION	21
4.3	THE PRC’S FALSE RHETORIC OF “RACISM”	22
4.4	DIFFICULTIES DETECTING FOREIGN CAMPAIGN FUNDING	23
4.5	THE ROLE OF POLITICIANS AND POLITICAL PARTIES IN COMBATTING FOREIGN INTERFERENCE	24
5	RECOMMENDATIONS	25
6	CONCLUSION	30

1 Introduction

1. Foreign interference is an escalating threat to democracies worldwide. In Canada, the most significant actor is the People's Republic of China (PRC), which has, for years, deployed various tactics to spread disinformation, manipulate the population, and undermine our democratic processes. These tactics include the intimidation and harassment of Canadians with ethnic and family ties to China and Hong Kong, along with the manipulation of Chinese-language media to spread disinformation and propaganda.
2. The evidence received by this inquiry highlights Canada's significant vulnerabilities and barriers to detecting, deterring, and countering foreign interference. Through its United Front Work Department and related proxies, the PRC exploits these vulnerabilities and barriers to instill fear in the population, inhibit free expression, and undermine Canadian policy at all levels of government.
3. These closing submissions of the Chinese Canadian Concern Group on the Chinese Communist Party's Human Rights Violations ("Concern Group") will examine how the PRC's tactics pose a direct threat to Canadian national security and the principles of free expression and democratic discourse. They will highlight the extent and impact of PRC intimidation and harassment targeting the diaspora, and the PRC's manipulation and control of the Chinese-language media landscape. They will conclude with recommendations to better safeguard the country from these threats.
4. The Concern Group is a grassroots organization with volunteer members across the country, comprising community leaders, journalists, academics, religious leaders, professionals and human rights activists, many who have been involved in advocacy since the Tiananmen Square massacre in 1989. The Concern Group's objectives are to monitor and report on foreign interference in Canada, counter the PRC's false narratives and disinformation, and call on the Canadian government to do more in response to this growing threat. The Concern Group plays a unique role at this inquiry as the only full participant focused exclusively on PRC interference and its impact on people in this country who have ethnic or family ties to China and Hong Kong.
5. Lest there be any doubt, it is the ruling Chinese Communist Party (CCP) that is responsible for PRC foreign interference. References in these submissions to the PRC or China (used interchangeably) are directed at the CCP and its actions and policies, not the people of China and Hong Kong, and not the Chinese Canadians, Singaporeans, Malaysians, Taiwanese, or the many other populations outside of China with ties to that country. While a common tactic of the CCP is to conflate criticism of its actions and

policies with “racism” against Chinese people, that distortion must be recognized and expressly rejected.

2 PRC Intimidation and Harassment in Canada

6. The Canadian intelligence community has reached a consensus that China represents the most significant foreign interference threat to this country, judged by the breadth, depth, and frequency of its efforts.¹

7. One particularly insidious form of foreign interference employed by the PRC is direct intimidation and harassment of people living in this county, particularly those with ethnic or family ties to China and Hong Kong. This illegal and brazen conduct has a significant impact on quality of life, freedoms and democratic participation rates. While these tactics primarily focus on people of Chinese descent, targets include anyone who takes a public position contrary to the CCP, including politicians.

2.1 Targets of the PRC’s Intimidation and Harassment

8. The methods of intimidation and harassment employed by the PRC vary widely and involve numerous fronts. These methods may involve consulates, community leaders, media outlets, business partnerships, and a range of proxy actors who are directed to exert influence. Its coordinated approach sometimes mobilizes groups like counter-protesters, Chinese international students, and pro-CCP United Front organizations to block and intimidate peaceful protests or gatherings that are seen as threatening to the PRC’s image.

2.1.1 Community Organizations

9. Through the UFWD, the PRC closely monitors and attempts to exercise control over diaspora communities by penetrating local networks of community groups and private businesses.² In some cases, Chinese Embassy liaisons assume positions within grassroots groups and organizations to surveil the actions and opinions of the local community.³ Often, these entities are unaware they are being used for this purpose.⁴ In other cases, China creates “shell groups”, NGOs, and civil societies while concealing its involvement, creating the illusion of a “grassroots” organization.⁵ This practice of “astro-turfing” makes

¹ CAN003787_R01 Intelligence Assessment Secretariat Special Report – China at p. 1.

² CCC0000260, The Chinese Community Party’s Overseas Police Stations: Interim Report at p. 32.

³ COM0000363, NSICOP Special Report on Foreign Interference in Canada’s Democratic Processes and Institutions at p. 28.

⁴ COM0000363 at p. 28

⁵ COM0000363 at p. 29.

it appear that the pro-CCP positions of these organizations are genuine and that the Chinese community speaks with a single, pro-CCP voice.⁶ These community organizations sponsor advertisements in local, Chinese-language media supporting draconian PRC policies like the Hong Kong National Security Law. They wield a large influence over local Chinese communities through their position as support networks for diaspora members, and may rely on financial support from the PRC Embassy and consulates to provide their services.⁷ In return, diaspora members are expected to “demonstrate their loyalty” to the PRC by donating, volunteering, and supporting UFWD activities.⁸

2.1.2 Activists and Advocates

10. Despite the PRC’s concerted efforts to have a unified, pro-CCP voice representing the Chinese diaspora, there remains a diversity of opinion amongst Chinese Canadians.⁹ Those who speak out against the CCP, however, are often censored or threatened. The Special Committee on the Canada-People’s Republic of China Relationship heard from witnesses about the PRC’s intimidation and harassment of people living in Canada. Witnesses described tactics such as threatening phone calls, cyber-hacking, physical confrontations, and the online release of personal information to deter their freedom of expression.¹⁰ Members of Chinese Canadian advocacy groups described facing death threats directly tied to their advocacy work.¹¹

11. Cherie Wong, an activist and the Executive Director of Alliance Canada Hong Kong (“ACHK”), spoke of receiving death and rape threats since participating in the Hong Kong pro-democracy movement¹² and of community members having their tires slashed after having attended a Tiananmen Massacre memorial event.¹³ Davin Wong of ACHK was followed and physically attacked while participating in the same movement, and three other activists were similarly assaulted on the same day.¹⁴ Jenny Kwan, the Member of Parliament for Vancouver East, described protestors outside the Chinese Consulate in

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ TRN0000025.EN, Hearing Transcript Volume 25 (English Interpretation) at p. 7 (examination of Cultural Media Panel).

¹⁰ CCC0000034, A Threat to Canadian Sovereignty: National Security Dimensions of the Canada-People’s Republic of China Relationship at p. 19.

¹¹ *Ibid* at p. 20.

¹² ACHK, “ACHK Testified at Special Committee on Canada-China Relations“ (12 August 2020), online: <<https://alliancecanadahk.com/achk-testifies-at-special-committee-on-canada-china-relations/>>.

¹³ CCC0000242, Standing Committee on Access to Information, Privacy and Ethics, Evidence No. 61 at p. 12.

¹⁴ *Ibid.*

Vancouver wearing masks and hoodies to protect their identities from the Consulate's cameras.¹⁵

12. In August 2022, the Hong Kong Special Administrative Region condemned Vancouver resident and activist Victor Ho and two other pro-democracy advocates for their involvement in the formation of an unofficial virtual parliament for Hong Kong's diaspora, accusing them of subversion under the National Security Law and pledging vigorous pursuit of their cases.¹⁶

13. A prayer meeting for peace in Hong Kong held at a Vancouver church in Vancouver on August 18, 2019, was targeted by a group of more than 100 pro-CCP demonstrators who surrounded the church, and the church attendees were unable to leave safely until they were escorted out by the police.¹⁷ The pro-CCP demonstrators took photos of the attendees and later identified some of them online, along with personal identifying information.¹⁸

14. The PRC exploits the vulnerability of individuals with family connections in China, leveraging these family ties to amplify their influence. China threatens individuals in Canada with the potential denial of visitation rights or subject to surveillance and harassment, effectively using family members as bargaining chips to manipulate behavior abroad.¹⁹ This high-level coordination of harassment even extends to smear campaigns against activists and researchers, aiming to undermine the credibility and social standing of those who speak out against the PRC.

15. All Chinese Canadians, even those not engaged in activism, are potently aware of the trans-national influence the PRC holds in Canada and the dangers of having opinions that do not align with the "good China story". MP Kwan described being approached by seniors in her community who are worried about the PRC finding out they support MP Kwan and becoming targets.²⁰ Chinese Canadians might engage in self-censorship while using the Chinese-owned platform WeChat, which the Chinese government uses as a tool of surveillance.²¹

¹⁵ TRN0000009.EN, Hearing Transcript Volume 9 (English Interpretation) at p. 155 (examination of Jenny Kwan).

¹⁶ CCC0000034 at p. 35.

¹⁷ CCC0000257, Report: National Security and Chinese State Influence at p. 16.

¹⁸ *Ibid.*

¹⁹ *Ibid* at p. 21.

²⁰ TRN0000018.EN, Hearing Transcript Volume 18 (English Interpretation) at p. 136 (cross examination of Jenny Kwan).

²¹ CCC0000033, Murky Waters: Beijing's Influence in Canadian Democratic and Electoral Processes at p. 17.

2.1.3 Academics

16. Academic institutions are open and innovative environments that serve as forums for public debate, making them a strategic avenue for the PRC to interfere with Canadians and Canadian institutions.²² With approximately 140,000 Chinese international students registered at Canadian post-secondary institutions and hundreds of student exchanges and training programs, as well as hundreds of research collaborations with the PRC, Canadian universities have been described as the “foundation of engagement between Canada and the PRC.”²³ Organizations like the Chinese Students and Scholars Associations, while providing support networks for Chinese students abroad, are frequently associated with Chinese embassies and consulates, raising concerns about their role in promoting the Chinese government’s interests and possibly exerting ideological pressure.²⁴ These and similar associations are used to guide and surveil Chinese international students, whose activities are reported back to the PRC government.²⁵

17. Chinese international students are seen by the PRC as a strategic group through which the Party can “consolidate and expand” the Party’s base,²⁶ and groups of them have been mobilized to attend pro-CCP counter-protests and to influence nominations. During the Don Valley North nomination contest, 175 to 200 Chinese students were bussed in to vote in the contest, and intelligence reporting suggests that threats were issued to the students that implied their student visas could be taken away if they did not vote for a particular candidate.²⁷ The PRC pressures students to cooperate with Party officials, including by participating in demonstration and threatening other Chinese students, under the threat of jail time.²⁸ Activists report encountering large groups of counter-protestors holding “large, crisp, new Chinese flags” and identical signs across cities,²⁹ indicating the PRC mobilizes groups to suppress Hong Kong democracy supporters in coordinated efforts across the country.

18. Chemi Lhamo, a Community Health Lead, told the Special Committee on the Canada-PRC Relationship that she encountered overwhelming harassment and social

²² COM0000155, NSICOP Annual Report 2019 at p. 88.

²³ CCC0000034 at p. 40.

²⁴ COM0000155 at p. 88

²⁵ CCC0000034 at p. 34.

²⁶ CCC0000022, Harassment & Intimidation of Individuals in Canada Working on China-Related Human Rights Concerns at p. 10.

²⁷ COM00000363, NSICOP Special Report on Foreign Interference in Canada’s Democratic Processes and Institutions at p. 39; CAN004985, CSIS Intelligence Assessment: Foreign Interference and Elections at p. 6.

²⁸ CCC0000022 at p. 11.

²⁹ CCC00000257 at p. 9.

media abuse, including rape and death threats, when she ran in student elections at the University of Toronto Scarborough in 2019.³⁰ She became the target of a petition bearing 10,000 signatures that contested her presidency because of her views as a Tibetan person and continued to be threatened throughout her term as student president, including being followed on campus.³¹ She attributed the large number of signatures on the petition, having been gained so quickly, to a possible campaign by the Chinese embassy.

19. Through the China Scholarship Council, the PRC funds approximately 40 students and scholars to perform research in Canada. The students are often required to sign a “loyalty contract” with the Chinese government. One such contract between a student studying at a German university required the student to “consciously safeguard the honor of the motherland, (and) obey the guidance and management of embassies (consulates) abroad.”³² The student was required to regularly report their academic progress to and maintain frequent contact with the nearest Chinese consulate.³³ This exemplifies the way in which the PRC, with the help of Chinese consulates, gains insight into academic research in other countries, threatening the security of intellectual property. The Special Committee on the Canada-PRC Relationship heard observations that “there is almost no recognition of [this] threat among university researchers.”³⁴

20. China’s Confucius Institutes are set up in association with K-12 and post-secondary institutes to promote Chinese language and culture overseas, but concerns have been raised that they serve as vehicles for foreign interference.³⁵ The Chinese government funds these programs and approves all teachers, events and speakers, and teacher must sign contracts pledging that they will not “damage the national interests of China.”³⁶ Confucius Institutes operate across Canada and are suspected of being another tool in the PRC’s toolkit to “spread the PRC world view,” influence Chinese students and engage in espionage.³⁷

³⁰ *Ibid* at p. 20.

³¹ *Ibid*.

³² CCC0000065, Concern Group Memo re: China’s Infiltration through CSC at p. 1; Esther Felden, “How China controls its top students in Germany” (7 March 2023), online: <<https://www.dw.com/en/how-china-controls-its-top-students-in-germany/a-64901849>>.

³³ *Ibid*, Esther Felden.

³⁴ CCC0000034 at p. 42.

³⁵ COM0000155 at p. 89.

³⁶ *Ibid* at p. 89.

³⁷ CCC0000034 at p. 49.

2.1.4 Political Parties and Politicians

21. Foreign interference affects all political parties across all levels of government.³⁸ Parliamentarians from all parties and groups are potential targets of foreign interference due to their roles in government and within the communities they represent.³⁹ The PRC interferes during constituency nominations and elections to promote candidates considered supportive of China's interests and to undermine or silence those who are seen as anti-China.⁴⁰ This is done through the funding of political campaigns, media campaigns and the intimidation of politicians. The diversity of opinion amongst the Chinese community, as a result, is not accurately reflected in government or in the media.

22. At the risk of becoming targets of disinformation campaigns, sanctions and threats, politicians become unwilling to take positions that will offend the CCP. In a June 2024 briefing to Parliamentarians, CSIS warned that the PRC does not want elected officials to endorse or support the “Five Poisons”: the Uyghur Muslim minority, Taiwanese independence, the Hong Kong democracy movement, Tibetan independence and the Falun Gong.⁴¹ In a CSIS memorandum regarding a PRC threat reduction measure, CSIS noted that following the February 22, 2021 motion recognizing the Uyghur genocide, PRC officials sought to conduct research on certain MPs, and sought information about Michael Chong's relatives in the PRC.⁴² The PRC sanctioned the Sub-committee on International Human Rights of the House of Commons Standing Committee on Foreign Affairs and International Development after it presented its report on the Uyghur genocide.⁴³ MP Kenny Chiu, a member of the sub-committee, believed he would be at risk of arrest or disappearance if he went to China.⁴⁴

23. The PRC seeks to silence any discourse that does not align with the pro-PRC story by “making examples” of elected officials and political candidates.⁴⁵ Politicians, who shape our policies and laws, are key figures in our democracy, and as such are key targets of PRC influence.

³⁸ *Ibid* at p. 52.

³⁹ COM0000363 at p. 75.

⁴⁰ CCC0000034 at p. 54.

⁴¹ CAN047988_0001, FI Briefing to Parliamentarians – Script at p. 4.

⁴² CAN012593_R01, Memorandum to the Minister at p. 3.

⁴³ WIT0000014.EN, Stage 1 Interview Summary: Kenny Chiu at para. 30.

⁴⁴ *Ibid*.

⁴⁵ CAN012593_R01 at p. 3.

2.2 Law Enforcement Challenges

24. Chinese Canadians often feel unsupported by Canadian law enforcement, reporting that the RCMP and local police provide little protection or prosecution in response to these threats, and this has only compounded the sense of vulnerability faced by these communities.

25. Activists and dissidents report being “bounced around” between enforcement agencies, which are ill-prepared to deal with foreign interference.⁴⁶ RCMP Assistant Commissioner Gauvin noted that specific foreign interference training is not currently part of the Depot Division curriculum.⁴⁷ Safety concerns brought to the police are often dismissed as civil disputes rather than foreign influence operations,⁴⁸ and often the police are reluctant to get involved in disputes amongst diaspora members, preferring to remain neutral.

26. RCMP Deputy Commissioner Flynn highlighted what he described as one of the “main challenges” for the RCMP when responding to foreign interference targeting diaspora communities: “while the RCMP may have good reasons to suspect some people of illegal [foreign interference] activities, it does not want to further marginalize these communities... .”⁴⁹

27. A related challenge is underreporting by diaspora members. Deputy Commissioner Flynn provided two explanations for the underreporting. First, some people may believe the PRC will find out that they have contacted law enforcement, and they fear retaliation by the PRC, such as visas being denied or repercussions to family members in China. Second is a lack of trust between diaspora communities and law enforcement. Both reasons may contribute to a general reluctance to bring concerns forward to the RCMP.⁵⁰ Other issues like a lack of language and cultural proficiency among officers may contribute. Even post Bill C-70, when additional enforcement powers will be in place, the police will still need victims to come forward and report instances of transnational repression.

28. Accordingly, the RCMP has the important responsibility of enhancing community engagement and encouraging individuals to come forward with information. Efforts have apparently been made to disseminate information among the population about available

⁴⁶ CCC0000028, In Plain Sight: Beijing’s unrestricted network of foreign influence in Canada at p. 13.

⁴⁷ WIT0000137, In Camera Examination Summary of Michael Duheme, Mark Flynn and Brigitte Gauvin at para. 31.

⁴⁸ CCC0000028 at p. 13.

⁴⁹ WIT0000108 2024-06-18 Interview Summary: RCMP at para. 18.

⁵⁰ *Ibid* at para. 8.

law enforcement services.⁵¹ Deputy Commissioner Flynn suggested the RCMP has increased its public presence within communities that suffer from PRC transnational repression.⁵² Whether these efforts are sufficient to build the necessary trust among the population remains to be seen.

29. Years of inaction by Canada to the PRC’s intimidation and harassment of people in this country may have emboldened PRC agents to enforce ideological control beyond China’s borders, and led to actions like the establishment of what have been called China’s “overseas police stations.” These will be discussed in detail in the next section, as a case study of our vulnerabilities and our inability to detect, deter and counter this form of foreign interference.

2.3 Overseas Police Stations - A Case Study

30. Among the clearest manifestations of Canada’s vulnerabilities to foreign interference are China’s overseas police stations, detected to have been operating in at least three major Canadian cities – Toronto, Montreal and Vancouver – from at least seven locations. The overseas police stations represent a chilling example of transnational repression and should be condemned by Canada in the strongest terms possible.

31. The overseas police stations are only one example of PRC intimidation, harassment, and transnational repression in Canada. The PRC does not need these stations in order to conduct transnational repression, and in fact it has demonstrated its ability to surveil, intimidate and harass the population in many other ways. Closing the police stations may only move the activities to another location. They serve, however, as a helpful case study of Canada’s challenges in detecting, deterring and countering foreign interference.

2.3.1 The PRC’s Global Campaign to Control the Chinese Diaspora

32. China’s overseas police stations are part of its global campaign to control, monitor and coercively repatriate members of the Chinese diaspora in countries around the world. At least 102 stations have been identified in 53 countries.⁵³ CSIS has described these stations as “part of the PRC’s broader transnational anti-corruption, repression and repatriation campaign.”⁵⁴ They have direct links to the UFDW, the CCP’s primary foreign interference tool, and operate in parallel with other coerced repatriation operations

⁵¹ CCC0000260 at p. 15.

⁵² WIT0000108 at para. 8.

⁵³ CCC0000264, *Patrol and Persuade: A follow-up investigation to 110 Overseas* at p. 2.

⁵⁴ CAN.SUM.000015, *People’s Republic of China Police Stations* at p. 2.

undertaken by the UFWD, such as Operation Fox Hunt and Sky Net. Figures directly from PRC authorities indicate that between 2014 and 2022 there were more than 11,000 successful repatriations under these programs.⁵⁵ CSIS was able to confirm “one case or two” involving Canadians.⁵⁶ Many may have gone undetected or unreported.

33. In Canada, the stations are reported to be used as bases from which to collect civil intelligence, intimidate and harass individuals who are critical of PRC policies, and assist PRC public security authorities with coerced return operations.⁵⁷ Any location from which these activities occur can be considered a station, regardless of its physical appearance, which can be as minimal as “a room behind a commercial retail store.”⁵⁸ The methods include various tactics to directly threaten and harass individuals in Canada in conjunction with efforts to target family members who are in the PRC. These activities are performed by CCP proxies, private investigators, other covert agents, or even PRC consular or embassy personnel.⁵⁹

34. The presence of overseas police stations is particularly troubling to Chinese Canadians in the wake of the Hong Kong National Security Law and Article 23, which gives the Chinese government broad powers to crack down on dissent, activism, and anything deemed as “secession”, “subversion,” or “collusion with foreign forces.”⁶⁰ The law allows Chinese authorities to exercise jurisdiction over people outside its borders, and carries severe penalties, including life imprisonment. This has heightened fears about foreign interference and surveillance within Canada. China’s overseas police stations may be an important tool in the PRC’s efforts to apply the National Security Law in Canada.

35. The overseas police stations serve a hybrid function, also offering a variety of useful services to the Chinese community, such as driver’s license renewals and divorce certificates. These functions give the stations an air of legitimacy, and some degree of community support, which may have contributed to Canada’s tepid response to enforcement. Global Affairs Canada’s (“GAC”) Assistant Deputy Minister Weldon Epp described the PRC as being “very good” at this “grey zone” activity: using subnational government entities and other tools for both legitimate and illegitimate activities.⁶¹

⁵⁵ CCC0000260 at p. 3 (evidence of Laura Harth).

⁵⁶ TRN0000024.EN, Hearing Transcript Volume 24 (English Interpretation) at p. 214 (cross examination of Cherie Henderson).

⁵⁷ CCC0000260 at p. 2.

⁵⁸ *Ibid* at p. 12 (evidence of Brenda Lucki).

⁵⁹ *Ibid* at p. 13.

⁶⁰ CAN024502, Federal Policing National Security: Foreign Actor Interference Team at p. 20.

⁶¹ WIT0000142, In Camera Examination Summary: Global Affairs Canada at para. 107.

36. However, as Mr. Epp explained, even the stations' benign functions are illegal and a violation of the Vienna Convention on Consular Relations. The stations are undeclared and have not been negotiated with GAC, and yet they are providing government services outside the legal parameters that govern China's representation in Canada.⁶² The Vienna Convention governs international agreements on consular activities; China's establishment and operation of these stations significantly undermines diplomatic protocols and the Canada-China relationship.

37. Public Safety Deputy Minister Shawn Tupper described the overseas police stations as "perhaps among the first truly concrete examples of where we were confronted by the reality of the actions of a foreign state on our Canadian ground and impacting on Canadians."⁶³ He further described these operations as "a transformational issue for the department" and "a defining moment in helping the department understand the sophistication of what was happening in the country in terms of FI activities, the scope of activities by foreign actors and those who support foreign states, and the extent of the impact such activities have on diaspora communities."⁶⁴

2.3.2 Canada's Failure to Detect, Deter and Counter the Overseas Police Stations

38. As suggested earlier, the overseas police stations serve as a case study of Canada's ability to detect, deter and counter foreign interference.

39. Our government and security officials were completely unaware of these operations until the publication of a report by Spanish NGO Safeguard Defenders in September 2022. Witnesses from Global Affairs Canada, the Ministry of Public Safety, and the Prime Minister's Office, as well as the Minister of Foreign Affairs and the Prime Minister testified that these operations first came to their attention as a result of the Safeguard Defenders report, and no sooner. Prior to the report, these operations were not on their radar, despite possibly conducting their overt and covert activities for years.⁶⁵ In short, our government and security agencies had completely failed to detect this egregious form of foreign interference on our own soil.

⁶² *Ibid* at para. 109.

⁶³ TRN0000030.EN, Hearing Transcript Volume 30 (English Interpretation) at p. 143 (examination of Shawn Tupper).

⁶⁴ WIT0000144, In Camera Examination Summary: Shawn Tupper, Tricia Geddes, Sebastien Aubertin-Giguere at paras. 66-67.

⁶⁵ TRN0000028.EN, Hearing Transcript Volume 28 (English Interpretation) at p. 65 (examination of Weldon Epp).

40. Why did the failure to detect the overseas police stations occur? There are perhaps several reasons, including a lack of police attention and resources, geopolitical considerations, and the government's fear of being labelled "racist" for targeting a diaspora-focused amenity. A contributing factor may have been community underreporting: while Canadians of Chinese descent were the primary victims of these stations' activities, they may not have brought these activities to the attention of authorities.⁶⁶

41. Has Canada effectively deterred and countered the PRC's establishment and operation of the overseas police stations? Arguably not at all.

42. The evidence at this inquiry suggests that Canada's response to the overseas police stations was tepid, with diplomacy preferred over criminal law enforcement. The reasons for this may have been complex and involved the need to consider delicate diplomatic relations, but the end result was a sense among some people that our government did not take the problem seriously enough. While witnesses from Global Affairs and Public Safety denied providing any direction to the RCMP on its response, Minister Mendicino noted "we were all mindful of the climate we were in, and that the Canada Chinese relationship was at a very sensitive juncture at that point."⁶⁷

43. Deputy Commissioner Flynn described the RCMP's response to overseas police stations as "disruption", and "in contrast to historical RCMP practices."⁶⁸ The RCMP's goals were to (1) shine light on the problem to help investigative efforts; (2) demonstrate to the community that the RCMP was taking the issue seriously; and (3) build trust with the targeted communities.⁶⁹ In practice, the RCMP sent uniformed officers to neighborhoods in which the suspected activities were occurring, parked vehicles in front of the stations, and solicited information from the community. This was perhaps a deviation from the typical police response to other forms of organised crime.

44. Unfortunately, and as a result, the RCMP's atypical response may have eroded rather than enhanced the public's trust in police and victims' willingness to come forward to report transnational repression activities to police. Years have gone by without any convincing proof that overseas police stations have been successfully shut down, or that

⁶⁶ WIT0000108 at para. 8; CAN019675_0001, RCMP Federal Policing: Foreign Actor Interference (FAI) Strategy at p. 17; TRN0000027.EN, Hearing Transcript Volume 27 (English Interpretation) at p. 47 (examination of Michael Duheme).

⁶⁷ TRN0000032.EN, Hearing Transcript Volume 32 (English Interpretation) at pp. 85-86 (cross examination of Marco Mendicino).

⁶⁸ WIT0000137 at paras. 50-51.

⁶⁹ *Ibid* at para. 50.

the people responsible for the transnational repression activities conducted from these stations have been held to account.

2.3.3 Deterrence Requires a Criminal Law Response

45. In order to establish trust between police and the Chinese Canadian community, police need to show that crimes committed by the PRC on Canadian soil are treated as such. While police investigations into these operations may be ongoing, there have been no arrests or prosecutions, nor any significant diplomatic consequences for China. While there may have been numerous diplomatic engagements with China on the issue, no diplomatic official has been expelled and no sanctions have been issued against China as a direct consequence of these operations.

46. By contrast, the United States has taken more significant actions to respond to overseas police stations. In April 2023, the Federal Bureau of Investigation charged two individuals, both US citizens, with conspiring to act as PRC agents by establishing a station in New York.⁷⁰

47. Alex Wilner, Associate Professor at Carleton University, described “deterrence” as requiring a combination of threats to shape an adversary’s behaviour.⁷¹ Criminal prosecutions and diplomatic sanctions are among those threats. Bob Paulson, former RCMP Commissioner, suggested that a properly-resourced, Charter-compliant, aggressive criminal investigation and a timely and successful prosecution is an essential component to our deterrence response.⁷² He suggested we have a complex array of enforcement entities: CSE, RCMP, CSIS, and the Elections Commissioner, all of which have tools that could be used to deter this type of foreign interference.⁷³

48. The RCMP is mandated under the *Security Offences Act* to investigate offences that constitute a threat to the security of Canada, including foreign actor interference.⁷⁴ In addition, there is legislation, including the *Security of Information Act* and the *Criminal Code*, which contain a broad range of offences related to foreign interference that could have been relied upon: extortion, breach of trust, corruption, intimidation and uttering threats, to name a few examples. While Bill C-70 will bring in new offences tailored to foreign interference, the previous absence of these new offences is no justification for failing to pursue criminal charges against the actors involved in this criminal activity.

⁷⁰ COM0000363 at p. 22.

⁷¹ TRN0000038.EN, Hearing Transcript Volume 38 (English Interpretation) at p. 112 (roundtable presentation).

⁷² *Ibid* at p. 119.

⁷³ *Ibid* at p. 120.

⁷⁴ RSC, 1985, c. S-7.

49. Assistant Deputy Minister Weldon Epp emphasized that to respond to the overseas police stations we need to take a “whole of society approach”: to rely not only on government and police but to raise public awareness and build the public’s capacity to identify these threats.⁷⁵ Otherwise, he explained, we are just playing “whack-a-mole” with the last iteration of PRC foreign interference and may risk missing the next.

50. Another iteration of this type of PRC foreign interference may come in the form of the Hong Kong Economic and Trade Offices (“HKETOs”), which operate as part of a network of offices worldwide and report directly to the Hong Kong government. The Canadian office is located in Toronto. It ostensibly exists to foster trade and economic relations between Hong Kong and Canada, but it may also serve a more nefarious purpose. These offices have come under increasing international scrutiny, both because of events in Hong Kong and because of their role as bases for foreign interference activities in other host nations such as the United Kingdom and United States.

51. In May 2024, three men linked to the London HKETO were charged under the UK’s national security law. One of the indicted individuals is a former Hong Kong police inspector who is currently working as the office manager of the Hong Kong Trade Office. These individuals were arrested after allegedly attempting to break into the home of a British citizen and spying on Hong Kong descendants in the UK. It was reported that the indicted men were paid by the UK HKETO.⁷⁶

52. The US has recently taken steps to remove the HKETO’s status and privileges in that country. In September 2024, the US House of Representatives passed a bill requiring the President to remove privileges, exemptions, and immunities from the HKETOs.⁷⁷ MP Jenny Kwan has recently tabled a petition in the House of Commons seeking a similar response in Canada.⁷⁸

53. Of course, overseas police stations are only one of the PRC’s many tools of foreign interference and transnational repression.⁷⁹ This brings us to the next area of focus in these submissions: the PRC’s control of Chinese-language media in Canada and the need to better deter and counter this particular form of foreign interference.

⁷⁵ TRN0000028.EN at pp. 202-203 (cross examination of Weldon Epp).

⁷⁶ James Lee, “Explainer: Why UK authorities arrested 3 men linked to Hong Kong’s trade office” (18 May 2024), online: <<https://hongkongfp.com/2024/05/18/explainer-why-uk-authorities-arrested-3-men-linked-to-hong-kongs-trade-office/>>.

⁷⁷ US, Bill HR 1103, *Hong Kong Economic and Trade Office (HKETO) Certification Act*, 118th Cong 2023-2024.

⁷⁸ Petition e-5137 (Foreign affairs), (11 September 2024-10 November 2024), <<https://www.ourcommons.ca/petitions/en/Petition/Details?Petition=e-5137>>.

⁷⁹ CAN037240_0001, *The PRC’s Many Tools of Transnational Representation*.

3 PRC Interference in the Canadian Media Landscape

3.1 A Threat to National Security

54. CSIS has warned that the PRC's domination of Chinese-language media in this country poses a national security threat.⁸⁰ The PRC's deliberate, multi-faceted approach to controlling narratives and manipulating public opinion within Canada is not merely a matter of influence; it is a direct assault on our sovereignty and the democratic principles that underpin our society. Chinese Communist Party narratives inundate Chinese-language media in Canada. Censorship and self-censorship are pervasive and there are few alternate viewpoints.⁸¹

55. The Canadian intelligence community has rightly identified the PRC as the most capable and sophisticated foreign actor in this arena,⁸² engaging in a form of “information warfare” designed to shape diplomatic, political and public narratives and advance China's interests.⁸³ By targeting both traditional (print, radio and television) and non-traditional (social media and online streaming) media platforms, the PRC seeks to erode public support for Canadian values and policy positions while advancing its own strategic interests.

3.2 The PRC's Tactics and Strategies

56. The PRC's strategy to shape the Chinese-language media landscape in Canada has two main focuses: control over narratives and control over platforms.⁸⁴ Its tactics go beyond influence operations; they constitute an orchestrated campaign to undermine Canada's autonomy. PRC agents leverage and coerce journalists and media executives, spread disinformation online, and fund journalistic content that promotes the state's agenda.⁸⁵ These tactics contribute to a climate of intimidation and fear that silences dissenting voices and ensures that PRC-friendly narratives dominate the media landscape.

57. The PRC's strategy is more than a theoretical concern—it is a carefully calibrated program that has real, observable impacts on the media landscape, affecting the perceived integrity of the media and altering the public's perception of critical issues

⁸⁰ CAN011293, Intelligence Memorandum; China: Domination of Chinese-Language Media in Canada Poses National Security Threats at p. 1.

⁸¹ *Ibid.*

⁸² COM0000363 at p. 24.

⁸³ CAN043237_0001, CSIS Analytical Brief: Modern Information Warfare at p. 4.

⁸⁴ CAN011293 at p. 1.

⁸⁵ CAN.DOC.000017.001, CSIS Public Report 2021 at p. 142.

related to China. Its efforts distort the information Canadians receive, replacing objective reporting with propaganda intended to cultivate favourable public sentiment toward CCP policies.

58. Within Chinese-language media, PRC influence is systematic. Content that challenges or contradicts the PRC’s narrative is often minimized, suppressed, or even censored—especially in regards to the “Five Poisons”. Meanwhile, pro-PRC messaging is amplified, particularly on social media platforms where fabricated accounts are used to disseminate state-sponsored information. This approach is part of a broader strategy of planting “seeds,” as Professor Benjamin Fung described, in which the PRC aims to create a long-term environment favourable to the spread of disinformation.⁸⁶ The CCP seeks to cultivate a narrative that reinforces the idea of China as a protective force, countering alleged Western hostility and discrimination faced by Chinese-Canadians. The CCP will amplify its position on social issues, such as drug policy, gender identity, and crime and safety to increase internal conflict between Chinese Canadians and the rest of the population.⁸⁷ Such messages serve not only to justify the CCP’s policies but to deepen divisions within Canadian society and reduce criticism of the PRC’s actions.

59. While the PRC’s main focus is Chinese-language media, the PRC is increasingly looking to target individuals who do not consume Chinese-language media.⁸⁸ This might be through mainstream Canadian media, or through social media like TikTok, which is particularly popular among younger Canadians. In mainstream Canadian media, the PRC’s influence takes a subtler form, often conveyed through high-profile advocates who publish op-eds or make media appearances that align with the PRC’s positions. The strategy includes “elite capture,” in which prominent figures are courted and persuaded to endorse pro-PRC perspectives, adding a veneer of legitimacy to the messaging.⁸⁹ This form of influence often leads to a degree of self-censorship, as major publications become wary of publishing content that could provoke financial or political backlash.

3.3 By Controlling the Platforms, the PRC Controls the Content

60. The PRC’s control over Chinese-language media in Canada has become almost universal. Witnesses’ views presented to the Special Committee on the Canada-People’s

⁸⁶ WIT0000005.EN, Interview Summary of Benjamin Fung at para. 17.

⁸⁷ TRN0000025.EN at p. 22 (examination of Cultural Media Panel).

⁸⁸ CAN001080_R01, CSIS Intelligence Assessment: PRC Foreign Interference in Canada at p. 6.

⁸⁹ CCC0000028 at p. 15.

Republic of China Relationship were unequivocal: “if the PRC does not yet control all Chinese-language media in Canada, it will soon do so.”⁹⁰

61. Through direct shareholding, financial incentives, and financial coercion, the PRC systematically acquires or exerts control over Chinese-language media platforms, positioning them as instruments for the PRC’s narratives. This strategy has rendered Chinese-language media less a source of independent news and more a mouthpiece for the PRC, with its proxies in Canada dictating content that conforms to its policies while censoring critical issues such as those related to Taiwan, Tibet, Falun Gong, the Uyghur genocide, and Hong Kong democracy.

62. Control is further entrenched by embedding pro-PRC individuals within Canadian media organizations. These operatives monitor and influence editorial direction from within, ensuring narratives align with PRC-approved views and stifling dissenting voices. Financial leverage extends to advertising, as PRC-linked businesses are pressured to support only compliant media, leaving few options for alternative viewpoints.

63. Victor Ho, former editor-in-chief of Sing Tao Daily, testified to how this top-down control operates, and described how his editorial independence was repeatedly challenged by instructions from executives with vested interests in China.⁹¹ Mr. Ho describes the PRC’s efforts as a form of “cognitive warfare” involving the Chinese language media in Canada.

64. The consequences for Canada are profound. By controlling these platforms, the PRC shapes public opinion among Chinese-speaking communities, promoting fear and discouraging engagement on issues that challenge the PRC’s narratives. This control not only silences diverse voices but actively spreads disinformation, erodes trust in Canadian institutions, and weakens democratic discourse.

3.4 The CRTC’s Existing Mandate to Combat Foreign Interference

65. The Canadian Radio-television and Telecommunications Commission (“CRTC”) regulates broadcasting and telecommunications in this country. Its powers arise in part from the *Broadcasting Act*, which gives the CRTC responsibility over licensing Canadian broadcasters (radio and television) and approving foreign media entities for distribution under Broadcast Distribution Undertakings (“BDUs”).⁹² Unless the CRTC grants a licence to a broadcaster in Canada, or approves a foreign media entity for distribution, the entity

⁹⁰ CCC0000034 at p. 44.

⁹¹ TRN0000025.EN at pp. 21-22 (examination of Cultural Media Panel).

⁹² CRT0000026 *Broadcasting Act*, S.C. 1991, c. 11.

cannot broadcast its content in this country using radio or television. In this way, the CRTC is in the position to deter and counter foreign interference in Canada’s media landscape.

66. Certain criteria for licensing are relevant to the issue of foreign interference. When considering applications for broadcasting licenses, the CRTC must consider the public interest. This means assessing whether the proposed service will contribute to the goals of the *Broadcasting Act*, such as promoting Canadian content, fostering diversity, reflecting Canada’s multicultural and multiracial nature, and serving the needs of different communities within Canada. Broadcasting services are expected to provide a range of perspectives, including news and information that uphold democratic discourse and Canadian values.

3.4.1 The CRTC Regulates “De Facto” Control

67. The CRTC must also consider ownership of a media entity before granting it a broadcasting license. Scott Shortliffe, the CRTC’s Executive Director of Broadcasting, explained that “ownership” includes legal and *de facto* control. Legal control is more straightforward, and usually relates to the identity of the shareholders. *De facto* control may be much harder to determine, and this is a significant vulnerability that is exploited by the PRC.

68. There is no rulebook for determining *de facto* control—the CRTC looks at the preponderance of evidence to determine if the entity is truly independent. Ownership and control are considered at the time of licensing, and might be considered again at renewal, but only if questions have been raised. If a media entity has been captured or controlled by a foreign state since licensing or renewal it may effectively operate for years as an agent of the foreign state. With renewals every seven years, considerable time could pass before “ownership” is reviewed again.

69. The PRC has taken advantage of the difficulty in accurately determining who controls Canadian media entities and may have successfully taken control of most Chinese-language media in this country. As described above, this has been accomplished in many ways. We submit the CRTC must scrutinize Chinese-language broadcasters in Canada carefully to ensure that Canadian broadcasters are not subject to undue foreign influence, particularly regarding content, editorial direction, or corporate governance.

70. The CRTC’s assessment of ownership and public interest can be critical to ensuring the integrity of Canadian broadcasting, particularly with respect to foreign interference. The CRTC has broad discretion to deny licenses where these standards are not met or

where ownership and content are likely to compromise Canadian sovereignty or public trust.

3.4.2 The CRTC Regulates “False and Misleading News”

71. The CRTC also has a mandate to regulate broadcasting licensees’ content. This arises from s. 5(1) of the *Television Broadcasting Regulations, 1987*, which provides that a licensee shall not broadcast, among other things, abusive comment (s. 5(1)(b)) or false or misleading news (s. 5(1)(d)).⁹³ Mr. Shortliffe suggested s. 5(1)(d) could possibly capture the broadcasting of propaganda or mis- and disinformation, however, the CRTC is extremely reluctant to become a censor or the authority on truth.

72. According to Mr. Shortliffe, the organization’s mandate prioritizes freedom of expression, leading to hesitance in assessing the veracity of information for fear of becoming arbiters of truth.⁹⁴ The hands-off approach taken by the CRTC to regulating broadcast content fails to address the urgent need for intervention in an era of increasing propaganda and foreign-state lead disinformation campaigns.

73. Arguably the legislation has already tasked the CRTC with overcoming this challenge, but Mr. Shortliffe insisted the CRTC had struck a balance with other obligations to ensure free expression and a plurality of opinions in Canada. Absent clearer government direction, the CRTC is not going to play any role in deterring and countering mis- and disinformation in Canadian broadcasting.

74. The CRTC has only once withdrawn approval for distribution of a foreign language media entity (Russia Today), and this was following the request for a review by the government. In that case the offence was broadcasting abusive comment. Not once has the CRTC withdrawn a license or approval for distribution for broadcasting false or misleading news.⁹⁵

75. Many of the Chinese language television channels broadcast in Canada are PRC state media channels, and they serve effectively as propaganda outlets for the PRC. These have been approved for distribution by the CRTC under a BDU. To the extent these channels are broadcasting propaganda and other “false and misleading news” the CRTC should review their approval on the distribution list. The CRTC has an existing mandate to

⁹³ COM0000603, *Television Broadcasting Regulations, 1987*, SOR/87-49.

⁹⁴ TRN0000025.EN at pp. 97-101 (examination of Scott Shortliffe).

⁹⁵ *Ibid* at pp 97-101.

deter and counter foreign interference in this regard and it should not hesitate to exercise its authority.

3.5 The CRTC's Mandate Should Be Further Enhanced

76. In the context of pervasive foreign interference in Canada and near-total PRC control of Chinese-language media, the government should give the CRTC a stronger and clearer mandate to counter foreign interference. The CRTC should take a more pro-active role in enforcing the *Broadcasting Act* and *Television Broadcasting Regulations*.

77. Mr. Shortliffe admitted the CRTC is having an internal debate about its objectives, and that public policy discussions are ongoing about whether the CRTC has the balance between free expression and content regulation struck correctly.⁹⁶

78. On the basis of the evidence received by this Commission, the CRTC should be recommended to initiate, on its own authority and in response to complaints, an investigation into whether various Chinese-language broadcasting entities should maintain their license, in the case of Canadian broadcasters, or remain on the list of approved entities for distribution, in the case of foreign broadcasters. Issues related content (false and misleading news) and control (*de facto* control by the PRC) are pervasive in this country and the CRTC is in the best position to respond.

79. Mr. Shortliffe conceded that a better process was needed for considering and approving foreign media on the distribution list. He said the CRTC is currently considering what that process might look like, but it is juggling other priorities, and he could not commit to a timeline.⁹⁷ The Commission should recommend the CRTC prioritize all efforts to deter and counter foreign interference, including the implementation of a robust process for approving licensees and media entities for the distribution list, and for their removal.

80. The PRC's interference in Canada's media landscape is extensive, coordinated, and represents a national security threat of unprecedented scale. It threatens not only to distort public perception but also to fragment Canadian society and compromise the integrity of democratic discourse. Recognizing and countering these efforts must be an urgent priority. The PRC's systematic interference will continue to erode Canada's democratic resilience unless decisive action is taken to defend the independence of Canada's media and protect the country's democratic institutions.

⁹⁶ *Ibid* at p. 165 (cross examination of Scott Shortliffe).

⁹⁷ TRN0000025.EN at p. 121 (examination of Scott Shortliffe).

4 Other Vulnerabilities to Foreign Interference

81. Before Canada can meaningfully confront foreign interference, it must first recognize and address a wide array of vulnerabilities and barriers that impede its ability to detect, deter, and counter these threats. In this section we identify a range of structural, legal, and societal challenges that collectively weaken Canada’s defensive posture. By thoroughly examining these obstacles, we hope to lay the groundwork for recommendations that empower institutions and communities to better protect our democratic processes.

4.1 Legal Challenges with Prosecuting Foreign Interference

82. Canada faces substantial legal challenges to addressing foreign interference. Existing laws have been inadequate to adequately prosecute these cases. The legislative framework has not kept pace with the evolving nature of foreign interference, which frequently involves covert, non-violent methods that evade traditional criminal definitions.⁹⁸ Law enforcement agencies encounter substantial barriers when pursuing foreign interference-related cases due to the narrow applicability of current laws, which demand high standards of proof and do not always contemplate the clandestine nature of foreign interference activities.

83. Compounding this challenge is the “Intelligence to Evidence” problem: much of the information on foreign interference comes from intelligence sources that are inadmissible in court, either due to security restrictions or the limitations of Canadian courts in dealing efficiently with classified information while upholding Charter rights.⁹⁹ Canada’s legal system is poorly equipped to prosecute foreign interference effectively, often forcing law enforcement to focus on harm reduction and disruption over criminal prosecution.¹⁰⁰

4.2 Unregulated Social Media and the Spread of Mis- and Disinformation

84. Foreign interference through mis- and disinformation on social media platforms is an incredibly powerful tool for shaping public opinion. CSIS has recognized that PRC-backed entities use social media platforms like Twitter, Facebook, YouTube, WeChat, WhatsApp, and TikTok to spread disinformation and propaganda that aligns with CCP

⁹⁸ CAN019675_0001 at p. 13; COM0000595.EN, Addressing foreign interference.

⁹⁹ WIT0000137 at para. 46 (evidence of Deputy Commissioner Flynn).

¹⁰⁰ *Ibid* at paras. 48-50.

narratives on issues important to the Party.¹⁰¹ This effort involves deploying bots, proxies, and agents to reach audiences in Canada, presenting skewed views that bolster the CCP's objectives.¹⁰² The PRC's influence over messaging app WeChat gives the CCP a direct line to monitor and intimidate the Chinese Canadian community, often leading individuals to self-censor out of fear of violating PRC policies.¹⁰³

85. Victor Ho described a “flood” of CCP narratives on social media, which serve as “vehicles for political indoctrination under the guise of social interaction”.¹⁰⁴ He used the term “cognitive warfare” to describe the PRC's tactics of information and media control.¹⁰⁵

86. Canada's legislative framework has not effectively regulated social media platforms in addressing foreign interference. The CRTC has no authority over social media, which means platforms such as Twitter (X), WhatsApp, Weibo, Facebook and WeChat have no obligation to adhere to the same content standards as traditional broadcasters.¹⁰⁶ Elections Canada, which surveys social media during elections, might publish accurate information in response to online disinformation campaigns, but does not ask digital platforms to remove or flag false or misleading information.¹⁰⁷ Canadian regulators face challenges seeking to balance the need to prevent harmful disinformation while respecting freedom of expression.¹⁰⁸

87. Bill C-63 aims to enhance transparency and accountability but stops short of mandating stringent content controls, leaving social media companies with the discretion to decide if and how they respond to disinformation campaigns.¹⁰⁹ This regulatory gap allows PRC-linked disinformation campaigns to persist largely unchecked, posing a continued threat to Canadian public opinion, national security, and electoral integrity.

4.3 The PRC's False Rhetoric of “Racism”

88. The PRC has used the rhetoric of “anti-China racism” to manipulate and instill fear among Canadians and to influence their political choices. The PRC conflates notions of China as a country and the Chinese Communist Party, and labels attacks on the CCP and

¹⁰¹ CAN001080_R01 at p. 7.

¹⁰² *Ibid.*

¹⁰³ CCC0000034 at p. 59; CAN011293 at p. 3.

¹⁰⁴ TRN0000025.EN at p. 5 (examination of Cultural Media Panel).

¹⁰⁵ TRN0000025.EN at p. 60 (examination of Cultural Media Panel).

¹⁰⁶ *Ibid* at p. 82 (examination of Scott Shortliffe).

¹⁰⁷ TRN0000021.EN, Hearing Transcript Volume 21 (English Interpretation) at p. 151 (examination of Stephane Perrault).

¹⁰⁸ TRN0000025.EN at p. 165 (cross examination of Scott Shortliffe).

¹⁰⁹ TRN0000029.EN, Hearing Transcript Volume 29 (English Interpretation) at p. 167 (cross examination of Isabelle Mondou).

its policies to be racist attacks on the country itself and Chinese people at home and abroad. This strategy includes marginalizing candidates who speak out about certain issues like the Uyghur genocide and Taiwan, and fostering an atmosphere of fear and anxiety among political candidates, journalists, advocates, and others. The Commissioner of Canada Elections has observed this type of messaging being amplified through social media, chat groups, online and traditional Chinese-language media.¹¹⁰

89. This was observed in 2021 when Kenny Chiu faced systematic exclusion from Chinese-language media and was not invited to Chinese Canadian community events.¹¹¹ As the election neared, the PRC escalated its tactics from shunning to active disinformation campaigns, branding dissenting candidates as “racist” or “anti-Chinese” and conflating valid criticism of the PRC with discrimination against the Chinese community.¹¹² Prominent officials, including the Vancouver Consul General, contributed to this narrative by warning Canadians of Chinese descent that they needed to be “prepared for danger,” as anti-Chinese racism was on the rise, both preying on and heightening the community’s sense of vulnerability.¹¹³

4.4 Difficulties Detecting Foreign Campaign Funding

90. Detecting foreign funding in political campaigns poses challenges and vulnerabilities within the Canadian electoral process. The system, regulated and enforced by Elections Canada the OCCE, relies on the premise that funds used in campaigning originate from domestic sources, and foreign entities are prohibited from making contributions.¹¹⁴ However, the fungibility of money complicates enforcement: once foreign and domestic funds are intermixed, it becomes nearly impossible to determine the source of funds used for political donations.¹¹⁵ When an individual uses their own funds, they are not required to provide particulars of the source of those funds.¹¹⁶

91. This lack of transparency, and the inability of the OCCE to dig deeply into an organization or individual’s finances, creates a significant vulnerability that allows illicit funding to infiltrate the electoral landscape and undermine the integrity of the political financing regime. Foreign actors may exploit trusted interlocutors such as proxy agents or

¹¹⁰ CEF0000302_R, CCE Memorandum at p. 6.

¹¹¹ WIT000036, Public Summary of the Classified Interview of CSIS Regions Officials.

¹¹² WIT000036; also see CCC0000001, WeChat screenshots re: Kenny Chiu and CCC0000002, English translation.

¹¹³ CEF0000302_R at p. 57.

¹¹⁴ TRN0000021.EN at pp. 169-176 (examination of Stephane Perrault).

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid* at p. 177.

co-opt community donations to preferred candidates, fostering a relationship of obligation that can influence political behaviour.¹¹⁷

4.5 The Role of Politicians and Political Parties in Combatting Foreign Interference

92. Politicians and political parties have a central role in combatting foreign interference, but many have shown a reluctance to act decisively to protect our democracy, and a preference for short-term partisan advantage. Former MP Erin O’Toole observed intelligence reports and foreign interference threats being consistently ignored, and suggested that a government in charge may be reluctant to intervene in a system in which they rose to power.¹¹⁸ Mr. O’Toole also expressed concern about the risks associated with state-sponsored travel, describing a situation in which a member of the Conservative caucus took an extensive sponsored trip to China in connection with lobbying for foreign commercial interests. He suggested that while sponsored travel can serve legitimate purposes if transparent and non-partisan, trips intended to cultivate favour or influence should be banned entirely.¹¹⁹

93. The nomination processes for political parties are not regulated by federal or provincial legislation. Each party determines its own rules for who can be a member and participate in nomination contests, and in all but one major federal party, non-citizens are permitted to vote. This makes nomination contests an easy target for foreign states to engage in foreign interference that targets specific candidates and particular electoral ridings.¹²⁰

94. Political parties have increasingly recognized the need for rigorous candidate vetting to detect potential risks of foreign interference. The Green Party has begun working with external companies to screen prospective candidates, including conducting social media checks and internet searches. However, as Robin Marty noted, the process is imperfect for detecting hidden affiliations, as those working with or influenced by malign foreign states are unlikely to disclose their connections.¹²¹

¹¹⁷ CAN004599, SITE Status Update and Summary of Foreign Interference Threats to Canadian Democratic Institutions-2023 at p. 3.

¹¹⁸ TRN0000018.EN at pp. 182-183 (cross examination of Erin O’Toole).

¹¹⁹ *Ibid* at pp. 153-204 (cross examination of Erin O’Toole).

¹²⁰ CAN037690_0001, SITE Threat Assessment of Foreign Interference Threats to Canadian Democratic Institutions-2024 at p. 3.

¹²¹ TRN0000019.EN, Hearing Transcript Volume 19 (English Interpretation) at pp. 10-11 (examination of John Irwin and Robin Marty).

5 Recommendations

95. In this final section, the Concern Group outlines targeted recommendations aimed at overcoming Canada's vulnerabilities to foreign interference. These proposals aim to address critical gaps in Canada's capacity to detect, deter, and counter foreign interference, with a focus on enhancing public trust, strengthening legal frameworks, and improving interagency coordination.

Chinese-language media

1. The Government of Canada should amend the *Broadcasting Act* to ensure the CRTC has a stronger and clearer mandate to counter foreign interference.
2. The CRTC should highly prioritize all efforts to deter and counter foreign interference, including the implementation of a robust process for the approval and removal of licensees and media entities on the distribution list.
3. The Government of Canada should consider adopting legislation similar to the United States' *Foreign Agents Registration Act* that requires media outlets broadcasting or publishing in Canada under the ownership or control of foreign state to register as foreign agents.
4. The CRTC should be recommended to initiate, on its own authority and in response to complaints, an investigation into whether various Chinese-language broadcasting entities should remain on the list of approved entities for distribution where those entities are suspected of engaging in PRC-directed foreign interference, such as by spreading propaganda and disinformation.
5. The CRTC should employ staff knowledgeable in Chinese languages to accurately evaluate content.
6. The Minister of Canadian Heritage should consider what legislative changes would better enable and require the CRTC to deter and counter foreign interference in Canadian media, and foreign state control over foreign-language media.
7. The Government of Canada should provide enhanced funding and support for Radio Canada International Chinese to provide a reliable news platform for Canadians of Chinese descent.

8. The CRA should better enforce section 19 of the *Income Tax Act*, which prohibits tax deductions for advertising in foreign-owned media, ensuring clear identification of such media for advertisers.

Social media

9. The Government of Canada should consider requiring social media platforms operating in Canada to be owned and operated by Canadian companies, ensuring more accountability to Canadians, and a greater degree of control over their operations.
10. The Government of Canada should consider regulating social media entities to ensure they more effectively handle complaints of mis- and disinformation, identify false and misleading information, flag social media content that constitutes mis- and disinformation, and prevent the misuse of bots.
11. The Government of Canada should establish and fund an independent NGO to collaborate with social media companies to identify mis- and disinformation campaigns. The NGO should be governed by independent and trusted experts, such as former judges and leaders of academia.
12. Government authorities responsible for elementary and high school education programs across the country should be encouraged to establish curricula designed to better educate young Canadians on media literacy, foreign interference, and identifying mis- and disinformation.

Diaspora communities and community groups

13. Relevant government agencies such as the RCMP, CSIS, Elections Canada, OCCE, and the CRTC should actively engage with diaspora communities on issues related to foreign interference and democratic participation.
14. The CRA should require community organizations receiving foreign funding to declare this in their applications for government funding. Federal, provincial and municipal governments should have the option to decide whether to fund groups that receive foreign funding and that are controlled by individuals who are or ought to be on the Foreign Influence Transparency Registry.
15. The CRA should actively investigate groups that fail to report foreign funding in their financial statements, on their own initiative and in response to public complaints.

Oversight of political parties and nomination contests

16. The OCCE should consider how it might better respond to foreign funding of election campaigns by community organizations that receive funding from both domestic and foreign sources.
17. Elections Canada should establish rules that encourage parties to closely monitor the nomination of party leaders and candidates for threats of foreign interference, including membership and voting requirements.
18. The Government of Canada should legislate the requirement that only Canadian citizens should be allowed to vote in leadership contests and candidate nomination contests.
19. Political parties should employ stringent verification processes to confirm the citizenship status of their members. This verification should involve more than an honour-based checkbox when applying for membership and voting.
20. Political parties should ensure they have vigorous vetting processes in place for candidates to eliminate potential candidates who may be a foreign interference risk.

Public disclosure and education

21. All government agencies should be required to have strategies and programs in place to educate the public, and in particular diaspora communities, on foreign interference risks and activities relevant to the agencies' mandates.

Culture of secrecy of intelligence

22. The Government of Canada and CSIS should recognize and take steps to overcome the long-standing culture of secrecy of intelligence, and move to a more proactive model of intelligence sharing in which appropriate levels of information are shared with Canadians at risk of foreign interference on a need-to-know basis.

Foreign interference intelligence shared with political parties

23. Leaders of federal, provincial, and municipal political parties should be promptly and appropriately informed when intelligence services determine there is a preponderance of evidence supporting the conclusion that a member of their party has colluded with a malign foreign state or other conducted themselves in a manner contrary to national interests.

24. Intelligence agencies should provide education on the risks of foreign interference to all politicians, their staff, and civil servants to better prepare them to detect, deter and counter potential threats.
25. The Commission should recommend that all politicians refer to the Foreign Influence Transparency Registry when determining whether attend at or support community events organized by or honouring known proxies of the PRC.

Mechanism for investigating public officials

26. The Government of Canada should establish an independent standing mechanism for investigating and prosecuting public officials who are reasonably suspected of colluding with hostile foreign states. This should signal that Canada is not a “playground” for malign foreign influence, and that it is not lenient towards politicians involved in such activities.

Academia

27. The Government of Canada should oversee and monitor any academic collaborations with foreign countries deemed “high-risk”, not limited to those include on the list of Named Research Organizations.
28. Information should be provided to academic researchers to better enable them to determine the risk level of foreign interference associated with companies. This would allow professors to make informed decisions about potential industrial partners.
29. Chinese embassies and consulates in Canada maintain close relationships with Chinese student associations. University administrators should emphasize to instructors who take on CSC-sponsored students the relationship between the Chinese government and these students, who may be asked to repay scholarships if they violate any rules. Universities should provide assistance to students and faculty facing pressure from foreign entities and remind them not to share research or personal information with foreign governments, including the consulates.

Intelligence flow to the Prime Minister

30. Intelligence should flow freely and fully to the Prime Minister without obstruction from government employees aiming to protect their or their party’s interests. The Prime Minister should have open and continuous access to information necessary for national security.

Panel of 5

31. The Panel of 5 should enjoy institutional independence, including security of tenure, financial security, and administrative independence. This independence is vital for the effectiveness and impartiality of the panel's work.

Bill C-70 and the Foreign Influence Transparency Registry

32. The Government of Canada should ensure the legislative amendments and the Foreign Influence Transparency Registry (FITR) under Bill C-70 are prioritized and implemented with due urgency.
33. The Government of Canada should consider whether the Administrative Monetary Penalty policies enacted under Bill C-70 are a sufficient deterrent to rogue states that may intend to conduct foreign interference in Canada. Other jurisdictions' systems, including US and Australia do not have this lesser tier of administrative penalties. Canada's Lobbyist Act also do not have AMP.
34. The Government of Canada should consider an 'enhanced tier' under the FITR styled on the UK system that would allow for the Canadian government, with parliamentary approval, to impose more stringent requirements on foreign countries or entities of particular concern.

Government website for reporting FI

35. Public Safety Canada should ensure its website for reporting foreign interference is expanded to provide information in various languages.

PRC interference in the Arctic

36. The Government of Canada should respond to the growing threat of PRC interference in Canada's arctic, including the risks to Indigenous nations and their local governments, by providing information, support and protection from cyber threats, disinformation campaigns, and economic coercion aimed at exploiting their land and resources.
37. The Government of Canada should support economic sovereignty initiatives that help Indigenous nations become self-sufficient and reduce dependence on foreign investments.

6 Conclusion

96. Much remains to be done to protect Canadians—particularly those with ethnic and family connections to China and Hong Kong—from the PRC’s persistent interference in our democracy. This is not only a matter of safeguarding our national security; it is essential to affirm our core values, uphold the rule of law, and assert Canada’s standing as a principled defender of human rights on the global stage. The responsibility to confront and counter foreign interference is a duty we owe to all Canadians, as well as to our commitment to a democratic and inclusive society.

97. The Concern Group expresses its sincere gratitude to the Commission for its dedication and work in addressing these pressing issues. We are thankful for the opportunity to contribute to this process and to advocate for the protection of Canadians from foreign interference.

ALL OF WHICH IS RESPECTFULLY SUBMITTED,

This 4th day of November, 2024

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