



Public Inquiry Into Foreign Interference in Federal
Electoral Processes and Democratic Institutions

Enquête publique sur l'ingérence étrangère dans les
processus électoraux et les institutions démocratiques
fédéraux

Public Hearing

Audience publique

**Commissioner / Commissaire
The Honourable / L'honorable
Marie-Josée Hogue**

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Ottawa, Ontario

--- Upon commencing on Wednesday, April 10, 2024 at 9:32 a.m.

THE REGISTRAR: Order, please.

This sitting of the Foreign Interference Commission is now in session. Commissioner Hogue is presiding.

The time is 9:32.

HON. KARINA GOULD: Good morning

COMMISSIONER HOGUE: So good morning.

MS. LYNDA MORGAN: Commissioner, it's Lynda Morgan, Commission counsel, and Minister Gould is the first witness today.

I'd ask that she be sworn or affirmed, please.

THE REGISTRAR: Do you prefer to be affirmed or sworn?

HON. KARINA GOULD: Affirmed.

THE REGISTRAR: May I please have your full name and state your last name for the record? Just spell it, please.

HON. KARINA GOULD: Yeah, Karina Gould. G-o-u-l-d.

--- HON. KARINA GOULD, Affirmed:

THE REGISTRAR: Thanks very much. Counsel, you may proceed.

MS. LYNDA MORGAN: Thank you.

--- EXAMINATION IN-CHIEF BY MS. LYNDA MORGAN:

MS. LYNDA MORGAN: Minister Gould, you were

1 interviewed by Commission counsel on March 15th, 2024 in a
2 classified space. Is that correct?

3 **HON. KARINA GOULD:** Correct.

4 **MS. LYNDA MORGAN:** Can I have WIT 62, please?

5 **--- EXHIBIT No. WIT 62:**

6 Minister Karina Gould Public Summary
7 of Classified Interview

8 **MS. LYNDA MORGAN:** And this is a copy of the
9 publicly disclosable contents of that interview. Have you
10 had an opportunity to review the summary?

11 **HON. KARINA GOULD:** I have, yes.

12 **MS. LYNDA MORGAN:** And do you have any
13 changes to make to the summary?

14 **HON. KARINA GOULD:** I do.

15 Paragraph 13, the second sentence. Shall I
16 read it?

17 **MS. LYNDA MORGAN:** Let's go down to paragraph
18 13 first. It is on page 5.

19 **HON. KARINA GOULD:** Okay.

20 **MS. LYNDA MORGAN:** Yes.

21 **HON. KARINA GOULD:** So to change it to:

22 "She recalls meeting with
23 representatives from many of the
24 agencies that became members of the
25 Security and Intelligence Threats to
26 Elections Task Force (SITE TF),
27 including CSE, CSIS and GAC RRM as well
28 as..."

1 And that's the extent of the change.

2 **MS. LYNDA MORGAN:** As well as right in here,
3 the last bit.

4 **HON. KARINA GOULD:** No, that's it, "as well
5 as the Department of National Defence".

6 **MS. LYNDA MORGAN:** Okay. And PCO as well?
7 Does that remain in there?

8 **HON. KARINA GOULD:** Yeah, everything else
9 remains the same.

10 **MS. LYNDA MORGAN:** Okay. Thank you.

11 And with that change being made, are you
12 prepared to adopt the summary as part of your evidence before
13 the Commission today?

14 **HON. KARINA GOULD:** I am.

15 **MS. LYNDA MORGAN:** Okay. So I understand
16 that you have held various Cabinet positions since 2018,
17 which include Minister of Democratic Institutions from
18 January 10th, 2017 until November 20th, 2019. Is that
19 correct?

20 **HON. KARINA GOULD:** That's correct.

21 **MS. LYNDA MORGAN:** And you are the leader of
22 the government in the House of Commons, and you've been in
23 that role since July 26, 2023?

24 **HON. KARINA GOULD:** Correct.

25 **MS. LYNDA MORGAN:** And ---

26 **HON. KARINA GOULD:** I am on maternity leave
27 right now.

28 **MS. LYNDA MORGAN:** --- currently on parental

1 leave.

2 So I want to first start by asking you about
3 the development of the plan to protect Canada's democracy.
4 And so I just want to ground this in the context of the
5 events that were occurring at the time.

6 So in your witness statement, at paragraph 4,
7 you describe that:

8 "...the motivation for the creation
9 of the Plan [came]...in the context
10 of a series of high profile attempts
11 by Russia to interfere with
12 democratic elections around the
13 world, primarily through cyber-
14 activities and disinformation
15 campaigns..."

16 And you have also described that the plan is
17 created against the backdrop of what's described as the
18 "Obama dilemma", which is the -- effectively the fact that
19 President Obama could not alert the public about the
20 intelligence relating to electoral interference because he
21 was concerned about being:

22 "...viewed as a partisan actor
23 interfering in the electoral
24 process."

25 So does that kind of situate ---

26 **HON. KARINA GOULD:** Yeah. So I think it's
27 important to recall that in January 2017, it was about two
28 months following the U.S. Presidential Election, there was,

1 you know, considerable activity happening at the
2 international level, and particularly in the United States,
3 following what was seen as, you know, very high level, very
4 sophisticated Russian interference in the 2016 Presidential
5 election. There had also been other things going on in the
6 world, you know, kind of within the next six to eight months,
7 where we saw, you know, the Brexit vote, where we saw the
8 Macron leaks in France, the cyber attack against the German
9 Parliament and leaks from Bundesstaat.

10 So there were a series of very high profile
11 cyber attacks on fellow democracies around the world, and so
12 when the Prime Minister gave me that mandate it was very much
13 trying to protect Canadian democracy and Canadian elections
14 from those kinds of high profile, very sophisticated cyber
15 threats, which at the time were primarily coming from Russia.

16 **MS. LYNDIA MORGAN:** And so let's pull up that
17 mandate letter that you received from the Prime Minister.

18 Can I please have COM 18, please.

19 And so this is a letter that I understand you
20 received on February 1st, 2017 from the Prime Minister. I'll
21 just wait for that document to be brought up.

22 COM 18. Thank you.

23 **--- EXHIBIT No. COM 18:**

24 Minister of Democratic Institutions
25 Mandate Letter

26 And the document you see on the screen, is
27 this the letter that you received?

28 **HON. KARINA GOULD:** Yes.

1 **MS. LYNDA MORGAN:** Okay.

2 And if we can go down to page 3, please. A
3 little bit further down. Thank you.

4 So we see the paragraph starting with:

5 "In particular, I will expect you to
6 work with your colleagues and through
7 established legislative, regulatory,
8 and Cabinet processes to deliver on
9 your top priorities:...

10 And the first bullet lists:

11 "In collaboration with the Minister
12 of National Defence and the Minister
13 of Public Safety and Emergency
14 Preparedness, lead the Government of
15 Canada's efforts to defend the
16 Canadian electoral process from cyber
17 threats. This should include asking
18 the Communications Security
19 Establishment (CSE) to analyze risks
20 to Canada's political and electoral
21 activities from hackers, and to
22 release this assessment publicly. As
23 well, ask CSE to offer advice to
24 Canada's political parties and
25 Elections Canada on best practices
26 when it comes to cyber security."

27 I appreciate there is other bullets on that
28 list, but I will focus on that one for today.

1 Did you -- in relation to this particular
2 aspect of your mandate, did you have any discussions with the
3 Prime Minister about expectations for what the plan should
4 cover and how it should operate?

5 **HON. KARINA GOULD:** Well, no. It's pretty
6 clear in the mandate letter what my task was, and to work
7 across government to protect our elections from cyber
8 security threats.

9 **MS. LYNDA MORGAN:** And so -- and the mandate
10 itself is focussed on cyber threats.

11 **HON. KARINA GOULD:** M'hm.

12 **MS. LYNDA MORGAN:** Was the developing plan,
13 so the plan to protect Canada's democracy, was that plan
14 restricted to or focussed on cyber threats?

15 **HON. KARINA GOULD:** No. It ended up being
16 broader than that, how this came about. So, you know, as --
17 when you are a minister, and you get a mandate letter, this
18 is the job that you're tasked with, it's a job description,
19 so to speak, in terms of what the Prime Minister expects you
20 to accomplish in your time in that portfolio. So I set about
21 gathering information, learning about what the threats were.

22 So I had various meetings with the different
23 heads of agencies to understand what the threats were to
24 Canada, focussed on our elections, and through that receipt
25 for process, you know, I was presented with other threats to
26 our democracy that included human intelligence. Which is
27 what led to the four pillars that were released publicly in
28 January 2019, and Canada's broad plan to protect our

1 democracy that ended up bringing in not just the Departments
2 of National Defence and Public Safety, but also, Global
3 Affairs, as well as Heritage, so that we had as comprehensive
4 of a plan at the time to deal with the threats as we
5 understood them. But really, it was a process of learning,
6 understanding, engaging, and trying to come up with the plan
7 that could most robustly protect Canada's national federal
8 democracy.

9 **MS. LYNDA MORGAN:** So let me talk to you a
10 bit about that information gathering exercise that you've
11 described.

12 What did you identify or learn were the
13 biggest threats or concerns to which the plan needed to
14 respond?

15 **HON. KARINA GOULD:** Sure. So I mean, I think
16 one of the important parts throughout all of this was the
17 understanding that foreign interference or attempts at
18 foreign interference, because foreign -- I think it's the
19 attempting that has gone on for a long time. Probably in
20 every election that Canada has ever had there have been
21 attempts at foreign interference, just like in probably every
22 election in a democracy around the world, since probably
23 ancient Greece, there have been attempts at foreign
24 interference. Whether they're successful or not is another
25 question. And so I think that was one of the most important
26 things.

27 The nature of the threats have evolved over
28 time, and in the, you know, period from 2017 to 2019, this

1 was when threats online were becoming more of an issue that
2 people weren't really aware of, and the security agencies
3 themselves were also learning more about.

4 Because if we go back to, you know, the
5 Russian example in the United States, they were using social
6 media platforms to try and either elicit a specific outcome
7 in the American election, or even just creating chaos, right,
8 so that it -- people have less trust in democracy, which
9 feeds their interest of a national interest to say that
10 democracy is not something that Russians, for example, should
11 be interested in because look at the chaos that's happening
12 over there, we want stability. So there is many different
13 interests at play here.

14 The other thing that I learned was of, you
15 know, other countries, for example, that also had an
16 interest. Sometimes, perhaps, in getting a specific
17 candidate elected or not, whether they were successful,
18 again, is always a question.

19 And the other part of it is, you know, they
20 may have specific policy objectives as well, or they may have
21 specific objectives with regards to influence operations.
22 And it's really important to note that, you know, foreign
23 countries and actors are engaging in influence operations all
24 the time, but they're overt. You know, that's diplomacy,
25 that's, you know, trying to, you know, you know, have overt
26 conversations in the public, perhaps through the media, and
27 then there's the interference part, which is the stuff that
28 is covert that they are trying to do in a sneaky way so that

1 Canadians or politicians aren't aware of. So really learned
2 quite a bit about what is going on.

3 I would also say I think learned that our
4 security agencies are quite sophisticated in Canada and have
5 pretty good knowledge about what is happening, but also
6 recall that, you know, foreign actors are trying to do this
7 in a way so that we don't know about it. And one of the
8 other things that I think is really important that I learned
9 through this process is that we have to be very mindful, and
10 security agencies are, about what information is disclosed
11 publicly because if they make a decision to disclose
12 something publicly they're effectively letting the foreign
13 actor know that they know what they're doing. And so they
14 could lose a source, that foreign actor could change what
15 they're doing, they could go further underground.

16 And so need to be really thoughtful and
17 mindful about how and when and what is released publicly,
18 which also played a really big part in the development of the
19 plan.

20 **MS. LYNDA MORGAN:** And just to ask you
21 specifically about the sources of intelligence or information
22 you relied on, I understand that in your role as Minister,
23 you did not receive daily packages of intelligence products?

24 **HON. KARINA GOULD:** Correct.

25 **MS. LYNDA MORGAN:** And I understand that you
26 had various briefings and received information from various
27 agencies as well; is that correct?

28 **HON. KARINA GOULD:** Correct.

1 **MS. LYNDA MORGAN:** Can we pull up CAN 13303,
2 please, and go to page 3?

3 So you can see here under the heading,
4 "Briefings to Ministers" a series of briefings between August
5 15th, 2018 and...

6 Can you scroll down a little bit, please?
7 Stopping there is good. Thank you.

8 This shows briefings to Minister of
9 Democratic Institutions, as I said, from August 15th, 2018
10 down through August 23rd, 2019, and we see briefings
11 "Director CSIS, Chief CSE". Are those all meetings that you
12 attended?

13 **HON. KARINA GOULD:** Well, I'm going to assume
14 that I did but I wouldn't be able to confirm the exact dates
15 because I don't recall, but I would meet kind of on a
16 monthly-by-monthly basis with them.

17 **MS. LYNDA MORGAN:** And was the focus of the
18 intelligence that you received focused on cyberthreats, or
19 was it broader than that?

20 **HON. KARINA GOULD:** The primary focus would
21 be on cyberthreats, both in Canada but also from what we were
22 seeing around the world. And the purpose of including around
23 the world is important so that we could learn from other
24 experiences so that we would be able to protect Canada's
25 democracies and elections against those. And there would be
26 if -- you know, if relevant, high-level descriptions of other
27 potential threats that could include human interference but
28 that they would never be specific; it would be a very general

1 overview, very high level of what the agency was seeing at
2 the time.

3 **MS. LYNDA MORGAN:** Okay. And so in terms of
4 high level, did you ever receive the names of potential
5 threat actors?

6 **HON. KARINA GOULD:** Could you clarify that,
7 like, in terms of, like ---

8 **MS. LYNDA MORGAN:** Did you ever receive names
9 of individuals, for instance?

10 **HON. KARINA GOULD:** No.

11 **MS. LYNDA MORGAN:** And did you receive
12 intelligence relating to -- like, specific intelligence
13 relating to alleged incidents of foreign interference?

14 **HON. KARINA GOULD:** Not in specific detail;
15 it would be quite high level.

16 **MS. LYNDA MORGAN:** So in addition to
17 briefings from CSIS and CSE, I understand you also received
18 information from other agencies or entities. From -- who
19 else did you receive information from?

20 **HON. KARINA GOULD:** So CSIS and CSE would be
21 the two primary sources, but the Rapid Response Mechanism at
22 Global Affairs Canada would also generally provide
23 information, and what the RRM does is -- well, they worked
24 with G7 and NATO allies to look more broadly around the world
25 to try to identify trends and perhaps identify a threat
26 before it would occur. And so they would kind of tell me
27 what they were seeing around the world and new trends or
28 threats that they were identifying in the online space, and

1 from publicly-sourced content.

2 **MS. LYNDA MORGAN:** And in addition to RRM,
3 any other sources?

4 **HON. KARINA GOULD:** PCO would also provide
5 intelligence, although I guess this was likely gathered by
6 CSE and CSIS at the time.

7 **MS. LYNDA MORGAN:** In addition to PCO, do you
8 know who was responsible for compiling the intelligence or
9 information that was shared with you?

10 **HON. KARINA GOULD:** I do not. I would have
11 received it through my Deputy Minister. I'm not familiar
12 with the chain of command beyond that.

13 **MS. LYNDA MORGAN:** So I want to move now to
14 the kind of building of the plan, who you collaborated with,
15 and then I'll get into some specific questions about the
16 plan.

17 But I understand from the mandate letter and
18 your witness summary that the Minister of Public Safety and
19 Emergency Preparedness and National Defence also had some
20 involvement in the development of the plan. Are you able to
21 describe what their involvement was?

22 **HON. KARINA GOULD:** Well, what I set out to
23 do as Minister of Democratic Institutions was to come up with
24 a whole of government plan, recognizing that as I learned
25 more about what the threats were that, you know, we needed to
26 ensure that we had a variety of different departments part of
27 this.

28 So the Ministers of National Defence and the

1 Ministers of Public Safety were much more in a supportive
2 role, but identifying what their departments could do to
3 support the broader plan. So for example, you know, under
4 the Minister of Public Safety, obviously, you know, with
5 regards to intelligence priorities, ensuring that
6 cybersecurity in our elections, in our democracy was a
7 priority; the RCMP created a specific unit to look at
8 cybersecurity threats in our democracy; updating their other
9 initiatives within public safety to make sure that they had a
10 robust plan. Under Defence, the Communications Security
11 Establishment rests, and so they provided opportunities to
12 political parties, Parliamentarians, Parliament of Canada,
13 Elections Canada, the Commissioner, even provincial electoral
14 bodies to say, you know, "We can help do an assessment, if
15 you like, of your cybersecurity." They stood up the
16 Cybersecurity Centre, that part of its mandate was to provide
17 those services to have a call-in number if individuals or
18 parties had questions with regard to a potential issue; they
19 provided a list of, you know, security-approved vendors.

20 So there was a whole wide range of different
21 things that they ended up doing to make sure that we were
22 doing everything that we could, that we could kind of imagine
23 at the time, to safeguard our elections from cyberthreats.

24 And then the other thing is that as we
25 learned more, I pulled in Global Affairs Canada through the
26 Rapid Response Mechanism, as well as Heritage Canada because
27 one of the things that, you know, I learned, and I believe
28 very firmly, is that one of the best methods to protect our

1 democracy was a well-informed citizenry.

2 And so as part of that, Heritage Canada had a
3 public education program for citizen engagement and public
4 awareness when it comes to cybersecurity to really ensure
5 that we were trying to tick all of the boxes.

6 And maybe one other thing that I'll add is
7 through that and through Defence, we were put in touch with
8 the NATO Strategic Communications Centre, who I then invited
9 to Ottawa to brief the Parliamentary Press Gallery to talk
10 about how they may be able to identify cybersecurity threats,
11 particularly with regards to mis and disinformation. And
12 through that they brought, for example, a reporter from
13 Finland, who was very familiar with Russian interference
14 attempts, to be able to brief the Press Gallery.

15 So we really tried to do this as whole of
16 government as possible, to identify where the different
17 vulnerabilities were in the system and provide information
18 and support to each of those different actors.

19 **MS. LYNDIA MORGAN:** And I understand from your
20 witness statement that you wanted to consult with all of the
21 political parties for their input and feedback in the
22 process. When you say kind of input and feedback, what
23 feedback were you eliciting from the political parties?

24 **HON. KARINA GOULD:** So from the get-go, I was
25 engaged with opposition members as well as political parties.
26 I believe in the fall -- as early as the fall of 2017, I had
27 meetings with each of my opposition critics, the critics from
28 Public Safety and Democratic Institutions, to talk about the

1 fact that we were building this plan, to get their input as
2 to what they were concerned about, and to let them know that
3 I thought this was something that we needed to have an
4 ongoing dialogue with regards to.

5 Following those initial meetings, my staff
6 met with either staff from the political parties themselves,
7 or some of the staff of the critics to keep them informed and
8 engaged throughout the process.

9 And, you know, even in my public comments
10 when I announced the plan in 2019, I referenced the fact that
11 I had been engaging with the opposition political parties
12 throughout because I felt it was extremely important that
13 this be non-partisan and that we have a consensus and build
14 trust, in terms of the plan and the process, because one of
15 the things that you'll note in the protocol, and you may be
16 getting to this, but is that democracy is very fragile and it
17 rests on trust. It rests on trust of citizens in the process
18 and in the outcome. And so it was vitally important that all
19 political parties be involved in understanding what the plan
20 was going to be and having a sense of comfort of it going
21 into the election so that if something should arise, we would
22 have a consensus and we would have a comfort to know that
23 this was being monitored and reviewed, and if there was
24 something that needed to be said, it was coming from a
25 trusted voice and a trusted source, because what we didn't
26 want to have, you referenced this earlier, in terms of the
27 Obama dilemma, is the very fact of making a public comment
28 can be seen as interference, whether that's from a partisan

1 or from a non-partisan body. And so we needed to have a way
2 to engage and to share information by which all of the
3 parties would be confident. And of course what we saw in the
4 U.S. election was that there were very partisan comments on
5 both sides with regards to whether the information should or
6 should not have been released, or even whether a foreign
7 actor should have been named.

8 And so there -- this is a very sensitive and
9 complex issue for which I felt it was really important that
10 it be as non-partisan as possible, or completely non-
11 partisan, and that everybody had comfort in where we were
12 going with it. And of course it was the very first time we
13 had ever done something like this as well.

14 And so for me, it was really important that
15 all of the political parties, all of the opposition parties,
16 had comfort in where we were going.

17 **MS. LYNDA MORGAN:** And in terms of the input
18 in consultation with the political parties, did you receive
19 specific feedback on the particulars of the plan? Like in
20 the composition of Panel of Five, for instance, did you
21 specifically elicit feedback or input?

22 **HON. KARINE GOULD:** We certainly presented it
23 to them. I wasn't part of those conversations because that
24 was happening at the staff level, but I think, you know, what
25 you could see from the various reports is that going into the
26 2019 election, there was generally comfort with where we
27 were.

28 **MS. LYNDA MORGAN:** So I want to ask you about

1 the Panel of Five. I won't get into the mechanics of it, but
2 the Panel is composed of five senior public servants. And I
3 understand from your witness statement that for the
4 composition of the Panel, you took inspiration from France,
5 who had used their electoral authority, which was an
6 impartial body of legal advisors, to address the Macron
7 leaks.

8 And so I understand in terms of the concept
9 stage of the plan, you had considered forming a panel of
10 judges or other eminent Canadians, but ultimately settled on
11 selecting senior public servants. Is that correct?

12 **HON. KARINA GOULD:** Correct.

13 **MS. LYNDA MORGAN:** And on what basis did you
14 decide the composition of the Panel of Five?

15 **HON. KARINA GOULD:** Sure. So the very first
16 point is I felt it was really important that partisans be
17 removed from the process. And so even though I was a
18 Minister, still am a Minister of the Crown, but was the
19 Minister responsible, I was also running in the election.

20 And so any involvement of a partisan,
21 Minister, Prime Minister, during the writ period during the
22 Caretaker Convention for something this sensitive, even if
23 everything, you know, was fine, could be seen as having a
24 partisan interest in whether or not information would be
25 released publicly. And so I wanted to remove -- that was one
26 of my primary objectives, was to remove any notion that there
27 could be a partisan interest in the decision as to whether or
28 not to release information if something should occur.

1 So I was very interested in what France had
2 in terms of their council of legal advisors. I think
3 colloquially they referred to them as the conseil d'émence
4 grise; right? It's folks who are very well respected in
5 France. But it wasn't something new that they had done for
6 that election. This was an institution that they have in
7 place generally.

8 We don't have something like that in Canada.
9 We have Elections Canada. I did consult with Elections
10 Canada. That's not really their role, to, you know,
11 determine if there has been foreign interference in an
12 election. They don't necessarily have the capacity to do
13 that.

14 I also consulted with the Commissioner of
15 Canada Elections at the time. Again, not really the right
16 space for them either.

17 And so trying to figure out who would be best
18 placed here. And one of the reasons why I settled on senior
19 public servants who are independent, non-partisan,
20 professional, is that they would have access to information
21 and understanding of the threat landscape to determine
22 whether something was irregular and whether or not it would
23 have an impact on a free and fair election.

24 And the other part of it, in terms of the
25 composition, was that the Government of Canada can be quite
26 siloes sometimes, and so it was important that we brought
27 together those that had access to the information, so the
28 head of CSE, the head of CSIS, who are seeing what's

1 happening and can bring that up to this group quickly,
2 because if something happens, there needs to be a quick
3 decision as to whether it's going to be released publicly or
4 not. So they had access to that information and a very good
5 understanding of the intelligence world and what intelligence
6 could perhaps be linked to evidence, because that's another
7 important piece. Intelligence is not evidence. They need to
8 be certain if they're going to suggest something, because
9 again, the very act of suggesting or making a public
10 declaration will have an impact on the outcome of the
11 election.

12 And then the Deputy Minister for Global
13 Affairs Canada as well, again, because perhaps there are
14 steps that might need to be taken with regards to
15 intelligence that don't merit a public intervention, but
16 maybe there are previous things that could be done, such as,
17 like, a démarche to an embassy or something of those lines.
18 And they would have an understanding of the global context.
19 And then the NSAI -- sorry, the Clerk of the Privy Council,
20 again, as the most senior public servant, and the Deputy for
21 Justice.

22 And the reason why I felt it was important to
23 have the Deputy for Justice there was specifically to have
24 that legal perspective and to have knowledge and
25 understanding of, you know, the corpus of judicial history
26 and precedent in this country, and to ensure that the
27 democratic rights of Canadian citizens, of candidates, of
28 political parties, were front and center, and understood in

1 making such a profound decision that would have such an
2 important impact on an election process and outcome.

3 **MS. LYNDA MORGAN:** And so with a focus of
4 trying to include non-partisan individuals on the Panel, as I
5 understand it, Deputy Ministers are appointed by the Prime
6 Minister on the advice of the Clerk of the Privy Council? Is
7 that correct?

8 **HON. KARINA GOULD:** My understanding.

9 **MS. LYNDA MORGAN:** And that appointment is
10 for an indefinite period?

11 **HON. KARINA GOULD:** To my knowledge. I'm not
12 involved in that. So, yeah.

13 **MS. LYNDA MORGAN:** Well the real point being,
14 the Prime Minister technically has the power to dismiss a
15 Deputy Minister? Is that right?

16 **HON. KARINA GOULD:** Again, I think so, but
17 that's a bit beyond.

18 But what I would say is that certainly I'd
19 say every deputy that I have had has served, I think, well
20 under successive governments of different political stripes.
21 And I have, you know, tremendous confidence in their ability
22 to be non-partisan, independent, and professional. And, you
23 know, many of the deputies that I have had had served under
24 Conservative governments, and I'm sure many of the deputies
25 that serve under Liberal governments will also serve under a
26 future government of a different stripe.

27 That's the role of the public service, is to
28 be professional, to be independent, and to be non-partisan.

1 And particularly during a writ period where the Government is
2 under the Caretaker Convention. And so part of where this
3 Panel of Five fits in is also under the Caretaker Convention,
4 which is something that has existed in Canada since
5 Confederation, where the public service takes on their
6 responsibilities of the Government because the Government is
7 a political actor at that moment in time seeking election or
8 re-election.

9 And so I think it fit very neatly within the
10 existing institutions that we have and, you know, I would say
11 that, you know, Canadians tend to have confidence in the
12 public service to act in a non-partisan way.

13 **MS. LYNDA MORGAN:** And so you've indicated
14 that the Panel's operational only during the Caretaker
15 period. In terms, again, of the concept of the plan, did you
16 consider the creation of a permanent body?

17 **HON. KARINA GOULD:** I did not at the time.
18 Remember, again, this is the very first time we're doing
19 something like that and so I felt it was important that, you
20 know, we establish it, but then there also be a review of the
21 process as it happened to learn any lessons and provide any
22 recommendations which ended up being the first Judd Report in
23 terms of whether this should be something that we continue
24 with or whether there should be more of a permanence.

25 It was also one of the first times that we
26 had -- well, the second time we had a fixed date election in
27 Canada as well, so there were many kind of different factors.

28 I think in some respects it's almost a bit

1 harder for foreign actors to interfere when you have, you
2 know, more spontaneous elections. When you know there's a
3 fixed date, you have a runway to lead up to.

4 And so we were very much learning as we were
5 going, and those lessons, you know, from that should then be
6 applied for future and subsequent elections.

7 **MS. LYNDA MORGAN:** And in terms of a
8 permanent body, my question is also focused on did you
9 consider it a creation of a body that existed outside of the
10 caretaker period, so that would sit for longer than a six-
11 week period.

12 **HON. KARINA GOULD:** No. I mean, in the
13 sense, all of those individuals who sit on the panel continue
14 to exercise, you know, their responsibilities as respective
15 deputies and heads of agencies and one would expect that they
16 would continue to talk to each other. However, in the formal
17 capacity, it should only exist during the writ period because
18 that is the time when people are making decisions about who
19 they are voting for and either before or after the government
20 is in place. And my focus in terms of protecting our
21 democracy was specifically with regards to the election event
22 and election events as opposed to, you know, broader foreign
23 interference that happens by attacking government systems or,
24 you know, going through other things outside of a writ
25 period.

26 And we have already in the Government of
27 Canada apparatus roles and responsibilities for those
28 activities. What we didn't have was something concrete for

1 the writ period itself. creation of a permanent body.

2 **MS. LYNDIA MORGAN:** And so we've heard that
3 the panel's role effectively is to notify the public of an
4 event during the election that threatened Canada's ability to
5 have a free and fair election. And we've also heard evidence
6 that the panel interpreted the threshold for an announcement
7 as being high or very high.

8 In the concept stage, was the threshold
9 intended to be at a high level?

10 **HON. KARINA GOULD:** Yes. And it was very
11 important that it's at a high level because, again, remember,
12 the very act of making a decision to announce something
13 publicly could be seen as interference itself.

14 And this is a point that was actually very
15 important for all of the political parties because for those
16 of us that have run in an election or been in an election,
17 either as a candidate or working on it, it's a very intense
18 time. There's a lot of information going around. It is
19 chaotic, so to speak. And so if there's going to be a high -
20 - you know, the -- if there's going to be a decision to say,
21 "You Canadian citizens, you need to know that a foreign actor
22 has interfered in our election", the threshold needs to be
23 high because there's a -- it's resting on the trust of
24 Canadians in the process being -- on the integrity of the
25 process.

26 And if someone is saying that the integrity
27 of the process is being questioned or has been compromised,
28 they need to be certain of that fact and they need to be

1 certain that this is something of significant enough value to
2 the national interest that it be made public.

3 And the political parties were very clear
4 that that was something that was important to them as well.

5 **MS. LYNDA MORGAN:** And when you speak about
6 the integrity of the process and the high threshold, was it
7 contemplated the focus on integrity of the process would be
8 examined at a riding-by-riding level or a national level?

9 **HON. KARINA GOULD:** Both. It could be either
10 because it's -- Canada doesn't have one national election.
11 We have 338 individual elections that make up an electoral
12 event. And so everything is context specific.

13 You know, it could be something that happens
14 at the national level that everybody is aware of or is being
15 impacted by. It could be something that's happening in one
16 singular riding. But that's where the importance for the
17 panel to have an understanding of the landscape, of the
18 activities and the potential impact was so important to make
19 that decision.

20 And it was specific in the Cabinet directive
21 to give the panel the authority and the responsibility to
22 make that judgment call.

23 **MS. LYNDA MORGAN:** And did you anticipate
24 that the panel could take actions in relation to intelligence
25 or information that fell below the threshold?

26 **HON. KARINA GOULD:** Well, that wouldn't be
27 the panel's decision there. That would be up to the
28 individual agencies who have those responsibilities.

1 The panel's primary focus was on whether
2 there was something of such significance that it would have -
3 - that it would compromise the free and fair election by
4 Canadians and be in the national interest. And so that was
5 really where the panel's responsibilities lay.

6 **MS. LYNDA MORGAN:** I want to ask you one more
7 briefings-related question.

8 Can I have CAN 15506, please?

9 **--- EXHIBIT No. CAN 15506:**

10 Memo for the NSIA to the PM -
11 Elections Security Briefings for the
12 Hon. Dominic LeBlanc

13 **MS. LYNDA MORGAN:** Scroll down, staying on
14 the first page, but scroll down a bit, please.

15 And if we look at the third bullet, it says:

16 "Prior to and during GE 2019, Deputy
17 Ministers provided regular briefings on
18 election security to the then Minister
19 of Democratic Institutions, Karina
20 Gould."

21 Were you briefed regularly by Deputy
22 Ministers prior to and during GE 2019?

23 **HON. KARINA GOULD:** Not during. I didn't
24 receive a single briefing during the election.

25 **MS. LYNDA MORGAN:** Did you expect to receive
26 briefings during the election?

27 **HON. KARINA GOULD:** I expected not to receive
28 any briefings during the election. I explicitly designed the

1 process so that I would not receive any briefings during the
2 process because, as I mentioned, I had a vested interest in
3 the outcome of the election and so I felt it would be
4 completely inappropriate to receive those briefings. And
5 that's why it was so important to create this independent
6 non-partisan body that would be responsible during the writ
7 period.

8 **MS. LYNDA MORGAN:** And so you've indicated
9 already you were receiving intelligence. It's high level.
10 And no briefings during the writ period.

11 I understand from your witness summary that
12 you did not receive any intelligence during the writ period
13 relating to allegations in Don Valley North. Is that
14 correct?

15 **HON. KARINA GOULD:** Correct.

16 **MS. LYNDA MORGAN:** And I understand as well
17 that you were not aware that secret cleared Liberal Party
18 representatives were briefed in relation to allegations of
19 interference in the Don Valley North nomination contest?

20 **HON. KARINA GOULD:** That is correct. I --
21 again, as I created this system and policy, it was very
22 important that each of the political parties had their own
23 doors into the security agencies that the government, myself
24 as Minister of Democratic Institution, would not be aware of
25 so that they would have trust to have that engagement with
26 the security agencies.

27 **MS. LYNDA MORGAN:** And I understand, finally,
28 that you were not briefed on intelligence assessments

1 suggesting that there were likely at least two transfers of
2 funds approximating \$250,000 from PRC officials in Canada
3 possibly for FI-related purposes that were transferred via an
4 influential community leader to the staff member of a 2019
5 federal election and then to an Ontario MPP.

6 **HON. KARINA GOULD:** That is correct.

7 **MS. LYNDA MORGAN:** So you did not receive
8 that intelligence.

9 **HON. KARINA GOULD:** No. I would have
10 received something at a much higher level.

11 **MS. LYNDA MORGAN:** And were you briefed on a
12 TRM conducted in advance of GE 43 to reduce the FI threat
13 posted by the Government of Pakistan?

14 **HON. KARINA GOULD:** At a very high level, but
15 I wouldn't have received information as to what or with whom.

16 **MS. LYNDA MORGAN:** Thank you.

17 **COMMISSIONER HOGUE:** Thank you.

18 Cross-examination by counsel for Jenny Kwan.

19 **--- CROSS-EXAMINATION BY MS. MANI KAKKAR:**

20 **MS. MANI KAKKAR:** Thank you, Commissioner.

21 Good morning, Ms. Gould.

22 **HON. KARINA GOULD:** Good morning.

23 **MS. MANI KAKKAR:** I'm just going to take a
24 minute here to -- so Ms. Gould, this morning I wanted to ask
25 questions specifically related to the kind of information
26 that you considered when you were developing the threshold
27 and to considering the plan for protecting Canada's
28 democracy. In your witness statement, and you've said this

1 in your testimony as well, that your briefings were quite
2 high level, that you actually looked outside of Canada to see
3 the ways in which foreign interference had affected
4 elections. Do you think it would have been helpful to know
5 the specific details though of foreign interference in
6 Canada, so that you could better address what was happening
7 here because perhaps the dynamics would have been different
8 than perhaps our U.S. partners or other countries in the
9 world?

10 **HON. KARINA GOULD:** Okay. Well, I want to
11 take you back to 2017 for a moment because it was the first
12 time that we were thinking about foreign interference in
13 terms of cyber security, and it was the first time that we
14 were seeing these widescale attacks around the world in real
15 time. Typically, foreign interference before was very, very
16 covert, right, and human to human; right? We weren't seeing
17 this kind of hacking of systems, divulging of information,
18 trying to pollute the information ecosystem as we were at the
19 time. And so it was incredibly important to learn from real-
20 world examples that we were seeing happening to figure out
21 what we needed to do here at home to avoid something like
22 that in the future. Of course, I was briefed at a high level
23 as to what foreign interference activities -- attempts at
24 foreign interference, I should say, were seen here in Canada,
25 so I would correct a little bit the premise of your question
26 and say that, yes, both of those were happening, and that was
27 incredibly important to figure out how we protect ourselves.

28 Also, the understanding is that threat actors

1 don't often act the same way twice, because once they've been
2 found out to do one thing, they don't necessarily continue to
3 do that activity, and so you're constantly trying to keep up
4 and understand what potential new things are happening. No
5 one, before the U.S. presidential election thought that
6 Russia was using Facebook and Twitter and posing as Americans
7 through their bought farms at the Internet Research Agency in
8 Saint Petersburg. All of that was learned after the fact.
9 So it was really important to have that understanding in
10 order to develop a plan to protect ourselves as best as we
11 can.

12 **MS. MANI KAKKAR:** I appreciate the helpful
13 answer. And so just to disentangle that a bit so that we
14 have an understanding, when you say you were being briefed at
15 a high level of what was happening in Canada, is it fair to
16 say that you were being briefed on the way in which foreign
17 interference happens, the modes, who the players might be in
18 the Canadian landscape, but not necessarily on specific
19 events, just so ---

20 **HON. KARINA GOULD:** Yeah, so it would be high
21 level in the sense of which are the foreign actors that try
22 to engage the most in foreign interference activities, and
23 some of the ways in which the agencies would have seen them
24 try to do that. So there was an understanding of what the
25 threats are in Canada. I would say that, generally speaking,
26 and as I mentioned in my previous answer, it is known that
27 there have been attempts to interfere in Canadian democracy
28 since the beginning of Confederation, but I would say that

1 our intelligence agencies are, you know, I think quite adept
2 at trying to monitor that, and if they are able to then share
3 that information with the RCMP, whose job it would be then if
4 they have the evidence to act upon it.

5 **MS. MANI KAKKAR:** Okay. So if I'm -- I think
6 I understand your testimony to be that you did have some
7 understanding of the ways in which FI operated here, who the
8 risk -- or, sorry, who the threat actors might be. And so
9 over the course of the last few weeks in this Commission,
10 we've learned that foreign interference can be very discreet
11 events that perhaps on their own don't add up to very much,
12 but in the aggregate do. Did you have a similar
13 understanding of foreign interference at the time that you
14 developed this particular threshold and plan?

15 **HON. KARINA GOULD:** Yes, could be. However,
16 I would say that the emphasis on this plan was certainly with
17 regards to cyber security, but also understanding the
18 entirety of how foreign actors could interfere in an
19 electoral event and ensuring that the respective agencies
20 have the tools that they needed to be able to act upon it
21 when they had the evidence to act upon it.

22 **MS. MANI KAKKAR:** Okay. So it does sound
23 like you had a similar understanding that perhaps, you know,
24 one WeChat post doesn't much, but you add them all up
25 together and there's a collective impact of that.

26 **HON. KARINA GOULD:** Could be or could not be.

27 **MS. MANI KAKKAR:** Right.

28 **HON. KARINA GOULD:** Right? Everything is

1 context specific, and every -- you know, it's very hard to
2 say that this one particular thing might have an impact or --
3 as I was saying in my testimony earlier, the threshold, for
4 example, for the panel was very high, but it could have been
5 something that happened in one riding, or it could have been
6 something that happened at a national level. It would be
7 completely context specific.

8 **MS. MANI KAKKAR:** That's fair. So then given
9 how context specific everything is, and you have that same
10 understanding, did you consider a sliding scale approach that
11 could adapt to that context, so that the threshold wasn't so
12 high, but perhaps if it were triggered at different levels, a
13 different level of response could ---

14 **HON. KARINA GOULD:** So I'll just push back
15 gently a bit because ---

16 **MS. MANI KAKKAR:** Sure.

17 **HON. KARINA GOULD:** --- again, you can't
18 really have a sliding scale because, again, you can't really
19 imagine exactly what's going to happen during the election,
20 because as I said, threat actors are going to change. For
21 example, they're watching these proceedings right now, and
22 are likely going to be changing how they're acting in Canada
23 as they're seeing how we are responding in this very setting.

24 So the panel did a series of tabletop
25 exercises to imagine different scenarios, right, the SITE
26 Task Force imagined different scenarios and how they might
27 react, but again, it will all depend on that exact moment,
28 what is happening, and the context in which it is happening.

1 So it's -- you can't really have a rubric to say if X, then Y
2 and Z, because if you did, you might end up interfering in an
3 election that you maybe didn't need to in terms of saying
4 something publicly because the context will depend on what is
5 happening in that moment. So I know that you would like to
6 have a rubric and a box that says this is what you need to
7 act when, but it's really important that there's that
8 discretion and that judgment in place before something is
9 made public.

10 **MS. MANI KAKKAR:** Actually, I will agree with
11 you that a rubric in a box is probably not possible given the
12 amount of ways in which you could interfere, but what I mean
13 more is sort of a sliding scale in the way that the national
14 terrorism threat levels exist. There's different threat
15 levels and there are different responses as a result. And so
16 not only would you have a sliding scale with respect to when
17 to respond, but how to respond, so that you're not
18 necessarily interfering -- and, again, not at the minutia of,
19 you know, if X happens, you do Y, leaving, of course, a great
20 degree of discretion, but that way there's no under or
21 overreaction to a particular ---

22 **HON. KARINA GOULD:** I don't think you would
23 ever be able to determine if there's an under and
24 overreaction because of the nature of an election, when
25 emotions are so high, when the outcome is so personal to so
26 many people, and it has such a great impact on the country
27 that you're going to be able to be in a place where everyone
28 says, oh, because you followed the sliding scale, we're okay

1 with it. That's kind of the crux of the Obama dilemma. He
2 saw what was happening, understood what was happening, didn't
3 feel that he could say something because he was worried that
4 by the very fact of saying something publicly, he would have
5 an outcome on -- he would have an impact on the outcome. And
6 so what I would say to you is that those rubrics, those
7 responses, on a more granular level already exist within the
8 agencies, and they already have ways to deal with things that
9 happen on a more minor level, and they make those decisions
10 as to how and when to respond and react in a way that
11 hopefully doesn't further compromise the national security of
12 Canada and of Canadians, but also, the integrity of the
13 electoral process.

14 **MS. MANI KAKKAR:** I really do appreciate your
15 answer, and despite the follow up, I doubt I can ask a
16 question in eight seconds, so thank you so much for your
17 testimony.

18 **HON. KARINA GOULD:** Thank you.

19 **COMMISSIONER HOGUE:** Thank you.

20 Counsel for Michael Chong?

21 **--- CROSS-EXAMINATION BY MR. FRASER HARLAND:**

22 **MR. FRASER HARLAND:** Good morning,
23 Commissioner. Good morning, Ms. Gould.

24 **HON. KARINA GOULD:** Good morning.

25 **MR. FRASER HARLAND:** Ms. Morgan asked you
26 about consultation with political parties regarding the
27 Critical Election Incident Public Protocol. You remember
28 that?

1 **HON. KARINA GOULD:** I do.

2 **MR. FRASER HARLAND:** And I believe your
3 evidence is, and you correct me if I'm wrong, but your
4 evidence on that was we presented it to them. And I had -- I
5 want to ask you if you'd agree that presenting a plan is
6 quite different from meaningful consultation on a plan.

7 **HON. KARINA GOULD:** So we had conversations
8 first before the plan was presented. And I'll take you back
9 to my testimony earlier with Ms. Morgan where I said the
10 first conversations we had were likely in the fall of 2017,
11 and the plan was made public in January of 2019.

12 So throughout that period of time, there were
13 ongoing conversations with the political parties. First to
14 understand what some of their issues and challenges were to
15 get their level of comfort. So for example, one of the
16 pieces was CSE offered to do technical audits of their
17 systems. I don't think a single political party agreed to
18 that, because they didn't want the Government to go in there.
19 But they did say one thing that would be helpful would be to
20 have a list of trusted vendors.

21 So there was a continuous dialogue and
22 engagement as we were building the plan, and then it was
23 presented in its final stage when it was public in the winter
24 of 2019.

25 **MR. FRASER HARLAND:** That's helpful. And I
26 just want to make sure that we have your evidence, because my
27 specific concern is not on the plan as a whole, but is on the
28 Panel of Five, the Critical Election Incident Public

1 Protocol. And so I believe that's what, in response to Ms.
2 Morgan's question, you said we presented it to them. And I'm
3 wondering on that, on the Panel of Five, was there meaningful
4 consultation with the political parties? Or was the plan
5 just presented to them as you had created it?

6 **HON. KARINA GOULD:** I couldn't tell you the
7 exact conversations, because the conversation that I had
8 specifically was in the fall of 2017, and then after that, it
9 would have been at the staff level.

10 **MR. FRASER HARLAND:** Okay. And so can you
11 point to any specific suggestions made by opposition parties
12 that made their way into the Cabinet Directive on the Panel?

13 **HON. KARINA GOULD:** There was a general
14 acceptance, and I didn't receive any pushback at the time
15 that public servants were -- there was no push back that
16 these public servants be on that panel.

17 **MR. FRASER HARLAND:** Okay. And I have a
18 question about the public servants on the Panel. You say
19 that -- so the Panel is the Clerk, the NSIA, and three Deputy
20 Ministers; correct? You say that they're all non-partisan.
21 And we certainly would expect them to be. But you also
22 referred to them as independent. So I want to ask a question
23 about that. Would you agree there's an important difference
24 between a non-partisan at-pleasure appointee and a public
25 office with true institutional independence from government?

26 **HON. KARINA GOULD:** I would say that as your
27 client was Minister of Democratic Reform who served under --
28 who served alongside and was served by the professional non-

1 partisan public service, that they are independent in the
2 advice that they provide to government, they are loyal in the
3 implementation of it, but I have very, very strong confidence
4 in our public service that they serve the government of the
5 time, but they serve equally well, regardless of what the
6 partisan colour of that government is.

7 **MR. FRASER HARLAND:** And I appreciate that,
8 but that's not quite my question, which is just there's a key
9 difference between an at-pleasure appointee who can be
10 removed and an office with institutional independence. I can
11 give you a couple examples. Judges would be an example.
12 They cannot be removed. The Office of the Chief Electoral
13 Officer of Elections Canada, who serves a ten-year non-
14 renewable term, has institutional independence. You'd agree
15 there's a difference between that kind of institutional
16 independence and at-pleasure Deputy Minister appointees?

17 **HON. KARINA GOULD:** I think that what you're
18 getting at is not quite appropriate, in the sense of public
19 servants are non-partisan. And while, yes, they -- the very
20 heads of them could be removed, it is not something that I
21 think is the right way to frame this, because they are
22 responsible, first and foremost, to protecting Canada. That
23 is their job. And protecting the institution of government.
24 And that is something that they take very seriously. And
25 they are not partisan in nature.

26 And particularly during the Caretaker period,
27 which is a longstanding convention in Canadian governance,
28 they take on the role of a government at that time. And

1 particularly in this Cabinet Directive, they are given that
2 authority. If you look at the Cabinet Directive, yes, they
3 inform the Prime Minister, but they also have to inform the
4 other political parties as well to make sure that this is
5 something that is fair and information that is being received
6 by everyone ahead of it being made public.

7 **MR. FRASER HARLAND:** So I appreciate all
8 that. I just want to try one more time, because I have your
9 evidence on the non-partisanship, and I'm not asking
10 questions about that. I'm wanting to ask questions on the
11 independence.

12 So perhaps I can put it this way. There's a
13 difference between an at pleasure appointee who can be
14 removed at pleasure and the institutional independence that
15 say a judge or the Chief Electoral Officer of Elections
16 Canada has? You'd acknowledge ---

17 **HON. KARINA GOULD:** There -- yes, there is a
18 difference. However, in this instance, these are very
19 professional individuals who take their job of being non-
20 partisan professional public servants very seriously and
21 whose primary responsibility is protecting Canadians, Canada,
22 and their governing institution.

23 **MR. FRASER HARLAND:** Thank you, Minister
24 Gould. That's very helpful.

25 Thank you, Commissioner.

26 **COMMISSIONER HOGUE:** Thank you.

27 Counsel for Erin O'Toole.

28 **--- CROSS-EXAMINATION BY MR. THOMAS JARMYN:**

1 **MR. THOMAS JARMYN:** Good morning, Minister
2 Gould. My name is Tom Jarmyn. I'm counsel for Erin O'Toole.

3 So let's go back to the Panel of Five and the
4 threshold, which I'm sure everybody will regret me getting
5 into.

6 You said -- and the Panel of Five, as said,
7 it was a high threshold, they said need reliable information,
8 your words this morning, they needed to be certain. Is that
9 correct?

10 **HON. KARINA GOULD:** Correct.

11 **MR. THOMAS JARMYN:** So it's by design you've
12 got that particular way.

13 I would submit to you that in fact what
14 you've done is you've institutionalized the Obama dilemma.
15 On October 7th, 2016, the Obama Administration actually told
16 the American public that Russia was interfering in the
17 election. And the subsequent criticism of him and his
18 Administration was that he took so long to do it while they
19 were looking for certainty. Are you aware of that?

20 **HON. KARINA GOULD:** I've read all of the
21 public information about it.

22 **MR. THOMAS JARMYN:** Okay. But you're aware
23 that in fact the Obama Administration did alert the U.S.
24 citizenry about intervention in the 2016 election prior to
25 the election?

26 **HON. KARINA GOULD:** I don't recall exactly
27 that comment.

28 **MR. THOMAS JARMYN:** Okay.

1 **HON. KARINA GOULD:** Yeah.

2 **MR. THOMAS JARMYN:** Okay. Can we go to your
3 witness statement, WIT 62 at paragraph 7?

4 Now, the second paragraph, this is the
5 discussion about the -- your initiatives with Facebook,
6 Microsoft, and Twitter in order to come to a voluntary, I
7 guess, regime to address information manipulation.

8 **HON. KARINA GOULD:** M'hm.

9 **MR. THOMAS JARMYN:** And those were -- did you
10 negotiate with any other platforms? Or did you approach any
11 other platforms?

12 **HON. KARINA GOULD:** Facebook, Microsoft,
13 Twitter, and Google were the main interlocutors. I know that
14 PCO approached other social media platforms, but it was
15 harder to engage with them because they didn't have
16 representatives in Canada.

17 **MR. THOMAS JARMYN:** Okay. So no one
18 approached Tencent about WeChat?

19 **HON. KARINA GOULD:** I don't think they had an
20 office in Canada at the time. And I would say at the time in
21 2019, the primary focus was really on Russia.

22 **MR. THOMAS JARMYN:** Okay. I'll put those
23 other questions to other individuals then.

24 I'd like to look at paragraph 11 of the
25 witness summary.

26 And you speak there about interference in the
27 nomination process. And I see the statement that:

28 "...alleged interference in a

1 nomination process would not be
2 significant enough to question the
3 integrity of an election in its
4 entirety.”

5 But it would be sufficient enough to question
6 the integrity of the election in the particular riding;
7 wouldn't it?

8 **HON. KARINA GOULD:** Well there are agencies
9 that already have responsibility for that specific instance.
10 So political parties are responsible for nominations.
11 Elections Canada has rules and laws already and the ---

12 **MR. THOMAS JARMYN:** How -- sorry, excuse me.
13 How is Elections Canada responsible in nominations process?

14 **HON. KARINA GOULD:** Well ---

15 **MR. GREGORY TZEMENAKIS:** Just a reminder, my
16 friend is not entitled to cross-examine on a witness
17 statement, pursuant to your rules in this matter. He can ask
18 for clarification. He can use the statement as a basis to
19 form a set of questions. But he's not entitled to cross-
20 examine on a particular statement in the witness summary.

21 **MR. THOMAS JARMYN:** Well so the ---

22 **COMMISSIONER HOGUE:** So rephrase your
23 question, I think.

24 **MR. THOMAS JARMYN:** I was going to say, in
25 that statement, it's said that Elections Canada --

26 "...the remits of the affected
27 political party, Elections Canada [...]
28 and/or the [RCMP]..."

1 How is Elections Canada -- just within the
2 remit of Elections Canada, the ---

3 **HON. KARINA GOULD:** Well, for a nomination
4 process, it would be the political party itself that is
5 responsible and, of course, if they were breaking the law by
6 having, let's say, foreign money involved, which would be
7 illegal under the *Canada Elections Act*, then the RCMP or the
8 police of jurisdiction would have the authority to act on
9 that.

10 **MR. THOMAS JARMYN:** So I was going to say,
11 Elections Canada is the financial operation of the campaign
12 and the RCMP, it's acts of fraud or things like that.

13 **HON. KARINA GOULD:** Well, as you know, we
14 have a separation of government and law enforcement in this
15 country, so yes, the RCMP would respond if it was known a law
16 was broken or suspected a law was broken.

17 **MR. THOMAS JARMYN:** And just going to the
18 threshold for another second, with respect to the balancing
19 of these things, we see the effect on discourse at the
20 general level on the election, at the riding level, but what
21 about the effect on political discourse?

22 If foreign interference affects the political
23 discourse, is that an impact on our election?

24 **HON. KARINA GOULD:** Context specific, again,
25 so it could be. Certainly what we saw in the U.S.
26 Presidential election, it was.

27 Again, though, as anyone who has run in an
28 election, the information ecosystem is quite chaotic during a

1 writ period and so to be able to determine if it was foreign
2 interference that caused a change in the discourse or it was
3 something else, a statement by a politician, a policy from a
4 political party, a platform from a political party, you know,
5 there needs -- it's hard to determine which one of those
6 things might be the most affected. However, that's where the
7 involvement of the intelligence agencies and intelligence
8 that they see impacting something would then be submitted to
9 the panel to make that judgment call.

10 But again, it's very context specific and
11 it's one of the biggest challenges and one of the reasons why
12 I believe, you know, Russia, particularly in the lead-up to
13 the 2016 election, used social media so effectively, but you
14 can't necessarily say that Russia was responsible or their
15 information caused the outcome of the 2016 election because,
16 remember, at the end of the day, I believe this very
17 strongly, we need to protect Canadian citizens to give them
18 the tools and the information to make informed decisions.
19 And at the end of the day, if they go into that ballot box
20 and no one has told them how to vote or is holding them to
21 vote a certain way or bribing them a certain -- or bribing
22 them, but rather, they are going and making a decision based
23 on the information that they have. That vote is valid and
24 the outcome of that vote is valid because that is a decision
25 a Canadian has made.

26 And so to be able to determine specifically
27 that they got there because of one specific element in the
28 election is quite challenging, which is why the threshold was

1 set so high and why the intervention of the panel needed to
2 be taken with the seriousness with which I think it was
3 taken.

4 **MR. THOMAS JARMYN:** Thank you.

5 **COMMISSIONER HOGUE:** Thank you.

6 Counsel for the Conservative Party, Me De
7 Luca.

8 **--- CROSS-EXAMINATION BY MR. NANDO de LUCA:**

9 **MR. NANDO de LUCA:** Thank you. Good morning.
10 I'm going to quote from your 2017 mandate
11 letter from the Prime Minister, which says:

12 "As Minister of Democratic
13 Institutions, your overarching goal is
14 [or was] to strengthen the openness and
15 fairness of Canada's public
16 institutions and also to restore
17 Canadians' trust and participation in
18 our democratic processes." (As read)

19 Do you recall that or do you recall those
20 words?

21 **HON. KARINA GOULD:** Would you be able to show
22 them to me?

23 **MR. NANDO de LUCA:** I would, but I don't have
24 a note right now of the document. It was part of it.

25 **HON. KARINA GOULD:** If you could show it to
26 me, that would be helpful.

27 **MR. NANDO de LUCA:** Sure.

28 **MS. LYNDA MORGAN:** It's COM 18.

1 **HON. KARINA GOULD:** And do you know which
2 paragraph?

3 **MR. NANDO de LUCA:** Scroll up.

4 Well, why don't we do it this way? Do you
5 believe that the prospect of foreign interference, to the
6 extent -- and to the extent that it actually took place in
7 our elections, is contrary to the mandate that the Prime
8 Minister charged you with?

9 **HON. KARINA GOULD:** Sorry. Could you repeat
10 that?

11 **MR. NANDO de LUCA:** Sure.

12 To the extent that foreign interference
13 actually took place in the 2019, that would have been
14 contrary to what you were charged with safeguarding against
15 in your mandate.

16 **HON. KARINA GOULD:** Well, my job was to come
17 up with a plan and a policy to try as best as possible to
18 prevent foreign interference. It doesn't mean that there
19 weren't ongoing attempts, as I mentioned at the outset, of
20 foreign interference throughout all elections.

21 But perhaps I can just get to your first
22 point because one of the reasons why I was mandated to
23 restore trust in democracy was because at the time, we were -
24 - when we were elected, it was after the *Fair Elections Act*
25 that the current Leader of the Opposition had put in place
26 which actually reduced citizens' ability to case their
27 ballots, and that was the primary overarching objective, was
28 to make sure that every Canadian citizen would be able to

1 cast their ballot, be able to participate in our democracy
2 and have confidence in the process.

3 **MR. NANDO de LUCA:** Can I ask that MMC5020 be
4 pulled up?

5 And do you have it in front of you?

6 **HON. KARINA GOULD:** I think so.

7 **MR. NANDO de LUCA:** And this appears to be a
8 summary of the CSIS briefings in the possession of the Privy
9 Council Officer relating to PRC foreign interference in the
10 2019 and 2021 General Elections and a general description of
11 those documents.

12 And can -- by my count, between June 2018 and
13 August 2019, you received seven briefings on foreign election
14 interference. Does that sound right?

15 **HON. KARINA GOULD:** Yes. And I would just
16 gently correct you in the sense that I'm not sure this is
17 specifically related to the PRC. It would have been an
18 overall look at foreign interference generally from a variety
19 of actors.

20 **MR. NANDO de LUCA:** Well, the heading
21 actually says PRC. Do you dispute that?

22 **HON. KARINA GOULD:** I don't see that.

23 **MR. NANDO de LUCA:** At the top, "CSIS
24 Briefings and Intelligence Products on PRC Foreign
25 Interference". This is the heading of the document.

26 **HON. KARINA GOULD:** Okay, sorry. I didn't
27 see that.

28 But I would just say that those briefings

1 that I would have received would have been general with
2 regards to a variety of actors.

3 **MR. NANDO de LUCA:** Okay. And safe to say
4 that, at least as a result of those briefings, you were well
5 aware of the issue of foreign interference in Canadian
6 elections?

7 **HON. KARINA GOULD:** I would say that to make
8 the statement that there is foreign interference in Canadian
9 elections is not entirely accurate. I would say that what
10 these briefings suggested to me or provided to me was an
11 overview of attempted foreign interference broadly around the
12 world as well as activities that potentially could be
13 observed here in Canada.

14 **MR. NANDO de LUCA:** So you received -- let me
15 get this straight. You received seven briefings on foreign
16 interference. Are you suggesting that as a result of those
17 seven briefings, you weren't convinced that any foreign
18 interference in the ---

19 **HON. KARINA GOULD:** I did not say that.

20 **MR. NANDO de LUCA:** Let me finish the
21 question, please.

22 Are you suggesting that you weren't convinced
23 that any foreign interference had taken place in connection
24 with the Canadian elections process?

25 **HON. KARINA GOULD:** What I said was they
26 would show me -- they would share information with me of what
27 potential interference could be of activities that they had
28 seen as attempts and things that we needed to be aware of in

1 terms of what could possibly happen during an election.

2 Certainly I was the Minister of Democratic
3 Institutions before the 2021 election and for a very brief
4 period of time after the 2019 election.

5 **MR. NANDO de LUCA:** You're not suggesting
6 that attempts at foreign interference have to be successful
7 and have to actually materially impact the result before
8 they're taken seriously, or they're dealt with?

9 **HON. KARINA GOULD:** I'm not. And, in fact,
10 we are here right now today because we took attempts at
11 foreign interference very seriously. It's why I was mandated
12 to do it in 2017, and it's why I came up with that plan to
13 protect Canadian democracy, and we did take it extremely
14 seriously. It's why we're here today. It's why we're
15 actually looking at documents that were prepared with regards
16 to foreign interference, something I will note that previous
17 Conservative governments didn't do.

18 **MR. NANDO de LUCA:** Can I ask you to turn up
19 CAN 004252?

20 **--- EXHIBIT No. CAN 4252:**

21 Security Brief for Minister Gould

22 **MR. NANDO de LUCA:** And this indicates that
23 it's a briefing or a -- it's a briefing or a security brief
24 that you would have received in or about October 29, 2019
25 from CSIS. Did you, in fact receive this briefing?

26 **HON. KARINA GOULD:** I did receive a briefing
27 following the 2019 election. I couldn't confirm the date
28 with you, and I have only seen this particular document in

1 preparation for today's proceedings.

2 **MR. NANDO de LUCA:** If we could perhaps
3 scroll to page 3 of this document? October 29, 2019 would
4 have been after the 2019 election; correct?

5 **HON. KARINA GOULD:** Correct.

6 **MR. NANDO de LUCA:** Okay. And at the bottom
7 of page 3, there's a discussion of a China threat update; you
8 see that? And part of it has been redacted?

9 **HON. KARINA GOULD:** M'hm.

10 **MR. NANDO de LUCA:** Do you recall being
11 updated with respect to the China threat on or about October
12 29, 2019 after the general election?

13 **HON. KARINA GOULD:** I would have been briefed
14 at a very high level that they were monitoring the
15 activities.

16 **MR. NANDO de LUCA:** Okay. And within or just
17 I guess it's after the third redacted box, there's the tail
18 end of an explanation regarding what it says,

19 "...limited specific incidents
20 suggestive of FI which were briefed
21 to relevant clients (GC and political
22 parties) during the writ period
23 (e.g., Don Valley)."

24 Do you recall receiving that briefing or that
25 information as part of this October 29, 2019 ---

26 **HON. KARINA GOULD:** It would have been ---

27 **MR. NANDO de LUCA:** --- brief?

28 **HON. KARINA GOULD:** --- a high level. I

1 wouldn't have received the specifics about Don Valley and
2 would have said something to the effect of limited activity
3 viewed, action taken, but it wouldn't have been to that
4 specific level.

5 **MR. NANDO de LUCA:** Okay. So I just want to
6 be clear though, what you just described as what you would
7 have received would have been only at this briefing, or are
8 you saying ---

9 **HON. KARINA GOULD:** It would have been all of
10 the briefings. It would have -- it was high level. I was
11 never given specifics about candidates, parties, locations or
12 individuals.

13 **MR. NANDO de LUCA:** Were you given specifics
14 as part of this briefing?

15 **HON. KARINA GOULD:** No.

16 **MR. NANDO de LUCA:** Were you given
17 generalities relating to voting irregularities for Don Valley
18 North ---

19 **HON. KARINA GOULD:** No.

20 **MR. NANDO de LUCA:** --- prior to this
21 briefing?

22 **HON. KARINA GOULD:** No.

23 **MR. NANDO de LUCA:** You have to let me
24 finish.

25 **HON. KARINA GOULD:** Oh, well, okay, no.

26 **MR. NANDO de LUCA:** Okay. Those are my
27 questions. Thank you very much.

28 **COMMISSIONER HOGUE:** Thank you.

1 Me Sirois for RCDA?

2 **--- CROSS-EXAMINATION BY MR. GUILLAUME SIROIS:**

3 **HON. KARINA GOULD:** Good morning.

4 **MR. GUILLAUME SIROIS:** Minister Gould, you
5 mentioned during your examination-in-Chief that a primary
6 national interest of Russia imposed inciting chaos within
7 democratic nations; right?

8 **HON. KARINA GOULD:** One of them, yes.

9 **MR. GUILLAUME SIROIS:** Including the 43rd and
10 44 general election?

11 **HON. KARINA GOULD:** I wouldn't know that
12 specific for those elections because I was not the Minister
13 of Democratic Institutions at the time, but what I can say is
14 it doesn't necessarily mean that that was their objective in
15 Canada, but that has been one of their objectives in terms of
16 why they engage in cyber activities during election periods
17 and democracies.

18 **MR. GUILLAUME SIROIS:** So, sorry, your
19 evidence is that Russia has an objective and to -- in
20 interfering -- on the national interest in interfering in
21 democratic nations, but perhaps not Canada?

22 **HON. KARINA GOULD:** Could -- Canada is a
23 democratic nation. It's a member of NATO, and so, therefore,
24 we need to be alert and aware. It doesn't mean that Canada
25 is necessarily the main focus, but certainly what we see in
26 democratic countries around the world, one of the objectives
27 that Russia has is creating chaos.

28 **MR. GUILLAUME SIROIS:** Maybe that Canada is

1 not the main focus, but it's certainly one of, therefore, the
2 focus?

3 **HON. KARINA GOULD:** I couldn't necessarily
4 say that. I mean, it would -- we would have to have evidence
5 of that, and I'm not sure that that's something that I'm
6 allowed to talk about.

7 **MR. GUILLAUME SIROIS:** Yes, that's the thing.
8 My question's not about whether we have evidence or not. My
9 question is more on Russia's intent in interfering ---

10 **HON. KARINA GOULD:** M'hm.

11 **MR. GUILLAUME SIROIS:** --- in democratic
12 nations as you testified about this morning. And so I'll
13 just ask the question again, just to be sure I understand.
14 Are you saying that Russia does not interfere in Canada, or
15 does not have the intent of interfering in Canada, but has
16 the intent of interfering in other democratic nations?

17 **HON. KARINA GOULD:** I think Russia has the
18 intent of interfering in most democratic nations,
19 particularly, those that are members of NATO.

20 **MR. GUILLAUME SIROIS:** But not the 43rd and
21 44 general election in Canada?

22 **HON. KARINA GOULD:** I wouldn't be able to
23 say. I wasn't -- I was Minister of Democratic Institutions
24 before those events took place.

25 **MR. GUILLAUME SIROIS:** Understand.

26 **HON. KARINA GOULD:** But certainly, Russia was
27 something that we were concerned about, which is why we
28 created this whole infrastructure to protect our elections.

1 **MR. GUILLAUME SIROIS:** You suspecting that
2 Russia may have an intention ---

3 **HON. KARINA GOULD:** Be prepared.

4 **MR. GUILLAUME SIROIS:** Yeah.

5 **HON. KARINA GOULD:** Yeah.

6 **MR. GUILLAUME SIROIS:** Okay. And I wanted to
7 move now to the threshold just with the little time I have
8 left. There's a degree of subjectivity when determining
9 whether the high threshold has been met; right? That's why
10 you have five different panel members.

11 **HON. KARINA GOULD:** Yeah.

12 **MR. GUILLAUME SIROIS:** Yes?

13 **HON. KARINA GOULD:** Yes.

14 **MR. GUILLAUME SIROIS:** Is it possible that
15 for different members of the Canadian public also there's
16 different conceptions of what a high threshold is? I'm
17 thinking in particular with respect to diaspora members. For
18 instance, maybe a pro-democracy diaspora member may think
19 that the high threshold has been met by a certain situation,
20 but that may -- same conclusion may not be reached by the
21 Panel of Five?

22 **HON. KARINA GOULD:** Certainly. I think for
23 different actors, there would be different expectations as to
24 when that is met, but that's why we created a Panel of Five,
25 so that they could have that conversation and determine when
26 to make a public announcement.

27 **MR. GUILLAUME SIROIS:** So ---

28 **HON. KARINA GOULD:** Because it is a very

1 complicated, emotional, high-energy moment that has a huge
2 impact, so that's why it was important to be able to have a
3 group that could make that determination.

4 **MR. GUILLAUME SIROIS:** But it's possible that
5 the group concludes that there's a -- the high threshold
6 hasn't been met, although with the same information, so one
7 from a diaspora group may conclude that the high threshold
8 has been met?

9 **HON. KARINA GOULD:** I guess what I would say
10 to that is that those -- the panel is put in place
11 specifically to determine if that threshold meets the fact
12 that a free and fair election has been compromised, the
13 ability to have one, and that it's in the national interest
14 to release this information publicly.

15 **MR. GUILLAUME SIROIS:** Well, I know why the
16 Panel of Five has been created. That's clear and thanks to
17 you. I just want to understand whether it's possible for the
18 panel to reach one conclusion with respect to a threshold and
19 a member of the diaspora community to reach a different
20 conclusion with respect to ---

21 **HON. KARINA GOULD:** Well, in ---

22 **MR. GUILLAUME SIROIS:** --- a threshold.

23 **HON. KARINA GOULD:** --- with all due respect,
24 I'm -- the member of the diaspora community is not
25 necessarily charged with protecting Canada's democracy, and
26 so their understanding of when and what to say publicly may
27 be different. I will certainly grant you that, but I think
28 what's important here is that we have a group of the highest-

1 ranking public servants in the country who determine when
2 that needs to be released publicly.

3 **MR. GUILLAUME SIROIS:** Well, I'm out of time,
4 but I thank you ---

5 **COMMISSIONER HOGUE:** Yes. Counsel for the --
6 for UCC?

7 **--- CROSS-EXAMINATION BY MR. JON DOODY:**

8 **MR. JON DOODY:** Good morning, Minister Gould.

9 **HON. KARINA GOULD:** Good morning.

10 **MR. JON DOODY:** It's Jon Doody. I'm counsel
11 for the Ukrainian Canadian Congress. We've heard from you
12 and others that the motivation to create the plan to protect
13 Canada's democracy was due to Russia's interference in the
14 U.S. and around the world. From when you got that mandate in
15 2017 and leading up to the 2019 election, did you see that
16 concern decrease or increase from Russia specifically?

17 **HON. KARINA GOULD:** Well, I'm not sure I can
18 comment on specific intelligence.

19 **MR. JON DOODY:** No, but what I mean is Russia
20 as a country.

21 **HON. KARINA GOULD:** But what I can say is --
22 well, I think that would maybe be classified information, but
23 what I can say is that I remained very concerned as I
24 continued to learn, that this is something that Canada needed
25 to do, and we needed to make sure that we had a plan and a
26 process in place.

27 **MR. JON DOODY:** Right. And you stated in
28 your testimony this morning that in every election there's

1 been attempts at foreign interference, but whether they're
2 successful or not is another issue.

3 **HON. KARINA GOULD:** M'hm.

4 **MR. JON DOODY:** So do you believe that there
5 are attempts by Russia to interfere in the 2019 and '21
6 election in Canada?

7 **HON. KARINA GOULD:** I don't think I can
8 comment on that.

9 **MR. JON DOODY:** So you believe that every
10 election there's attempts, but you don't know about these two
11 with Russia?

12 **HON. KARINA GOULD:** Well, yeah, I don't think
13 I can comment.

14 **MR. JON DOODY:** And you said in response to a
15 question for counsel for Mr. O'Toole that as long as a
16 Canadian voter -- make sure I understand this -- goes to the
17 voter box with their own understanding of the issues without
18 direct foreign interference, that that was a valid vote.

19 **HON. KARINA GOULD:** Yes. I mean, if you
20 consider an election -- a writ period, there's a lot of
21 information that is spread even by domestic actors that is
22 not necessarily true. But the fact of the matter is, is, you
23 know, unless you can tie it specifically to a foreign actor
24 it's hard to determine that that is what made them cast that
25 ballot.

26 So one of the reasons why one of the pillars
27 in the plan to protect democracy was about informing citizens
28 is so that citizens can have the tools to be able to identify

1 information, see valid sources. And that's also the reason
2 why we invited the NATO StratCom to come talk to Canadian
3 journalists as well, so that they, as arbiters of
4 information, can hopefully provide the best sources to
5 Canadian citizens.

6 **MR. JON DOODY:** In that scenario, if the
7 understanding of that voter is incorrect due to
8 misinformation or disinformation being spread by a foreign
9 state, would that vote still be valid?

10 **HON. KARINA GOULD:** Is that citizen casts
11 that ballot, yes, and they were not forced to cast that
12 ballot. I mean, at the end of the day, Canadian citizens
13 make decisions on their votes based on a wide range of
14 issues, a wide range of access to information. There's
15 plenty of stuff out there now that's false that's informing
16 people that's spread by domestic actors, right?

17 So at the end of the day, if a Canadian has
18 made that decision, that their vote is valid. What we are
19 trying to do, or what I was trying to do was to set up an
20 infrastructure to enable Canadians to make informed choices
21 and have an understanding of where that information was
22 coming from.

23 **MR. JON DOODY:** Thank you.

24 **COMMISSIONER HOGUE:** Counsel for Human Rights
25 Coalition.

26 **(SHORT PAUSE)**

27 **--- CROSS-EXAMINATION BY MS. HANNAH TAYLOR:**

28 **MS. HANNAH TAYLOR:** Good morning.

1 leverage family as part of its FI
2 [meaning foreign interference] and
3 other threat activity, through
4 Operations FOXHUNT and SKYNET, for
5 example. The PRC could potentially
6 threaten or intimidate [redacted]."

7 What are your thoughts on this, Minister?

8 **HON. KARINA GOULD:** Sorry; could you go to
9 the top of this briefing note for me? I'm not sure I ---

10 **MS. HANNAH TAYLOR:** And my apologies; the
11 document, it doesn't have identification in the database as
12 to what intelligence body prepared it, so I'm not able to
13 tell you.

14 **HON. KARINA GOULD:** Okay. Yeah, I'm not sure
15 I've seen this document before. If that's the correct date,
16 then that's after the time that I was Minister of Democratic
17 Institutions.

18 **MS. HANNAH TAYLOR:** Would you be able to
19 speak from -- you know, my understanding is that you have
20 received high-level briefings about actors involved in
21 potential foreign interference and the ways that they engage
22 in that foreign interference. Would you be able to speak to
23 the issue of the PRC targeting and/or leveraging families as
24 part of the foreign interference -- that's foreign
25 interference in your role before that? Are you able to speak
26 about it more generally?

27 **HON. KARINA GOULD:** I can speak more
28 generally about my time as Minister of Democratic

1 Institutions. This is something that I have not seen before
2 or been presented with.

3 **MS. HANNAH TAYLOR:** Have you been presented
4 with information that speaks to the PRC leveraging or
5 threatening family?

6 **HON. KARINA GOULD:** No.

7 **MS. HANNAH TAYLOR:** Okay. So your answer is
8 simply you aren't in a position to discuss or answer
9 questions ---

10 **HON. KARINA GOULD:** Correct.

11 **MS. HANNAH TAYLOR:** --- because you have not
12 received information about this issue?

13 **HON. KARINA GOULD:** Correct.

14 **MS. HANNAH TAYLOR:** Okay, thank you.

15 **COMMISSIONER HOGUE:** Thank you.

16 AG?

17 **MR. GREGORY TZEMENAKIS:** Good morning,
18 Commissioner.

19 **--- CROSS-EXAMINATION BY MR. GREGORY TZEMENAKIS:**

20 **MR. GREGORY TZEMENAKIS:** Good morning,
21 Minister. I just have two clarification questions.

22 You were taken to -- and we can pull this up
23 if we need to; you were taken to CAN 004252, which is a
24 security briefing dated October 29, 2019, which you -- I
25 believe your testimony was you weren't sure if you remembered
26 that the security briefing took place on that date.

27 **HON. KARINA GOULD:** Correct.

28 **MR. GREGORY TZEMENAKIS:** And you were asked

1 about -- you recall being asked about your state of knowledge
2 regarding Don Valley North?

3 **HON. KARINA GOULD:** (Nods "Yes").

4 **MR. GREGORY TZEMENAKIS:** Can you just confirm
5 for the record, as Minister of Democratic Institutions, did
6 you have responsibility and/or accountability to address any
7 alleged incidents of foreign interference that would have
8 flowed ---

9 **HON. KARINA GOULD:** No.

10 **MR. GREGORY TZEMENAKIS:** --- in respect of
11 Don Valley North?

12 **HON. KARINA GOULD:** No.

13 **MR. GREGORY TZEMENAKIS:** And can you tell us
14 which Minister or which portfolio might have been
15 responsible?

16 **HON. KARINA GOULD:** I would think it would be
17 the Minister of Public Safety; however, I believe that that
18 would -- if there was something that happened, that that
19 would be the purview of the RCMP because they would be the
20 ones that would respond in such instance because of a ---

21 **MR. GREGORY TZEMENAKIS:** Thank you, Minister.

22 **HON. KARINA GOULD:** --- yeah.

23 **COMMISSIONER HOGUE:** Thank you.

24 Re-examination?

25 **MS. LYNDA MORGAN:** None.

26 **COMMISSIONER HOGUE:** So it's -- we'll break
27 for 20 -- we are starting with another witness, so I think it
28 will be 11:30. Thank you very much.

1 **HON. KARINA GOULD:** Thank you.

2 **(WITNESS WITHDRAWS)**

3 **THE REGISTRAR:** This sitting of the Foreign
4 Interference Commission is now in recess until 11:20.

5 Oh, correction; 11:30.

6 --- Upon recessing at 11:20 a.m.

7 --- Upon resuming at 11:30 a.m.

8 **THE REGISTRAR:** Order please.

9 This sitting of the Foreign Interference
10 Commission is now back in session.

11 **HON. WILLIAM BLAIR:** Good morning, Madam
12 Justice.

13 **COMMISSIONER HOGUE:** Good morning.
14 Mr. Cameron, you will conduct the
15 examination?

16 **MR. GORDON CAMERON:** Good morning, Madam
17 Commissioner. We have Minister William Blair.

18 Can I have the witness sworn or affirmed,
19 please.

20 **THE REGISTRAR:** Do you wish to be sworn? You
21 may sit.

22 Could you please state your name and spell
23 your last name for the record, please?

24 **HON. WILLIAM BLAIR:** My name is William
25 Sterling Blair. My surname is spelled B-l-a-i-r.

26 **THE REGISTRAR:** Thank you.

27 --- HON. WILLIAM BLAIR, Sworn:

28 **THE REGISTRAR:** Thank you very much, sir.

1 You may proceed.

2 **--- EXAMINATION IN-CHIEF BY MR. GORDON CAMERON:**

3 **MR. GORDON CAMERON:** Good morning,
4 Minister Blair.

5 I wonder if the court operator could pull up
6 WIT 64.

7 **--- EXHIBIT No. WIT 64:**

8 Public Interview Summary: the
9 Honourable Bill Blair, Minister of
10 National Defence

11 **MR. GORDON CAMERON:** And while he is doing
12 that, Minister Blair, I'll ask you if you remember that you
13 were interviewed by Commission Counsel on February 21st, and
14 then examined *in-camera* by Commission Counsel. And that we
15 have on the screen now the public interview summary that was
16 prepared in respect of your interview.

17 And can you tell me, did you have a chance to
18 review that document, the public version of it?

19 **HON. WILLIAM BLAIR:** Yes. Thank you,
20 Mr. Cameron. I do, of course, recall that I attended both
21 meetings. I have had the opportunity to review the interview
22 summaries, both the public interview and the *in-camera*
23 interview.

24 **MR. GORDON CAMERON:** Thank you. And were
25 they accurate?

26 **HON. WILLIAM BLAIR:** Yes, sir.

27 **MR. GORDON CAMERON:** Do you have any
28 corrections you'd like to make now?

1 **HON. WILLIAM BLAIR:** No, sir. I believe
2 they're an accurate reflection of the conversations that we
3 had.

4 **MR. GORDON CAMERON:** Okay. And do you adopt
5 them as your evidence in this proceeding?

6 **HON. WILLIAM BLAIR:** I do, sir.

7 **MR. GORDON CAMERON:** Thank you.

8 If you could begin, Minister Blair, mindful
9 that we are a little bit constrained by time this morning,
10 but begin by giving us your role in public life and how you
11 arrived at the position of Minister of Public Safety.

12 **HON. WILLIAM BLAIR:** Yes, sir. I'll try to
13 be brief. I became a Toronto police officer in 1976, and I
14 performed a number of wide variety of functions within
15 policing, including in criminal intelligence and organised
16 crime. I, in 2005, was appointed the Chief of the Toronto
17 Police Service, and I held that position as the Chief of, I
18 believe, the largest police service in Canada, for
19 approximately 10 years until April of 2026 (sic). During
20 that period of time, I also served as the President of the
21 Canadian Association of Chiefs of Police, the Ontario
22 Association of Chiefs of Police, and many other national and
23 international organisations.

24 I retired from my policing career in -- on
25 April 26th, 2015. I then sought the nomination to run for
26 federal politics in the riding of Scarborough Southwest. I
27 was elected on April 19th, or excuse me, October 19th of
28 2015, and became a Member of Parliament.

1 In July of 2018, I was appointed to Privy
2 Council and the Cabinet of Canada as the Minister of Border
3 Security and Organised Crime Reduction. I then, following
4 the election of 2019, I was appointed in November of 2019 as
5 the Minister of Public Safety and Emergency Preparedness.
6 Following the 2023 election, I was -- excuse me, the 2021
7 election, we didn't have one in '23, in 2021 election, I was
8 appointed the Minister of Emergency Preparedness for Canada,
9 and in July of last year, the Prime Minister appointed me as
10 Canada's Minister of National Defence, the position that I
11 currently hold.

12 **MR. GORDON CAMERON:** Thank you. And if I can
13 just capture from within that chronology, if I understand
14 correctly you were Minister of Public Safety from about
15 November of 2019, so shortly after the 2019 election, until
16 about October of 2021. Is that correct?

17 **HON. WILLIAM BLAIR:** Yeah. Yes, sir. I held
18 that position until I was appointed to a new position, and
19 another individual was appointed in -- after -- following the
20 election of 2021 to the position of Public Safety.

21 **MR. GORDON CAMERON:** Thank you. Now, we had
22 the benefit of hearing yesterday from senior personnel from
23 the Department of Public Security. So what I'd like to ask
24 you about is your perspective from the Minister's chair,
25 being the Minister of that department and the responsible
26 person for the various agencies who report to the Minister,
27 could you describe that for the Commissioner, please?

28 **HON. WILLIAM BLAIR:** Again, I'll attempt to

1 do it briefly. As the Minister of Public Safety, I had a
2 number of responsibilities. Primarily, I was the Minister of
3 the Department of Public Safety, which is headed by a deputy
4 minister, but there are also five agencies for which I had
5 ministerial oversight and responsibility. That included the
6 RCMP, the Canadian Border Services, CSIS, Corrections Canada
7 and the Parole Board. In addition, there are a number of
8 other review bodies pertaining to those organisations for
9 which I also had ministerial responsibility.

10 There is legislation with respect to the
11 position of Minister of Public Safety, defining some of those
12 responsibilities, and in addition, each of the five agencies
13 has foundational legislation that prescribes their
14 authorities but also defines the role of the Minister in
15 relation to those organisations.

16 **MR. GORDON CAMERON:** Thank you for that. And
17 if you could just describe, then, in general terms how you
18 would relate or interact with, for example, the Director of
19 the Service or the Commissioner of the RCMP, how you as
20 Minister would relate to the heads of the various agencies
21 for which you were responsible?

22 **HON. WILLIAM BLAIR:** Yeah, I had a very close
23 relationship with the heads of each of the agencies. My
24 primary point of contact in the Ministry was the Deputy
25 Minister of Public Safety, Mr. Rob Stewart, throughout my
26 entire -- or through the majority of my tenure in that
27 position. That primarily pertains to issues around policy
28 and other related matters to the Department.

1 I also interacted with the Commissioner of
2 the RCMP, the Director of CSIS, the President of CBSA, the
3 Commissioner responsible for Corrections Canada and the Chair
4 of Parole Board, fairly regularly and routinely meeting with
5 them. And they had opportunities to brief me on matters
6 related to their portfolios, and there were also for each of
7 those departments certain authorities that I held over
8 approvals for certain activities within their departments
9 that they would come to me for and seek those approvals.

10 **MR. GORDON CAMERON:** And I'm just going to
11 note that we are trying to keep things at a pace the
12 interpreters, the simultaneous ---

13 **HON. WILLIAM BLAIR:** I apologise.

14 **MR. GORDON CAMERON:** --- translators can keep
15 up with, so I'll just ask you to keep that in mind.

16 In the context that you were just describing,
17 the way that you managed your responsibility for the various
18 agencies, can you tell me what the role was of the
19 ministerial directives that you might have occasion to issue
20 with respect to any of the agencies?

21 **HON. WILLIAM BLAIR:** One of my
22 responsibilities as Minister was to provide direction to the
23 agencies that were under my portfolio, and the mechanism by
24 which we'd do that was with the issuance of a written
25 ministerial directive that established priorities, for
26 example. And I think pertinent to this discussion, I did
27 have the opportunity to issue ministerial directions to both
28 the RCMP and CSIS outlining what I perceived to be the

1 priorities of those agencies. And the intention of that was
2 to give appropriate direction to the areas that I felt they
3 should prioritise in their work.

4 **MR. GORDON CAMERON:** And did you issue such a
5 ministerial directive with respect to CSIS during your term?

6 **HON. WILLIAM BLAIR:** Yes, sir, I did.

7 **MR. GORDON CAMERON:** And did that ministerial
8 directive make reference of the Service's responsibility to
9 investigate foreign interference?

10 **HON. WILLIAM BLAIR:** It specifically
11 identified foreign interference as a priority for CSIS. As a
12 matter of fact, in the list of priorities that were
13 identified, foreign interference was the second on the list.
14 And although it was not a prioritised list, I think its
15 position there reflects the importance of which I placed upon
16 it.

17 **MR. GORDON CAMERON:** Thank you. Now, noting
18 that you became the Minister of Public Safety after the 2019
19 election, what was your perspective on foreign interference
20 at the start of your term as Minister of Public Safety?

21 **HON. WILLIAM BLAIR:** I had had the
22 opportunity -- first of all, and as I've already mentioned, I
23 had a very long police career, and I was aware of the --
24 historically hostile activities of certain state actors with
25 respect to Canada, and the threat that that could represent
26 to Canada's national interest, to Canadian citizens, to our
27 critical infrastructure.

28 As -- in my previous role, prior to becoming

1 the Minister of Public Safety, as the Minister of Border
2 Security and Organised Crime Reduction, I also had the
3 benefit of some briefings under the authority of then
4 Minister Goodall, who was the previous Minister of Public
5 Safety, with respect to information that was provided. And
6 when I was appointed, when I became the Minister of Public
7 Safety, I had the benefit of very extensive briefings with
8 respect to the intelligence and the law enforcement
9 situation, the public safety situation in the country, which
10 included briefings with respect to issues around the hostile
11 activities of state actors and the wide variety of risks that
12 that represented.

13 **MR. GORDON CAMERON:** Well, since you've
14 mentioned that, let me ask the court operator to pull up
15 WIT 64.

16 And if you can scroll to paragraph 13 of the
17 interview summary of Minister Blair.

18 Minister, the -- you can see it in
19 paragraph 13 of your interview summary there's a description
20 of your account of a briefing you received by CSIS after the
21 2019 election. Is this one of those briefings of the type
22 you were just describing?

23 **HON. WILLIAM BLAIR:** Yes, it is.

24 **MR. GORDON CAMERON:** And can you be more
25 particular about this one as its discussed in your interview
26 summary, the one about the 2019 Don Valley North Liberal
27 Party of Canada nomination?

28 **HON. WILLIAM BLAIR:** As part of a number of

1 briefings that was provided to me by the Director of CSIS,
2 there was a discussion about concerns that they had
3 identified through their intelligence reporting about the
4 nomination process in 2019 that occurred in Don Valley North.
5 And they provided me with information with respect to the
6 intelligence that they had received that called into question
7 that nomination process, suggesting that there may have been
8 irregularities in the number -- the people who participated
9 in that and the possibility that it had been influenced in
10 some way by the activities of the People's Republic of China,
11 or representatives of that country.

12 **MR. GORDON CAMERON:** And in your -- in
13 paragraph 13 of your interview summary, you describe your
14 reaction to that briefing. If you look at the sort of second
15 half of the paragraph, you have some numbered points about
16 your reaction.

17 **HON. WILLIAM BLAIR:** Yes, sir. As I've
18 indicated, in previous roles in both policing and in my
19 previous roles in government, I have a fairly good
20 understanding of the nature of intelligence. Intelligence
21 isn't necessarily factual evidence of what took place, if
22 someone perceives that this has happened.

23 And so I made some inquiries during that
24 briefing with respect to the source of that intelligence,
25 that information, on -- to determine if I -- from CSIS'
26 perspective, the reliability of that individual, if there was
27 corroborating evidence to support the intelligence that had
28 been received, if there was other corroboration or manner --

1 effort to substantiate that allegation, it -- they indicated
2 to me that they did not at that time have other corroborating
3 evidence in any way to substantiate that.

4 I also made inquiries if there was any
5 evidence beyond the nomination process itself of interference
6 in the electoral process that we had just gone through in the
7 2019 Election, and they did not indicate at that time to me
8 that there had been any impact during -- in that riding and
9 any evidence of interference following. Their concerns were
10 limited only to the nomination process.

11 And my perception of that was -- and my last
12 question, was there any suggestion that the candidate was
13 knowledgeable and aware of that? And they had no information
14 to corroborate that.

15 **MR. GORDON CAMERON:** Thank you.

16 Perhaps if the Court Operator could call up
17 CAN 3326?

18 Minister Blair, as you discussed in your *in-*
19 *camera* evidence, you -- not long after your appointment as
20 Minister, you had an initiative, and this was mentioned by
21 your department in their evidence yesterday, so I'll just ask
22 you again, from your perspective as the Minister, if you can
23 start by describing the motion on November 18th, 2020 to
24 which the document we now have on the screen was a response,
25 and why you responded to it with this report and letter to
26 the MPs?

27 **HON. WILLIAM BLAIR:** Yes, there had been a
28 motion on November 18th, 2020 in the House of Commons, when

1 the House sought information on what the Government was doing
2 to address threats to the security, prosperity, and
3 democratic institutions right across the country. And in
4 response to that, I worked very closely with my department,
5 and some excellent policy work that was done by Deputy
6 Minister and his team, along with my Ministry Office, we
7 crafted a response to that motion.

8 We also had discussion about, you know,
9 frankly tabling a response to a motion. In my experience,
10 those don't always receive the full attention of every Member
11 of Parliament, or the attention of Canadians. And I felt
12 that it was very important.

13 This information -- I think in order for
14 Canada to defend its institutions, or in order for us to take
15 the steps necessary to respond to the threat of foreign
16 interference, it was necessary to inform my Parliamentary
17 colleagues, but also to inform Canadians of the nature of
18 that threat, give them information on what risk it
19 represented, and also information on how they could then
20 respond. I wanted to tell my colleagues what the Government
21 was doing, but also to tell Canadians, if they saw evidence
22 of foreign interference.

23 The response that is provided in this
24 document did not limit itself, quite frankly, to just
25 political interference. There was a great deal of concern,
26 which frankly I still hold, with respect to the hostile
27 activities of state actors in interfering with a number of
28 our critical infrastructure, our life sciences and health

1 sciences institutions, our research capabilities. There are
2 a number of cyber threats that are also quite significant and
3 deeply concerning to our national interest.

4 And the purpose of this letter was to inform
5 my Parliamentary Colleagues, and through my Parliamentary
6 colleagues, by publishing this document and making it -- and
7 tabling it in Parliament, to inform Canadians about the full
8 nature of this threat, and to inform Canadians about what
9 their government was doing in response to it.

10 **MR. GORDON CAMERON:** Thank you. And with
11 respect to a particular topic, this is a report of some 12
12 pages long, but I just -- if I could take you to one little
13 section of it and ask for your comments?

14 If the Court Operator could scroll down to
15 page 11 of this report?

16 And if you look down under the heading
17 "Protecting our citizens and [...] communities", there's a
18 paragraph that begins:

19 "Canada does not tolerate harassment
20 or intimidation of its citizens."

21 And you might recollect that in both your
22 interview and in your *in-camera* evidence, we explored this
23 issue of your concern as Minister for diaspora communities in
24 Canada, and just noting that this is a part of your report,
25 could you comment on that for the Commissioner, please?

26 **HON. WILLIAM BLAIR:** Yes, sir. There was and
27 remains a fairly significant concern about the activities of
28 certain hostile states in harassing or intimidating our

1 citizens. I made reference in this document, for example, to
2 Operation Foxtrot, in which the Government of China was
3 attempting to gather information and to intimidate people in
4 Canada with respect to certain economic investigations that
5 they were conducting.

6 I've spent most of my life trying to keep
7 Canadians safe, and it's been my job, and I believe the best
8 way to keep Canadians safe is to give them information on how
9 to protect themselves, but also to tell them what steps to
10 take when they perceive that there is intimidation and
11 threats taking place, that they're not alone, and that we're
12 going to be there for them. And I was hoping to make that
13 clear in this document, that we would not tolerate it and if
14 they perceived that they were subject to intimidation or
15 threat through the course of action of a hostile government,
16 such as the People's Republic of China, that the Government
17 would take it seriously and that we would respond.

18 **MR. GORDON CAMERON:** Thank you. I'm going to
19 switch gears now and talk to you just in a general sense
20 about the flow of information and intelligence to you as
21 Minister. Not about any specific document or incident, but
22 just generally speaking.

23 And let me begin by asking you, did you have
24 a security clearance to see classified intelligence?

25 **HON. WILLIAM BLAIR:** Yes, sir. I hold -- as
26 member of the Privy Council, but also by virtue of the
27 various positions that I've held, I have clearance for
28 essentially the highest levels of intelligence.

1 **HON. WILLIAM BLAIR:** All top-secret material
2 was shared to me in the confines of a SCIF, either at 269
3 Laurier here in Ottawa where there is a secure room where
4 briefings could take place, in the same building as my
5 Ministerial Office was located.

6 I also attended on a number of -- quite a
7 frequent number of occasions at the CSIS Headquarters, which
8 is located in Toronto, where there is secure facilities where
9 information would be shared with me in a secure room. I
10 would enter that room. Occasionally there would be secure
11 communications. Either the Director and his team would be
12 present, the Director of CSIS and his team would be present
13 at briefings. Sometimes that was done virtually,
14 particularly during the pandemic, where we were able to use
15 secure communications for that purpose. And occasionally I
16 would just be in the room and they would present a binder of
17 documents that I would read through.

18 **MR. GORDON CAMERON:** Okay. Could you just
19 expand a little bit on that experience again and describe for
20 me who would be briefing you? Maybe not the same group every
21 time, but typically, who are the personnel briefing you and
22 who are the personnel with you on the Ministerial side or the
23 departmental side of those briefings?

24 **HON. WILLIAM BLAIR:** In every case, the
25 briefing was done by the Director with his team and so the
26 Deputy Director and sometimes their Associate Director would
27 be present in the room.

28 In addition, not in every case, but in some

1 cases, the Deputy Minister and others of his team. His ADM,
2 Mr. Rochon, would also be present in the room. And
3 generally, my Chief of Staff would be present certainly in
4 the meetings that took place in Ottawa.

5 And when I attended to CSIS Headquarters, I
6 will tell you frequently I was in the room by myself. I was
7 sometimes connected virtually by screens and sometimes CSIS
8 personnel would simply come in, present a binder of documents
9 and I would read through them.

10 **MR. GORDON CAMERON:** Thank you.

11 I'm just going to ask if I can clarify a
12 detail in your evidence there.

13 When you talk about attending at CSIS in
14 Toronto, I think you're talking about attending at the CSIS
15 regional -- Toronto regional office, right, not CSIS
16 Headquarters?

17 **HON. WILLIAM BLAIR:** Yes, sir. I'm not sure
18 whether you want me to give the address, but ---

19 **MR. GORDON CAMERON:** No, no. I don't want
20 you to do that. But it was the Toronto regional office and
21 not Headquarters; right?

22 **HON. WILLIAM BLAIR:** No, it's the Toronto
23 regional office.

24 **MR. GORDON CAMERON:** Thank you.

25 **HON. WILLIAM BLAIR:** And its place -- because
26 of all the work I did in Toronto and I was also a member of
27 the INSET team dealing with national security investigations.
28 I've attended there very frequently.

1 But I will -- just in the past few weeks,
2 I've attended secret intel briefings there.

3 **MR. GORDON CAMERON:** That's been helpful.
4 Thank you.

5 Madam Commissioner, those are my questions.

6 **COMMISSIONER HOGUE:** Thank you.

7 Cross-examination. First one is counsel for
8 RCDA.

9 **--- CROSS-EXAMINATION BY MR. GUILLAUME SIROIS:**

10 **MR. GUILLAUME SIROIS:** Good morning, Minister
11 Blair. Guillaume Sirois, for the Russia Canadian Democratic
12 Alliance.

13 **HON. WILLIAM BLAIR:** Yes, sir.

14 **MR. GUILLAUME SIROIS:** In your witness
15 summary, you mentioned the evolution over time of
16 misinformation and disinformation; correct?

17 **HON. WILLIAM BLAIR:** Yes, sir.

18 **MR. GUILLAUME SIROIS:** Can you tell me a
19 little bit more about this evolution?

20 **HON. WILLIAM BLAIR:** There are a number of
21 ways in which foreign interference can take place. Some of
22 it is, you know, directed towards the intimidation or
23 coercion of individual Canadians or institutions. It can
24 also take the form of espionage in capturing information.

25 But one of the challenges that we face is in
26 the way in which Canadians now receive most of their
27 information through social media. There is a concern, I
28 think a legitimate concern, of misinformation and

1 disinformation. And I would differentiate between them.

2 One is just simply providing false
3 information. Another is -- frankly, has a more nefarious
4 intent, to not just misinform, but to create a public
5 perception which is not based on fact.

6 And we have seen the activities of a number
7 of hostile states, and again, I would -- if I may, I would
8 differentiate between a number of -- all foreign states
9 attempt to influence other countries and other citizens in
10 their best interest. But through the application of
11 misinformation and disinformation, it meets the threshold of
12 foreign interference if it is deceptive, if it is clandestine
13 and clearly intended to create chaos and mischief and
14 disagreement.

15 **MR. GUILLAUME SIROIS:** Thank you.

16 I'm wondering, why is this a concern for
17 public safety? Is there a chance that this misinformation or
18 disinformation becomes a real threat to the security of
19 Canadians, like threats to violence and so on?

20 **HON. WILLIAM BLAIR:** Well, if I may, let me
21 sort of reflect during the period in which I was the Public
22 Safety Minister.

23 There were a number of efforts among our
24 public health officials in order to take steps that were
25 necessary in order to keep Canadians safe, but unfortunately,
26 there was a great deal of misinformation and some
27 disinformation that was being widely circulated among the
28 Canadian population which interfered with public health's

1 efforts to keep Canadians healthy and safe. And so that can
2 represent a threat to the public safety of the country.

3 It also -- what we seen is one of the intents
4 of disinformation is to create significant social division
5 within the country and, you know, I think it is a well-
6 protected right of Canadians to hold an opinion and to
7 express that opinion under our *Charter* but, at the same time,
8 if those opinions are being negatively influenced by
9 misinformation with a nefarious intent to cause that social
10 division, it can represent a concern for public safety.

11 **MR. GUILLAUME SIROIS:** And is what you just
12 mentioned -- did you witness what you just mentioned
13 specifically during the 43rd and 44th General Elections?

14 **HON. WILLIAM BLAIR:** The misinformation that
15 we saw, there ---

16 **MR. GUILLAUME SIROIS:** Just to clarify, I'm
17 talking not necessarily about the misinformation,
18 disinformation online, but perhaps the transfer of this issue
19 to real threats to public safety, for instance, blocking
20 polling stations, refusing to wear a mask at polling stations
21 so that there was ---

22 **HON. WILLIAM BLAIR:** Frankly, we saw those as
23 that disinformation and the reaction that it created was a
24 challenge, but in my opinion, it did not rise the threshold
25 as interfering with our ability to hold a free and fair
26 election in Canada.

27 **MR. GUILLAUME SIROIS:** Oh, okay. I was not
28 questioning whether it was -- it met the threshold. I was

1 just questioning as whether -- is it something that the
2 Public Safety witnessed or was aware of during the -- at
3 least the 2021 election.

4 **HON. WILLIAM BLAIR:** Well, I can't tell you -
5 - my officials did not brief me specifically on the impact of
6 mis or disinformation on the 2021 election, but I think all
7 Canadians observed and recognized, you know, the wide
8 diversity of information that was being put forward. And it
9 was a concern, but it did not rise to the level that our
10 officials came forward and said this is something that we
11 need to respond to.

12 **MR. GUILLAUME SIROIS:** Okay.

13 **HON. WILLIAM BLAIR:** At least not to me.

14 **MR. GUILLAUME SIROIS:** And you mentioned in -
15 - just my last question. You mentioned numerous hostile
16 states in one of your previous answers about mis and
17 disinformation.

18 Would one of those be Russia?

19 **HON. WILLIAM BLAIR:** Yes.

20 **MR. GUILLAUME SIROIS:** And with Russia in
21 Canada specifically, or generally?

22 **HON. WILLIAM BLAIR:** Both Canada specifically
23 and generally.

24 **MR. GUILLAUME SIROIS:** And in our elections
25 specifically or generally in ---

26 **HON. WILLIAM BLAIR:** I did not see
27 substantial evidence of Russian efforts to influence our
28 elections through disinformation. I think and we have

1 observed a fairly concerted effort among a number of hostile
2 actors, including Russia, to engage in disinformation within
3 our society, but not specifically directed at our electoral
4 processes in the 2021 election.

5 **MR. GUILLAUME SIROIS:** So in 2021 and 2019.

6 **HON. WILLIAM BLAIR:** In either election. I'm
7 not aware of any activity by Russia through their
8 disinformation campaigns to influence the outcome of that
9 election. They were influencing other types of public
10 opinion, but I did not see evidence of it directed towards
11 the outcome of our 2019 or 2021 elections.

12 **MR. GUILLAUME SIROIS:** Okay. I'm out of
13 time, but I think you, Mr. Blair.

14 **COMMISSOINER HOGUE:** Next is counsel for
15 Human Rights Coalition.

16 **--- CROSS-EXAMINATION BY MS. HANNA TAYLOR:**

17 **MS. HANNAH TAYLOR:** Hello, Minister.

18 If I could ask the court reporter to please
19 pull up CAN 3326. My colleague for the Commission has
20 already brought this document up this morning.

21 I understand it's a letter that you wrote
22 dated December 18, 2020.

23 If we could turn to page 3 to the last
24 paragraph on the page.

25 **HON. WILLIAM BLAIR:** If I may just offer some
26 clarification, I had a great deal of help among my officials,
27 the Deputy Minister and his team and my officials in
28 composing this letter and -- but I adopt it all and added my

1 signature to it, so I am the sender of the letter, but it was
2 very much a team effort.

3 **MS. HANNAH TAYLOR:** Okay. So prepared by a
4 number of actors, but you adopt what's said in the letter --
5 or you agree with what is said in the letter.

6 **HON. WILLIAM BLAIR:** Yes, ma'am.

7 **MS. HANNAH TAYLOR:** Okay. Thank you.

8 So that paragraph, it reads:

9 "When foreign states target
10 Canadians, persons residing in Canada
11 or their families, they are seeking
12 to deprive members of Canadian
13 communities of their fundamental
14 rights and freedoms. Such actions
15 are unacceptable. If anyone feels
16 intimidated or threatened, it is of
17 the most importance to contact your
18 local police and I can assure you
19 that your concerns will be dealt with
20 in a serious and appropriate manner."

21 Do you remember this sentiment being prepared
22 or your ---

23 **HON. WILLIAM BLAIR:** No, ma'am. This is
24 something that I believe very strongly in and I want -- if
25 people feel that they are being subject to threats or
26 intimidation, it's really important that they reach out for
27 the help that's available to them.

28 **MS. HANNAH TAYLOR:** If we could please pull

1 up COM 155 and turn to paragraph 289 on page 106 of the
2 document.

3 **--- EXHIBIT No. COM 155:**

4 Annual Report 2019

5 **MS. HANNAH TAYLOR:** This is NSICOP's 2019
6 annual report, and I'll just wait for this. It might take a
7 moment for it to load. Maybe in the meantime, in the
8 interest of time, I can read it out and we'll just make sure
9 that it's up there.

10 So in paragraph 289, at page 106, it notes:

11 "...in a spring 2019 presentation to
12 the Standing Senate Committee on
13 Foreign Affairs and International
14 Trade, the Secretary General of
15 Amnesty International Canada noted
16 that those who are targeted do not
17 know whether to turn to CSIS, the
18 RCMP or municipal police, and that
19 they rarely receive a coherent
20 response from officials."

21 Likewise, and if you'd like we can ---

22 **COMMISSIONER HOGUE:** I think ---

23 **MS. HANNAH TAYLOR:** --- wait to see it.

24 Yeah.

25 **COMMISSIONER HOGUE:** Yes. I think it will be
26 better to have the document.

27 **MS. HANNAH TAYLOR:** Certainly.

28 **COMMISSIONER HOGUE:** At least the paragraph.

1 The document is there, but....

2 Can you repeat the paragraph number?

3 **MS. HANNAH TAYLOR:** Sure. So it's at
4 paragraph 289. You'd like me to read it out loud again,
5 Madam Commissioner?

6 **COMMISSIONER HOGUE:** No, paragraph 29.

7 **MS. HANNAH TAYLOR:** Two-eighty-nine.

8 **COMMISSIONER HOGUE:** Oh, 289. Sorry.
9 There you are.

10 **MS. HANNAH TAYLOR:** Oh, I'm sorry. Now, I've
11 got -- it'll be on -- are we on page 106 of the document?
12 Perhaps the PDF, I -- or the document. Okay.

13 **HON. WILLIAM BLAIR:** Yes, ma'am, it was --
14 the paragraph in question, 289, is open before me.

15 **MS. HANNAH TAYLOR:** Okay. I think I'm just
16 making sure that it matches.

17 Could we try the PDF page 106? My apologies.
18 I should have taken note of which one it was.

19 Okay. Perhaps we can move on. I apologise.

20 At the start of these hearings, we heard from
21 a panel of representatives from diaspora community
22 organisations, who explained that members of targeted
23 diaspora communities often think it's a waste of time to even
24 try to contact the police because in their experience nothing
25 comes of it, or they get bounced around to different
26 agencies.

27 Are you aware that community members are
28 experiencing these difficulties when they attempt to contact

1 law enforcement for help?

2 **HON. WILLIAM BLAIR:** Yeah, I've been a police
3 officer in one of the most diverse cities in the world for a
4 very, very many years, and worked very hard in those diverse
5 communities to make sure that they can know and trust that
6 the police will respond appropriately. One of the things I
7 attempted to do in the letter that I published to
8 parliamentarians and tabled in Parliament, was to actually
9 provide for Canadians the direct contacts with both CSIS and
10 the RCMP, it's articulated in that letter. But one of the
11 reasons I made reference to local police is because if there
12 is a immediate threat to someone's safety and they're
13 concerned for their safety that's a 9-1-1 call. And it's
14 really important that Canadians know that if they make that
15 call that someone will come there and help them to be safe.
16 And that's the information.

17 And I would also acknowledge too that many
18 diaspora communities, you know, often come from cultural
19 experiences which makes them untrustful of the police. And
20 it really is incumbent upon all police services, the RCMP and
21 CSIS, to make a very sincere effort to build trust in those
22 communities so that people know that if they need help
23 they'll get help.

24 **MS. HANNAH TAYLOR:** And speaking specifically
25 to reports of foreign interference through perhaps tip lines,
26 web forums for public reporting, are you aware that diaspora
27 communities are having difficulties accessing those
28 mechanisms?

1 **HON. WILLIAM BLAIR:** I'm not, but that would
2 be a concern to me because those are established in order to
3 help people report their concerns and to be safe. And I
4 think it -- your question highlights the need for us to do
5 more to make sure we reach out to those communities, make it
6 available to them in ways which are both language and
7 culturally appropriate so that people can trust that if they
8 need help they'll get it.

9 **MS. HANNAH TAYLOR:** And so by virtue of the
10 fact that you've recognised that there's a lot more work to
11 do to make sure that law enforcement can properly address the
12 concerns of diaspora communities or they can properly engage
13 in that reporting, access help, does that change your opinion
14 as to whether or not you can assure Canadians that they're
15 concerns will be dealt with in a serious and appropriate
16 manner by law enforcement as you -- as it was stated in that
17 letter?

18 **HON. WILLIAM BLAIR:** Yes, ma'am. I can tell
19 you that I have represented Canadian Police Services across
20 this country as president of the national association, and I
21 work very closely with my colleagues in policing at all
22 levels of policing in this country. I believe there is a
23 very sincere effort to reach out to diaspora communities and
24 to ensure that we are there for them in a way that is both
25 language and culturally appropriate.

26 Building trust is a -- requires a constant
27 effort. Part of that is providing those citizens with a
28 reassurance that we will answer their call and that we will

1 respond in an appropriate way. And I've tried to provide
2 that reassurance in this document.

3 **MS. HANNAH TAYLOR:** Thank you very much,
4 Minister.

5 **HON. WILLIAM BLAIR:** Thank you.

6 **COMMISSIONER HOGUE:** Thank you.
7 Counsel for Michael Chong.

8 **MR. GIB van ERT:** Thank you, Commissioner.
9 No questions.

10 **COMMISSIONER HOGUE:** No questions.
11 Conservative Party.

12 **--- CROSS-EXAMINATION BY MR. NANDO de LUCA:**

13 **MR. NANDO de LUCA:** Good morning,
14 Minister Blair.

15 **HON. WILLIAM BLAIR:** Good morning, sir.

16 **MR. NANDO de LUCA:** Just bear with me. I've
17 had to change equipment here.

18 Minister Blair, in your witness statement at
19 WIT 63.

20 **--- EXHIBIT No. WIT 63:**

21 In Camera Examination Summary: the
22 Honourable Bill Blair, Minister of
23 Defence

24 **MR. NANDO de LUCA:** Perhaps we can get that
25 called up.

26 Paragraph 12, sir. You discuss approving
27 judicial warrants under the *CSIS Act*?

28 **HON. WILLIAM BLAIR:** That's correct.

1 **MR. NANDO de LUCA:** As Minister of Public
2 Safety. And am I correct that your evidence, as indicated
3 there, that it usually takes you two-and-a-half hours to
4 three hours to review and sign off on such warrants?

5 **HON. WILLIAM BLAIR:** It's approximately. It
6 depends on the complexity of the application, but that's
7 usually the amount that it takes.

8 **MR. NANDO de LUCA:** Okay. And in your
9 experience, including as a police officer and former chief of
10 police, would you agree that warrants and applications for
11 warrants are often very time sensitive?

12 **HON. WILLIAM BLAIR:** Yes, sir.

13 **MR. NANDO de LUCA:** And you'd agree that
14 delay in approving a warrant or applying for a warrant could
15 jeopardise an investigation and the evidence that you're
16 actually seeking to obtain under the warrant?

17 **HON. WILLIAM BLAIR:** No, I think there always
18 has to be a balance of -- there's an appropriate due
19 diligence of officials in preparing -- preparation of those
20 documents. There are also issues around candor and other
21 matters that need to be addressed. But certainly any undue
22 delay is -- can be problematic.

23 **MR. NANDO de LUCA:** Right. It could
24 jeopardise the investigation.

25 **HON. WILLIAM BLAIR:** Depending on the
26 investigation, but yes.

27 **MR. NANDO de LUCA:** Can I get MCC000053
28 called up.

1 **MR. NANDO de LUCA:** And Minister Blair, this
2 is an article from the Globe and Mail, dated May 19, 2023,
3 which generally deals with foreign interference from China,
4 and it also includes an assertion at the top of page 2.

5 Perhaps we can scroll to that.

6 **MS. ERIN DANN:** Commissioner, I'm sorry to
7 interrupt Mr. De Luca. I just wanted to raise a potential
8 concern as to the -- whether or not this line of questioning
9 may be -- go beyond the scope of these first set of hearings
10 which are directed, as you mentioned in your opening remarks,
11 to the allegations of foreign interference in the 2019 and
12 2021 general elections, information flow relating to those,
13 and two decisionmakers.

14 As noted, other related issues in respect of
15 foreign interference may be addressed at later proceedings.

16 **COMMISSIONER HOGUE:** I'll see what is the
17 line of questioning.

18 **MR. NANDO de LUCA:** Sorry.

19 **COMMISSIONER HOGUE:** Just go on with your
20 question ---

21 **MR. NANDO de LUCA:** Okay.

22 **COMMISSIONER HOGUE:** --- and I see whether --
23 -

24 **MR. NANDO de LUCA:** Okay. Sure.

25 **COMMISSIONER HOGUE:** --- you're outside the
26 scope of this space ---

27 **MR. NANDO de LUCA:** Sure.

28 **COMMISSIONER HOGUE:** --- or not.

1 questions about CSIS' threat reduction measure power and your
2 oversight of that. My understanding is that you, as the
3 Minister, have over any TRMs that CSIS may want to pursue?

4 **HON. WILLIAM BLAIR:** That's correct.

5 **MS. MANI KAKKAR:** And just to understand,
6 what does oversight mean in this case? Are you required to
7 approve any such TRMs?

8 **HON. WILLIAM BLAIR:** CSIS -- when a TRM would
9 be sought by CSIS, they would come and brief me, seek my
10 concurrence. My understanding of legislation doesn't
11 necessarily require my approval, per say, but it does require
12 that CSIS make me aware of it, and that I concur with the
13 actions taken.

14 **MS. MANI KAKKAR:** Were there -- so just to
15 take a step back then, could you approach CSIS about a
16 potential situation in which you felt a TRM was appropriate?

17 **HON. WILLIAM BLAIR:** There would be nothing
18 to limit my ability to do that.

19 **MS. MANI KAKKAR:** Okay. And in the context
20 of foreign interference and during your tenure, did CSIS
21 approach you of any TRMs that were related to or targeted to
22 foreign interference?

23 **HON. WILLIAM BLAIR:** No, not specifically.
24 There were things that did not meet the threshold of CSIS
25 seeking authority for a TRM, but there were a number of I
26 think really important and relevant discussions with respect
27 to various serious concerns that CSIS had with respect to,
28 for example, foreign interference in some of our health

1 sciences institutions and research institutions. And we
2 discussed measures that could be taken in response to that.

3 And as a result, CSIS took the steps of very
4 proactively going to those institutions, briefing those
5 institutions, alerting them to the nature of the risk, and
6 helping them take steps to mitigate that risk.

7 **MS. MANI KAKKAR:** Okay. So that's an example
8 of a TRM during your tenure that was brought to you by CSIS,
9 and that you concurred with, and then was taken and actually
10 implemented?

11 **HON. WILLIAM BLAIR:** Yes.

12 **MS. MANI KAKKAR:** Okay. Were there any
13 examples where you brought to CSIS the possibility of using a
14 TRM to address a foreign interference issue?

15 **HON. WILLIAM BLAIR:** No.

16 **MS. MANI KAKKAR:** No. And were you briefed
17 or made aware of CSIS' TRM undertaking just before you became
18 Minister to brief candidates of foreign interference related
19 issues during the election?

20 **HON. WILLIAM BLAIR:** I did have discussion,
21 and I had some awareness that CSIS intended to proactively
22 speak to -- frankly, I had a concern that I discussed with
23 the Director about Members of Parliament or candidates who
24 might be unconsciously influenced or interfered with as a
25 result of the action of a hostile government. And I felt it
26 was important to give those individuals enough information so
27 that they would recognize the interference and to alert them
28 to how they might take steps in order to protect themselves,

1 and to make sure that they knew that CSIS was there to help
2 them and support them. And so we did have discussions.

3 CSIS did not tell me specifically who they
4 wanted to talk to, or the information that they would share
5 with them, but we did talk about the importance of what is
6 sometimes called defensive briefings or proactive briefings
7 of -- that CSIS would undertake with an individual, sometimes
8 Parliamentarians, or candidates.

9 **MS. MANI KAKKAR:** And so based on the
10 evidence you're giving now, would you have known not
11 necessarily who was briefed or what they were told, but that
12 the briefing actually occurred?

13 **HON. WILLIAM BLAIR:** No, there was no
14 reporting mechanism whereby CSIS would tell me who they were
15 going to talk to, or if they had in fact talked to anybody.
16 At no time did CSIS come back and say to me, while I was the
17 Minister of Public Safety, that they had actually conducted a
18 defensive briefing, or that they were intending to do so.

19 We talked about the process, but CSIS did not
20 share with me the information of anyone that they felt that
21 it was necessary to talk to or what information they wanted
22 to share with that individual.

23 **MS. MANI KAKKAR:** So in the oversight
24 function that you had, it was to sort of concur on these
25 TRMs, but did you have any sort of oversight function to
26 determine if the TRMs were an effective means of producing a
27 particular result? Or is that left entirely to CSIS to do?

28 **HON. WILLIAM BLAIR:** Well it's an operational

1 matter for CSIS, and so the information that they had --
2 Ministerial oversight, if I may, it did not mean that I was
3 sort of overseeing and actively engaged in managing their
4 inquiries, their intelligence gathering, or their -- even
5 their operations in order to mitigate threat. It was to
6 provide Ministerial direction on priorities and where it was
7 necessary for them to seek authority, to provide that
8 authority.

9 But decisions with respect to the operational
10 response, the gathering of intelligence, the sharing of
11 intelligence, and information that they would take to
12 mitigate the nature of threat, was the responsibility of
13 CSIS.

14 **MS. MANI KAKKAR:** Thank you for your
15 testimony. It's very ---

16 **HON. WILLIAM BLAIR:** You're very welcome.

17 **MS. MANI KAKKAR:** --- helpful clarification.

18 **COMMISSIONER HOGUE:** Thank you.

19 Counsel for Han Dong.

20 **--- CROSS-EXAMINATION BY MS. EMILY YOUNG:**

21 **MS. EMILY YOUNG:** Good morning, Minister.

22 Good morning, Madam Commissioner.

23 If I could ask the Court Reporter, please, to
24 pull up WIT 64 again? Page 5, paragraph 13.

25 So Minister Blair, you have already had some
26 discussions about the briefing that's addressed in this
27 paragraph with Mr. Cameron this morning. I'd just like to
28 clarify a particular aspect of your evidence.

1 So looking at paragraph 13 here on the
2 screen, you said that you were not concerned about the
3 intelligence regarding Don Valley North at the time you were
4 briefed. Is that right?

5 **HON. WILLIAM BLAIR:** I think it was important
6 to be briefed on this by CSIS, but it did not raise concerns
7 for me based on the information that CSIS provided, that with
8 respect to this process, or any compromise of the election,
9 or there was no indication in the briefing that Mr. Dong was
10 a willing, or even an aware participant in this.

11 **MS. EMILY YOUNG:** Okay. Thank you. And I
12 just want to put a point on what we see here is that you
13 actually gave three specific reasons that you weren't
14 concerned about the intelligence at the time, and I was just
15 hoping that to the extent you've not already spoke about
16 them, you could just do so now? Those three reasons.

17 **HON. WILLIAM BLAIR:** Yeah, if I may, just
18 going through the three reasons that I shared in my earlier
19 testimony, I did make inquiries about the source of this
20 information, whether or not it was single source or multiple,
21 whether or not this individual had previously provided
22 information which was found reliable or not, whether there
23 was any corroborative evidence or other elements of the CSIS
24 investigation that would substantiate the intelligence in
25 this thing.

26 I think it's important to recognize that
27 intelligence isn't necessarily truth. It is the beginning of
28 other inquiries and it has to be assessed in a broad context

1 of reliability in order to make a determination of next
2 steps.

3 The second thing that I specifically inquired
4 about was whether or not that there was any intelligence or
5 suggestion that Mr. Dong was aware of this potential
6 interference, or in any way a willing participant, and the
7 indication that CSIS provided me at that time was that they
8 had no evidence that suggested that.

9 And finally, my concern, because we -- it had
10 been a longstanding concern about the integrity of our
11 elections, whether or not the -- because this briefing was
12 given to me after the 2019 Election, whether or not there had
13 been any other interference or influence that could have
14 influenced the outcome of the 2019 Election in Don Valley
15 North. And they indicated that they had no information that
16 indicated that.

17 **MS. EMILY YOUNG:** Okay. Thank you. Those
18 are our questions.

19 **COMMISSIONER HOGUE:** Thank you.
20 Attorney General?

21 **MR. BARNEY BRUCKER:** No questions.

22 **COMMISSIONER HOGUE:** No questions.

23 Re-examination?

24 So you're free to leave ---

25 **MR. GORDON CAMERON:** Excuse me, Madam
26 Commissioner. I don't have any re-examination, but I just
27 wanted to make an observation that we called Minister Blair
28 to speak to his term as Minister generally and that the

1 timing of any specific incident or warrant is not an issue in
2 this part of the proceedings.

3 **COMMISSIONER HOGUE:** Thank you.

4 **HON. WILLIAM BLAIR:** Thank you.

5 **COMMISSIONER HOGUE:** So we'll take five
6 minutes break to -- just the time to switch witnesses.

7 **THE REGISTRAR:** Order, please.

8 This sitting of the Foreign Interference
9 Commission is currently in pause.

10 --- Upon recessing at 12:20 p.m.

11 --- Upon resuming at 12:43 p.m.

12 **THE REGISTRAR:** Order please.

13 This sitting of the Foreign Interference
14 Commission is back in session.

15 **COMMISSIONER HOGUE:** So my apologies for the
16 delay, but we are now ready.

17 **MS. ERIN DANN:** Thank you very much,
18 Commissioner. It's Erin Dann, Commission counsel, and our
19 next witness is Minister LeBlanc.

20 If he could be sworn -- if the witness could
21 be sworn, please.

22 **THE REGISTRAR:** Please give your name and
23 family name.

24 **HON. DOMINIC LeBLANC:** Dominic LeBlanc.

25 **THE REGISTRAR:** And spell your first name?

26 **HON. DOMINIC LeBLANC:** D-O-M-I-N-I-C.

27 **THE REGISTRAR:** [No interpretation]

28 **HON. DOMINIC LeBLANC:** With Acadians, of

1 course, it's a capital B, so it's capital L-e, capital B-l-a-
2 n-c. And the Commission is well aware of the spelling of
3 Acadian names.

4 **COMMISSIONER HOGUE:** [No interpretation]

5 **--- HON. DOMINIC LeBLANC, Sworn:**

6 **--- EXAMINATION IN-CHIEF BY MS. ERIN DANN:**

7 **MS. ERIN DANN:** Good afternoon. Minister
8 LeBlanc, do you recall being interviewed by the Commission
9 counsel on February 22nd, 2024?

10 **HON. DOMINIC LeBLANC:** I do.

11 **MS. ERIN DANN:** Right. And if I could ask
12 that WIT 65 be called up.

13 **--- EXHIBIT No. WIT 65:**

14 Public Interview Summary: the
15 Honourable Dominic LeBlanc

16 **MS. ERIN DANN:** Minister, this is a summary
17 of the publicly disclosable information from that interview.
18 Have you had a chance to review the summary?

19 **HON. DOMINIC LeBLANC:** Yes, I have.

20 **MS. ERIN DANN:** And is it accurate?

21 **HON. DOMINIC LeBLANC:** It is.

22 **MS. ERIN DANN:** And will you adopt it as part
23 of your evidence before the Commission?

24 **HON. DOMINIC LeBLANC:** I will.

25 **MS. ERIN DANN:** Thank you.

26 And next, if we could go to WIT 52.

27 **--- EXHIBIT No. WIT 52:**

28 Public Summary of In Camera

1 Examination: Minister Dominic LeBlanc

2 MS. ERIN DANN: This is a summary, Minister,
3 of your *in camera* examination. Have you had an opportunity
4 to review this summary?

5 HON. DOMINIC LeBLANC: Yes, I have.

6 MS. ERIN DANN: And is it accurate?

7 HON. DOMINIC LeBLANC: Yes, it is.

8 MS. ERIN DANN: And will you adopt it as part
9 of your evidence before the Commission?

10 HON. DOMINIC LeBLANC: I will.

11 MS. ERIN DANN: Thank you.

12 You've had a number of roles in government, a
13 number of roles in Cabinet. I will try and take you through
14 what I understand your various positions have been since
15 approximately August of 2018 and please correct me if I get
16 any of this wrong.

17 I understand that in August of 2018, you were
18 appointed Minister of Intergovernmental Affairs and you held
19 that position until 2019. Is that right?

20 HON. DOMINIC LeBLANC: Yes.

21 MS. ERIN DANN: And after the election in
22 2019, you were appointed President of what was then the
23 Queen's Privy Council for Canada, which included
24 responsibilities for Democratic Institutions.

25 HON. DOMINIC LeBLANC: That's correct.

26 MS. ERIN DANN: In the summer of 2020, you
27 were appointed Minister of Intergovernmental Affairs and you
28 served in those offices as Minister of Intergovernmental

1 Affairs and with responsibility for Democratic Institutions
2 until the 2021 election.

3 **HON. DOMINIC LeBLANC:** That's right.

4 **MS. ERIN DANN:** Right. And after the 2021
5 election, you were appointed Minister of Intergovernmental
6 Affairs and retained responsibility for Democratic
7 Institutions.

8 **HON. DOMINIC LeBLANC:** That's right. And I
9 had the Infrastructure and Communities portfolio attached as
10 well.

11 **MS. ERIN DANN:** Thank you for that addition.
12 And in 2023, you were appointed Minister of
13 Public Safety, Democratic Institutions and Intergovernmental
14 Affairs.

15 **HON. DOMINIC LeBLANC:** That's right.

16 **MS. ERIN DANN:** All right. Glad I didn't
17 leave any -- you have the record for longest title, I think.

18 **HON. DOMINIC LeBLANC:** I have a hard time
19 keeping a job, you see.

20 **MS. ERIN DANN:** Given the scope of this stage
21 of the proceedings, I'll focus my questions today primarily
22 on your responsibilities in relation to Democratic
23 Institutions.

24 Can you describe your role or mandate in
25 relation to that portfolio?

26 **HON. DOMINIC LeBLANC:** ...secretariat within
27 the Privy Council to -- and they develop policies, consider
28 legislative changes that may be needed to support the

1 capacity of Canadians to hold free and fair elections. And
2 it's a public policy function.

3 And of course, Elections Canada is an
4 independent agency and looks after the operations, but it's a
5 way that the government and the executive interact with the
6 elections apparatus in Canada.

7 **MS. ERIN DANN:** Thank you.

8 I would ask my questions in English. Of
9 course, feel free to answer in the language of your choice.

10 We heard this morning from your colleague,
11 Minister Gould, about her work in developing the plan to
12 protect democracy. Did your responsibilities in relation to
13 Democratic Institutions include reviewing or updating that
14 plan?

15 **HON. DOMINIC LeBLANC:** Yes, they did. She
16 was the Minister in the lead-up to the 2019 General Election.
17 I remember as a Minister her coming to Cabinet with that
18 plan. I remember conversations with her as a colleague
19 around that work.

20 And after the 2019 election, when I took over
21 that responsibility, one of the mandates that I got was to
22 review how the plan had worked in the 2019 election and come
23 back to Cabinet with any suggested changes or adjustments for
24 the upcoming election.

25 We were then in a minority Parliament, so we
26 wanted to have those measures in place.

27 **MS. ERIN DANN:** And did part of that include
28 reviewing what we've heard referred to as the Judd Report,

1 the May 2020 assessment on the Critical Election Incident
2 Public Protocol?

3 **HON. DOMINIC LeBLANC:** Yes, it did. That was
4 a deliberate decision made by the government to have an
5 independent review by a very senior public servant, former
6 Deputy Minister, Director of CSIS. So once we got Mr. Judd's
7 report, I worked with the senior officials at the Privy
8 Council Office to make any adjustments that Mr. Judd
9 recommended.

10 We also had the benefit of a National
11 Security and Intelligence Committee of Parliamentarians
12 report, so that work went into the sort of second version or
13 2.0 version of what Karina Gould had taken to Cabinet two
14 years previously.

15 **MS. ERIN DANN:** Thank you.

16 And just for the benefit of the participants,
17 the Judd Report can be found at CAN 900. We don't need to
18 bring it up.

19 I would ask the court operator to bring up
20 COM 48.

21 **--- EXHIBIT No. COM 48:**

22 Countering an Evolving Threat: Update
23 on Recommendations to Counter Foreign
24 Interference in Canada's Democratic
25 Institutions

26 **MS. ERIN DANN:** And this is a report entitled
27 "Countering An Evolving Threat" that I think, Minister,
28 you'll be quite familiar with. I realize it was produced

1 some time later.

2 But if we could just go to page 20 of that
3 document, it contains a review of different recommendations
4 that have been made by some of the entities that we've listed
5 this morning, including the Judd Report.

6 You mentioned, Minister, that you adopted or
7 recommended adopting a number of the recommendations made by
8 -- made in that report. One recommendation I understand that
9 was not implemented, if we just scroll down a bit on this
10 page, what's listed as number 2, that the protocol would
11 cover the pre-writ period. Can you explain why that
12 particular recommendation was not implemented?

13 **HON. DOMINIC LeBLANC:** So that would have
14 been based on advice that I would have received from senior
15 officials at the Privy Council Office. In a context where
16 we're not in an election period, where a writ hasn't been
17 issued, there's a basic principle of ministerial
18 responsibility. Ministers are in office and have
19 responsibility, including around foreign interference. The
20 national security agencies are empowered to work with the
21 Minister who's in office.

22 This was very much and deliberately designed
23 to be something that would be in effect during a caretaker
24 period. It's a convention of British Parliamentary democracy
25 where the government is, in itself, a candidate to succeed
26 itself.

27 So in a -- governments act with a great deal
28 of restraint during a writ period, as is absolutely

1 appropriate. That's why the Panel and the protocol was
2 deliberately designed to exist at a period where the elected
3 government perhaps shouldn't be the best arbiter of public
4 pronouncements on the conduct of an election.

5 **MS. ERIN DANN:** All right.

6 Let me turn to a next topic, which is to ask
7 you about whether and when you received classified
8 intelligence in your capacity as Minister of
9 Intergovernmental Affairs and with responsibilities for
10 Democratic Institutions? Do I understand that it would be
11 rare for you to receive classified intelligence or classified
12 briefings?

13 **HON. DOMINIC LeBLANC:** Yes, the Minister of
14 Democratic Institutions is not a regular consumer of
15 intelligence products or intelligence documents or briefings
16 from intelligence officials.

17 And I've had a perspective on that since I
18 became the Minister of Public Safety last summer. I now see
19 the difference between the operational responsibility of a
20 Minister responsible for CSIS or the RCMP and a Minister
21 responsible for Democratic Institutions.

22 The Democratic Institutions portfolio, I did
23 receive eye-level briefings from officials on a number of
24 occasions. I think the first one was in March of 2020, I
25 think literally on the eve of the declaration of the
26 pandemic; one tends to remember those moments. But it was a
27 high-level situational awareness of the threat landscape. It
28 was my first opportunity to hear from them how -- what they

1 had seen, in terms of threat actors and potential attempts to
2 interfere in the election of 2019, but it didn't-- it was to
3 situate my understanding of the threat landscape of the
4 particular state or non-state actors that are active in this
5 space, but it didn't go into granularity around specific
6 constituencies or specific events. It was a higher level
7 briefing. Probably so, as in your reference to the Judd
8 Report and other work that we do, as we were thinking through
9 how we wanted to adjust the protocol and the Protecting
10 Democracy Plan for the subsequent election. This was a sort
11 of an introduction for me to the threat landscape. That was
12 an intelligence briefing but it was at a much higher level
13 than, for example, the Public Safety Minister would typically
14 receive.

15 **MS. ERIN DANN:** All right. We'll go through
16 that briefing in just a moment, but we heard from Minister
17 Gould this morning that in developing the Plan to Protect
18 Democracy, she had sort of monthly meetings, she estimated,
19 with CSIS, CSE; the Privy Council Office received information
20 from RRM. I understand you did not receive -- and those
21 were, to be clear, sort of high-level, as you've described,
22 briefings, not sort of specific incidents or specific
23 geographical areas or things of that sort. I understand you
24 did not have sort of these regular monthly briefing sessions.
25 Can you explain the difference in approach?

26 **HON. DOMINIC LeBLANC:** It's probably three
27 explanations. The first one is in September of 2019 I had a
28 stem cell transplant to deal with a very aggressive and rare

1 form of blood cancer. So when I became Minister, I was
2 literally -- I came from Montreal and went back to Montreal
3 the same day. So I was recovering, in terms of my own
4 health.

5 The assessment was that the plan that Karina
6 had put in place had worked. The initial information was
7 that it had been successful. We recognized that we needed to
8 adjust or tweak or take into account recommendations from the
9 National Security and Intelligence Committee of
10 Parliamentarians or Mr. Judd. So that was less of an
11 undertaking than building a plan from scratch.

12 Before Karina Gould had put together the
13 Protecting Democracy Plan, nothing of this sort had existed.
14 So she built the infrastructure from scratch. It was the
15 first time the federal government had set up these mechanisms
16 to detect and disrupt foreign interference, the public
17 protocol. So these were all new elements. We were satisfied
18 generally with how they had worked. We recognized that we
19 had committed to reviewing and adjusting them, which is what
20 I did. And then along came COVID as well.

21 COVID literally happened, I think, the day --
22 the pandemic was the day after my first briefing. Like many
23 Canadians I returned to New Brunswick. My health was still
24 fragile, recovering from the transplant. And we were
25 building the communications infrastructure as a government to
26 allow Ministers to receive classified information from
27 residences.

28 So that quickly changed, and by the fall

1 everybody was in a much different routine. But the need for
2 the monthly briefings or to travel to California to meet the
3 social media companies was much different after she had, in
4 our view, successfully done that work.

5 **MS. ERIN DANN:** All right. Let's turn to
6 that March 2020 briefing. If the Court Operator could pull
7 up CAN 15506.

8 This is a memo. The memo is dated March 9th,
9 2020. It is a memorandum to the National Security and
10 Intelligence Advisor, and I understand represents the notes
11 for the NSIA for a security briefing to you in your capacity
12 as President of the Queen's Privy Council Office. And we
13 heard some evidence yesterday that briefing notes are not
14 always strictly applied to. So I just want to go through
15 this document and understand what topics were or were not
16 covered in that briefing.

17 If we look at the summary on the first page,
18 it indicates that the purpose of the meeting is to provide
19 you:

20 "...with a summary of elections
21 security related activities
22 undertaken to help safeguard the
23 2019...election...as well as an
24 overview of the threat environment,
25 particularly as it pertains to
26 foreign interference."

27 Does that accord with your memory of the
28 purpose of the briefing?

1 **HON. DOMINIC LeBLANC:** Yes, it does.

2 **MS. ERIN DANN:** Okay. And then the summary
3 also indicates in the third bullet point that the December
4 mandate letter that you had received specified that you were:
5 "...to lead a review of the measures
6 put in place to protect the electoral
7 process, and bring forward
8 recommendations..."

9 And does that accord with your memory of the
10 December mandate letter that you had received?

11 **HON. DOMINIC LeBLANC:** Yes, it does.

12 **MS. ERIN DANN:** And then in the bullet point
13 below that, indicates that Ms. Bruce, who I understood was
14 then the head of the CSE, and Mr. Vigneault, the Director of
15 the CSIS, would expand upon potential threats observed in GE
16 2019.

17 Do you remember whether Ms. Bruce and -- Ms.
18 Bruce and Mr. Vigneault were at that briefing and provided
19 you -- and did they provide you with some information on the
20 potential threats observed during the 2019 election?

21 **HON. DOMINIC LeBLANC:** Yes, they did.

22 **MS. ERIN DANN:** Okay. If we go to page 3 of
23 that document, just scrolling to the bottom of the page,
24 there's a text box there indicating there is some discussion
25 of a threat reduction measure that the Government of Canada
26 had conducted in advance of the 2019 election. Do you recall
27 receiving information about that -- about that TRM in this
28 meeting?

1 **HON. DOMINIC LeBLANC:** I don't recall details
2 of that discussion around threat reduction measures or -- I
3 see that it references the Government of Pakistan. I don't
4 have a specific recollection of a conversation about CSIS
5 threat reduction measures.

6 **MS. ERIN DANN:** All right. And then if we go
7 to page 8 of the document? If we scroll just a little bit
8 further down, there's a title indicating "What we saw".

9 And the bullets indicate that:

10 "...we did not observe any activities..."

11 And I presume -- sorry, I should -- just to
12 put this in context, there's a discussion above about the
13 SITE Taskforce and the Panel of Five's work. So I am
14 assuming, and you can correct me if I'm wrong, that this --
15 the "we" addressed here is the Panel:

16 "...we did not observe any activities
17 that met the threshold for a public
18 announcement or affected Canada's
19 ability to have a free and fair
20 election, including in the online
21 space."

22 Is that something that you recall being
23 briefed on in this meeting?

24 **HON. DOMINIC LeBLANC:** Yes, I do. And as I -
25 - that was one of the most significant takeaways for me from
26 that sort of first high level briefing, is that some of the
27 most senior intelligence and security officials in the
28 country confirmed to me their view that the 2019 Election was

1 free and fair and that any attempts at foreign interference
2 would not have affected the outcome of the election,
3 including in specific and individual ridings.

4 So I remember being reassured that the plan
5 that we had put in place, in their view, in their independent
6 senior official view, had been successful.

7 **MS. ERIN DANN:** And the next bullet point
8 down, do you recall that being said as well?

9 "That is not the same as saying we
10 saw nothing at all."

11 **HON. DOMINIC LeBLANC:** Yes. That's why I
12 said the idea that there have been attempts is not new. This
13 had existed for over a decade. And they would talk about
14 that sort of overall threat landscape, but the takeaway for
15 me, I thought was significant, your first bullet, that the
16 election had been free and fair and decided by Canadians in
17 Canada.

18 **MS. ERIN DANN:** Turning to page 10 of this
19 document?

20 We see a heading labeled "China threat
21 update" and there are a number of largely redacted bullets.
22 The third down, third bullet down, is bolded and says:

23 "...specific incidents suggestive of
24 [foreign interference] which were
25 briefed to relevant clients
26 ([Government of Canada] and political
27 parties) during the writ period
28 (e.g., Don Valley)."

1 Do you recall being briefed on anything
2 specifically related to Don Valley?

3 **HON. DOMINIC LeBLANC:** ...time that I saw
4 this document was when I was preparing for these hearings.

5 So as a Minister who receives a briefing from
6 the officials, I don't see the notes that they've prepared by
7 their colleagues for the meeting, so the first time that I
8 knew that they had such notes, it was honestly when I was
9 preparing for this hearing and when I looked at your
10 documents.

11 So I think I also understand that this
12 section here, it was, for example, if you need any other
13 information, it would be a supplement to the main document.
14 And as I said, my impression was that they wanted to give me
15 a broader perspective with respect to the threat context, but
16 I do not remember at all that we went into such precise
17 details for a giving riding and that a specific country had
18 done something -- was alleged to have done something in a
19 riding.

20 So the first time that I did hear about the
21 allegations with respect to this riding was when it was
22 public following the leaks and last year it came out.

23 **MS. ERIN DANN:** I understand. Thank you.
24 And so my next questions you may be able to answer quite
25 quickly, given that you've indicated it was really more high
26 level or global type briefings.

27 I'm turning away specifically from this
28 document.

1 Can I ask you whether -- I'll ask the Court
2 Operator to pull up SUM 3.

3 Minister, there was a number of summaries
4 produced for the purposes of this Commission on various
5 issues relating to the 2019 and 2021 Elections, and I'll just
6 ask you very briefly to indicate whether or not you were
7 aware of intelligence relating to these various issues at the
8 time of the 2019 and then 2021 Election?

9 So this first one relates to potential
10 interference in the Vancouver area, and specifically the use
11 of, at paragraph 3, the use of proxy agents to exclude
12 candidates from community events.

13 Was this the type of intelligence that you
14 would have been briefed on in 2020 or after the -- sometime
15 after the 2019 Election?

16 **HON. DOMINIC LeBLANC:** Yeah. And in your
17 introduction, you said, like, before the 2019 Election. So I
18 would not have had even this level of detail before the 2019
19 Election when I became Minister Responsible for Democratic
20 Institutions. So after the 2019 Election.

21 The officials that would provide the
22 briefings, it was -- certainly they were focusing on China as
23 one of the most frequent countries in terms of attempting to
24 interfere. I don't remember details of local community
25 events in the City of Vancouver.

26 Again, I -- the first time I saw these
27 summaries was prepared for this hearing, and there are a long
28 list of caveats that you can't figure out from this summary,

1 we don't know at what particular moment this intelligence
2 information was gathered, we don't have the context of other
3 pieces of information, we're not sure if it's a single
4 source, if it was corroborated. So I want to be careful not
5 to comment on these specific things, other than having looked
6 at the summaries before my appearance today.

7 **MS. ERIN DANN:** I understand. And I don't
8 want to ask you about the substance of any of the
9 intelligence. I'm really just looking -- or seeking to
10 understand whether these are -- you would have been briefed
11 on these issues in your capacity as having Responsibilities
12 for Democratic Institutions?

13 **HON. DOMINIC LeBLANC:** So they would have,
14 for example, talked about proxy agents. And that is one of
15 the ways that different hostile actors attempt to interfere.
16 I would have understood that China was very present in that
17 kind of activity, but I -- was it in the City of Vancouver
18 and was somebody kept out of a community event? That, I
19 would not have known.

20 **MS. ERIN DANN:** Understood.

21 And if we could bring up SUM.10, please?

22 This is a summary, Minister, in relation to
23 PRC threat actors, contact with candidates, and funding of
24 threat actors. It mentions 11 candidates, 13 political
25 staff, and a transfer of \$250,000. Were you briefed in
26 relation -- or had you been briefed in relation to these --
27 to this body of intelligence in your capacity as Responsible
28 for Democratic Institutions?

1 **HON. DOMINIC LeBLANC:** So again, I wouldn't
2 comment on specific allegations. In this case, I learned
3 about this when it became public following some leaks. So I
4 would not have been briefed in this level of granularity.

5 But as I say, I also think it's important
6 that people not think we are confirming stuff that appeared
7 in particular leaks of intelligence information. I think it
8 just merits saying that I took note of the public discussion
9 of these issues.

10 **MS. ERIN DANN:** Right. And turning to 2021
11 now, I'll ask the Court Operator to bring up SUM 4.

12 And this is a summary, Minister, that
13 describes some of the allegations of misinformation, or a
14 disinformation campaign targeted Erin O'Toole, Kenny Chiu,
15 and the Conservative Party of Canada.

16 And I want to ask whether in the months or
17 weeks after the 2021 Election, were you aware of -- were you
18 aware of the intelligence summarized in this summary?

19 **HON. DOMINIC LeBLANC:** Again, I knew that
20 China used social media platforms, and particularly, WeChat,
21 to propagate campaigns of disinformation and misinformation.
22 But the first time I learned about the specific allegations,
23 either with respect to Mr. O'Toole or Mr. Chiu, was
24 following, again, the public release of this information, and
25 then there were subsequent meetings in the fall of 2022, I
26 think, and certainly in the spring of 2023, where we were
27 taken into some more detail a small group of ministers.

28 **MS. ERIN DANN:** Right. And so turning, then,

1 to those -- we'll jump ahead, then, to those briefings, and
2 I'll take you specifically to one that was held in May of
3 2023. And that's CAN 17676.

4 If we can scroll to the second page, please.

5 These -- I realise these are not your notes,
6 Minister, but we heard ---

7 **HON. DOMINIC LeBLANC:** But Brian Clow has
8 pretty good handwriting.

9 **MS. ERIN DANN:** He does indeed. So we heard
10 some evidence from Mr. Clow yesterday that these were notes
11 that he made during a briefing on May 18th. And I understand
12 that you were -- your name is listed at the top, and I
13 understand you were at this briefing?

14 **HON. DOMNIC LeBLANC:** I was.

15 **MS. ERIN DANN:** All right. And the document
16 or the notes refer to some expressions of -- or partisan
17 preferences, shifting, or wanting to punish -- I'm looking at
18 the first, sorry, in the middle of the page, under discussion
19 of media leaks. There is:

20 "PRC - no threats of physical harm to
21 MPs or families..."

22 The next line down:

23 "PRC wanted to punish LPC shift to
24 CPC..."

25 And some further discussion of shifting back
26 to LPC.

27 Was this the first time you had been briefed
28 on intelligence relating to shifting partisan preferences

1 expressed by the PRC?

2 **HON. DOMNIC LeBLANC:** Yes, it was. That was
3 the first time I would have heard that level of granularity.
4 I remember being quite skeptical that an intelligence
5 briefing would be able to discern the shifting preferences of
6 a country in another country's election. I've been in enough
7 elections where a lot of people claim to have influence or to
8 be involved in either a successful or unsuccessful election,
9 and having played a critical role where, in some cases, it's
10 exaggerated. So that's part of a free and open democratic
11 discussion. I -- but I do remember the officials offering up
12 that piece of intelligence at that meeting.

13 **MS. ERIN DANN:** All right. And there's also,
14 I see a note towards the bottom of the screen right now, "FI
15 in DVN 2019 nomination." Is this the first time you would
16 have heard at that sort of granular level about a particular
17 intelligence relating to the nomination process in 2019 in
18 DVN?

19 **HON. DOMNIC LeBLANC:** Yes, I think it was.

20 **MS. ERIN DANN:** Okay. And at the bottom of
21 the screen now, there is reference to the 11 candidates, and
22 a reference to \$250,000. Is -- again, this is the first time
23 you would have heard with that level of granularity about
24 that ---

25 **HON. DOMNIC LeBLANC:** Yes.

26 **MS. ERIN DANN:** --- that allegation?

27 **HON. DOMNIC LeBLANC:** Yes, it was.

28 **MS. ERIN DANN:** All right. And scrolling to

1 the next page. Sorry. The second unredacted line there:
2 "Disinformation campaigns did exist.
3 Can't include direct impact on
4 certain results."

5 And above that, there is a list of various
6 media outlets.

7 Is this the first time you would have heard
8 about intelligence relating to a disinformation campaign in
9 2021?

10 **HON. DOMNIC LeBLANC:** I don't disagree with
11 Brian's notes. I think there was a meeting in February in
12 the winter of that same year, but I don't have those notes in
13 front of me, and I just want to make sure I don't say yeah,
14 that was the first time, and then there's a note
15 referencing....

16 This was the first time that I remember
17 hearing about ridings, allegations around money exchanging.
18 Disinformation campaigns and China using social media
19 platforms was something that we'd heard a lot about for a
20 considerable amount of time, but this may have been the first
21 time when they went into detail of the targets, the
22 particular elements of the disinformation that was used.

23 **MS. ERIN DANN:** Thank you. And I don't mean
24 to suggest it was -- you may well have heard about this at an
25 earlier briefing, but it was well after 2021. It would have
26 only been after various media leaks. Is that fair to say?

27 **HON. DOMNIC LeBLANC:** Yes. Yes.

28 **MS. ERIN DANN:** Okay.

1 **HON. DOMNIC LeBLANC:** This level of
2 granularity started after some of these allegations were in
3 the public domain.

4 **MS. ERIN DANN:** Thank you. And would -- just
5 to conclude, would having knowledge of this type of
6 information, this level of granularity, had -- would it have
7 benefitted your review of the implementation of the plan to
8 protect democracy in 2019, and your efforts to update that
9 plan that you spoke about earlier for 2021? Would having
10 this level of information about the nature and extent of
11 threats of foreign interference have benefitted your efforts
12 in reviewing and developing the Plan 2.0, as you put it?

13 **HON. DOMNIC LeBLANC:** I'm not sure that this
14 level of granularity would have made a significant
15 difference. The senior officials at the Privy Council Office
16 who worked with me talked to their colleagues in the
17 intelligence secretariat of Privy Council Office, and I
18 assume with the national security agencies.

19 I certainly believed in the discussions I had
20 with them, they gave me a sufficiently precise picture of the
21 threat landscape of the countries that were active in the
22 particular foreign interference space. And the measures that
23 we wanted to be put in -- to be adjusted or tweaked following
24 Mr. Judd's report or the National Security Intelligence
25 Committee of Parliamentarians were validated by the fact that
26 we had Mr. Judd, and the members of the Panel themselves,
27 confirming that in their views the measures that had been in
28 place had worked, had been successful. So I had every

1 confidence that I had all of the information I needed, and my
2 colleagues at Privy Council Office, the senior officials that
3 helped me go to Cabinet with the adjusted version of the
4 plan, were well aware of what we needed to ask Cabinet to
5 make the changes, largely based on Mr. Judd's review.

6 And Mr. Judd would have had all of this
7 granularity. So I had very much confidence in his experience
8 in this area. He had a long and distinguished experience in
9 this area, and I was told that he had been taken through all
10 of this detail. I was satisfied to rely on his advice, and
11 the advice of the deputy ministers at the Privy Council
12 Office, when we went to Cabinet for the amended or the
13 adjusted plan.

14 **MS. ERIN DANN:** Those are all my questions,
15 Commissioner.

16 **COMMISSIONER HOGUE:** Thank you. We'll break
17 for lunch, and we'll come back at 2:20.

18 **THE REGISTRAR:** Order, please.

19 This hearing is in recess until 2:20.

20 --- Upon recessing at 1:19 p.m.

21 --- Upon resuming at 2:21 p.m.

22 **THE REGISTRAR:** Order please.

23 This sitting of the Foreign Interference
24 Commission is back in session.

25 **--- HON. DOMINIC LeBLANC, Resumed:**

26 **COMMISSIONER HOGUE:** Well, we just resumed,
27 but I forgot my notes. Just a second.

28 **(SHORT PAUSE)**

1 **COMMISSIONER HOGUE:** At least it's a
2 confirmation that I'm taking notes. Before we start the
3 cross-examination, I just want to specify one thing. The
4 question that I've been asked oft and the answer that I've
5 been given by Minister Blair regarding the media report
6 concerning the CSIS warrant were outside the scope of this
7 stage of the Commission work, and no findings will be made on
8 these matters in the initial report.

9 Cross-examination. First one is Jenny --
10 counsel for Jenny Kwan.

11 **--- CROSS-EXAMINATION BY MR. SUJIT CHOUDHRY:**

12 **MR. SUJIT CHOUDHRY:** My name is Sujit
13 Choudhry. I'm counsel for Jenny Kwan, MP for Vancouver East.

14 **HON. DOMINIC LeBLANC:** Good afternoon.

15 **MR. SUJIT CHOUDHRY:** Good afternoon. I just
16 have five minutes, so a couple of quick questions. The first
17 is you've probably seen reports about the CSIS Director's
18 talking points that we examined yesterday with the PMO panel.
19 I just have a question about those, a quick one. Were you --
20 did you ever receive -- so there's particular talking points
21 regarding a -- that are dated February 21st, 2023, and I'll
22 refer to the CAN doc number from my friends. It's CAN 4495.
23 And just a quick question is whether you ever received a
24 briefing from the director that covered the points in those
25 talking points? And maybe, if it would help, Minister, we
26 could put up the document. And in particular, it's on pages
27 5 and 6. There's some conclusions. You can scroll down.
28 Yeah, so there's 3 conclusions listed on page 5. And then

1 there's 2 conclusions on page 6. And we're just wondering if
2 you ever received a briefing from the director that covered
3 those five points.

4 **HON. DOMINIC LeBLANC:** Well, then if you want
5 me to speak to all five of them, let's go back to the first -
6 --

7 **MR. SUJIT CHOUDHRY:** Sure.

8 **HON. DOMINIC LeBLANC:** --- three?

9 **MR. SUJIT CHOUDHRY:** Of course, sir.

10 **HON. DOMINIC LeBLANC:** If I could go back up
11 ---

12 **MR. SUJIT CHOUDHRY:** Yeah.

13 **HON. DOMINIC LeBLANC:** --- to the first
14 three?

15 **MR. SUJIT CHOUDHRY:** Yeah.

16 **HON. DOMINIC LeBLANC:** Because this -- you'll
17 appreciate the first time I saw this document was when I was
18 preparing for these.

19 **MR. SUJIT CHOUDHRY:** Of course, sir. Yes.

20 **HON. DOMINIC LeBLANC:** And I was not in that
21 briefing that the Prime Minister would have had.

22 Okay. Can I see the last two again?

23 **MR. SUJIT CHOUDHRY:** Sure, of course. Thank
24 you.

25 **HON. DOMINIC LeBLANC:** And your question
26 again?

27 **MR. SUJIT CHOUDHRY:** I said I -- question is,
28 did you ever receive a briefing from the CSIS Director that

1 addressed any of those five points or communicated those five
2 points?

3 **HON. DOMINIC LeBLANC:** Not in that context at
4 all. My first briefing with the CSIS Director as Minister of
5 Democratic Institutions was, as I said earlier today, a
6 higher level sort of analysis of the threat landscape. Since
7 I became Minister of Public Safety, I talk to the Director of
8 CSIS about these issues with more precision than the Minister
9 of Democratic Institutions at the time. And we're always
10 looking at, and he talks to me about things the service is
11 doing to detect and disrupt foreign interference. We've
12 always said that the threat evolves, that the kind of -- the
13 nature of the threat and the particular ways that hostile
14 state or non-state actors attempt to interfere evolve, and he
15 talks to me about what CSIS is doing to keep up with the
16 evolving threat. So that would be the context of my
17 conversations with him.

18 **MR. SUJIT CHOUDHRY:** Okay. Thank you. Well,
19 that's actually a good segway to my next question, which is
20 so, Me Drouin was here testifying in her capacity, her most
21 recent role as NSIA, and she offered an observation at the
22 end of her cross-examination with me. She said that, "You
23 know, it's been two years or two-and-a-half years since 2021.
24 There's -- and our understanding of foreign interference
25 continues to evolve to the kind of threat it might pose today
26 as to what it might have posed in 2021, let alone in 2019."
27 And so the -- and I know that you've been working on a --
28 you've issued a report with Mme Charette about steps forward.

1 And so I'm hoping I can ask you a couple of questions on that
2 theme, of what our current understanding of foreign
3 interference is and what -- how we might respond today
4 relative to our current understanding. And so the first is a
5 question that's been put to other members of the government,
6 but we'll put to you as well, and if we could call up now,
7 it's in the document database, JKW 161.

8 **--- EXHIBIT No. JKW 161:**

9 National Terrorism Threat Level

10 **MR. SUJIT CHOUDHRY:** Good. And is -- if we
11 could scroll down, there should be a chart here. Yes, that's
12 it. Thank you. So, Minister, you're familiar with this
13 obviously. This is a national terrorism threat levels chart.
14 And so the question is, as an alternative to the threshold
15 and the protocol, which is a high threshold and a single
16 threshold, this in the counterterrorism context, we use a
17 spectrum, and with kind of a graduated set of responses. And
18 so is this type of framework an alternative to the high
19 single threshold model that we use for foreign interference,
20 is it something we should consider or look at carefully?

21 **HON. DOMNIC LeBLANC:** So -- and I -- my
22 colleague, Karina Gould, would have talked about that this
23 morning when she was the Minister of Democratic Institutions
24 and brought forward the first Protecting Democracy Plan,
25 which had the public protocol, the threshold is deliberately
26 set at a high-level. It's an extraordinary moment in the
27 middle of an election campaign where a group of five senior
28 public servants chaired by the Secretary to the Cabinet, the

1 most senior non partisan public servant in the country, would
2 intervene in an election context to alert Canadians to a
3 potential threat of foreign interference that in their
4 independent judgement would impact the ability of Canadians
5 to have a free and fair election, including at the riding
6 level or obviously at the national level.

7 So the threshold has to be high. In a -- an
8 election campaign, you deliberately want a robust public
9 discourse. They are often not gentle moments in a country's
10 democratic evolution, and that's positive. You want to
11 encourage robust debate, and having a weekly comment from a
12 panel of the most senior public servants, or a regular
13 commentary, would be an extraordinary moment, and done at
14 anything less than a high threshold in our view might
15 undermine confidence in the election.

16 So that's why it's deliberately set that
17 high, and that's why I don't think a comparison to a
18 terrorism threat level is a valid comparison.

19 During an election campaign, the national
20 security agencies are still very much, according to law,
21 doing their job at detecting and disrupting foreign
22 interference. You're going to the ultimate instrument of a
23 public declaration by the Panel of Five. I think it's
24 important to know that the work is being done on a regular
25 and effective basis throughout the election period, and
26 obviously before the election as well.

27 **MR. SUJIT CHOUDHRY:** So one follow up
28 question, Minister, because -- sorry.

1 **COMMISSIONER HOGUE:** It's going to be the
2 last question ---

3 **MR. SUJIT CHOUDHRY:** Yeah. So just to put
4 this back to you, it could be that at the critical level
5 there is a public announcement by the Panel of Five, but
6 beneath that, there is different types of communications that
7 might not be of that character to parties, to candidates, to
8 different entities. So there is a -- there's a more
9 complicated, a more complex set of tools available to the
10 government than the one that its chosen in this version of
11 the Protocol that might evolve in response to the
12 recommendations that you're, or the review that you're
13 undertaking right now.

14 **COMMISSIONER HOGUE:** And the question is?

15 **MR. SUJIT CHOUDHRY:** And so -- isn't that --
16 isn't -- can't we think about something other than it could
17 be all or nothing approach where it's a public announcement
18 from the Panel of Five, where there is communications to
19 parties, to candidates, to affected communities that maybe
20 don't have the same -- doesn't have the same level of
21 seriousness?

22 **HON. DOMNIC LeBLANC:** Well, I think you -- as
23 I said, you want to be careful in an electoral context,
24 before intelligence information is shared in a public
25 context, you know that there's a security cleared
26 representatives of each political party that can meet with
27 representatives of the intelligence and security community.
28 Elections Canada has access to these officials as well.

1 I don't think that you can -- I don't think
2 that you can have a spectrum of public comment. It either
3 reaches the threshold where in the independent professional
4 judgement of these five senior officials they are required to
5 inform the public because in their judgement our ability to
6 conduct a free and fair election in a riding or nationally is
7 affected. I don't think you take steps along that road.

8 It's a -- candidates respond to allegations,
9 candidates disagree with other candidates, candidates comment
10 on social media posts. That's part of a normal robust
11 democratic discussion, and having intelligence services or
12 senior public officials commenting in a public way in an
13 election, in our view, has to be because in their independent
14 judgement during the caretaker period they think that
15 something has happened that impedes the ability of Canadians
16 to have a free and fair election. And it's important to note
17 that in 2019 and 2021, in their judgement, they did not think
18 that was the case.

19 **MR. SUJIT CHOUDHRY:** Thank you, sir.

20 **COMMISSIONER HOGUE:** Thank you.

21 Counsel for UCC?

22 **MR. JON DOODY:** No questions, Commissioner.

23 **COMMISSIONER HOGUE:** No questions?

24 Counsel for Erin O'Toole?

25 **MR. THOMAS JARMYN:** Thank you, Commissioner.

26 **--- CROSS-EXAMINATION BY MR. THOMAS JARMYN:**

27 **MR. THOMAS JARMYN:** Good afternoon, Minister.

28 My name is Tom Jarmyn, here on behalf ---

1 **HON. DOMNIC LeBLANC:** Good afternoon.

2 **MR. THOMAS JARMYN:** --- of Erin O'Toole.

3 I've just got a couple of questions. During
4 the period from 2019 to 2021, when you were serving your
5 duties as Minister of Democratic Institutions, is it fair to
6 say that your -- the intelligence briefings you received were
7 high level as opposed to directed at significant incidents?

8 **HON. DOMNIC LeBLANC:** Yeah, they were high
9 level threat analysis of the threat environment. There were
10 -- there was discussions of different state -- hostile state
11 and non state actors that were active in this space. But it
12 didn't go down into details around specific ridings or
13 specific geographical regions.

14 **MR. THOMAS JARMYN:** Okay, thank you. And
15 this morning, when Minister Gould testified, she talked about
16 the relationship she developed with Facebook, Twitter, and
17 Microsoft, and I guess Google as well, in order to come to
18 this voluntary protocol with respect to the 2019 election.
19 Was that reviewed after the 2019 election?

20 **HON. DOMNIC LeBLANC:** Yes, it was reviewed by
21 the National Security and Intelligence Committee of
22 Parliamentarians and by Mr. Judd in his review. The
23 voluntary undertaking that Ms. Gould got from the major
24 social media platforms was reviewed, and in fact, in 2021, we
25 also added others to that space.

26 **MR. THOMAS JARMYN:** Yes. And what steps were
27 taken to add foreign enterprises like Tencent and ByteDance,
28 who are legal owners of WeChat and TikTok, respectively?

1 **HON. DOMNIC LeBLANC:** So again, we were
2 governed by the analysis that Mr. Judd did and the National
3 Security and Intelligence Committee of Parliamentarians. We
4 always recognised that there was a threat of disinformation
5 and misinformation in this space and that some foreign state
6 and non state actors were particularly active. That is one
7 of the challenges of a democratic process in a moment where
8 social media has taken on such significant importance and has
9 such a significant impact.

10 But we believe that the officials at Privy
11 Council Office, the members of the SITE Task Force, and
12 others, had developed ongoing relationships with these social
13 media platforms, and during the context of an election,
14 during the caretaker period where the government is itself a
15 candidate in the election, they were the ones that would have
16 those conversations and those relationships.

17 **MR. THOMAS JARMYN:** And have ByteDance or
18 Tencent been asked to enter into the same relationships with
19 -- as Facebook, Twitter, Microsoft, and Google?

20 **HON. DOMNIC LeBLANC:** I want to be careful
21 before getting in. I'd want to -- I don't want to talk about
22 specific discussions that may have happened with intelligence
23 officials who are the ones that are best placed to give this
24 advice to the government. But we have participated, for
25 example, in a G7 effort, the Rapid Response Mechanism Canada
26 was a global leader in this space, there was the Paris call
27 for trust in democracy where I participated quickly or soon
28 after becoming Democratic Institutions Minister, with other

1 countries. It's a live conversation with our Five Eyes
2 partners about what we can do in terms of sharing information
3 around different platforms, but also which hostile state
4 actors or non state actors are active in this space.

5 **MR. THOMAS JARMYN:** But if their -- wouldn't
6 their refusal to participate in such an arrangement be a
7 signal to the government, particularly after the 2019
8 election, where we began to observe these activities, that
9 other measures might be necessary?

10 **HON. DOMNIC LeBLANC:** Again, regulating
11 global social media platforms is obviously a complicated
12 space. You'll appreciate that it's not easy for one country
13 to regulate or legislate in this area. That's why the most
14 effective ways, in our view, are to work with likeminded
15 countries. And there's increasingly an effort from Five Eyes
16 partners, from G7 partners to work in this space together.

17 We took our responsibility to do everything
18 that we could. And I would think that certainly the work
19 that Ms. Gould did told us that the major social media
20 platforms want to ensure that they're not participating in
21 activities or being used in a way that disinformation or
22 misinformation campaigns could affect, negatively, the
23 outcome of an election. But it's a constant challenge for
24 democratic governments around the world, and it's an active
25 conversation that I've had with counterparts in other
26 countries as well.

27 **MR. THOMAS JARMYN:** Okay. That's my time.
28 Thank you, Minister.

1 **COMMISSIONER HOGUE:** Thank you.

2 Next one is counsel for RCDA, Me Sirois.

3 **--- CROSS-EXAMINATION BY MR. GUILLAUME SIROIS:**

4 **MR. GUILLAUME SIROIS:** You were involved in
5 the mandate of this Commission, Minister LeBlanc.

6 **HON. DOMINIC LeBLANC:** [No interpretation]

7 **MR. GUILLAUME SIROIS:** So the Commission was
8 set up with great care?

9 **HON. DOMINIC LeBLANC:** Could you repeat your
10 question, please?

11 **MR. GUILLAUME SIROIS:** Each word was picked
12 with great caution.

13 **HON. DOMINIC LeBLANC:** Of course. And it was
14 negotiated with all political parties in the House of
15 Commons, NDP, Conservatives, Bloc Québécois and so on and so
16 forth. We all agreed with each word in the Terms of
17 Reference and the mandate you just quoted.

18 **MR. GUILLAUME SIROIS:** And the mandate
19 accordings (sic) the Commission to investigate foreign
20 interference by China, among other state actors.

21 So China is specifically mentioned because
22 this was brought up in the media. So is the government aware
23 of similar allegations when Russia interfered with the 43rd
24 and 42nd General Election?

25 **HON. DOMINIC LeBLANC:** I will not comment on
26 publications -- on allegations in the public domain about
27 allegations of particular intelligence.

28 It is known in the public domain that Russia

1 is particularly involved in disinformation and misinformation
2 campaign in other contexts and in cyber attacks. I am
3 referring to what is in the public domain.

4 And earlier, in other countries, we saw
5 allegations of Russia's involvement in such threats, but I
6 will not comment on the specifics of Russian interference.
7 But I will say, as was said publicly, that Russia was quite
8 active in other circumstances and we wanted to make sure that
9 all appropriate measures of protections were available in
10 Canada.

11 **MR. GUILLAUME SIROIS:** There are other
12 countries which are also actively involved. So we're
13 mentioning Russia, China and other state actors.

14 I'm wondering why we don't just mention China
15 and other state actors if there is no apparent intention of
16 Russians -- Russian involvement in the 43rd and 44th General
17 Election?

18 **HON. DOMINIC LeBLANC:** I didn't say that
19 Russian didn't get involved. I said that it is a permanent
20 threat, the fact that Russia is interfering through
21 misinformation and disinformation campaigns. In other
22 countries in the public domain there were allegations
23 concerning Russia concerning cyber attacks.

24 When I spoke with my counterparts, the
25 Parliamentary leaders of the three major political parties,
26 the discussion was quite public. A year ago, in the spring,
27 people spoke about China and Russia. There are other
28 countries. We saw allegations regarding India.

1 I remember at some point in the conversation,
2 it was, I believe, in the month of August, when we were
3 finalizing the Terms of Reference, we concluded among
4 ourselves that we wanted to give the Commission the ability
5 to lead the evidence. We used the terms of other state and
6 non-state actors because we want the Commission to be able to
7 establish the evidence and to come to its -- and to come to
8 some findings.

9 **MR. GUILLAUME SIROIS:** So the Commission was
10 created to make sure that nothing was missed by the
11 government in terms of Russian involvement in the last two
12 general elections.

13 **HON. DOMINIC LeBLANC:** We're always seeking
14 recommendations in order to reinforce the already robust
15 measures that we have put in place and which were appropriate
16 during the last two general elections, but we're looking
17 forward to receiving the recommendations of the Commission
18 and of other experts because we recognize that the way the
19 threat is evolving requires measures to detect and counter
20 interference which may also evolve.

21 **MR. GUILLAUME SIROIS:** So your statement
22 applies particularly to Russia and that's why it is mentioned
23 in the Commission's Terms of Reference.

24 **HON. DOMINIC LeBLANC:** No, I wouldn't say
25 that it applies particularly to Russia.

26 I am looking forward to seeing the analysis
27 and the recommendation of the Commission regarding several
28 countries, some findings which deserve to be looked into and

1 reviewed. I don't spend a lot of time speculating about
2 where the Commission is going to go in its findings, but
3 among the four major parties, we agreed that Russia was in --
4 and China were involved. But they're not the only countries
5 and we will not comment on specific incidents of a particular
6 country.

7 The Commission, of course, has access to all
8 information and all evidence, but I would like to be careful
9 in the public domain.

10 **MR. GUILLAUME SIROIS:** My last question.

11 So we did mention Russia to make sure that
12 Russia would be investigated by the Commission.

13 **HON. DOMINIC LeBLANC:** We recognize that
14 Russia is active, particularly in terms of potential cyber
15 attacks and disinformation and misinformation. And the four
16 political parties decided to use two examples of countries
17 which were discussed a lot in the public domain, but we
18 wanted the Commission -- for the Commission to have access to
19 all classified information, to all documents, and with senior
20 officials who are able to brief the Commission. So in its
21 finding, we wanted the Commission to be able to lead (sic)
22 the evidence.

23 **MR. GUILLAUME SIROIS:** Thank you.

24 **HON. DOMINIC LeBLANC:** Thank you.

25 **COMMISSIONER HOGUE:** Conservative Party.

26 **--- CROSS-EXAMINATION BY MR. NANDO de LUCA:**

27 **MR. NANDO de LUCA:** Good afternoon.

28 **HON. DOMINIC LeBLANC:** Good afternoon.

1 **MR. NANDO de LUCA:** Can I have COM 346 pulled
2 up, please?

3 **--- EXHIBIT No. COM 346:**

4 CTV News - "Process underway for Han
5 Dong's possible return to the Liberal
6 caucus" - June 1, 2023

7 **MR. NANDO de LUCA:** Minister -- do you have
8 it in front of you, Minister LeBlanc? This is a news report
9 from CTV News published June 2, 2023.

10 And at the top -- if you could scroll down,
11 please? Page 2? The top of page 2.

12 It says:

13 "A senior government official says
14 Intergovernmental Affairs Minister
15 Dominic LeBlanc is leading a process
16 to determine Independent MP Han
17 Dong's possible return to the Liberal
18 caucus."

19 Do you see that?

20 **HON. DOMINIC LeBLANC:** Yes.

21 **MR. NANDO de LUCA:** Is it correct that as of
22 June 2, 2023, you were leading a process to determine if Mr.
23 Dong could rejoin the Liberal caucus?

24 **MR. GREGORY TZEMENAKIS:** Apologies,
25 Commissioner. If my friend could explain how this is
26 relevant to Parts A and B of your mandate?

27 **MR. NANDO de LUCA:** Well we've been ---

28 **COMMISSIONER HOGUE:** Can you, please?

1 **MR. NANDO de LUCA:** Sure. We've been through
2 this before there's considerable controversy about Mr. Dong's
3 participation, willing or not, in foreign interference, and
4 there's conflicting reports as to what he did or didn't do,
5 and what he said or didn't say, and whether that gave rise
6 to, for lack of a better term, discipline or him being forced
7 from Liberal caucus.

8 So I'm asking this witness whether that in
9 fact happened, and whether, in light of -- I'll come to the
10 questions, in light of the Special Rapporteur's conclusions,
11 that decision to be excluded from caucus has been
12 reconsidered at all.

13 **COMMISSIONER HOGUE:** And tell me, what is the
14 relationship with A and B of the Terms of Reference? Because
15 I can follow you if we look at the broad ---

16 **MR. NANDO de LUCA:** Sure.

17 **COMMISSIONER HOGUE:** --- mandate of the
18 Commission, ---

19 **MR. NANDO de LUCA:** Well if we ---

20 **COMMISSIONER HOGUE:** --- but we are just in
21 Phase 1 ---

22 **MR. NANDO de LUCA:** Well part of Phase 1 ---

23 **COMMISSIONER HOGUE:** --- and I fail to see --
24 -

25 **MR. NANDO de LUCA:** Part of Phase 1 is to
26 understand the extent of foreign interference, who it
27 involved, and what the government officials knew. I put it
28 to -- or I submit to you, Madam Commissioner, that the extent

1 to which Mr. Dong was disciplined, and remains disciplined,
2 is relevant to that inquiry.

3 **COMMISSIONER HOGUE:** I'm going to allow the
4 question as to whether he was disciplined, but I think after
5 that, you know, what happened in 2023 or 2024 is outside the
6 scope of the Commission for the time being.

7 **HON. DOMINIC LeBLANC:** So Mr. Dong said
8 publicly in the House of Commons that he voluntarily decided
9 to withdraw from the Liberal Caucus when the allegations
10 became public. He stood up one evening in the House of
11 Commons and voluntarily withdrew from the Liberal Caucus and
12 asked the speaker to sit as an independent. That was the
13 decision that Mr. Dong made when these allegations became
14 public, and that is on the public record. Those were his
15 words.

16 **MR. NANDO de LUCA:** Okay. Mr. Dong has also
17 said since that he would like to rejoin caucus and that he's
18 had discussions with you about the possibility of rejoining
19 the caucus; is that correct?

20 **COMMISSIONER HOGUE:** I think that's crossing
21 the line. It goes beyond the ---

22 **MR. NANDO de LUCA:** Okay.

23 **COMMISSIONER HOGUE:** --- the scope of the --
24 this phase.

25 **MR. NANDO de LUCA:** Okay. So I'll just put
26 the questions on the record. I appreciate your ruling.

27 And if it's correct that Mr. Dong has
28 requested to rejoin caucus, and that has not yet been

1 exceeded to that request, I'd like to know why, and so that's
2 the next question. I accept your ruling, Madam Commissioner.
3 And I'd just like to put on the record the documents that
4 speak to these questions that I've intended to ask Minister
5 LeBlanc. It's COM 3044, 30 -- sorry, COM 344, 345, 346 and
6 347.

7 **--- EXHIBIT No. COM 344:**

8 CBC - "MP Han Dong says he wants to
9 rejoin Liberal caucus after being
10 'vindicated' by Johnston's report" -
11 May 24, 2023

12 **--- EXHIBIT No. COM 345:**

13 CBC - "Han Dong says he's met with
14 government, is waiting to learn if he
15 can rejoin caucus" - Sep 21, 2023

16 **--- EXHIBIT No. COM 347:**

17 Global News - "Trudeau not saying if
18 Han Dong will return to Liberal
19 caucus after testimony" - April 3,
20 2024

21 **COMMISSIONER HOGUE:** So ---

22 **MR. NANDO de LUCA:** Those are my ---

23 **COMMISSIONER HOGUE:** --- it's noted. Thank
24 you.

25 **MR. NANDO de LUCA:** Those are my questions.

26 Thank you.

27 **HON DOMINIC LeBLANC:** Thank you.

28 **COMMISSIONER HOGUE:** Counsel for Michael

1 Chong?

2 **MR GIB van ERT:** Madame, nous n'avons aucune
3 question pour ce témoin. Merci.

4 **COMMISSIONER HOGUE:** Merci.

5 Counsel for Han Dong?

6 **MR. MARK POLLEY:** No questions. Thank you.

7 **COMMISSIONER HOGUE:** Human Rights Coalition?

8 **--- CROSS-EXAMINATION BY MS. HANNAH TAYLOR:**

9 **MS. HANNAH TAYLOR:** Good afternoon.

10 **HON. DOMINIC LeBLANC:** Hello.

11 **MS. HANNAH TAYLOR:** Could we please pull up
12 CAN.DOC 15 and turn to page 4? This is going to be the
13 institutional report prepared by Public Safety Canada. And
14 the final bullet point on page 4 reads,

15 "The Public Safety Minister is
16 responsible for most of the federal
17 agencies operating in the areas of
18 national security, policing and law
19 enforcement, border services and
20 corrections, and conditional release,
21 namely, the RCMP, CSIS, CBSA, CSE and
22 PBC. The Minister's role is to
23 coordinate their activities and
24 establish strategic priorities
25 relating to public safety and
26 emergency preparedness." (As read)

27 Is this correct?

28 **HON. DOMINIC LeBLANC:** Yes.

1 **MS. HANNAH TAYLOR:** Is it a strategic
2 priority to protect diaspora communities?

3 **HON. DOMINIC LeBLANC:** It's always been a
4 priority not just of the Public Safety Department, but of the
5 whole government. As I learned about the prevalence of
6 foreign interference, we were always struck that diaspora
7 communities are, in many cases, the targets and the victims
8 of these foreign interference attempts. So it's -- the
9 Public Safety Department is absolutely seized with that, as
10 would be, for example, of CSIS and other agencies, but the
11 whole government is concerned about this. My colleague, the
12 Minister of Diversity and Inclusion talks to me about this.
13 So it's not just my department, but the Public Safety
14 Department is absolutely concerned about this, but it goes
15 beyond one department.

16 **MS. HANNAH TAYLOR:** Thank you. And if I
17 could ask the Court Operator to please pull up CAN 2096?

18 **--- EXHIBIT No. CAN 2096:**

19 Elections Security Brief for Minister
20 LeBlanc

21 **MS. HANNAH TAYLOR:** And as it's being pulled
22 up, Minister, I understand this was an election security
23 brief provided to you. Looking to the first page at the
24 third bullet point, it's under the heading ---

25 **HON. DOMINIC LeBLANC:** Sorry, do you know the
26 date of that?

27 **MS. ERIN DANN:** Unfortunately, that document
28 was produced without a date.

1 **HON. DOMINIC LeBLANC:** Okay.

2 **MS. HANNAH TAYLOR:** So just under slide two,
3 it reads,

4 "A [2016] public threat report from
5 the Communications Security
6 Establishment (CSE) identified
7 political parties and politicians,
8 electoral activities, and the media
9 as vulnerable to threats, but also
10 noted that our system has inherent
11 strengths built-in. For example,
12 paper-based ballots cannot be
13 "hacked"."

14 Would you agree with this statement?

15 And for ---

16 **HON. DOMINIC LeBLANC:** I think our system has
17 a lot of inherent strengths. One of them is paper-based
18 ballots. That's probably in the context of cyber attacks.
19 That -- my discussions with Elections Canada or the security
20 agencies have always been around the risk, obviously, of a
21 cyber attack. In the case of paper ballots, it's a lot
22 easier to maintain public confidence in the election
23 machinery and in the outcome, but it's -- it would be one
24 example. I don't remember the details. I accept the
25 document you put before me. If it was my then Deputy
26 Minister Ian McCowan, who was the Deputy Secretary at Privy
27 Council Office, these were ongoing conversations that I would
28 have had with him over a number of meetings or briefings.

1 **MS. HANNAH TAYLOR:** And so you've said that
2 it would be one of many tools in an arsenal to address the
3 issue. And with that in mind, you would agree that a paper-
4 based ballot doesn't make an elector any less vulnerable to
5 intimidation or harassment, which is why there needs to be
6 other mechanisms to protect them?

7 **HON. DOMINIC LeBLANC:** Yeah, that's a fair
8 statement.

9 **MS. HANNAH TAYLOR:** Okay. Thank you,
10 Minister.

11 **COMMISSIONER HOGUE:** Thank you.

12 AG?

13 **MR. GREGORY TZEMENAKIS:** I have no questions.
14 Thank you.

15 **COMMISSIONER HOGUE:** Re-examination?

16 **MS. ERIN DANN:** No, thank you.

17 **COMMISSIONER HOGUE:** I have a question for
18 you, Mr. LeBlanc.

19 You indicated during the chief examination
20 that you heard about allegations about Mr. Chiu and Mr.
21 O'Toole only when the information was made public in 2022.
22 And also, when you addressed another question, you said that
23 it would not really have been useful to you when you
24 undertook to assess to what extent the measures which were
25 put in place had been sufficient or had been efficient.

26 Could you indicate if, in your role as a
27 Minister, this type of information would have been useful to
28 you at the same time when such information was identified?

1 **HON. DOMINIC LeBLANC:** Are you speaking as
2 the Minister of Democratic Institutions?

3 **COMMISSIONER HOGUE:** Yes, as the Minister of
4 Democratic Institutions, and then you can speak as the
5 Minister of Public Safety.

6 **HON. DOMINIC LeBLANC:** I'm quite comfortable
7 about the fact that my discussions with the PCO officials and
8 my private discussions gave me sufficient information to
9 assess how we needed to evolve our measures between the 2019
10 and the 2021 election.

11 For example, I was aware that there were
12 hostile actors that were using social media or media
13 platforms that were using proxies for intimidation purposes.
14 At the time, I had no operational responsibilities to follow
15 up in the case of X and Y person or X and Y country because
16 this would have been in the hands of my colleague who was in
17 charge of Public Safety. This would have been left to
18 intelligence organizations.

19 So in my general discussions with senior
20 officials, I was convinced that they had enough information
21 to assess a plan to protect democratic institutions. I
22 didn't necessarily need to know that it was X candidate or
23 city Y which were involved. It was about asking and being
24 reassured that Elections Canada, the RCMP, the Privy Council
25 and other intelligence agencies had sufficient information to
26 detect and counter this kind of interference.

27 So it was just because of a Cabinet reshuffle
28 that I had these duties as Minister for Democratic

1 Institutions and then, last summer, I took on
2 responsibilities as Minister for Public Safety.

3 And I became aware, as I hadn't been before,
4 the role of the Minister for Public Safety in terms of
5 approving some operations by intelligence agencies, the
6 questions of the mandate of some intelligence -- of CSIS.

7 Sometimes they will inform the Minister of a
8 threat in this -- the function of the Public Safety Minister,
9 but I think it would not have been appropriate to be aware of
10 such details as Minister for Democratic Institutions. And
11 right now, I'm very fortunate to wear both hats.

12 **COMMISSIONER HOGUE:** And as a Public Safety
13 Minister, do you expect to be made aware of such allegations?

14 **HON. DOMINIC LeBLANC:** Yes, absolutely. And
15 I can assure you that in my discussions with Mr. Vigneault or
16 his colleagues, it is the kind of discussions that they have
17 very freely with me. I am quite well informed on such issues
18 and -- if they deem it appropriate or when they need my
19 approval or they are obligated to inform me.

20 Sometimes they are required to inform me
21 without necessarily requiring the -- my authorization, but I
22 am very comfortable with such exchanges now.

23 **COMMISSIONER HOGUE:** Thank you.

24 **COMMISSIONER HOGUE:** So no re-examination
25 after my questions?

26 **MS. ERIN DANN:** No.

27 **MR. ALAIN MANSEAU:** [No interpretation]

28 **COMMISSIONER HOGUE:** Pardon.

1 predecessor?

2 **MR. ALAIN MANSEAU:** Yes.

3 So your predecessor mentioned, and this was
4 reported in the media, that the two police stations in
5 question had been closed. They had been shut down
6 indefinitely. And we also learned that illegal activities
7 had been carried out and this is why those two police
8 stations had been shut down.

9 Can you tell us whether, indeed, those
10 illegal activities were criminal activities?

11 **MS. ERIN DANN:** Excuse me, Commissioner.
12 Sorry to interrupt. I'm concerned that the question goes
13 beyond the scope of this portion of the hearings -- of this
14 portion of the Commission's work, which is focussed on the
15 2019 and 2021 general elections.

16 **COMMISSIONER HOGUE:** Mr. Manseau, can you
17 please establish the connection you are making? Our mandate
18 is fairly limited in this stage.

19 **MR. ALAIN MANSEAU:** In fact, you are right,
20 my colleague is right to point that out. But the connection
21 I'm establishing is that those police stations were created
22 before 2022 as we learned through the media. So these police
23 stations were in existence in 2019 or 2021 unless there is
24 evidence to the contrary.

25 **COMMISSIONER HOGUE:** I want to make sure I
26 understand. I don't want to open a can of worms at this
27 point which will not be useful in this phase.

28 What you are saying, what we are looking at

1 is foreign interference just before or during the 2019 and
2 2021 elections. And what you are saying is that these
3 Chinese police stations existed before that time. So what
4 connection are you establishing between the 2019 and 2021
5 elections and their existence?

6 **MR. ALAIN MANSEAU:** Yes, absolutely. They
7 existed then and we can presume there was interference
8 because the RCMP shut them down afterwards because of illegal
9 activities without telling us exactly what those activities
10 were which had been committed at the time.

11 **COMMISSIONER HOGUE:** So your question is?

12 **MR. ALAIN MANSEAU:** What were those illegal
13 acts? The RCMP would only have interfered in terms of
14 foreign interference if there had been illegal activities.
15 We never learned about those activities.

16 **COMMISSIONER HOGUE:** I believe the question
17 is too general.

18 If you can reword the question whether to the
19 knowledge of the Minister illegal acts were carried out in
20 relation to the 2019 and 2021 elections, I would allow that
21 question, but I think the question as you worded it is --
22 exceeds the mandate of this Commission.

23 **MR. GREGORY TZEMENAKIS:** ... according to
24 your terms of reference, if there were ongoing investigations
25 related to this matter, and there is ongoing litigation in
26 relation to this matter, it would not be appropriate. And
27 then my second point is my friend has not provided any
28 information to found the statements that he is making, that

1 these police stations were in existence early, that they were
2 in 2019. And it's somewhat unfair for the witness to be
3 asked questions on the basis of a hypothetical set of
4 circumstances that he may know nothing about.

5 **COMMISSIONER HOGUE:** But this is the reason
6 why I made clear that it's as far as Minister LeBlanc knows.
7 He doesn't have to speculate, but if knows whether some of
8 the ---

9 **MR. ALAIN MANSEAU:** [No interpretation]

10 **COMMISSIONER HOGUE:** --- alleged activities
11 would have been in relation with the elections, then this
12 question is permitted.

13 But I will not permit that you go very far
14 with this line of questions.

15 **MR. ALAIN MANSEAU:** So did you know about any
16 illegal acts which may have been committed from these two
17 Chinese police stations in Montreal and Brossard in
18 connection with the elections of 2019 and 2021?

19 **COMMISSIONER HOGUE:** [No interpretation]

20 **MR. ALAIN MANSEAU:** [No interpretation]

21 **HON. DOMINIC LeBLANC:** Well, I would hesitate
22 in answering the question because the Minister does not
23 determine what is a legal or illegal activity. I am not a
24 prosecutor or a policeman or a judge.

25 I believe you when you quote what the RCMP
26 allegedly said. I would have to look into what the RCMP had,
27 in fact, stated. I am aware of what was said publicly about
28 these supposed police stations. I think it is important to

1 use "supposed" or "alleged" to qualify those stations, but I
2 don't have any operational details from the RCMP.

3 And as the government -- as government
4 counsel has said, I am not confident enough to answer that,
5 as there may be ongoing investigations, so I'm quite hesitant
6 to answer the question on that particular issue.

7 **MR. ALAIN MANSEAU:** Thank you.

8 **COMMISSIONER HOGUE:** We will now move into
9 break.

10 I know that we are supposed to have a five-
11 minute break, but in fact, it will be more like 20 minutes
12 given the fact that witnesses will be changing and that
13 certain security measures will have to be put into place. So
14 expect to be back in about 20 minutes.

15 Thank you.

16 **THE REGISTRAR:** Order please.

17 This hearing is in recess until 3:25?

18 **COMMISSIONER HOGUE:** 3:30.

19 **THE REGISTRAR:** 3:30.

20 --- Upon recessing at 3:08 p.m.

21 --- Upon resuming at 3:34 p.m.

22 **THE REGISTRAR:** Order please.

23 This sitting of the Foreign Interference
24 Commission is back in session.

25 **COMMISSIONER HOGUE:** [No interpretation]

26 **MS. SHANTONA CHAUDHURY:** Good afternoon.

27 **COMMISSIONER HOGUE:** Good afternoon.

28 **MS. SHANTONA CHAUDHURY:** Shantona Chaudhury.

1 Lead counsel for the Commission. Our witness this afternoon
2 is Prime Minister Justin Trudeau.

3 Can I ask that the witness be sworn or
4 affirmed?

5 **THE REGISTRAR:** Would you like to be sworn or
6 affirmed for the record?

7 **RT. HON. JUSTIN TRUDEAU:** Sworn, please.

8 **THE REGISTRAR:** Could you please state your
9 name for the record?

10 **RT. HON. JUSTIN TRUDEAU:** Justin Trudeau.

11 --- RT. HON. JUSTIN TRUDEAU, Sworn:

12 **THE REGISTRAR:** Thank you very much.
13 Counsel, you may proceed.

14 --- EXAMINATION IN-CHIEF BY MS. SHANTONA CHAUDHURY:

15 **MS. SHANTONA CHAUDHURY:** Thank you. So,
16 Prime Minister, we'll start with the typical routine
17 housekeeping.

18 Mr. Clerk, can I ask you to pull up WIT 66,
19 please?

20 --- EXHIBIT No. WIT 66:

21 Interview Summary: Rt. Hon. Justin
22 Trudeau (Prime Minister)

23 **MS. SHANTONA CHAUDHURY:** Prime Minister,
24 you'll recall being interviewed by Commission counsel on
25 February 27th, 2024?

26 **RT. HON. JUSTIN TRUDEAU:** Yes.

27 **MS. SHANTONA CHAUDHURY:** Can you confirm that
28 you've reviewed the summary of that interview, that the

1 summary is accurate, and that you adopt it as part of your
2 evidence before the Commission?

3 **RT. HON. JUSTIN TRUDEAU:** I can.

4 **MS. SHANTONA CHAUDHURY:** Thank you.

5 The next is WIT 67, please, Mr. Clerk.

6 **--- EXHIBIT No. WIT 67:**

7 In-Camera Examination Summary: The
8 Right Honourable Justin Trudeau,
9 Prime Minister

10 **MS. SHANTONA CHAUDHURY:** So, Mr. Prime
11 Minister, this is the summary of your *in-camera* examination.
12 You'll recall having been examined *in-camera* by Commission
13 counsel earlier this year?

14 **RT. HON. JUSTIN TRUDEAU:** Yes, I do.

15 **MS. SHANTONA CHAUDHURY:** Okay. And once
16 again, can you confirm that you've reviewed the summary, that
17 the summary is accurate, and that you adopt it as part of
18 your evidence before the Commission?

19 **RT. HON. JUSTIN TRUDEAU:** I can.

20 **MS. SHANTONA CHAUDHURY:** Perfect.

21 We can take that down now, Mr. Clerk.

22 So I'm going to ask you to start today, Prime
23 Minister, by asking a pretty general question, but
24 nevertheless a fundamental one, which is, having been Prime
25 Minister now since 2015, can you paint for the Commission a
26 picture of the foreign interference landscape over your
27 tenure as Prime Minister?

28 And before you answer, I'll just put two sort

1 of precisions on that. One is that we know foreign
2 interference comes in all shapes and sizes, but the kind of
3 foreign interference that interests us most today at this
4 Commission is, obviously, foreign interference in democratic
5 processes and electoral processes and institutions.

6 Second, it goes without saying, but in
7 answering this question and all questions I pose to you,
8 please stick to information that can be safely publicly
9 disclosed.

10 **RT. HON. JUSTIN TRUDEAU:** Indeed. One of the
11 things that we had grown concerned about as a party when we
12 were in opposition before the 2015 election was the lack of
13 oversight by Parliamentarians into what was going on in our
14 national security universe in this country.

15 An example of the Afghan detainee documents,
16 where there wasn't a process whereby Parliamentarians of
17 different parties, of opposition parties, could examine top-
18 secret material was seen as a lacking that Canada had,
19 certainly compared to our other Five Eyes partners, which is
20 why in our 2015 campaign platform we committed to creating a
21 National Security and Intelligence Committee of
22 Parliamentarians whereby parliamentarians of all different
23 parties would be sworn into the highest levels of clearance
24 to be able to oversee, verify, and ascertain that everything
25 that our national security agencies were doing was on the one
26 hand compliant with Canadian values, rules, and the *Charter*,
27 and on the other hand, doing everything necessary to keep
28 Canadians safe.

1 So we started in 2015 with a commitment to
2 strengthen our national security institutions. We did that
3 by the creation of National Security and Intelligence
4 Committee of Parliamentarians. We also combined a number of
5 oversight organisations into NSIRA, which is a more judicial
6 or academic or high level oversight of our national security
7 agencies, as well as, you know, as we began to govern,
8 strengthened our various national security and intelligence
9 agencies and tools.

10 One of the things I did is I changed our
11 national security advisor to a national security and
12 intelligence advisor because it's not just about security.
13 And obviously the work around intelligence was getting more
14 and more complex and important and part of keeping Canadians
15 safe.

16 Over the course of that first mandate, we
17 witnessed the significant foreign interference allegations or
18 threats during the 2016 Presidential Election in the United
19 States, where Russia, certainly through misinformation and
20 disinformation online, attempted to interfere. But also,
21 more interestingly as a key example, in 2017, during the
22 French Presidential Election, there was actually a moment in
23 which officials within the French governmental apparatus
24 actually had to come out and tell the citizens of France that
25 a particular piece of information or news that was about to
26 break was in fact Russian disinformation and should not be
27 given any weight or heed.

28 That got us to reflecting on whether or not

1 Canada had a potential to intercede in an election campaign
2 if there was a significant threat of foreign interference
3 impacting the ability of our elections to actually unfold in
4 a free in and fair way. So we got to work on developing such
5 a mechanism here in Canada, which ended up being two
6 mechanisms, both the SITE panel -- the SITE Task Force that
7 allows our security agencies to monitor very closely the
8 going's on in an election, and the Panel of Five, which is
9 top civil servants who would have the ability, if they deemed
10 it necessary, to actually go public or take other actions to
11 ensure the protection of our democratic institutions and
12 electoral processes from foreign interference.

13 One of the other examples of things that
14 we've -- we did during that time, in 2018, when Canada hosted
15 the G7 leaders meeting in Charlevoix, Quebec, we actually
16 brought forward and created the G7 Rapid Response Mechanism,
17 which was designed to monitor and respond to threats of
18 misinformation and disinformation in our democracies. A tool
19 that has been successfully used over the past year since in a
20 number of different occasions, and indeed was more recently
21 actually strengthened to weigh in a little more on the
22 democracies in Eastern Europe where we're seeing significant
23 interference by Russians, given the conflict in Ukraine.

24 **MS. SHANTONA CHAUDHURY:** Okay. Thank you for
25 that summary. What I'm going to try and get at now is the
26 threats, really, to which all of this responds. So we heard
27 from Minister Gould this morning about the plan to protect
28 Canada's democracy and what it was really designed to do,

1 that process.

2 Mr. Clerk, I'm going to ask you to pull up a
3 document, CAN 019496.

4 So Mr. Prime Minister, this is a document
5 actually from 2017, so before this Commission's mandate per
6 se, but it gives an idea, I think, of the kind of information
7 or at least that was available to you at that time, and
8 that's what I'm going to bring out here. So if we -- this is
9 the memo that was written to you by David Morrison, your NSIA
10 at the time. You received it in June 2017.

11 So the top of that document there talks about
12 the Chinese foreign interference threat, and it says CSIS
13 describes the PRC, essentially, as sophisticated, pervasive,
14 persistent. There are other countries around, but the PRC is
15 the big one.

16 Mr. Clerk, if you can just scroll down a
17 little bit more. Okay. Scroll down, scroll down. I'll tell
18 you when to stop. Keep going. Okay, there we go.

19 So on the third page here, you'll see, Prime
20 Minister, it talks about allies who are facing similar
21 challenges, and refers specifically to Australia in which --
22 I believe what's explained there is they -- in Australia it
23 was found that agents of the Chinese Government were donating
24 millions of dollars across the political spectrum. So your
25 NSIA is informing you of this.

26 And keep scrolling down, please, Mr. Clerk,
27 to the next page.

28 And then brings it back to Canada.

1 Oh, sorry. Scroll down a little bit more,
2 Mr. Clerk, to the next page. PCO comments. There we go.
3 Okay, last page:

4 "Politicians, and elected officials,
5 in particular...provincial,
6 territorial, and municipal levels,
7 are largely unaware of the PRC's (and
8 others) efforts to influence Canada's
9 political landscape, making them more
10 vulnerable to these attempts, either
11 in Canada or when travelling abroad."

12 So there's that.

13 And then scroll down just a little bit more,
14 Mr. Clerk, so we can see the last part of this.

15 So this is -- I'm sorry, I said it was David
16 Morrison. It's actually Daniel Jean:

17 "This is a very sensitive issue, and
18 public efforts to raise awareness
19 should remain general and not single
20 out specific countries to avoid
21 potential bilateral incidents.
22 However, countries that cross the
23 line should be reminded of
24 appropriate conduct and risk of
25 consequences."

26 So Mr. Prime Minister, I'd like you to speak
27 to those points if you can. First of all, the level of
28 knowledge about foreign interference, the level of threat,

1 here we see it coming from the PRC, and also that tension
2 between sort of exposing something about foreign
3 interference, while at the same time having to balance
4 international relations, bilateral incidents, and the like.

5 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,
6 it's a good example, as I spoke about the experiences in the
7 United States and in France, the experience that Australia
8 had, not with Russia but with China, is another excellent
9 example that we were very aware of at the time, and
10 highlighted the fact that there are foreign state actors who
11 are interested in playing a role in our democracies or in
12 disrupting our democracies.

13 The difference between Russia and China is a
14 significant one in that China has a very large diaspora of
15 Chinese Canadians who are often the first targets of
16 interference efforts by a foreign state, by that foreign
17 state. So we were very aware of it.

18 As a politician in Canada for eight years,
19 when I became Prime Minister, I was certainly aware of the
20 various ways officials and different countries, particularly
21 through diasporas, can take an interest in Canadian political
22 processes. But to understand it better, one of the first
23 things we did in 2015, maybe into 2016, was request a
24 briefing from our national security officials that would go
25 at some of the things we had heard, some of the things we
26 knew, or understood as opposition politicians now in a
27 position of being in government. That we wanted to
28 understand more about the role of foreign interference in

1 particular communities, in -- you know, we wanted to know
2 about particular individuals that we had heard things about,
3 and understand what landscape we were actually walking into
4 because we suddenly had access to a very sophisticated and
5 excellent national security apparatus that when one is a
6 simple opposition politician you don't have access to.

7 So from the very beginning, we knew there
8 were things we needed to know about, and we got briefings on
9 that. And this 2017 memo is certainly a continuation of that
10 level of awareness. The issue of it being a sensitive issue
11 is quite germane, and it evolves over time. Back in the
12 early days of our government, we were very much looking to
13 deepen the trade and commercial ties with China, seeing it as
14 an opportunity for exports. One of my biggest files of the
15 day on that was trying to restore the canola shipments that
16 many western grain farmers were relying on that were seeing
17 irregular blockages from the Chinese authorities. So that
18 was part of our work.

19 But even as we were doing that, we were very
20 aware of the areas in which we needed to challenge or contest
21 China, whether it was on issues of human rights, or democracy
22 of Uyghurs, of protection of the rights of our diaspora
23 communities from influence or intimidation. There has always
24 been a complex approach that every government has had to take
25 with China. Over the years, however, this has shifted
26 significantly, as I'm sure we'll get into. The relations
27 with China took a significant turn when they chose to
28 arbitrarily detain two Canadian citizens. And for close to

1 three years, we were not just pushing back hard against China
2 on the arbitrary nature of those detentions and the fact that
3 they needed to release those to Canadians. But we were
4 extremely active around the world in mobilizing other
5 countries to bring up Canada and the plight of the two
6 Michaels during their bilateral conversations, which was
7 something I can say ended up putting a significant amount of
8 strain on our relationship because it was a massive irritant
9 to China that everyone kept talking about these two Michaels,
10 even when they didn't have anything to do with Canada. We
11 heard it regularly. But that was what we continue to do.

12 It perhaps came to the greatest sort of head
13 in terms of being reminded of appropriate contact and risk of
14 consequences in November of 2022 when I was in Indonesia for
15 a G20 meeting where when I saw the President of China, Xi
16 Jinping, at the opening ceremonies. I mentioned to him that
17 I needed China to stop interfering in Canadian democratic
18 processes because that was very much something that people
19 were very concerned about back home at that particular
20 moment.

21 **MS. SHANTONA CHAUDHURY:** Okay. We'll move
22 then to the -- from the general landscape, which we now I
23 think have a decent picture of, to some more precise
24 questions having to do with the Commission's Terms of
25 Reference.

26 So now let's move on to a topic which is
27 contained in your interview summary and your testimony. It
28 has to do with the way that you receive information --

1 intelligence information.

2 Now, in your interview and previous
3 testimony, it was said that the written documents were not
4 necessarily a reflection of the information you received and,
5 in fact, it's the verbal briefings that make up the main part
6 of your briefings. Can you explain that to us and can you
7 generally explain to us the way you receive the information
8 you need?

9 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,
10 my Prime Minister receives countless briefings, receives
11 countless information, not only on foreign interference or
12 national security issues, but on the economy or public
13 security issues, concerns shared by allies. I am constantly
14 in receiving mode of all kinds of information from
15 departments and advisors across government.

16 I, of course, also follow the headlines to
17 know what Canadians are reading about, hearing about, what
18 they are concerned about in their daily lives.

19 Now, all of this information is presented in
20 different ways, but despite the fact that I receive written
21 information, weekly summaries or briefs on intelligence which
22 are often on an FYI basis, the only sure way to make me aware
23 of a priority issue is not simply to give me a note which I
24 may or may not read or may not have time to read if I am
25 travelling or if I'm particularly busy at that point, it is -
26 - the best way to convey information to me is to receive a
27 direct briefing from my National Security Advisor and
28 intelligence advisor, who would give me security updates,

1 usually on several topics during the same session. And this
2 would happen on a regular basis. Sometimes it's once or
3 twice a week or even more often, if necessary. Sometimes
4 it's only three or four times a month. It all depends.

5 But the only way to guarantee, to make sure
6 that I receive the necessary information is to give me an in-
7 person briefing or over a secure line, if necessary, on any
8 issue or priority issue.

9 **MS. SHANTONA CHAUDHURY:** Now, you mentioned
10 the NSIA, so the National Security and Intelligence Advisor.
11 Is this the person you depend on the most to provide you with
12 the information you need in this area or do you get the

13 **RT. HON. JUSTIN TRUDEAU:** Well, in that
14 particular field, it is the NSIA to keep me fully briefed on
15 everything I need to know and to answer any questions I might
16 have about security or intelligence, so she is the person I
17 turn to to get the answers I need.

18 The Clerk often has a role to play to bring
19 priority issues to my attention. It could be security or
20 intelligence issues, but it's mostly the NSIA who is mandated
21 with keeping me fully briefed on security and intelligence
22 issues.

23 **MS. SHANTONA CHAUDHURY:** When you receive
24 that information, I would ask you to explain to us how you
25 respond, how you react. Can you tell us this specifically?
26 Because your Chief of Staff, Ms. Telford, yesterday testified
27 that she received some information or security or
28 intelligence products with a certain degree of reserve, does

1 not necessarily take the information at face value.
2 Sometimes the information might be erroneous.

3 And I would like to know what you think about
4 that based on your experience.

5 **RT. HON. JUSTIN TRUDEAU:** Well, in politics
6 there is a principle, especially for those who are giving
7 briefing or passing along information to a Minister or to the
8 Prime Minister, that if you're not sure about what you are
9 conveying, you might not want to convey it. You cannot give
10 a Minister or the Prime Minister wrong information before
11 they rise in the House or speak publicly. This could be very
12 problematic.

13 So when I receive information on an incident
14 which has occurred or on any kind of concern or on a natural
15 disaster or an issue Canadians need to deal with, well, the
16 veracity of the information, the accuracy of the information,
17 its completeness is very important.

18 However, I would make an exception with
19 regard to intelligence. When you receive intelligence, it's
20 not -- it hasn't always been corroborated. In legal circles,
21 it's well known that the difference between intelligence and
22 evidence, well, there's a distinction between those two
23 issues.

24 So when I receive a briefing, whether it's in
25 writing or, more frequently, verbally, by security officials
26 or intelligence officials, the reliability of the information
27 is part and parcel of what is being said. For instance, when
28 I was briefed on the fact that Iran had shot down a Ukrainian

1 airline on which 100 Canadians were on board, the first
2 reports were a little more vague; however, they told me they
3 had indications that A, B or C. And then, at the next
4 briefing, there was a lot more information. They knew that
5 Iranian armed forces had shot down that Ukrainian aircraft.

6 So what I am saying is that you have to take
7 this intelligence, you have to take this information with a
8 certain awareness that it still needs to be confirmed or it
9 might not be 100 percent accurate because it is very
10 sensitive information, so that information could be very
11 useful to indicate, for instance, that Russia is about to
12 invade Ukraine.

13 So we take that intelligence, we receive it
14 in a different manner than I would, for instance, receive a
15 report on Canada's unemployment rate or inflation rate. So
16 there is a certain degree -- I would not say scepticism, but
17 of critical thought that must be applied to any information
18 collected by our security and intelligence services.

19 **MS. SHANTONA CHAUDHURY:** We'll probably come
20 back to some of that as we go along.

21 I'm going to take you to the 2019 election
22 now specifically.

23 Mr. Clerk, can you pull up CAN 005461,
24 please?

25 So Prime Minister, this is, while it's
26 getting pulled up -- yeah, there it is.

27 We know at this point in the evidence before
28 the Commission that on September 28th, 2019 the SITE Task

1 Force and CSIS gave a briefing to the security cleared
2 representative of the Liberal Party about foreign
3 interference in the Don Valley North riding. We also know
4 from Mr. Broadhurst that he then received that information.

5 How did this play out from your perspective?

6 **RT. HON. JUSTIN TRUDEAU:** Late in September,
7 as I was coming through Ottawa, I believe I was on my way out
8 across the country for another stretch of campaigning -- I
9 believe it was on a Sunday, as I was heading out after a
10 Saturday with my family.

11 Mr. Broadhurst met me at the airport in a
12 holding room in a lounge on the government side of the
13 airport, government terminal in the airport to let me know of
14 concerns that he had received from the SITE Task Force and
15 CSIS about the nomination campaign -- the nomination election
16 -- the nomination race contest in Don Valley North.

17 He shared with me that intelligence services
18 had shared with him concerns that Chinese officials in Canada
19 had been developing plans to possibly engage in interference
20 in the nomination contest, specifically by mobilizing buses
21 filled with -- the challenge in this is always trying to pick
22 out what I heard exactly then from what I knew later, but I
23 believe it was either buses full of students or buses filled
24 with Chinese speakers or Chinese diaspora members who would
25 be mobilized to support Han Dong -- who would have been
26 mobilized to support Han Dong in that nomination contest of a
27 few weeks previous.

28 In what ended being probably a 20-minute to

1 half-hour conversation with Mr. Broadhurst, I asked him more
2 specifically about, okay, so they had plans or an intent or
3 capacity to do this. "Do we know that they did? Did you
4 hear from CSIS and the security agencies that this was
5 actually done?".

6 They weren't entirely certain. There was
7 reasons to believe that perhaps it has and perhaps there were
8 -- the indication was that there were buses filled with
9 Chinese speakers at that nomination contest.

10 I asked if -- and as a matter of course,
11 those who are in politics and certainly on the ground riding
12 politics know that it is regular for buses to be mobilized in
13 -- particularly in contested nominations of community
14 organizations, student groups. You know, a particular
15 seniors' residence could bring a minibus full of seniors to
16 participate in a nomination contest. So just the existence
17 of buses wasn't enough -- buses with Chinese speakers or
18 Mandarin speakers in them wasn't enough to be itself alarming
19 or a condemnation, but it was -- there were clear indications
20 that there were concerns by CSIS that China might have been
21 behind this and that those students or those individuals on
22 the bus might have been motivated or mobilized to vote in
23 that way and they were concerns that CSIS had.

24 I asked the extent to which they were certain
25 that it happened, the extent to which they were certain that
26 China was, indeed, behind the mobilizing of the bus or buses,
27 and I also asked whether or not CSIS had information that Han
28 Dong knew about this, whether he was a witting and aware that

1 China had mobilized or Chinese officials had mobilized buses
2 for him or not. And the answers were not clear from CSIS at
3 that point, according to what Mr. Broadhurst told me.

4 I then asked -- I also asked if it was a
5 close nomination, if there was a sense that the actual result
6 of the nomination could have been affected by this bus or
7 buses or what was there, and that wasn't clear at all. CSIS
8 didn't have any conclusions to share at that point.

9 I asked Mr. Broadhurst whether CSIS was
10 making any recommendations or suggestions as to what we
11 should do with this information and it was clear to Mr.
12 Broadhurst that this was very much about just letting us know
13 so that we know and could perhaps take any actions that we
14 deemed appropriate, but they weren't going to be recommending
15 for us to take action one way or another. But they also
16 specified that this was secret information that we could not
17 share with the candidate in question, Mr. Dong, or the public
18 at large in terms of what they were telling us about these
19 concerns and these allegations.

20 I then asked Mr. Broadhurst what the Liberal
21 Party processes that are in place to oversee nominations,
22 particularly contested nominations, had flagged around that
23 nomination contest of a few weeks before.

24 There are Party officials that oversee the
25 voting, the registrations, the voting, the processes, the
26 counting. There are lawyers in place overseeing the count.
27 There are possibilities for the losing contestant or
28 contestants to challenge the result if they feel it was

1 unfair. There are many processes because political parties
2 often have some very complex fights around nomination parties
3 -- nomination contests. All political parties are like that.

4 And Mr. Broadhurst assured me that they had
5 looked into when they heard these allegations or this
6 information from CSIS and SITE, and had no flags on the
7 nomination process.

8 So then I had what was a brief conversation
9 with Mr. Broadhurst after we had established all that to sort
10 of agree that the threshold for overturning a democratic
11 event like an official party nomination to find out who would
12 be the candidate for a general election, particularly during
13 an election -- general election, must have a fairly high
14 threshold for removal of that candidate. And that was really
15 sort of the binary choice we were placed with in that
16 situation.

17 Acting would be removing Han Dong as our
18 official candidate. The other choice would be not to remove
19 that candidate. But even not having removed that candidate,
20 it would be something, given this information, that we would
21 have to revisit. Certainly in the case that that candidate
22 got elected, there would be questions we would have to follow
23 up on after the election to properly understand what happened
24 and what the issues or the risks were in this situation.

25 But understanding that the decision to remove
26 someone needed a high threshold. A threshold that,
27 incidentally, I have met and seen many other cases. As
28 Liberal Party leader, I have, on many, many different

1 occasions, had to ask people to step down, step away, or
2 desist as candidates for the Liberal Party, most recently as
3 the last election, where we did that in the case of a
4 downtown Toronto riding.

5 But in this case, I didn't feel that there
6 was sufficient or sufficiently credible information that
7 would justify this very significant step as to remove a
8 candidate in these circumstances.

9 **MS. SHANTONA CHAUDHURY:** So where does that
10 leave you? So you don't exercise that option, and you put it
11 as a pretty binary choice, but you have this information, you
12 receive this information, it's, as you say, classified
13 information that you can't share. What are you able to do?
14 Where does this leave a political party receiving this
15 information?

16 **RT. HON. JUSTIN TRUDEAU:** Well it meant that
17 after the election, when we were out of Caretaker period,
18 where I went back to being primarily Prime Minister and not
19 simply leader of a political party with 338 candidates across
20 the country, I was able to turn to our intelligence agencies
21 and say, "We need to know more about this. We need to
22 understand what the context is," because the answers that we
23 get on that will have a bearing on choices we could make in
24 the future about different roles or responsibilities for an
25 individual in such a situation.

26 **MS. SHANTONA CHAUDHURY:** Okay. Going to move
27 on to some other things now because we have a lot to cover in
28 75 minutes [no interpretation].

1 Okay. So the next topic then. Mr. Clerk,
2 you can pull this up, CAN003116.

3 **--- EXHIBIT No. CAN 3116:**

4 SITE TF SITREP: 22 October 2019

5 **MS. SHANTONA CHAUDHURY:** But Prime Minister,
6 I think I can ask you this question without reference to a
7 document.

8 An incident that was reported by the RRM in
9 the 2019 Election had to do with an article published in the
10 Buffalo Chronicle, some misinformation, false information
11 about you specifically. Is that something that came to your
12 attention in the 2019 Election?

13 **RT. HON. JUSTIN TRUDEAU:** No, it did not.

14 **MS. SHANTONA CHAUDHURY:** No, it did not.

15 Okay.

16 **RT. HON. JUSTIN TRUDEAU:** Sorry, the
17 engagement of the SITE Taskforce, or the Panel, or anyone
18 into that issue was not something that I was aware of at the
19 time. I was, of course, aware of the quite disgusting false
20 conspiracies or allegations being shared by both the Buffalo
21 Chronicle and a significant number of Conservative
22 politicians.

23 **MS. SHANTONA CHAUDHURY:** Okay. So you were
24 aware of the article, but not how, let's say, the apparatus
25 was dealing with it?

26 **RT. HON. JUSTIN TRUDEAU:** I may have been
27 aware of the article. I was certainly aware of the
28 allegations and the accusations that were heinous and untrue

1 in that.

2 **MS. SHANTONA CHAUDHURY:** Okay. I think
3 that's probably what we'll cover for 2019, although I do want
4 to pull up CAN015487, please.

5 **--- EXHIBIT No. CAN 15487:**

6 Safeguarding the 2019 General
7 Election

8 **MS. SHANTONA CHAUDHURY:** So, Prime Minister,
9 this is the memo from David Morrison. I misspoke earlier.
10 This is January 14th, 2020, I think when you received this.
11 And it's essentially a report on the 2019 Election. Not on
12 the outcome of the election, but on the operation of the SITE
13 Taskforce and the Panel.

14 Mr. Clerk, can you scroll down to the third
15 bullet, please?

16 **RT. HON. JUSTIN TRUDEAU:** Actually, could I
17 just quickly look at the box?

18 **MS. SHANTONA CHAUDHURY:** Sorry.

19 **RT. HON. JUSTIN TRUDEAU:** Yeah, sorry. The
20 third bullet, yes. That's fine.

21 **MS. SHANTONA CHAUDHURY:** Okay. So what they
22 say here is:

23 "Pre-election intelligence briefings
24 and monitoring provided a baseline
25 assessment [...] suggesting [that]
26 foreign interference would be
27 commensurate to overall interference
28 [campaigns]. While some instances

1 [...] were [noted], and some TRMs [TRM
2 is a threat reduction measure] were
3 [taken], [...] none of these activities
4 met the threshold..."

5 And then, Mr. Clerk, can you keep scrolling
6 down? Next page. Keep going. I'll tell you when to stop.
7 I think we may -- oh, no. There we go. Okay.

8 It says:

9 "As it pertains to [FI] and as
10 reference above, despite concerns
11 that Canada would be targeted..."

12 And then I'm going to go through this quite
13 quickly, but the assessment is:

14 "...there was no foreign cyber threat
15 activity targeting Elections Canada,
16 no [...] instances of foreign
17 interference in the HUMINT space, [...] no
18 significant indications of [FI] in
19 the digital information ecosystem..."

20 And then what Mr. Morrison says is:

21 "Arguably, this [...] places the level
22 of [FI] [...] in GE 2019 below the
23 anticipated baseline..."

24 Is that consistent with the information that
25 was being provided to you about what happened in GE 2019?

26 **RT. HON. JUSTIN TRUDEAU:** Yes. This was a
27 report in January of 2020. So three months after the
28 election. I would have already have been briefed multiple

1 times by the Clerk and by others that their conclusion was
2 that the elections in 2019 were indeed free and fair and the
3 outcome was not affected by foreign interference either
4 overall or in the specific riding contests.

5 **MS. SHANTONA CHAUDHURY:** Okay. So now let's
6 leave 2019 and move to the 2021 Election. I'm going to ask
7 you about a series of some incidents or events that -- about
8 which the Commission has received information. And I'll do
9 the first one with reference to one of the topical summaries
10 that's been produced to the Commission by the Government.

11 So, Mr. Clerk, that's CAN.SUM4.

12 The title of this one is a bit of a tongue
13 twister, but *Possible People's Republic of China Foreign*
14 *Interference-Related Mis or Disinformation*.

15 So what we have here, if you can scroll down
16 past the caveat page, Mr. Clerk, is a summary of essentially
17 allegations of misinformation about the Conservative Party,
18 its leader Erin O'Toole, and I think Kenny Chiu is in there
19 as well, that were circulating during the 2021 Election.

20 So my question to you, Prime Minister, is, is
21 this something that you were aware of as it was occurring in
22 2021?

23 **RT. HON. JUSTIN TRUDEAU:** During the 2021
24 Election, no. Shortly after the 2021 Election when the
25 Conservative Party went public with its concerns in sort of
26 the week that followed, I learned about it through media
27 reports.

28 **MS. SHANTONA CHAUDHURY:** Okay. And were you

1 aware that the Conservative Party had raised those concerns
2 with the Government as well?

3 **RT. HON. JUSTIN TRUDEAU:** Not at the time,
4 but later I would learn that through briefings.

5 **MS. SHANTONA CHAUDHURY:** Okay.

6 **RT. HON. JUSTIN TRUDEAU:** Months later.

7 **MS. SHANTONA CHAUDHURY:** The next one then is
8 CAN.SUM13, please, Mr. Clerk.

9 So this is actually a summary about both 2019
10 and 2021, a more germane one, maybe, 2021.

11 Can you scroll down to the information page?
12 Thank you, Mr. Clerk.

13 So what this summarizes, you'll see, is
14 expressions of partisan preferences by certain PRC officials
15 in Canada. And what it says about 2019 is that there was
16 reporting that some PRC officials expressed political
17 preferences which were party agnostic and opportunist at
18 riding levels.

19 So and scrolling down, please, again, Mr.
20 Clerk. In 2021, there was reporting that some individual PRC
21 officials in Canada made comments expressing a preference for
22 a Liberal Party minority government. The rationale was they
23 don't perceive any of the political parties as being
24 particularly pro-China, but perceived minority governments of
25 being more limited in terms of acting -- enacting anti-China
26 policies.

27 So this reporting of an expressed preference
28 by certain PRC officials for a Liberal minority, was that

1 something of which you were aware at the time?

2 **RT. HON. JUSTIN TRUDEAU:** As I said, both the
3 2019 and 2021 elections happen in the context of significant
4 tensions between our government and the government of the
5 People's Republic of China, particularly over the illegal and
6 arbitrary detention of two Canadian citizens, the two
7 Michaels. We were extremely active both in pushing back at
8 Chinese officials on this issue, but also, as I said, active
9 around the world in drumming up support for people for the
10 two -- for different countries, for the two Michaels, but
11 also support for an initiative we were taking around
12 arbitrary detention and how it shouldn't be used as a tool of
13 political pressure or achieving political goals. So, yeah, I
14 can certainly say that while individual officials may well
15 have expressed a preference or another, the impression we got
16 and consistently would get is that the actual People's
17 Republic of China would have no -- it just would seem very
18 improbable that the Chinese government itself would have a
19 preference in the election.

20 **MS. SHANTONA CHAUDHURY:** So I take it from
21 this that whatever intelligence reporting there was on that,
22 it did not reach your ears?

23 **RT. HON. JUSTIN TRUDEAU:** No.

24 **MS. SHANTONA CHAUDHURY:** Okay. Thanks. You
25 can take that down now, Mr. Clerk.

26 **RT. HON. JUSTIN TRUDEAU:** And there's also
27 the issue of the difference between foreign interference and
28 attempts by different countries to influence behaviour.

1 Diplomats around the world are in their roles to try and
2 influence favourable behaviours by the countries in which
3 they're serving towards the country they represent. That is
4 a big part of the role of a diplomat, of a foreign official,
5 of all types. Canadians certainly take an active role in
6 furthering our interests, including, from time to time,
7 having certain preferences around what might happen or what
8 might be an outcome of an election or a particular domestic
9 debate in a foreign country.

10 However, foreign interference happens when
11 there is -- and there's a full proper definition of it
12 somewhere, but my understanding is where it's covert, where
13 it's coercive, where it is using pressure, or a particularly
14 untoward means other than having a diplomat express, "I
15 really hope you should sign this trade deal, it'd be good for
16 both our countries," as opposed to trying to strongarm people
17 behind the scenes to get them to sign said trade deal, or
18 whatever one might examine.

19 So for a diplomat to express a preference,
20 whether it would be personal, or tactical, or what have you,
21 is not in itself foreign interference. It may be attempts at
22 influence. It may not be anything other than the regular
23 conduct of diplomacy.

24 **MS. SHANTONA CHAUDHURY:** So it would be the
25 actions they take to further their preference that would
26 constitute potentially foreign interference?

27 **RT. HON. JUSTIN TRUDEAU:** And certainly, in
28 the case of China, we have seen regularly that many examples

1 to this Commission that there are clear actions that would
2 amount to or indicate a willingness to engage in foreign
3 interference.

4 **MS. SHANTONA CHAUDHURY:** The next incident I
5 want to bring you to is CAN 001082, Mr. Clerk. This is
6 another briefing, Prime Minister, that was given to the
7 cleared representative of the Liberal Party at the time.
8 It's the 2021 election this time. You probably, judging from
9 that document, can't say very much about this, but what I'm
10 interested in knowing here is the timing of how this one
11 played out, again, from your perspective. So we know that
12 the briefing it was actually on the 12th of September, I
13 believe, not the 11th as this document indicates, but it was
14 given, again, to the Liberal Party representative and then to
15 Mr. Broadhurst. And we've heard Mr. Broadhurst's evidence on
16 it, so now we'd like yours.

17 **RT. HON. JUSTIN TRUDEAU:** My understanding is
18 -- which I learned after the election was over, was that Mr.
19 Broadhurst made the determination that it wasn't something
20 that he needed to bring to my attention as leader of the
21 Liberal Party, and he did not.

22 **MS. SHANTONA CHAUDHURY:** He did not bring it
23 to your attention?

24 **RT. HON. JUSTIN TRUDEAU:** He did not bring it
25 to my attention.

26 **MS. SHANTONA CHAUDHURY:** During the election?

27 **RT. HON. JUSTIN TRUDEAU:** During the
28 election, yes.

1 **MS. SHANTONA CHAUDHURY:** After the election?

2 **RT. HON. JUSTIN TRUDEAU:** He did not -- or he
3 probably did, but I actually got more official briefings on
4 this matter after the election.

5 **MS. SHANTONA CHAUDHURY:** Okay. I understand.
6 Okay.

7 **RT. HON. JUSTIN TRUDEAU:** He was the vehicle
8 for briefing me theoretically during the election, not
9 officials, because that's the way it would flow through as
10 party leader -- in my party leader role. But afterwards,
11 once I was once again fully Prime Minister, it was officials
12 who would be able to brief me on this.

13 **MS. SHANTONA CHAUDHURY:** Okay. Speaking of
14 briefings, we're going to turn to that topic now. So I'm
15 going to go through a few briefings that we know you -- or we
16 think you received. We do know you received in many
17 instances on foreign interference over the relevant time
18 period. I'll start with February 9th, 2021. This one I
19 don't really have a document to point you to, so I'm just
20 going to ask you for your recollection of it. So this would
21 be, again, February 20 -- February 9th, I'm sorry, 2021. Do
22 you recall receiving a briefing on that date?

23 **RT. HON. JUSTIN TRUDEAU:** Yes. That was a
24 briefing that I got on the phone. I was not in person for
25 that briefing. I was there via teleconference on a secure
26 phone, and, yes, I got a briefing.

27 **MS. SHANTONA CHAUDHURY:** Okay. Do you recall
28 the content of that briefing at all?

1 **RT. HON. JUSTIN TRUDEAU:** It was a, as I
2 recall, a general briefing on a number of issues, including
3 foreign interference.

4 **MS. SHANTONA CHAUDHURY:** Okay. The next one
5 then in time skips to the fall of 2022. Mr. Clerk, can you
6 pull up CAN 015842, please? Okay. This document which has
7 been talked about quite a bit in these proceedings is
8 "Briefing Notes to the Director of CSIS." And, Mr. Clerk,
9 again, can you scroll down just so the Prime Minister can see
10 a bit of the document and its content?

11 So, Prime Minister, my first question is you
12 -- do you remember getting this briefing in the fall of 2022,
13 October 27th?

14 **RT. HON. JUSTIN TRUDEAU:** Yes, my memory's
15 always better when I'm -- when I was physically in the place
16 where I got the briefing, so I remember very clearly this
17 briefing. This briefing was actually an overview of a number
18 of different cases and situations, none of which had to do
19 with federal elections.

20 **MS. SHANTONA CHAUDHURY:** Okay. So would you
21 say that the content of this particular -- these notes, these
22 briefing notes accurately conveys what you were told during
23 that briefing?

24 **RT. HON. JUSTIN TRUDEAU:** Not particularly.
25 Obviously, there are elements in this that are consistent
26 with the briefing that was on different elements of foreign
27 interference, but when it comes to briefings, and others can
28 speak to this and how they make decisions about what to read

1 from their prepared notes during an actual briefing with
2 Ministers or Prime Minister, but it is much more of a
3 conversation than someone reading a prepared text to the
4 Minister that they're briefing.

5 Yeah, there are elements in here that say,
6 for example, having read the briefing notes in preparation
7 for this Inquiry, that talk about how serious foreign
8 interference is and how we need to do more.

9 That wouldn't have been something that the
10 CSIS Director or the National Security Advisors or whoever
11 would have had to spend much time on because they would have
12 known that we did understand how serious foreign interference
13 is and how much we take it seriously and, actually, that was
14 why we would spend more time on specific cases or concerns
15 that were really the meat of the briefing.

16 So while notes are prepared for the briefers,
17 what actually becomes the most important thing that I
18 certainly recall about those briefings was the various and
19 specific cases we went through and how they are examples of
20 concern or not concern that we then have to behave in certain
21 ways or have follow-ups on this or that.

22 I mean, it is much less a large theoretical
23 briefing and much more concrete, this is the situation. And
24 then the discussion about how we deal with this particular
25 situation or example or another would be where the larger
26 theoretical discussion and implications would come in, but
27 they would be concentrated around specific individuals or
28 cases.

1 **MS. SHANTONA CHAUDHURY:** Okay. So maybe
2 we'll pull up now Ms. Telford's notes from that meeting, so
3 that's CAN 009803.

4 They're a little more sparse than Brian
5 Clow's would be, but at least we have a few points here.

6 Do these notes help shed any light on what
7 was dealt with in that briefing for you, Prime Minister? Do
8 they seem familiar?

9 **RT. HON. JUSTIN TRUDEAU:** Yes, I think the 1,
10 2, 3 indicates the different examples that we were -- or
11 situations -- actually, they're cases that we were talking
12 about or individuals we were talking about.

13 And the bragging is not doing, definitely,
14 definitely helps me recall a part of the conversation where
15 there was -- and let me be careful how I say this so it's not
16 identifiable.

17 There was a foreign government official based
18 in Canada who was taking credit for a certain thing having
19 happened in Canada in their reporting to a superior or to
20 their home country and just the fact that a foreign official
21 was taking credit for having delivered a particular outcome
22 in no way meant that anything that particular official did
23 actually created the outcome.

24 Bragging is not doing. So you know, one can
25 imagine a diplomat in a far-off land wanting to write back
26 home to say, "See, look, look what I did. Aren't I good? We
27 got the outcome we wanted", perhaps, when that individual may
28 not have had any actually bearing on the outcome of the

1 particular event.

2 **MS. SHANTONA CHAUDHURY:** Okay.

3 **RT. HON. JUSTIN TRUDEAU:** I don't know if
4 that's sufficiently clear for what it was.

5 **MS. SHANTONA CHAUDHURY:** It is, and thank
6 you.

7 The last document, maybe, on this point,
8 4097.

9 794079, sorry. So 4079. My bad.

10 There we go. Okay.

11 So again, these are notes from that day, so
12 if you can have a quick look at these, Prime Minister, the
13 non-redacted parts of these.

14 And what you'll see there is a text box over
15 information that's been redacted but summarized by the
16 Commission.

17 Does this seem familiar as information that
18 was discussed at that meeting?

19 **RT. HON. JUSTIN TRUDEAU:** During that same
20 October meeting?

21 Sorry. Was that the ---

22 **MS. SHANTONA CHAUDHURY:** Yes, yes.

23 **RT. HON. JUSTIN TRUDEAU:** --- October ---

24 **MS. SHANTONA CHAUDHURY:** That's the October
25 meeting.

26 **RT. HON. JUSTIN TRUDEAU:** I couldn't really
27 speak to it. There's too many redactions on a document that
28 I would never have seen.

1 partners to identify instances when
2 briefings on suspected interference
3 in the 2019 General Election were
4 provided..."

5 That identified a single PCO information note
6 dated January 14th, 2020, which is the one that we've seen
7 earlier, and then it references the February 9th, 2021
8 briefing.

9 Is that consistent with your recollection of
10 when you were briefed on these issues?

11 **RT. HON. JUSTIN TRUDEAU:** Sorry. This note
12 of November 30th, 2022 was when we were asking, okay, there
13 have been all these leaks on what may have happened during
14 the 2011 -- 2019 election and we were asking, you know, were
15 these things we got briefed on, were these things that we
16 were flagged at that time.

17 And yes, that's the single POC information
18 note dated January 24th, 2020 ---

19 **MS. SHANTONA CHAUDHURY:** And then the
20 February 9th, 2021 briefing.

21 So all I'm asking is whether that's
22 consistent with your recollection of when you were briefed on
23 these issues.

24 **RT. HON. JUSTIN TRUDEAU:** But I wasn't --
25 these were requests I was made -- I made a request to our
26 National Security Intelligence Advisor because there were
27 things being alleged in the leaks that we had not been
28 briefed on, so I'm not entirely certain about the briefing

1 dates there given because there were things, including those
2 11 candidates as a quote, that we had never been briefed on
3 until we saw them in the papers because -- following the
4 leaks.

5 **MS. SHANTONA CHAUDHURY:** Right. So I guess
6 maybe my question wasn't clear.

7 The content of this particular document I'm
8 not asking you about except just to confirm that this is
9 consistent with your recollection of when you were briefed,
10 the January 2020 and the February 2021.

11 **RT. HON. JUSTIN TRUDEAU:** January 2020 ---

12 **MS. SHANTONA CHAUDHURY:** Was the memo that we
13 looked at earlier.

14 **RT. HON. JUSTIN TRUDEAU:** Sorry. That was
15 the David Morrison memo?

16 **MS. SHANTONA CHAUDHURY:** Right.

17 **RT. HON. JUSTIN TRUDEAU:** I never read the
18 David Morrison memo, to my recollection. I got briefed on
19 the contents, which was basically that foreign interference
20 was lower than expected and the elections were free and fair
21 in 2019. Those were the top level conclusions that I was
22 briefed on within days or weeks of the end of the 2019
23 election.

24 By the time we got around to January, it was
25 good to have that report. I ended up reading the -- the Judd
26 Report, I believe, was the full assessment of the work that
27 SITE and the Panel did during the 2019 election, but I did
28 not read that -- I did not receive that January 24th note

1 because I had already been briefed on its entire contents.

2 **MS. SHANTONA CHAUDHURY:** Okay.

3 **RT. HON. JUSTIN TRUDEAU:** And then the
4 February 9th, 2021 footnote was that was, that was the phone
5 brief that we spoke about earlier, yes.

6 **MS. SHANTONA CHAUDHURY:** Right. I guess that
7 goes back to your point about oral briefings or what really
8 get to you, not necessarily the written ones.

9 Okay. Can we then pull up, Mr. Clerk,
10 CAN 017673.

11 **--- EXHIBIT No. CAN 17673:**

12 CAN 017673 - [Handwritten Notes of B.
13 Clow]

14 **RT. HON. JUSTIN TRUDEAU:** And let me just --
15 I mean, wouldn't want to give people the impression that
16 briefings weren't something particularly -- intelligence
17 briefings we took very, very seriously. But in most of these
18 secure briefings, which we'd go into a skiff, a secure
19 compartmentalised room, where we would be told -- we're told
20 to leave our phones outside, take off our watches and our
21 Fitbits, and make sure were totally secure within a Faraday
22 cage, and then we received the briefings, often being told
23 no, we can't keep any of the documents that are given. We
24 can read the documents that are given, but we then need to
25 return them to the officials.

26 Certainly in the beginning, we were never
27 clear on whether we could take notes on this either because
28 security was important. Fortunately, as we've all seen

1 through various inquiries, it's a good thing Brian Clow does
2 take notes. But you know, there was always a sense that
3 there was lots of written material and lots of tracking of
4 that information, as the government must, and taking very
5 seriously all of these things and very careful controls.

6 But when it came to briefing and taking
7 actions and understanding the context, it happened through
8 secure briefings and conversations that were primarily us
9 receiving information, us asking questions, us directing
10 further actions or research in this area or that area that
11 they would then take away and do.

12 I wouldn't want anyone to think that oh,
13 because the briefings were primarily oral, or for example,
14 that that David Morrison memo I didn't read because it wasn't
15 delivered to me, because I got the content in other
16 conversations with my NSIA, with my Clerk about the fact that
17 the election was -- integrity was upheld.

18 **MS. SHANTONA CHAUDHURY:** Okay. We'll just go
19 to some other notes, then. I think -- I believe these are
20 Brian Clow's notes from November 30th, 2022.

21 Do you recall this briefing or this meeting,
22 Prime Minister?

23 **RT. HON. JUSTIN TRUDEAU:** My notes indicate
24 that this was immediately before Question Period, a briefing
25 that happened over lunch hour as I was preparing to go into
26 deal with some fairly intense questioning on the issue of
27 foreign interference, given the explosive nature of the media
28 stories stemming from unsubstantiated and uncorroborated

1 intelligence shared by a leaker. So these were -- you know,
2 these were conversations around what I could say and what we
3 could and couldn't say around some of these allegations that
4 were in the paper, but would leave us limited on what we
5 could actually rebut, regardless of the fact that there was -
6 - there were inconsistencies, there were uncorroborated
7 information in the leaks. There were also things that were
8 flat out wrong.

9 But I was reminded of the old story of a FBI
10 agent questioning a witness in a organised crime situation
11 and saying, "Well, did you meet with that mobster in LA?"
12 Guy says, "I can't comment." "Did you meet with that mobster
13 in Detroit?" "I can't comment." "Did you meet with that
14 mobster in Miami?" "No, I definitely did not." You know,
15 sometimes in denying something you're giving information you
16 couldn't.

17 And throughout my preoccupation on why these
18 leaks were of such deep concern was that we couldn't actually
19 correct the record without in some cases confirming the
20 tradecraft and the work that women and men in our security
21 agencies, and sources relied upon by our security agencies to
22 keep Canadians, our institutions safe, without putting them
23 at risk, without sharing with adversaries some of the
24 information or the methods that we use to keep Canadians
25 safe.

26 And that's part of the reason for the complex
27 nature of a public inquiry into issues of foreign
28 interference, that if we say certain things or if we

1 contradict or deny other things we could be giving our
2 adversaries tools to actually understand how we go about
3 detecting their interference or illicit ways of engaging to
4 harm Canadians.

5 **MS. SHANTONA CHAUDHURY:** It's a complex
6 problem.

7 So the next -- I'm going to keep going with
8 the briefings, and the post leak world briefings
9 specifically, Prime Minister.

10 Not long left, but CAN 018009, please.

11 So these are notes from -- the date on the
12 notes is March 19th, but we know it was actually March 20th.
13 So this is March 20th, 2023, a meeting at which you were
14 present and I believe your staff was present and a number of
15 senior national security officials.

16 So if we scroll down so again, Mr. Prime
17 Minister, you can see the content of this document or the
18 unredacted content. Are you able to tell us your
19 recollection of what was happening at this meeting based on
20 these notes?

21 **RT. HON. JUSTIN TRUDEAU:** Yes. I remember
22 this meeting well.

23 If you actually scroll back up, please,
24 Mr. Clerk, to -- yeah, a little higher so we get both --
25 there. Right there is fine.

26 PM, that's me, speaking of nominations. We
27 were talking about -- thank you.

28 **(LAUGHTER)**

1 **RT. HON. JUSTIN TRUDEAU:** We were talking
2 about nominations in there, and I don't remember what they --
3 what the next -- who the next speaker was, that's redacted,
4 but the emphasis on *Charter* rights or the bringing up of
5 *Charter* rights, and further down, "PM - no June 2019
6 meeting".

7 Those are two examples of us working
8 constructively with CSIS and the intelligence agencies to
9 better understand and validate certain pieces of information.
10 For example, in the information we were seeing, we've seen
11 that CSIS had a source that said that there was a June 2019
12 meeting that I was at that I can clearly and unequivocally at
13 the time and since then confirm never happened. I did not
14 have the meeting that the source had said.

15 Now, this doesn't mean that CSIS got it
16 wrong, it meant that CSIS was now able to validate that what
17 their source had said in this situation was wrong, and
18 therefore, that puts a particular understanding or colour on
19 their ability to interpret other statements of fact, supposed
20 fact that that source made.

21 And that's part of how intelligence work
22 happens. When you know for sure -- when a source says
23 something that you can verify is true, that's make them more
24 reliable. A source says something that you can then verify
25 was wrong, that also gives you more information about that
26 source. So it was important for us to highlight for example
27 in that meeting that there was no meeting, as was described
28 by that source.

1 Similarly, on the question of *Charter* rights,
2 that was a slightly different tweak where in the CSIS
3 analysis, the analyst had highlighted that there was possible
4 violations of people's Charter Rights in a particular
5 situation. And we had asked and pressed for more sort of
6 legal or judicial analysis of that assertion within, because
7 it didn't quite ring true to our instincts as political
8 actors in terms of the analysis that CSIS was making.

9 Again, it's part of the process that one goes
10 through as you engage with the experts in foreign
11 intelligence and security in an active way to try and make
12 sure we're understanding, getting the accurate picture, and
13 able to then continue to keep both Canadians and our
14 institutions safe through the various jobs we do.

15 **MS. SHANTONA CHAUDHURY:** Madame la
16 Commissaire, I think I'm out of time. [No interpretation]

17 **COMMISSIONER HOGUE:** [No interpretation]

18 **MS. SHANTONA CHAUDHURY:** Mr. Prime Minister,
19 I'm going to sort of ask you to conclude this by addressing
20 the following question.

21 So we've heard about the existence of foreign
22 interference, the pervasiveness of the threat, and various
23 measures that, as you've said, have been put in place to
24 combat this.

25 You may know that earlier in these
26 proceedings we heard from a number of individuals who found
27 themselves sort of in the receiving end, being targeted by
28 potential foreign interference in some ways. And there have

1 been calls for the Government to do more than it's done
2 already to address this and to protect Canadians.

3 And in particular, I'm going to take you --
4 I'll just read you a small excerpt of former MP Kenny Chiu
5 when he was testifying here. He said that experiencing what
6 he had gone through in terms of the potential PRC, well, we
7 don't know PRC, but potentially PRC related misinformation,
8 disinformation, potential foreign interference, he said:

9 "...it's almost like I was drowning,
10 and they are watching, and the best
11 they could do, by the way, is to let
12 know that I'm drowning. I don't need
13 their notification. I need their
14 help."

15 **RT. HON. JUSTIN TRUDEAU:** H'm.

16 **MS. SHANTONA CHAUDHURY:** So, Prime Minister,
17 I'd like to hear your response to that, and essentially maybe
18 in providing this response, help set the stage for the second
19 phase of the Commission's work?

20 **RT. HON. JUSTIN TRUDEAU:** Starting by perhaps
21 taking a bit of a step back, and the idea that, you know, we
22 need to do more. I agree.

23 When we took office in 2015, there was very
24 little, if any, mechanisms to counter foreign interference.
25 Yes, our intelligence agencies did good work, but the idea or
26 the priority of protecting our democracy, particularly when
27 it comes to misinformation, disinformation, active engagement
28 in various diaspora communities, or electoral events, was not

1 on the radar at all when we took office. It hadn't been
2 something that the previous government or any previous
3 government had done much on at all.

4 So we started from a standing start. We
5 created the National Security Intelligence Committee of
6 Parliamentarians. We created NSIRA, we moved forward with
7 the Rapid Response Mechanism, and we've continued to do more.
8 Yes, the Panel for the 2019 to 2021 Elections, SITE. But
9 we've continued to continue to do more. The -- we recently
10 brought in a National Security Committee, National Security
11 Council of Cabinet to address sort of strategic threats on a
12 larger level. We're continuing to give more tools and powers
13 and learning from what the P5 was able to do in 2019 and
14 2021, that they'll be able to apply in the 2025 Election when
15 it's likely to come.

16 There is always more to do, and one of the
17 things I'm very much looking forward to, coming from the work
18 this Commission is doing, is to make recommendations on how
19 we can strengthen even further the protection of institutions
20 and of our democracy.

21 But that's only half of it. The other half
22 is giving Canadians confidence in their institutions and
23 their democracy. And whether it's a diaspora member worried
24 about stepping up to running for elected office in this
25 country because they're worried about the impact that might
26 be real or perceived from a country they chose to leave many
27 years ago for whatever reasons. There are real concerns and
28 feelings involved.

1 And ultimately, democracy only works when
2 people are confident in its ability to keep them safe, but
3 also be the articulation of what they want for their
4 community and their country. That's where confidence in the
5 integrity of the elections in 2019 and 2021 is so important
6 and something that we have emphasized throughout this
7 process, that the -- every briefing I've ever got from all my
8 intelligence and security experts is that those elections
9 were indeed free and fair and nothing we have seen and heard,
10 despite, yes, attempts by foreign states to interfere, those
11 elections held in their integrity, were decided by Canadians.

12 But the feeling that individuals can have
13 that maybe our institutions aren't so strong, maybe they are
14 impacted by foreign actors who wish to do ill to Canada and
15 to Canadians, is something that we need to be very, very
16 thoughtful about.

17 And one of the ways, ultimately, to keep
18 ensuring that our democracy is safe is to make sure that
19 citizens themselves are engaged, active, critical thinkers
20 who are empowered to see what is information, what is
21 misinformation or disinformation, and be robust in their
22 right to choose whatever direction they want for the country.

23 And we've seen with the intensity of
24 misinformation and disinformation, not just from foreign
25 actors, but just on social media generally in many topics,
26 that it's not automatic. Democracy requires constant
27 vigilance and constant hard work. It didn't happen by
28 accident. It doesn't continue without effort. It's not just

1 effort of Commissioners, and politicians, and spooks, it's
2 efforts of every single individual to feel like they have the
3 full ability to engage in our democratic processes and to
4 feel that they are safe and protected as they engage, whether
5 it's as a voter, or a candidate, or an elected Member of
6 Parliament, of Provincial Parliament or wherever.

7 These are things that we all need to continue
8 to work together on.

9 And I am in constant awe of everyone across
10 this country who continues to put up their hand and step
11 forward in a time where it's getting more and more difficult
12 and more and more challenging to be part of public and
13 political discourse, to say, "No, I want to build my country
14 for the better. I want to contribute to my community and I'm
15 going to step forward into a place where I'm going to take
16 slings and arrows," particularly members of diaspora
17 communities.

18 But bringing in that diversity of Canadian
19 experiences is the only way to make sure that we're actually
20 building the kind of country we need to be for the future.
21 So I salute everyone who steps up and will continue to commit
22 myself to making sure that those feelings of confidence and
23 of safety as we involve -- engage as citizens or more, as our
24 democracy, are protected.

25 **MS. SHANTONA CHAUDHURY:** No more questions.

26 **COMMISSIONER HOGUE:** As far as you know, do
27 you have a mechanism or a procedure in place that will ensure
28 that the NSIA would constantly have access and receive

1 information relating to foreign interference?

2 **RT. HON. JUSTIN TRUDEAU:** The NSIA has a role
3 of collecting and looking for all the information available
4 in all of our security agencies, whether it's at the defence
5 level or whether it's at Foreign Affairs or the -- or any
6 other security agency. That is the person who is beside me
7 to coordinate that universe, so she has the capacity and the
8 ability to look for those answers.

9 For example, when I woke up this morning, I
10 saw some reports in the media raising some concerns. I
11 immediately consulted my NSIA to ask her, "Can you do a
12 follow-up on what I'm reading this morning and come back to
13 me with information?".

14 And I have confidence that no matter the
15 universe or the place in the security and intelligence
16 universe where information is available, she has access to
17 that universe. She is the person towards which everything
18 gathers towards.

19 **COMMISSIONER HOGUE:** So I understand that she
20 has access to everything, but whether it's the agencies or
21 the departments involved, do those agencies and departments
22 transmit information regarding foreign interference to the
23 NSIA?

24 **RT. HON. JUSTIN TRUDEAU:** I am confident that
25 she receives the information that the agencies find relevant,
26 but as we can see and we have seen, things can always be
27 improved with respect to how the different departments and
28 the different levels of government work together. And the

1 very existence of the NSIA ensures that we have a point of --
2 a connection between authority and gives her the capacity to
3 collect information from everywhere.

4 **COMMISSIONER HOGUE:** When you receive
5 information, intelligence, that is, that may not have been
6 corroborated as of yet but that are likely to be very
7 important, that could have a significant impact, could you
8 ask the agencies by setting up a priority list to complete or
9 to follow through with those investigations?

10 **RT. HON. JUSTIN TRUDEAU:** Absolutely. And
11 often and in almost every situation, when I say there's a
12 follow-up on -- "You should follow up on this", the answer I
13 receive is, "We are doing that, and this is what we're
14 doing".

15 Of course, the work that the agencies do does
16 not need for a Minister to ask for a follow-up. They will
17 follow up on preoccupying situations. Yes, a government or a
18 Prime Minister can highlight something, can put pressure to
19 accelerate things or send more resources, but our systems and
20 our agencies in the area of security have the mandates and
21 the responsibilities to follow up on preoccupying situations.

22 **COMMISSIONER HOGUE:** So we could -- you could
23 amend things.

24 **RT. HON. JUSTIN TRUDEAU:** Yes. So we would
25 have a regular reflection on our priorities with respect to
26 security for our country. We could lay more emphasis on
27 cyber security, for example. When we see what the emphasis
28 was 10 years ago, it's very different. The world is

1 changing.

2 The reality of our world is that the balance
3 of powers are changing. Russia has become extremely
4 problematic, not just mildly problematic as was the case 10
5 years ago, so we adjust regularly and elected officials have
6 an important role to play, indeed, but the work that our
7 intelligence and security agencies play is that they work in
8 a robust fashion in general.

9 **COMMISSIONER HOGUE:** When your campaign
10 manager, Mr. Broadhurst, informed you that there were
11 allegations that some people were bused to go and vote for a
12 contest -- a nomination contest, did you ask for further
13 investigation?

14 **RT. HON. JUSTIN TRUDEAU:** With respect to the
15 Party, yes, I first asked what information do we have in this
16 regard and I also asked if we could follow up, or at least
17 the Party should follow up with Elections Canada and identify
18 the reports that were -- see the reports that were written
19 out, what were the conclusions, do we have additional
20 information.

21 Well, the reality is that in highly contested
22 nomination situations, there are usually bused voters.
23 Sometimes that will be covered by the spending of the
24 candidate and in other situations, you will see buses that
25 belong to an elder persons' centre, and that would be used by
26 one group or another. And in that case, you might not see
27 receipts being submitted.

28 In my own nomination contest that was in

1 March or April 2007, there were many buses of Italians and
2 Greeks because that was my reality in Papineau, my riding of
3 Papineau. So that's a common occurrence, and that would not
4 be enough to flag any situation where anybody looking at the
5 nomination contest would say that, "No, we have to follow up
6 on that".

7 We're not a forensic organisation. [No
8 interpretation]

9 **COMMISSIONER HOGUE:** [No interpretation]
10 be revisited after the elections.

11 [No interpretation] revisited after the
12 elections"?

13 **RT. HON. JUSTIN TRUDEAU:** [No interpretation]

14 **COMMISSIONER HOGUE:** [No interpretation]

15 **RT. HON. JUSTIN TRUDEAU:** [No interpretation]

16 **COMMISSIONER HOGUE:** [No interpretation]

17 **RT. HON. JUSTIN TRUDEAU:** [No interpretation]

18 **COMMISSIONER HOGUE:** Before the cross-
19 examination, we are supposed to take a break, and I think we
20 will take a break.

21 So -- but we are running a late a little bit,
22 so I suggest a 10-minutes break. So we'll come back at 5:15.

23 **THE REGISTRAR:** Order, please.

24 This sitting of the Foreign Interference
25 Commission is in recess until 5:15.

26 --- Upon recessing at 5:07 p.m.

27 --- Upon resuming at 5:30 p.m.

28 **THE REGISTRAR:** Order please.

1 nomination process in support of Han
2 Dong at the direction of PRC
3 officials in Canada."

4 And so it's that second paragraph that I want
5 to focus on to begin with.

6 And I just want to begin by noting that
7 there's nothing in this summary that indicates what language
8 the students were speaking. They're described as
9 international students.

10 And the reason why I'm noting that is that in
11 your evidence earlier and also in the witness statements that
12 you adopted at the beginning, you referred to people on the
13 bus, the students, at points as being "Chinese speaking
14 peoples" or "Chinese speakers". Do you recall that?

15 I can take you to the passages, if you like.

16 **RT. HON. JUSTIN TRUDEAU:** No, no. No, I
17 appreciate that.

18 One of the challenges that I have is
19 remembering what I knew at a particular moment when months
20 later or even years later I would find out more information
21 about this means that I'm never 1000 percent precise on what
22 it is that I knew at a particular moment.

23 **MR. GIB van ERT:** Yes, I do appreciate that.

24 **RT. HON. JUSTIN TRUDEAU:** I do remember at
25 one point when we were talking about whether or not CSIS
26 understood how nomination races worked and how community
27 organizations would regularly bring buses, there was a quote
28 -- or there was -- someone relayed to me that one of CSIS's

1 concerns was they were bus filled with Chinese speakers
2 showing up at the nomination. And my response, as I sort of
3 alluded to in my previous testimony, was, "Well, I had buses
4 filled with Greek speakers and Italian speakers because in my
5 nomination in Papineau those were the communities that were
6 mobilized".

7 That phrase stuck in my head, but I will
8 admit that I do not specifically remember whether or not the
9 Chinese speakers or Mandarin speakers element was part of
10 that what I call the airport briefing, that briefing on this
11 particular Sunday during the campaign, or not.

12 **MR. GIB van ERT:** Yes.

13 **RT. HON. JUSTIN TRUDEAU:** But it certainly is
14 consistent with this.

15 **MR. GIB van ERT:** All right. No, that's very
16 helpful.

17 And I will ask the court reporter to turn up
18 WIT 067 on this. And if you'll go, Mr. Clerk, to paragraph
19 30, which is -- sorry, starting at paragraph 29, please.

20 Paragraph 29. There we are.

21 Right. Thank you.

22 And so the last sentence is the concern was
23 that buses of Chinese speakers had arrived at the nomination
24 or possibly been brought into the nomination.

25 And if we go to paragraph 30 and just over
26 the page, the top of the next page. A little further. There
27 we are.

28 Prime Minister, you see the last sentence:

1 "The central issue of concern was
2 that buses filled with Chinese
3 speakers could have been
4 international students directed by
5 the PRC."

6 So the point that I want to make with you,
7 Prime Minister, and it sounds to me like perhaps you've
8 already got it, is that the central concern of the service
9 here, as I understand it, is not that they were Chinese
10 speakers.

11 **RT. HON. JUSTIN TRUDEAU:** No.

12 **MR. GIB van ERT:** It's that they were
13 directed by the PRC.

14 Had these people been students from
15 Switzerland rather than China but were brought at the behest
16 of China and to do China's bidding, I say the service's
17 concerns would have been absolutely the same, which is ---

18 **RT. HON. JUSTIN TRUDEAU:** Yes.

19 **MR. GIB van ERT:** --- that this would be
20 foreign interference.

21 **RT. HON. JUSTIN TRUDEAU:** Yes. Entirely.

22 It is not the nature of that -- that is part
23 of what I remember as context around the Service's concerns
24 that China might have mobilized individuals, yes.

25 **MR. GIB van ERT:** Thank you. And I
26 appreciate you acknowledging that. And I'll tell you why.
27 And it's because, as you'll recall, there have been times
28 where you have, let us say, cautioned us all as the news

1 about the allegations in Don Valley North came out and as
2 other allegations concerning Han Dong came out. You have, as
3 I say, let us say, cautioned Canadians not to fall into anti-
4 Chinese or anti-Asian stereotypes around this.

5 And what I want to press on you here is that
6 the ethnicity or the language of these students has never
7 been the issue, either for the Service or for any right-
8 thinking Canadian. The concern instead is that PRC was
9 directing people, whoever they were, to go do their bidding
10 and to help Han Dong into his seat in Parliament.

11 And you can have that concern, and worry
12 about that, and worry about the consequences for our
13 democracy, without having an ounce of racial prejudice
14 running through your veins. Do you agree with me on that?

15 **RT. HON. JUSTIN TRUDEAU:** Entirely. And that
16 was actually the point that I made to the Service, that I
17 made in response to them saying -- or the suggestion that,
18 oh, the concern was the bus filled with Chinese speakers. I
19 said, "That has nothing absolutely no bearing on anything."

20 **MR. GIB van ERT:** And I want to be clear
21 though, I hope it is your evidence that you did not feel that
22 the Service itself was acting in some racially prejudiced
23 way?

24 **RT. HON. JUSTIN TRUDEAU:** No. My concern was
25 more that perhaps the Service didn't understand, as deeply as
26 political actors do, the prevalence of bussing of different
27 community groups in nomination campaigns.

28 **MR. GIB van ERT:** Right. And let's come to

1 that point as well.

2 If we could go to WIT 66, please?

3 That's your other statement.

4 Paragraph 24, please. Thank you. And
5 actually, it's at the top of page 7, so keep scrolling a
6 little. Yes. Stop there.

7 In the middle of the page, Prime Minister:

8 "The fact that there were buses of
9 Chinese-speaking people at the
10 nomination meeting did not
11 necessarily corroborate the
12 allegation that the PRC was
13 responsible."

14 And in fact, I should have read the sentence
15 before as well. He, meaning you, Prime Minister:

16 "...also remembered that the
17 intelligence was only an allegation,
18 [...] included no evidence that the
19 people being bussed to the polls were
20 supported by PRC officials."

21 Right. And you go on to say, Prime Minister,
22 that you remembered asking whether the Service understood
23 that busing is part of the nomination process. Is that
24 right?

25 **RT. HON. JUSTIN TRUDEAU:** Yes.

26 **MR. GIB van ERT:** Okay. Thank you. And
27 again, going back to the reporting I just showed you, there's
28 obviously a reference to bussing there. But what I want to

1 suggest to you is that the emphasis again wasn't on the mode
2 of travel for these people. They took busses this time. All
3 right. They could have come some other way and it wouldn't
4 terribly matter for the Service's perspective because their
5 concern was that they were directed by PRC and assisted in
6 getting to the nomination place in order to, allegedly, help
7 one candidate over the other. So the way they got there
8 doesn't matter one way or another. I understand your point
9 that you wanted to make sure CSIS understood that busses per
10 say are not a problem, but my proposition to you, sir, is
11 that when you read that statement, that the emphasis is on
12 "direction by China". Yes, they got there by busses. That's
13 the allegation. They could have got there by tricycles. It
14 doesn't terribly matter. The point is, they were directed by
15 China.

16 **RT. HON. JUSTIN TRUDEAU:** I would suggest
17 that it might be more difficult for a foreign actor to
18 organize fleets of individuals showing up on tricycles,
19 rather than filling them into a bus.

20 **MR. GIB van ERT:** I expect that's right. But
21 one way or another, let's say they managed that miracle, CSIS
22 would still be concerned, and rightly so?

23 **RT. HON. JUSTIN TRUDEAU:** Absolutely.

24 **MR. GIB van ERT:** Yes. All right. I would
25 like to take you to the David Johnston report for a moment
26 now.

27 That's at COM 104. And if you'll go to page
28 23, please? Now, I forgot that this is in two columns, so

1 I'm not sure where I'm going to find my quote.

2 Let me read it to you. I don't think it's
3 controversial. You may recall that Mr. Johnston, I hope we
4 can find it in here somewhere, but Mr. Johnston concluded in
5 respect of the Don Valley North allegations, he said:

6 "...there is a well-grounded suspicion
7 that the irregularities were tied to
8 the PRC Consulate in Toronto..."

9 Do you recall that, sir? I can try to find
10 it for you, if you don't. One moment.

11 **RT. HON. JUSTIN TRUDEAU:** Yes, there it is.
12 "Irregularities were observed..."

13 **MR. GIB van ERT:** Yes. And then there we
14 are, and there's -- thank you very much, Prime Minister:

15 "...and there is a well-grounded
16 suspicion that the irregularities
17 were tied to the PRC Consulate in
18 Toronto..."

19 That's what I wanted to ask you about.

20 Now, I fully appreciate, sir, that that was
21 not a conclusion you were able to make or prepared to make in
22 September 2019.

23 But my question for is today, now that we've
24 had Mr. Johnston's report and he's come to that conclusion,
25 do you accept, first, that there were irregularities in that
26 nomination contest, and secondly, that they were likely tied
27 to the PRC Consulate in Toronto?

28 **RT. HON. JUSTIN TRUDEAU:** I'd suggest that

1 irregularities being observed is not itself enough to
2 overturn a democratic event. And I'd also suggest that a
3 well-grounded suspicion is certainly warranting more
4 reflection and follow-ups, but also might not hit the
5 necessarily very high threshold for overturning the result of
6 a democratic event.

7 **MR. GIB van ERT:** Yes, but I don't think
8 that's what Mr. Johnston is speaking to. He's just saying
9 that there is a well-grounded suspicion that the
10 irregularities, which he seems to have found, were tied to
11 the Consulate. And what I want to know is, do you accept
12 those conclusions today?

13 **RT. HON. JUSTIN TRUDEAU:** Yeah, sorry, if
14 you're not asking me about how -- I accept there is a
15 suspicion that PRC officials in Canada were engaged in some
16 way with that nomination. I can't speak to irregularities.
17 Perhaps you know what irregularities specifically Mr.
18 Johnston was talking about?

19 **MR. GIB van ERT:** No, not as well as some
20 people in this room. All right. Well you do accept though,
21 and you say that there's a suspicion. Do you accept that
22 it's well-grounded? That was Mr. Johnston's view.

23 **RT. HON. JUSTIN TRUDEAU:** I can't speak to
24 analysis made by others. I certainly -- and again,
25 distinguishing what I knew in 2019 from what I may have
26 learnt later leaves me in an awkward position around
27 answering this.

28 **MR. GIB van ERT:** All right. I'll move to my

1 next document, and that is CAN15842, please.

2 And you've seen this already. It is the
3 October -- late October 2022 briefing.

4 You've already given evidence that your
5 briefings are oral, you didn't see this document per say, and
6 I've got that point, sir.

7 But I do want to go to page 2 of the
8 document. And scrolling down a little further? There we
9 are. Thank you.

10 My question for you is, did the Director say
11 words to the effect of, or convey the message that, as you
12 see here:

13 "Canada has been slower than our Five
14 Eyes allies to respond to the
15 [foreign interference] threat..."

16 **RT. HON. JUSTIN TRUDEAU:** No.

17 **MR. GIB van ERT:** All right. And if you
18 continue on in that same passage:

19 "...such as proactively publicizing
20 successful disruption [...]
21 activities..."

22 Was that something that the Director conveyed
23 to you?

24 **RT. HON. JUSTIN TRUDEAU:** No. When I spoke
25 to this before, I believe I said that the briefing notes
26 prepared for the Director didn't particularly align with the
27 actual briefing we got.

28 **MR. GIB van ERT:** Yes.

1 **RT. HON. JUSTIN TRUDEAU:** The briefing was
2 spent almost entirely on specific cases, and all of these
3 notes prepared for the Director generally saying, "Yes,
4 foreign interference is serious. India. China. Serious,"
5 would have taken up the first 30 seconds of what the Director
6 said, because ---

7 **MR. GIB van ERT:** Understood.

8 **RT. HON. JUSTIN TRUDEAU:** --- he would have
9 gotten right into the cases. So this is not ---

10 **MR. GIB van ERT:** I'm just going to show you
11 one more point from this. I do have your point about that.

12 It's page 3. Yes, thank you. Yes.

13 It's the bullet point that begins with the
14 word "ultimately":

15 "Ultimately, state actors are able to
16 conduct [foreign interference]
17 successfully in Canada because there
18 are no consequences, either legal or
19 political. [Foreign interference] is
20 therefore a low-risk and high-reward
21 endeavour."

22 Did the Director convey, in those words or in
23 some similar words, that message, that this is an -- a
24 low-risk, high-reward endeavour because there are no
25 consequences?

26 **RT. HON. JUSTIN TRUDEAU:** No.

27 **MR. GIB van ERT:** Thank you. That's very
28 helpful.

1 **COMMISSIONER HOGUE:** Thank you.

2 Counsel for Jenny Kwan.

3 **--- CROSS-EXAMINATION BY MR. SUJIT CHOUDHRY:**

4 **MR. SUJIT CHOUDHRY:** Prime Minister, good
5 afternoon. So Prime Minister, it's a matter of public record
6 that MP Kwan has alleged that she may have been the target of
7 foreign interference by the Communist Party of China in the
8 2021 general election. So based on that premise, there's --
9 time permitting, there is three sets of issues I hope we
10 could discuss.

11 The first is how MP Kwan came to know from
12 CSIS that she was a target for foreign interference; the
13 second is why she might be a target; and the third is how
14 foreign interference be occurring against her in Canada.

15 So you're aware, Prime Minister, that MP Kwan
16 received a confidential briefing from CSIS on May 26, 2023.

17 **RT. HON. JUSTIN TRUDEAU:** Yes.

18 **MR. SUJIT CHOUDHRY:** And you're aware that
19 she has not shared publicly any of the classified information
20 she received in that briefing.

21 **RT. HON. JUSTIN TRUDEAU:** I believe that to
22 be correct, yes.

23 **MR. SUJIT CHOUDHRY:** But you're aware she
24 stated that she was told that she is an evergreen target for
25 the Communist Party of China and for the rest of her life,
26 even after she leaves politics.

27 **RT. HON. JUSTIN TRUDEAU:** I can't speak to
28 directly what she was told, but that seems consistent with

1 what they might have told her, yes.

2 **MR. SUJIT CHOUDHRY:** So Prime Minister, are
3 you able in this setting to share with us whether you had any
4 role in the decision to brief MP Kwan about foreign
5 interference?

6 **RT. HON. JUSTIN TRUDEAU:** When there were --
7 when there are allegations or information brought to me
8 regarding a particular Member of Parliament or a particular
9 individual, often one of our first responses in my office,
10 and my response, is to ask CSIS, or the security agency
11 involved, to engage directly with the individual. The nature
12 of that engagement, often we find that CSIS is already
13 preparing to do that. Sometimes us encouraging it allows it
14 -- or encourages it to happen more quickly. It's certainly
15 something CSIS can make decisions about on its own as well,
16 but I believe in this case, we encouraged those briefings to
17 happen.

18 **MR. SUJIT CHOUDHRY:** And so you encouraged
19 them to happen. And if you're able to comment, was one of
20 the reasons why you and your office encouraged the briefing
21 to happen was to enable MP Kwan to herself identify foreign
22 interference that might be occurring and to take steps, if
23 she could, to counter foreign interference?

24 **RT. HON. JUSTIN TRUDEAU:** The challenge of
25 foreign interference exists for, as we've heard, for just
26 about every elected official at every different order of
27 government has a potential threat, but we also know that
28 diaspora communities, particularly from certain countries of

1 origin, are more susceptible to be targets on that. So
2 whether it's defensive briefings or threat reduction
3 measures, which are two different approaches that CSIS and
4 others can use in terms of briefing, it is their design to
5 both inform, make aware, and hopefully help the individual in
6 avoiding the kind of interference that is of concern.

7 **MR. SUJIT CHOUDHRY:** And so one -- so one
8 goal is to help individuals avoid foreign interference if
9 it's occurring, so a self-help remedy, if we could, but
10 surely another purpose would be to urge an individual to come
11 forth with concerns about potential foreign interference to
12 CSIS or the RCMP or the Commissioner of Canada Elections or
13 some other federal authority. Is that ---

14 **RT. HON. JUSTIN TRUDEAU:** Yes.

15 **MR. SUJIT CHOUDHRY:** --- right? Right. And
16 so the -- and of course, for anyone to come forward, a Member
17 of Parliament or any Canadian who might be targeted for
18 foreign interference, the expectation would be that if they
19 presented such a complaint or a concern that it would be
20 investigated thoroughly.

21 **RT. HON. JUSTIN TRUDEAU:** That it would be
22 given the attention that it merits, yes.

23 **MR. SUJIT CHOUDHRY:** And so I want to ask --
24 dig in a bit to why MP Kwan might have been targeted and what
25 your thoughts are. So you're aware that MP Kwan's testified
26 here that she believes she has been targeted for foreign
27 interference because of her outspoken criticism over many
28 years of the human rights record of the People's Republic of

1 China. Are you aware of that?

2 RT. HON. JUSTIN TRUDEAU: Yes.

3 MR. SUJIT CHOUDHRY: Yeah. And so she's --
4 you know -- you're aware of her criticisms of the Tiananmen
5 Square massacre?

6 RT. HON. JUSTIN TRUDEAU: Yes.

7 MR. SUJIT CHOUDHRY: And the Hong Kong
8 National Security Law?

9 RT. HON. JUSTIN TRUDEAU: Yes, like many,
10 many Canadians of all different origins, but particularly,
11 progressive Canadians of Chinese origin, there are some very,
12 very strong and outspoken and brave individuals who speak up
13 against the government of their country of origin.

14 MR. SUJIT CHOUDHRY: And she made some of
15 those criticisms as a parliamentarian ---

16 RT. HON. JUSTIN TRUDEAU: M'hm.

17 MR. SUJIT CHOUDHRY: --- on the floor of the
18 House of Commons.

19 RT. HON. JUSTIN TRUDEAU: Yes.

20 MR. SUJIT CHOUDHRY: So for example, when she
21 spoke in favour and voted in favour of the resolution on the
22 Uyghur genocide. And so it's clear, then, in making these
23 criticisms she was actually exercising her right to free
24 speech. You'd agree?

25 RT. HON. JUSTIN TRUDEAU: Yes.

26 MR. SUJIT CHOUDHRY: And that she was
27 exercising her parliamentary privilege when she ---

28 RT. HON. JUSTIN TRUDEAU: Yes.

1 **MR. SUJIT CHOUDHRY:** --- had made those
2 criticisms? And so no Canadian ---

3 **RT. HON. JUSTIN TRUDEAU:** But I'd also say
4 more.

5 **MR. SUJIT CHOUDHRY:** Yeah.

6 **RT. HON. JUSTIN TRUDEAU:** She was fulfilling
7 her responsibilities as a Member of Parliament to represent
8 her constituents and her community in our Parliament.

9 **MR. SUJIT CHOUDHRY:** Agreed. And that no
10 Canadian, MP or not, should be subject to foreign
11 interference for expressing their political views?

12 **RT. HON. JUSTIN TRUDEAU:** Indeed. Yes.

13 **MR. SUJIT CHOUDHRY:** So I want to then take
14 you, then, if I may, Prime Minister, to how foreign
15 interference by the CCP might be occurring in Canada. And so
16 we have had testimony that the CCP's foreign interference
17 activities occur through the United Front, an arm of the
18 Chinese Communist Party. You're aware of that.

19 **RT. HON. JUSTIN TRUDEAU:** Not exclusively.

20 **MR. SUJIT CHOUDHRY:** Right. Not -- but
21 including through the United Front?

22 **RT. HON. JUSTIN TRUDEAU:** Yes. There are
23 many different ways, and the United Front is one of the ways
24 in which the Communist Party of China exerts either
25 influence, or perhaps in other cases, interference.

26 **MR. SUJIT CHOUDHRY:** And the other -- are you
27 able to comment on the other ways?

28 **RT. HON. JUSTIN TRUDEAU:** Chinese police

1 stations are a perfect example of something that's been in
2 the news recently that our friend from the Bloc asked about
3 earlier today.

4 **MR. SUJIT CHOUDHRY:** And of course -- and
5 they often -- the United Front often operates through proxies
6 we've learned. You agree that that's correct.

7 **RT. HON. JUSTIN TRUDEAU:** Yes.

8 **MR. SUJIT CHOUDHRY:** And I think the words
9 you used to describe foreign interference in your examination
10 in-Chief were "covert", "coercive", "deceptive". And so
11 would it surprise you if you were told that the United Front
12 might funnel funds to Chinese proxies in Canada?

13 **RT. HON. JUSTIN TRUDEAU:** I am wary of
14 getting into too much of what I know in an open forum here,
15 but I think there has been evidence submitted along the lines
16 of that.

17 **MR. SUJIT CHOUDHRY:** Okay. And so -- and
18 you're aware that CSIS has confirmed that the United Front
19 uses proxies to disinvite or deplatform regime opponents from
20 invitations to important community events.

21 **RT. HON. JUSTIN TRUDEAU:** I -- again, I would
22 encourage you to go directly to the source of these reports
23 and allegations. I can say that yes, I am kept very, very
24 highly briefed on various ways of interference. I am not
25 always sure which ones I can talk about that I know about
26 that others may not know about.

27 **MR. SUJIT CHOUDHRY:** Right.

28 **RT. HON. JUSTIN TRUDEAU:** But if you're

1 talking about public record things, then it's good that
2 you're putting them into the record.

3 **MR. SUJIT CHOUDHRY:** Sure. And so as a
4 politician of course, part of the -- some of the rituals of
5 Canadian political life involve attending events hosted by
6 different ethnic communities that are potentially quite
7 significant, so the Sakhi would be one, I'm sure, that you
8 might be familiar with.

9 **RT. HON. JUSTIN TRUDEAU:** Yes.

10 **MR. SUJIT CHOUDHRY:** And so there is a
11 certain significance, then, to having been invited for many
12 years to an event and then suddenly disinvited in a public
13 way. That would be designed to send a message, wouldn't you
14 agree?

15 **RT. HON. JUSTIN TRUDEAU:** I think publicly
16 disinviting someone, as wrong as it would be, might fall into
17 the category of influence rather than interference. If a
18 diplomat is hosting an event that the Chinese government is
19 behind or through proxies, it's a fairly open and visible way
20 and perhaps meant to be open and visible to exclude an
21 individual.

22 That sounds like -- as wrong or as
23 unfortunate or much as we might disagree with it, it sounds
24 like something that is not covert or surreptitious, but more
25 very direct disapproval.

26 **MR. SUJIT CHOUDHRY:** But if it's a community
27 event organized by a Canadian organization ---

28 **RT. HON. JUSTIN TRUDEAU:** I think we're

1 getting into hypotheticals here, but I understand your point,
2 that it is unfortunate that China in general tries to silence
3 critics of its regime, including, you know, high-profile
4 Members of Parliament.

5 **MR. SUJIT CHOUDHRY:** Okay. So a couple of
6 concluding questions, if I may, Prime Minister.

7 So the GAC panel testified that if the
8 People's Republic of China or, for that matter, any other
9 foreign state were engaged in foreign interference in Canada,
10 it would violate international law. Do you have any reason
11 to disagree with that evidence?

12 **RT. HON. JUSTIN TRUDEAU:** No, I'm -- yes.
13 The foreign interference is violation of Canadian law and
14 international law.

15 **MR. SUJIT CHOUDHRY:** And you'd agree, then,
16 it's a violation of Canadian sovereignty.

17 **RT. HON. JUSTIN TRUDEAU:** Yes.

18 **MR. SUJIT CHOUDHRY:** Thank you, Prime
19 Minister.

20 **COMMISSIONER HOGUE:** Thank you.

21 Mr. Jarmyn, representing Erin O'Toole.

22 **--- CROSS-EXAMINATION BY MR. THOMAS JARMYN:**

23 **MR. THOMAS JARMYN:** Thank you, Prime Minister
24 -- or thank you, Commissioner.

25 Prime Minister, my name's Tom Jarmyn. I
26 represent Erin O'Toole.

27 Just building on a question that my colleague
28 was asking, Mr. O'Toole, similar to Ms. Kwan, has also

1 received a defensive briefing from CSIS. And was that done
2 with the permission or direction of your office?

3 **RT. HON. JUSTIN TRUDEAU:** Again, it is not
4 something that CSIS needs to get permission from the Prime
5 Minister's Office to do, but in this case, we certainly
6 encouraged it.

7 **MR. THOMAS JARMYN:** And has your office given
8 general direction when MPs come under this sort of, I guess,
9 scrutiny or attack that they should be made aware of that?

10 **RT. HON. JUSTIN TRUDEAU:** That is in general
11 our approach on things, yes.

12 **MR. THOMAS JARMYN:** But has your office given
13 direction to that effect?

14 **RT. HON. JUSTIN TRUDEAU:** It is not to us to
15 direct CSIS on what threat reduction or defensive briefings
16 it gives or doesn't give, but certainly our posture has been
17 one of encouraging CSIS to keep all Parliamentarians informed
18 and aware of not just threats against them, but of issues of
19 foreign interference.

20 **MR. THOMAS JARMYN:** Thank you.

21 I guess if we could go to CAN 4495.

22 And this is a document that supposedly
23 relates to a briefing which was intended to occur some time
24 in late February of 2023. It was prepared by CSIS.

25 Commission counsel has shown it to you and I
26 believe you also saw it during your witness interview.

27 If you could scroll down to the third page.

28 A little further, please. Thank you.

1 So I understand from your witness interview
2 that you were not advised of this -- these events concurrent
3 to them happening in the election in 2021, but I would ask
4 after February 21st of 2023, have you ever been briefed by
5 either CSIS or the NSIA with respect to conclusions similar
6 to this that:

7 "...observed online media activities
8 aimed at discouraging Canadians,
9 particularly of Chinese heritage,
10 from supporting Conservative Party of
11 Canada, leader Erin O'Toole, and
12 particularly Steveston-Richmond East
13 candidate Kenny Chiu.

14 ...the timing of these efforts to
15 align with Conservative polling
16 improvements; the similarities in
17 language with articles published by
18 PRC state media; and the partnership
19 agreements between these Canada-based
20 outlets and PRC entities; all suggest
21 that these efforts were orchestrated
22 or directed by the PRC."

23 **RT. HON. JUSTIN TRUDEAU:** I think on this I'd
24 like to turn to the summary prepared of evidence on this one.
25 I believe it's ---

26 **MR. THOMAS JARMYN:** I think it's WIT 66,
27 paragraph 49.

28 **RT. HON. JUSTIN TRUDEAU:** Sorry. I'm talking

1 about the intelligence summaries, not the interview
2 summaries. The prepared summaries.

3 **MR. FREDERICK SCHUMANN:** Madam Commissioner,
4 I think the Prime Minister's referring to the multi-source
5 topical summary on ---

6 **RT. HON. JUSTIN TRUDEAU:** That one, topical
7 summaries. Yes.

8 **MS. ERIN DANN:** I believe it's number 4, if
9 that assists, .4.

10 **RT. HON. JUSTIN TRUDEAU:** Yes, thank you.
11 That's it.

12 **MR. THOMAS JARMYN:** So that's the topical
13 summary, but going back to my question, which was, has any
14 official, either the NSIA or Director of CSIS or anyone on
15 your staff, briefed you with respect to the conclusions that
16 were in CAN 4495?

17 **MR. FREDERICK SCHUMANN:** And just to be fair
18 to the witness, perhaps he could be allowed look at those
19 conclusions one by one rather than ---

20 **MR. THOMAS JARMYN:** Sure.

21 **MR. FREDERICK SCHUMANN:** --- en masse.

22 **MR. THOMAS JARMYN:** So possibly he can go
23 back to CAN 4495.

24 **RT. HON. JUSTIN TRUDEAU:** Yes, I have the
25 summary, so if we can go back on the page to the document you
26 brought up.

27 **MR. THOMAS JARMYN:** Thank you.

28 Scroll down. Thank you.

1 Just a little bit further. Thank you.

2 So the overall statement is observed online
3 media activities aimed at discouraging Canadians,
4 particularly of Chinese heritage, from supporting the
5 Conservative Party leader, Erin O'Toole, and particularly
6 Steveston-Richmond East candidate Kenny Chiu.

7 **RT. HON. JUSTIN TRUDEAU:** Yeah. What I will
8 go to is the bottom of that -- the last line in the second
9 paragraph there and refer to the general summary there, point
10 6, that says no PRC state direction of the incident was
11 detected or reported.

12 **MR. THOMAS JARMYN:** Yes, I realize that's
13 what that document says.

14 But my question is, did anyone brief you with
15 respect to those allegations that are in CAN 4495? And if
16 your answer is no, that's fine.

17 **RT. HON. JUSTIN TRUDEAU:** The -- first of
18 all, these are briefing notes that I never saw. These are
19 briefings for a briefer who then gave a briefing that, as
20 we've seen, may or may not have included all of these things.

21 I am and was, however, aware of the elements
22 in the summary that talked about whether it's following the
23 publication of the article in the Hill Times. There was a
24 number of different media organizations that picked up and
25 ran with those things, but again, getting to the bottom line,
26 no, you know, Chinese state direction of the incident was
27 detected or report.

28 **MR. THOMAS JARMYN:** Thank you.

1 And I'd like to turn now to COM 008, which is
2 the Cabinet directive from 2021 with respect to the Critical
3 Election Incident Public Protocol.

4 **--- EXHIBIT No. COM 8:**

5 Cabinet Directive on the Critical
6 Election Incident Public Protocol

7 **MR. THOMAS JARMYN:** And this is the standing
8 directive right now. It is -- unlike 2019, this is an
9 ongoing thing. Is that correct?

10 **RT. HON. JUSTIN TRUDEAU:** Yes, this is the
11 existing directive now. Yes.

12 **MR. THOMAS JARMYN:** And we've heard from
13 various witnesses, Madam Drouin, who said that the threshold
14 for intervention by the Panel of Five would either be high or
15 very high, were the words she used. Minister Gould used
16 "observed with certainty" and Minister LeBlanc used the "high
17 threshold" as well. Is that consistent with your
18 understanding of how the directive is meant to apply?

19 **RT. HON. JUSTIN TRUDEAU:** The directive is
20 meant to apply, and the Panel is meant to kick in when there
21 are threats to Canada being able to hold a free and fair
22 election. That must necessarily be a significantly high
23 threshold because just the act of engaging for the Panel
24 could itself have an impact on the unfolding of the election.

25 So the expertise and the experience and the
26 professional judgment of the people on the Panel is what we
27 lean on significantly for whether and how they intervene.

28 I will highlight that not every intervention

1 by the P5 would be to convene a supper hour press conference
2 to tell Canadians about something in the middle of an
3 election campaign. It could involve, as it has, apprising
4 different parties of concerns; it could be -- involve asking
5 or working with a social media giant to take down a
6 particular piece of misinformation. Like, there are
7 different things that would have different thresholds, in
8 terms of what is required to do to ensure that the election
9 remains free and fair for Canadians.

10 **Mr. THOMAS JARMYN:** Can we scroll down in the
11 directive itself, please, and into 5? There we are, the
12 Process. Actually, we need -- sorry; I have go to back up
13 again. So they say -- paragraph 3, please.

14 You say, Minister -- or Prime Minister,
15 rather, that this can be engaged by threats. The Panel of
16 Five has testified that it must be an event that has occurred
17 which affects a free and fair election, at which they would
18 give notice to Canadians. Is it your evidence that the Panel
19 can act on a perceived threat as opposed to an event?

20 **RT. HON. JUSTIN TRUDEAU:** I'd ask, actually,
21 to scroll down to -- go to 4.0 or -- no, next one, 5.0.
22 There we go:

23 "...lays out a process through which
24 Canadians would be notified of an
25 incident that threatens Canada's
26 ability to have a free and fair
27 election, should notification be
28 necessary."

1 I suppose an incident could be an event, but
2 I think if there is an imminent threat to Canada's ability to
3 have free and fair election, I have no doubt that the Panel
4 would engage with that, whether or not the incident or event
5 had happened or was just imminently about to happen.

6 **MR. THOMAS JARMYN:** Okay.

7 Just one last question, please, Commissioner.

8 **COMMISSIONER HOGUE:** Sure.

9 **MR. THOMAS JARMYN:** And that threat could
10 crystallize at the general election level, at the riding
11 level, or indeed, among a diaspora community level that's
12 spread out over across several ridings.

13 **RT. HON. JUSTIN TRUDEAU:** Sorry; and what's
14 your question?

15 **MR. THOMAS JARMYN:** That threat could
16 crystallize ---

17 **RT. HON. JUSTIN TRUDEAU:** Good. Yes.

18 **MR. THOMAS JARMYN:** --- at either the general
19 election level, an individual riding level, or among a
20 broader community that's spread out over several ridings.

21 **RT. HON. JUSTIN TRUDEAU:** Yes, as long as it
22 threatens Canada's ability to have a free and fair election,
23 either at the riding level or in the aggregate general
24 election, which is just the sum of 338 individual riding
25 elections.

26 **MR. THOMAS JARMYN:** Thank you. Thank you.

27 **RT. HON. JUSTIN TRUDEAU:** Thank you, Tom.

28 **COMMISSIONER HOGUE:** Thank you.

1 Mr. de Luca, acting on behalf of the
2 Conservative Party.

3 (SHORT PAUSE)

4 --- CROSS-EXAMINATION BY MR. NANDO de LUCA:

5 Mr. NANDO de LUCA: Good evening, Mr. Prime
6 Minister.

7 Could I have -- just give me a moment. Could
8 I have TRN 6 called up, please?

9 And while that's being called up, Mr. Prime
10 Minister, in preparation for your testimony here today, have
11 you been aware that MP Han Dong confirmed under oath at this
12 Inquiry that he spoke to PRC officials on multiple occasions
13 about the two Michaels while they were held in captivity in
14 China?

15 RT. HON. JUSTIN TRUDEAU: I believe so, yes.

16 MR. NANDO de LUCA: Okay. And am I correct
17 that the two Michaels had been taken into custody and
18 detained in China commencing in December 2018 until they were
19 released at the end of September 2021?

20 RT. HON. JUSTIN TRUDEAU: Yes.

21 MR. NANDO de LUCA: Okay. Would you agree
22 with me that the detention of the two Michaels was a very
23 high profile and very sensitive matter, both in Canada and
24 abroad?

25 RT. HON. JUSTIN TRUDEAU: It was certainly
26 very high profile, and it was a detention that caused us to
27 mobilize broadly. It was certainly a very difficult
28 experience for the two Michaels and their families, but it

1 was also something that mobilized an awful lot of not just
2 Canadians but our partners around the world.

3 **MR. NANDO de LUCA:** Thank you.

4 We've heard evidence, and seen evidence at
5 this Inquiry, that at least one of the conversations between
6 Mr. Dong and PRC General Consul -- Consul General in Toronto
7 was intercepted and monitored, that it touched upon the two
8 Michaels in some respect, and that at least a summary of the
9 intercepted conversation exists, and I have a couple of
10 questions for you regarding this intercepted conversation.

11 **MR. FREDERICK SCHUMANN:** Just before my
12 friend does, I'm not sure whether -- of the details he is --
13 or the assertion he's making is one that can be found in the
14 public record, but I'm happy to hear from him about that. I
15 would urge him to refer to the summary, the topical summary
16 on this issue.

17 **MR. NANDO de LUCA:** I'm going to come to the
18 topical summary, but if I could ask the Prime Minister
19 generally, when were you first made aware that Mr. Dong had
20 been having conversations with the PRC Consul General
21 regarding the two Michaels?

22 **RT. HON. JUSTIN TRUDEAU:** I can't recall
23 offhand at what point that was.

24 **MR. NANDO de LUCA:** Do you remember what
25 year, sir?

26 **RT. HON. JUSTIN TRUDEAU:** Perhaps there's
27 documents that refer to the meeting that I can talk about
28 publicly, various briefings that I've had when these

1 allegations came out. I believe -- actually, I believe they
2 -- this was the source -- this was a matter disclosed in the
3 leaks in the fall of 2022, and it was only subsequent to
4 those leaks that I became aware of those conversations. So
5 it would have been late in 2022.

6 **MR. NANDO de LUCA:** You don't believe you
7 were made aware of any such conversations prior to that?

8 **RT. HON. JUSTIN TRUDEAU:** No.

9 **MR. NANDO de LUCA:** And could I ask that
10 CAN.SUM 2 be called up, please?

11 And I believe Ms. Chaudhury took you through
12 this document, to some extent, earlier. This is a summary of
13 intelligence held by CSIS and the intelligence agencies
14 relating to Han Dong and some communications with the
15 People's Republic of China relating to the two Michaels. And
16 I take it from your answers earlier, you reviewed this
17 document in preparation for your testimony here today?

18 **RT. HON. JUSTIN TRUDEAU:** Yes.

19 **MR. NANDO de LUCA:** And there's a summary of
20 five points relating to this intelligence. Can you confirm
21 -- and I think you may have -- that aside from your review of
22 this particular document in preparation for today, that you
23 have received intelligence briefings and information that is
24 reflected in each of these five points?

25 **RT. HON. JUSTIN TRUDEAU:** I have six points
26 on mine.

27 **MR. NANDO de LUCA:** I may have misspoken,
28 you're correct. Quite correct, six points.

1 **RT. HON. JUSTIN TRUDEAU:** Okay. Yes.

2 **MR. NANDO de LUCA:** Okay. Can I turn your
3 attention to point 4? Perhaps you can review that, and while
4 you are, the second sentence says:

5 "MP Dong expressed the view that even if the PRC released the
6 'Two Michaels' at that moment,
7 opposition parties would view the
8 PRC's action as an affirmation of the
9 effectiveness of a hardline Canadian
10 approach to the PRC."

11 You see that?

12 **RT. HON. JUSTIN TRUDEAU:** Yes.

13 **MR. NANDO de LUCA:** When were you first made
14 aware of MP Dong expressing that view?

15 **RT. HON. JUSTIN TRUDEAU:** As I said, this was
16 subsequent to leaks. But let me also just say that it's
17 aware of information alleging that MP Dong expressed these
18 views. As has been previously stated, there have been
19 significant questions around both translation and summary of
20 the actual exchange that -- you know, I don't think I need to
21 read the first page filled with *caveats* around incomplete,
22 single-sourced, varying degrees of reliability, you know, not
23 necessarily indicating corroboration or reliability of
24 sources. So there's a lot of uncertainty around even the
25 things that we're saying in -- that we're seeing in the
26 summaries.

27 **MR. NANDO de LUCA:** Can I ask you, Prime
28 Minister, have you personally reviewed that summary?

1 RT. HON. JUSTIN TRUDEAU: This summary?

2 MR. NANDO de LUCA: No, the summary of the
3 intercepted conversation.

4 MR. FREDRICK SCHUMANN: Madam Commissioner,
5 I'm concerned that we're getting into a sensitive area. I'm
6 frankly not sure ---

7 RT. HON. JUSTIN TRUDEAU: I can say yes to
8 that. Yes, I have. But there's not much more I can say
9 about it.

10 MR. NANDO de LUCA: That's fine. Thank you.
11 Can we call up COM 118, which is the Special
12 Rapporteur's first report that was produced or dated May 23,
13 2023?

14 THE COURT OPERATOR: COM 118?

15 MR. NANDO de LUCA: Yes.

16 THE COURT OPERATOR: Just one moment.

17 --- EXHIBIT No. COM 118:

18 First Report The Right Honourable
19 David Johnston Independent Special
20 Rapporteur on Foreign Interference

21 MR. NANDO de LUCA: And I'd like to go to
22 page 26, small roman numeral viii.

23 There's an analysis of a piece of reporting
24 that Han Dong advised the PRC Consulate to extend the
25 detention of the Two Michaels, Global News, March 22, 2023.
26 Do you see that?

27 RT. HON. JUSTIN TRUDEAU: Yes.

28 MR. NANDO de LUCA: Okay. And immediately

1 before that, Mr. Johnston comments on how there has been
2 considerable media attention about an alleged transcript of
3 this conversation. Do you see that?

4 **RT. HON. JUSTIN TRUDEAU:** Yes.

5 **MR. NANDO de LUCA:** And he then says:

6 "I have reviewed the same
7 intelligence report that was provided
8 to the Prime Minister relating to
9 this allegation, which I am advised
10 is the only intelligence that speaks
11 to this issue. I can report the
12 following..."

13 And we're going to come to the following.
14 But my question now though is, Mr. Johnston tells us that he
15 reviewed the same intelligence report that you did and that
16 this is the only report that exists that speaks to this
17 issue.

18 So my question for you is the following. Is
19 the intelligence report that Mr. Johnston is referring to
20 there CAN.SUM002 that we just looked at? Or is it something
21 else?

22 **MR. FREDRICK SCHUMANN:** I'm not sure the
23 witness can answer that in this setting.

24 **COMMISSIONER HOGUE:** So we'll note the
25 question.

26 **MR. NANDO de LUCA:** And are there other
27 reports that, for now we'll go with written reports, either
28 hardcopy or electronic, that you're aware of that perhaps

1 were not shared with Mr. Johnston that might relate to
2 precisely what was or wasn't said between Mr. Dong and the
3 PRC official?

4 **RT. HON. JUSTIN TRUDEAU:** I'm not certain I
5 can answer that question.

6 **MR. NANDO de LUCA:** For the same reasons ---

7 **RT. HON. JUSTIN TRUDEAU:** Reasons of security
8 and confidentiality.

9 **MR. NANDO de LUCA:** Thank you.

10 **RT. HON. JUSTIN TRUDEAU:** National security.

11 **MR. NANDO de LUCA:** Thank you. Have those
12 reports, if there are any such reports, have they been
13 provided to the present Commission?

14 **RT. HON. JUSTIN TRUDEAU:** Again, I'm not sure
15 I can -- I cannot confirm or infirm the existence of any
16 other reports that I cannot speak to here.

17 **MR. NANDO de LUCA:** Thank you very much. Mr.
18 Johnston then gives his assessment of that particular
19 allegation as follows. He says:

20 "The allegation is false. Mr. Dong
21 discussed the Two Michaels with the
22 PRC official but did not suggest to
23 the official that the PRC extend
24 their detention. The allegation that
25 he did make that suggestion has had a
26 very adverse effect." (As read)

27 Do you agree with that assessment, sir?

28 **RT. HON. JUSTIN TRUDEAU:** Yes. We know that

1 the media reports and the allegations made in rather a
2 spectacular fashion about Mr. Dong were false.

3 **MR. NANDO de LUCA:** Okay. But would you
4 agree with ---

5 **RT. HON. JUSTIN TRUDEAU:** In regards to what
6 he said or didn't say about the Two Michaels.

7 **MR. NANDO de LUCA:** Okay. Would you agree
8 with me, sir, that all that Mr. Johnston was commenting on
9 was what is contained in that heading? That particular
10 allegation? Mr. Johnston didn't comment one way or the other
11 about whether -- what else Mr. Dong might have said to the
12 PRC Consul re: the Two Michaels was correct. So for example,
13 in CAN.SUM02, the conversation is stated slightly
14 differently.

15 **MR. FREDRICK SCHUMANN:** I'm not sure the
16 witness can comment on what Mr. Johnston was or was not
17 commenting on.

18 **MR. NANDO de LUCA:** Mr. Prime Minister, I
19 have very many more questions, as you might imagine, but I
20 simply don't have the time. Thank you very much.

21 **COMMISSIONER HOGUE:** Thank you, Mr. De Luca.
22 Counsel for Han Dong?

23 **--- CROSS-EXAMINATION BY MR. MARK POLLEY:**

24 **MR. MARK POLLEY:** Thank you, Commissioner.
25 Prime Minister, I am Mark Polley, and as you
26 heard, I represent Han Dong.

27 I'm going to start with the same issue that
28 Mr. De Luca finished with, and that is the allegations that

1 were made in the -- in Global, at least, relating to the Two
2 Michaels.

3 And we -- as you know, we heard yesterday
4 from Mr. Clow, among others, and Mr. Clow told us about how
5 after the leaks came out, there were discussions about what
6 to do, what -- how to respond, whether there could be any
7 response, and in particular, he said there were a number of
8 discussions about how to get the truth out that the story was
9 wrong. And he explained that up until yesterday, he was not
10 able to say that publicly.

11 Are you able to, first of all, tell us, did
12 you have conversations like that as well about whether there
13 was anything the government could do, whether -- anything you
14 could do?

15 **RT. HON. JUSTIN TRUDEAU:** Well, further, what
16 we actually did was engage the Special Rapporteur, who had
17 the opportunity to go through the evidence and state quite
18 categorically that the allegations were false. We felt that
19 having the Special Rapporteur able to engage on that and
20 qualify those allegations as false was perhaps more
21 reassuring to concerned Canadians than having officials of
22 the same -- elected officials of the same party as Mr. Dong
23 categorizing that the same way.

24 **MR. MARK POLLEY:** And so does that -- well,
25 aside from ultimately making that decision, did you, like Mr.
26 Clow, have discussions about whether there was anything that
27 could be released before that, like immediately, to respond?

28 **RT. HON. JUSTIN TRUDEAU:** There were many

1 discussions following the leaks on this issue, but on a
2 number of the issues that were leaking. As we highlighted
3 and attempted to highlight a few times in the media, there
4 were clear falsehoods and inaccuracies in the media
5 reporting. But the challenge of protecting national security
6 meant that we were very much limited in our ability to
7 contradict the false allegations being made by the leaker.

8 **MR. MARK POLLEY:** And that difficulty you're
9 describing, although we've heard, as I say, Mr. Clow talking
10 about finally being able to say something publicly yesterday,
11 you're speaking about it today to some extent, but I take it
12 that same tension continues? That there's only so much, as
13 we can see, that you can -- you're able to say?

14 **RT. HON. JUSTIN TRUDEAU:** But, you know,
15 given, as Mr. Clow pointed out yesterday, we are now in a
16 position to express and to repeat the way it was
17 characterized in the media was wrong.

18 **MR. MARK POLLEY:** So let me turn to busses.
19 The ongoing discussion about busses. We heard about you
20 being briefed by Mr. Broadhurst in September of 2019, and you
21 talked about him flagging concerns and describing this
22 scenario of students being brought to Don Valley North
23 nomination meeting. And you asked whether the intelligence
24 agency understood this thing that bussing people to
25 nomination meetings is standard, or I think you said regular
26 earlier. Is that right?

27 **RT. HON. JUSTIN TRUDEAU:** Yes.

28 **MR. MARK POLLEY:** And ---

1 **COMMISSIONER HOGUE:** This will be your last
2 question.

3 **MR. MARK POLLEY:** Thank you.

4 And you -- sorry, let me make sure. And you
5 raised the issue of whether the intelligence agency
6 understood this basic issue that someone like you who knows
7 politics and nomination campaigns knows, and did you figure
8 out an answer to that? Whether the people at the Agency who
9 were reporting this had that context?

10 **RT. HON. JUSTIN TRUDEAU:** Oh, certainly.
11 Listen, our intelligence agencies, even though they don't
12 organise nomination meetings themselves as, you know,
13 political parties do, you know, regularly turn to experts
14 and, you know, learn about the things that they don't know
15 about when they need to. So I am very confident that our
16 intelligence agencies now know a lot more about the unfolding
17 of nominations, which is important because they need to be
18 able to ensure that those nominations, like all electoral
19 events, are decided by, you know, by the residents and indeed
20 by ensuring that our democratic processes are free and fair
21 and absent interference by foreign actors.

22 **MR. MARK POLLEY:** Okay.

23 **COMMISSIONER HOGUE:** Thank you.

24 **MR MARK POLLEY:** Thank you.

25 **COMMISSIONER HOGUE:** Human Rights Coalition?

26 **--- CROSS-EXAMINATION BY MS. SARAH TEICH:**

27 **MS. SARAH TEICH:** My name is Sarah Teich, and
28 as the Commissioner stated, I'm representing the Human Rights

1 Coalition. I understand, Mr. Prime Minister, that you have a
2 lot of confidence in your NSIA's ability to receive
3 information from the national security agencies, but I want
4 to ask about your level of confidence in the agencies'
5 abilities to receive information from those most vulnerable,
6 namely, members of targeted diaspora communities. So let me
7 just start with this, were you aware, Mr. Prime Minister,
8 that the RCMP's National Security Information Network is only
9 available in English and French?

10 **RT. HON. JUSTIN TRUDEAU:** I was not.

11 **MS. SARAH TEICH:** Were you aware that the
12 CSE's online reporting tool, as well as CSIS's reporting
13 tool, and the OCE's complaints form on the website are also
14 available in only English and French?

15 **RT. HON. JUSTIN TRUDEAU:** But I am also aware
16 that all those agencies use in language individuals who are
17 able to reach into and engage with communities, but I take
18 your word for it that the online forms are only in English
19 and French.

20 **MS. SARAH TEICH:** I appreciate that. And we
21 also heard on March 27th with the diaspora panel, that was
22 the first day of these hearings, that community members
23 oftentimes don't feel empowered to reach out to the agencies.
24 They feel that they won't be heard. They feel it's a waste
25 of time, for whatever reason. Given these limitations, how
26 can you expect the agencies themselves to really know, and,
27 therefore, how can you expect the NSIA to really know if
28 coercion, harassment, or intimidation of diaspora community

1 members is happening including in the context of elections?

2 **RT. HON. JUSTIN TRUDEAU:** This is certainly a
3 challenge, and it is something that we've been working on
4 over the past years to try and improve and increase the --
5 not just the diversity within our various agencies, but also,
6 the ability of those agencies to reach into people who are
7 often most vulnerable to interference, particularly in
8 diaspora communities, but also, at the same time, often with
9 good reason, most suspicious of authorities and enforcement
10 agencies that have not always treated them fairly in the
11 past.

12 **MS. SARAH TEICH:** Thank you. Given these
13 limitations, does this plant even a seed of doubt in your
14 mind in terms of the integrity of the 2019 and 2021 general
15 elections?

16 **RT. HON. JUSTIN TRUDEAU:** I think those are
17 two different things. The challenge of any democracy is
18 ensuring that people who perhaps disagree with the outcome of
19 a given election still have faith that that is indeed the
20 will of the people, the will of citizens. And that's where
21 having a panel in place, both in 2019 and 2021, that can say
22 that they have determined, or they have concluded that the
23 election was free and fair is a really important step. Now
24 nobody can say that about the 2015 election, for example, or
25 elections before because those panels didn't exist. At the
26 same time, what we've learned from the 2019 election was
27 applied to the 2021 election and will continue to be applied
28 and expanded and become more -- perhaps more sensitive or

1 alert to various vulnerabilities that are more difficult to
2 go into, particularly when you talk about racialized or
3 marginalised communities. So there is more to do, but I do
4 have confidence in the ability of our intelligence agencies
5 and our panel to have drawn the conclusion that the elections
6 in 2019 and in 2021 were indeed free and fair.

7 **MS. SARAH TEICH:** All right. Thank you.

8 **COMMISSIONER HOGUE:** Thank you.

9 Mr. Doody for the Ukrainian Canadian Congress
10 -- or, yes. No, it's the Sikh Coalition, I'm sorry.

11 You'll be next.

12 **--- CROSS-EXAMINATION BY MR. PRABJOT SINGH:**

13 **MR. PRABJOT SINGH:** Thank you, Commissioner.
14 Mr. Trudeau, my name is Prabjot Singh. I'm appearing on
15 behalf of the Sikh Coalition. So I don't have a whole lot of
16 time, but I want to start by asking whether you would agree
17 that your government missed key opportunities to hold India
18 to account for its interference in Canada. And to be more
19 specific so we can narrow down a precise answer, that there
20 were attempts made by the government to minimise the threat
21 that India posed throughout this relevant period and actually
22 tried to hide the severity of the threat from Canadians.
23 Would you agree with that assessment?

24 **RT. HON. JUSTIN TRUDEAU:** No.

25 **MR. PRABJOT SINGH:** Mr. Operator, if we can
26 bring up COM 155? So, Mr. Trudeau, this is a copy of the
27 2019 annual report of NSICOP, which you mentioned was a body
28 created by your government in the hopes of creating some

1 oversight and transparency on security and intelligence
2 issues.

3 And, Mr. Operator, if we can go to page 73
4 of the PDF? So as you know, this report deals with concerns
5 about foreign interference. Is that 73 of the PDF? Or,
6 yeah, 55 of the actual document. And so this is a section
7 that deals with foreign interference specifically. And if we
8 can continue to scroll down until 79, please? You can go a
9 little bit faster.

10 And right there if you can hold for a second.
11 If you can scroll up, please? So there is mentioned
12 specifically of foreign interference by the People's Republic
13 of China. Continue scrolling. There's mention of the
14 Russian Federation. And if we can pause right there and it
15 specifically says, "other states engaged in foreign
16 interference". And if you continue scrolling, that entire
17 section has been redacted.

18 Mr. Operator, if we can go to page 108 of the
19 PDF? And if you continue scrolling until 113, we see these
20 are instances of Canada's response to foreign interference in
21 relation to China. And then it goes into instances of a
22 response to Russian interference. And if we scroll down, and
23 this entire section again is redacted.

24 So, Mr. Trudeau, I'm going to suggest that
25 the redacted sections of this report outline details of
26 Indian electoral interference and coercive activities against
27 the Sikh community, as well as outlining governmental
28 failures in combating the specific threat. And so I

1 understand that you may not be able to address this in a
2 public setting for national security reasons, and if that's
3 the case, you can indicate that to the Commissioner, so can
4 you confirm that that is the substance that's been redacted
5 in this report?

6 **RT. HON. JUSTIN TRUDEAU:** Obviously, in a
7 public setting, I can't speak to redactions made for national
8 security, but I will say that the principle that anyone who
9 comes to Canada from anywhere in the world has all the rights
10 of a Canadian, to be free from extortion, coercion,
11 interference from a country that they left behind, and how we
12 have stood up for Canadians, including in the very serious
13 case that I brought forward to Parliament of the killing of
14 Nijjar, demonstrates our government's commitment to defending
15 the rights and freedoms of Canadians for whom we have --
16 which are the reasons for which so many people crossed oceans
17 and continents to come live in this country and build this
18 country. And the suggestion that we haven't and we won't do
19 everything we can to defend Canadian rules and values and
20 defend Canadians from foreign interference is simply
21 misplaced.

22 **MR. PRABJOT SINGH:** And so I take your point
23 there and I have very limited time, but I do want to confirm
24 that it was you that approved the redactions in this report;
25 is that correct, based on suggestions from public servants
26 that you received?

27 **RT. HON. JUSTIN TRUDEAU:** Redactions are made
28 by professional public servants, and we sign off on them, but

1 we do not modify them.

2 **MR. PRABJOT SINGH:** But you do have the
3 authority, the ultimate approval, and you do have the
4 possibility to push back against excessive redactions.

5 **RT. HON. JUSTIN TRUDEAU:** Redactions are made
6 by professional public servants, not by the political wing.

7 **MR. PRABJOT SINGH:** And does the Prime
8 Minister have the authority to push back on the suggestions
9 that are made in cases where there may be excessive
10 redactions?

11 **RT. HON. JUSTIN TRUDEAU:** That gets into the
12 entire question of declassification of information. And in
13 the American system, the President can, you know, declassify
14 in ways that are not replicated in our system here in Canada.

15 **MR. PRABJOT SINGH:** So just very simply, I
16 have one last question I want to ask after this, does the
17 Prime Minister have the authority and the ability to push
18 back against those suggestions when there's excessive
19 redaction?

20 **RT. HON. JUSTIN TRUDEAU:** The Prime Minister
21 has an ability to engage in discussions and ask for reasons,
22 but like I said, as Prime Minister and as a government, our
23 habit and our approach has always been to allow the
24 professional public service to make determinations around
25 what needs to be redacted in the name of national security
26 and confidentiality.

27 **MR. PRABJOT SINGH:** Madam Commissioner, I
28 have one final question if that's okay?

1 **COMMISSIONER HOGUE:** Very quick.

2 **MR. PRABJOT SINGH:** Sure. I think you would
3 agree that the lack of meaningful steps to expose and stop
4 foreign interference activities when they first arise,
5 including deliberate actions to redact any failures that may
6 have been included in the NSICOP report, could play a role in
7 India's increasingly aggressive interference and repressive -
8 - repression activities over this period. So that would be a
9 consequence of failing to act effectively and failing to
10 bring the threat of Indian foreign interference to Canadians'
11 attention earlier; is that correct?

12 **RT. HON. JUSTIN TRUDEAU:** I think that's
13 certainly a question one needs to ask of the previous
14 Conservative government that was known for its very cozy
15 relationship with the current Indian government; whereas, our
16 government has always stood up to defend minorities in Canada
17 and the rights of minorities to speak out, even if it
18 irritates their home countries overseas.

19 **MR. PRABJOT SINGH:** Thank you. Those are all
20 ---

21 **COMMISSIONER HOGUE:** Thank you.

22 **MR. PRABJOT SINGH:** --- my questions.

23 **COMMISSIONER HOGUE:** So, Mr. Doody, it's your
24 turn.

25 **--- CROSS-EXAMINATION BY MR. JON DOODY:**

26 **MR. JON DOODY:** Good evening, Prime Minister.
27 It's Jon Doody. I'm counsel for the Ukrainian Canadian
28 Congress. We've heard that Russia's foreign interference

1 activities, foreign elections, was the catalyst for the plan
2 to protect Canada's democracy, and that Russia was a foreign
3 nation the Canadian government was concerned could
4 potentially interfere in Canadian elections; correct?

5 **RT. HON. JUSTIN TRUDEAU:** Yes.

6 **MR. JON DOODY:** Okay. And we've also heard
7 from the SITE Task Force and the Panel of Five that neither
8 identified any foreign interference activity by Russia in
9 either of the 2019 or the '21 general election. It would
10 seem possible that Russia was not interested in interfering
11 with Canadian elections in those years, or equally possible
12 that they did, and the Canadian government failed to detect
13 it. Would you agree that it's possible that Russia
14 interfered in one or both the elections and the Canadian
15 government simply failed to notice it?

16 **RT. HON. JUSTIN TRUDEAU:** I would highlight
17 that, of course, it is always possible that the entire body
18 of our national security intelligence agencies, our very
19 sophisticated cyber and security communications establishment
20 detected absolutely nothing or got it wrong. But I would
21 also suggest that undermining Canadians' confidence in their
22 elections being free and fair is probably something that
23 Russia would love to see in Canada, so I would be very wary
24 about saying that, oh, you know, despite the fact you didn't
25 find any evidence of it, it still might have happened.

26 I think we have seen the extent to which
27 Russia is engaged in misinformation, disinformation and
28 actions of sowing chaos and destabilising democracies around

1 the world, including attempts at cyber attacks and successful
2 cyber attacks in Canada. But I think one of the big
3 differences between Russia and a number of other hostile or
4 challenging state actors is the significant lack of a
5 critical mass of either Russian diaspora or Russian speakers
6 in Canada, as you contrast with the situation in the Ukraine,
7 or in Latvia, or elsewhere where there is an easier threshold
8 for them to interfere in democratic processes.

9 **MR. JON DOODY:** You spoke about the need for
10 Canadians to be confident that the government is doing what
11 it can to keep Canadians safe. How confident are you in the
12 SITE Task Force and Panel of Five's conclusion that Russia
13 did not interfere with either election?

14 **RT. HON. JUSTIN TRUDEAU:** We know Russia is
15 responsible for significant amounts of propaganda, of
16 misinformation, of disinformation, and certainly attempts at
17 interference are no doubt ongoing from Russia. They are a
18 hostile actor, hostile to Canada, hostile to our values,
19 hostile to our support of the Ukraine and hostile to our
20 democracy. But to say -- to reach a threshold at which there
21 is a belief that Russia posed a threat to the integrity of
22 our elections, to the outcome of our elections is certainly
23 not something that either the SITE or the Panel determined.

24 **MR. JON DOODY:** And finally, would you expect
25 members of the Canadian-Ukrainian community to have a high
26 level of confidence in that conclusion as well?

27 **RT. HON. JUSTIN TRUDEAU:** Yes, I think the
28 Canadian-Ukrainian community, like all Canadians, can have a

1 high degree of confidence in the conclusions by all of our
2 national security experts and top public servants that the
3 elections in 2019 and 2021 are free and fair. At the same
4 time, I think Ukrainian Canadians, like all Canadians, need
5 to remain vigilant to Russian disinformation and to the
6 amplification of pro-Russian narratives in context and coming
7 from places that one wouldn't suspect pro-Russian narratives
8 to be amplified. I'm very pleased to see that Ukraine just
9 passed the updated Canada Ukraine Free Trade Agreement, yeah,
10 over the past days, and I am -- continue to be bewildered of
11 the fact that the Conservative Party voted against that
12 update because they fell prey to pro-Russian narratives that
13 are undermining Canada's support for Ukraine amongst
14 Conservative Canadians which I know is a thing of deep
15 distress for many Ukrainian-Canadians and rightly so.

16 **MR. JON DOODY:** Thank you, Prime Minister

17 **COMMISSIONER HOGUE:** Me Sirois for the RCDA,
18 Russian Canadian Democratic Alliance.

19 **--- CROSS-EXAMINATION BY MR. GUILLAUME SIROIS:**

20 **MR. GUILLAUME SIROIS:** Hello, Mr. Prime
21 Minister.

22 **RT. HON. JUSTIN TRUDEAU:** Hello.

23 **MR. GUILLAUME SIROIS:** Madam Commissioner.
24 I am representing the Russian Canadian
25 Alliance.

26 We have heard that some disinformation
27 campaigns could have affected some political parties in the
28 2021 election, so I'm sure you know what I'm talking about.

1 I want to remove politics about this and I want to talk about
2 disinformation.

3 **RT. HON. JUSTIN TRUDEAU:** I want to indicate
4 that the conclusion from our national security experts and
5 the panel in charge of ensuring the integrity of our
6 elections, well, they agreed that there was no impact in the
7 results due to foreign interference, whether it's in the
8 different counties or in the general elections at large. So
9 yes, there were attempts to interfere, but our elections were
10 -- the integrity of our elections stood firm.

11 **MR. GUILLAUME SIROIS:** I want to ask if that
12 kind of attempt affected just one Party or could it affect
13 all parties, leaders of all parties, like the Liberal Party
14 and the others.

15 **RT. HON. JUSTIN TRUDEAU:** Well, the
16 involvement of foreign interference can affect just one
17 Party, all parties or a few parties. It can also affect the
18 country of origin, the county and the region as well.

19 **MR. GUILLAUME SIROIS:** Did you witness this
20 as the leader of the Liberal Party during the 2021 and 2019
21 elections?

22 **RT. HON. JUSTIN TRUDEAU:** In my capacity as
23 Party leader, I was supposed to campaign, speak to as many
24 Canadians as possible and ensure that as many Liberal members
25 are elected as possible. I was confident in the institutions
26 that we had built like the P5 to ensure that the integrity of
27 the elections stood firm and they concluded that in both
28 elections, 2021 and 2019, these elections were free and fair.

1 **MR. GUILLAUME SIROIS:** Let's put aside the
2 institution. I want to ask you this question as a Party
3 leader campaigning in 2019 and 2021. I want to know what you
4 heard with your own eyes and heard -- heard with your own
5 ears and saw with your own eyes.

6 Did these attempts affect members of the
7 Liberal Party during both campaigns?

8 **RT. HON. JUSTIN TRUDEAU:** Well,
9 disinformation campaigns were quite widespread, more in 2021
10 than in 2019. We saw conspiracy theories with respect to
11 vaccination. We also witnessed conspiracy theories about the
12 World Economic Forum and even personal attacks against me and
13 my family. So yes, there was misinformation and
14 disinformation during those campaigns.

15 **MR. GUILLAUME SIROIS:** Well, it can't be
16 easy, especially when it affects your family, but my question
17 is, you understand how social media works. You did your
18 campaign in 2015 thanks to social media. I'm sure it was
19 very helpful in that campaign.

20 I want to know whether there were some
21 disinformation campaigns that were more important and do you
22 think that impacted voters during those two campaigns?

23 **RT. HON. JUSTIN TRUDEAU:** Well, every
24 political Party was using social media to try and garner
25 voters, so of course social media played an important role in
26 those elections.

27 **MR. GUILLAUME SIROIS:** I was talking about
28 disinformation campaigns, wondering if you know whether we

1 can influence voters in that regard.

2 **RT. HON. JUSTIN TRUDEAU:** I think we can see
3 that disinformation and misinformation impacts several
4 people. There are thousands of Canadians who believed that
5 vaccination was more dangerous than COVID-19 itself. That is
6 an example of people who were affected, sometimes fatally, by
7 disinformation.

8 **COMMISSIONER HOGUE:** Mr. Sirois, you have a
9 last question.

10 **MR. GUILLAUME SIROIS:** This is my last
11 question.

12 I want to know if you witnessed
13 disinformation that could, if you had witnessed this, why
14 didn't you raise this issue with government institutions,
15 those who are mandated and authorized to act on these
16 misinformation and disinformation campaigns, especially when
17 it affects the integrity of the elections?

18 **RT. HON. JUSTIN TRUDEAU:** Because those
19 institutions -- and I speak regularly about this with my
20 National Security Advisors, about the impacts of
21 misinformation and disinformation. We can -- let's remember
22 the situation that happened with the convoys in Ottawa to
23 understand that it's a real situation, but it's not up to me
24 to tell the panels that you have to be wary of disinformation
25 and misinformation. It's part of their job to ensure that
26 the elections are -- remain -- keep their integrity, and they
27 did a good job in 2019 and 2021.

28 And we understand that in 2025, it will be

1 even more difficult and they have to keep doing the excellent
2 job.

3 **MR. GUILLAUME SIROIS:** One last questions, if
4 I may.

5 If you as the Party leader, you're in an
6 election campaign and you see serious interference, false
7 information, would you repeat that? Is Elections Canada
8 doing its work?

9 **RT. HON. JUSTIN TRUDEAU:** I trust that they
10 will do their work, but it is part of our responsibility, all
11 of us, whether we're citizens, candidates, Party leaders or
12 political parties, we all need to work with the SITE Task
13 Force to report any misinformation or disinformation. And
14 this is part of what we're going to do with the panel. We
15 will raise issues with the panel, but the panel does not
16 depend on us to do its work.

17 But yes, absolutely, we can contribution and
18 we should.

19 **MR. GUILLAUME SIROIS:** Thank you.

20 **COMMISSIONER HOGUE:** The Attorney General?

21 **MR. FREDERICK SCHUMANN:** Nothing from the
22 Attorney General. Thank you very much, Madam Commissioner.

23 **COMMISSIONER HOGUE:** Nothing.

24 Re-examination?

25 **MS. SHANTONA CHAUDHURY:** No, thank you,
26 Commissioner.

27 **COMMISSIONER HOGUE:** Thank you very much.
28 I don't know if I can say you are free to

1 leave, but I will allow myself to tell you that you are free
2 to leave.

3 **RT. HON. JUSTIN TRUDEAU:** Thank you very
4 much.

5 **THE REGISTRAR:** Order, please.

6 This sitting of the Foreign Interference
7 Commission has adjourned.

8 --- Upon adjourning at 6:51 p.m.

9

10 **C E R T I F I C A T I O N**

11

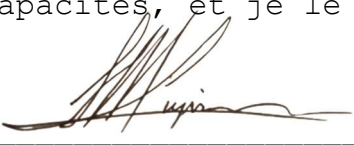
12 I, Sandrine Marineau-Lupien, a certified court reporter,
13 hereby certify the foregoing pages to be an accurate
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15 ability, and I so swear.

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17 Je, Sandrine Marineau-Lupien, une sténographe officielle,
18 certifie que les pages ci-hautes sont une transcription
19 conforme de mes notes/enregistrements au meilleur de mes
20 capacités, et je le jure.

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