



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**

**VOLUME 14
ENGLISH INTERPRETATION**

Held at :

Library and Archives Canada
Bambrick Room
395 Wellington Street
Ottawa, Ontario
K1A 0N4

Wednesday, April 10, 2024

Tenue à :

Bibliothèque et Archives Canada
Salle Bambrick
395, rue Wellington
Ottawa, Ontario
K1A 0N4

Le mercredi 10 avril 2024

INTERNATIONAL REPORTING INC.
<https://www.transcription.tc>
(800)899-0006

II Appearances / Comparutions

Commission Lead Counsel / Procureure en chef de la commission	Shantona Chaudhury
Commission Counsel / Avocat(e)s de la commission	Gordon Cameron Erin Dann Matthew Ferguson Hubert Forget Howard Krongold Hannah Lazare Jean-Philippe MacKay Kate McGrann Lynda Morgan Siobhan Morris Annie-Claude Poirier Gabriel Poliquin Natalia Rodriguez Guillaume Rondeau Nicolas Saint-Amour Daniel Sheppard Maia Tsurumi Leila Ghahhary Emily McBain-Ashfield Hamza Mohamadhossen
Commission Research Council / Conseil de la recherche de la commission	Geneviève Cartier Nomi Claire Lazar Lori Turnbull Leah West
Commission Senior Policy Advisors / Conseillers principaux en politiques de la commission	Paul Cavalluzzo Danielle Côté

III

Appearances / Comparutions

Commission Staff / Personnel de la commission	Annie Desgagné Casper Donovan Michael Tansey
Ukrainian Canadian Congress	Donald Bayne Jon Doody
Government of Canada	Gregory Tzemenakis Barney Brucker
Office of the Commissioner of Canada Elections	Christina Maheux Luc Boucher Nancy Miles
Human Rights Coalition	Hannah Taylor Sarah Teich
Russian Canadian Democratic Alliance	Mark Power Guillaume Sirois
Michael Chan	John Chapman Andy Chan
Han Dong	Mark Polley Emily Young Jeffrey Wang
Michael Chong	Gib van Ert Fraser Harland
Jenny Kwan	Sujit Choudhry Mani Kakkar

IV Appearances / Comparutions

Churchill Society

Malliha Wilson

The Pillar Society

Daniel Stanton

Democracy Watch

Wade Poziomka
Nick Papageorge

Canada's NDP

Lucy Watson

Conservative Party of Canada

Nando de Luca

Chinese Canadian Concern Group on
The Chinese Communist Party's
Human Rights Violations

Neil Chantler

Erin O'Toole

Thomas W. Jarmyn
Preston Lim

Senator Yuen Pau Woo

Yuen Pau Woo

V
Table of Content / Table des matières

	PAGE
HON. KARINA GOULD, Affirmed/Sous affirmation solennelle	1
Examination in-Chief by/Interrogatoire en-Chef par Ms. Lynda Morgan	1
Cross-Examination by/Contre-interrogatoire par Ms. Mani Kakkar	28
Cross-Examination by/Contre-interrogatoire par Mr. Fraser Harland	34
Cross-Examination by/Contre-interrogatoire par Mr. Thomas Jarmyn	39
Cross-Examination by/Contre-interrogatoire par Mr. Nando de Luca	44
Cross-Examination by/Contre-interrogatoire par Mr. Guillaume Sirois	51
Cross-Examination by/Contre-interrogatoire par Mr. Jon Doody	55
Cross-Examination by/Contre-interrogatoire par Ms. Hannah Taylor	58
Cross-Examination by/Contre-interrogatoire par Mr. Gregory Tzemenakis	61
HON. WILLIAM BLAIR, Sworn/Assermenté	63
Examination-Chief by/Interrogatoire en-chef par Mr. Gordon Cameron	63
Cross-Examination by/Contre-interrogatoire par Mr. Guillaume Sirois	78
Cross-Examination by/Contre-interrogatoire par Ms. Hannah Taylor	82
Cross-Examination by/Contre-interrogatoire par Mr. Nando de Luca	88
Cross-Examination by/Contre-interrogatoire par Ms. Mani Kakkar	92
Cross-Examination by/Contre-interrogatoire par Ms. Emily Young	96
HON. DOMINIC LeBLANC, Sworn/Assermenté	99
Examination-Chief by/Interrogatoire en-chef par Ms. Erin Dann	99
Cross-Examination by/Contre-interrogatoire par Mr. Sujit Choudhry	122
Cross-Examination by/Contre-interrogatoire par Mr. Thomas Jarmyn	129
Cross-Examination by/Contre-interrogatoire par Mr. Guillaume Sirois	132
Cross-Examination by/Contre-interrogatoire par Mr. Nando de Luca	136

VI
Table of Content / Table des matières

	PAGE
Cross-Examination by/Contre-interrogatoire par Ms. Hannah Taylor	140
Cross-Examination by/Contre-interrogatoire par Me Alain Manseau	146
RT. HON. JUSTIN TRUDEAU, Sworn/Assermenté	152
Examination-Chief by/Interrogatoire en-chef par Ms. Shantona Chaudhury	152
Cross-Examination by/Contre-interrogatoire par Mr. Gib van Ert	201
Cross-Examination by/Contre-interrogatoire par Mr. Sujit Choudhry	212
Cross-Examination by/Contre-interrogatoire par Mr. Thomas Jarmyn	220
Cross-Examination by/Contre-interrogatoire par Mr. Nando de Luca	227
Cross-Examination by/Contre-interrogatoire par Mr. Mark Polley	235
Cross-Examination by/Contre-interrogatoire par Ms. Sarah Teich	238
Cross-Examination by/Contre-interrogatoire par Mr. Prabjot Singh	241
Cross-Examination by/Contre-interrogatoire par Mr. Jon Doody	245
Cross-Examination by/Contre-interrogatoire par Mr. Guillaume Sirois	248

VII
Exhibit List / Liste des pièces

No.	DESCRIPTION	PAGE
WIT 62	Minister Karina Gould Public Summary of Classified Interview	2
COM 18	Letter from Prime Minister to Karina Gould	5
CAN 13303	Letter to Miriam Burke from Jody Thomas	11
CAN 15506	Memo for the NSIA to the PM - Elections Security Briefings for the Hon. Dominic LeBlanc	26
MMC 20	CSIS Briefings and Intelligence Products on PRC Foreign Interference in the 2019 and 2021 General Elections	46
CAN 4252	Security Brief for Minister Gould	48
HRC 31	LPC Procedure for the Permanent Appeals Committee, Bylaw 9	58
CAN 4079_R01	CAN004079_R01	59
WIT 64	Public Interview Summary: the Honourable Bill Blair, Minister of National Defence	63
CAN 3326	Letter from Public Safety Minister	71
COM 155	Annual Report 2019	84
WIT 63	In Camera Examination Summary: the Honourable Bill Blair, Minister of Defence	89
MCC 53	Bill Blair took months to approve CSIS surveillance of Liberal powerbroker, national-security source says	90
WIT 65	Public Interview Summary: the Honourable Dominic LeBlanc	100
WIT 52	Public Summary of In Camera Examination: Minister Dominic LeBlanc	100
COM 48	Countering an Evolving Threat: Update on Recommendations to Counter Foreign Interference in Canada's Democratic Institutions	104
CAN.SUM 3	People's Republic of China Officials - Foreign Interference Activities in Greater Vancouver in the 2019 General Election	113

VIII
Exhibit List / Liste des pièces

No.	DESCRIPTION	PAGE
CAN.SUM 10	People's Republic of China Threat Actors, Contact with Candidates and Staff, and Funding of Threat Actors	115
CAN.SUM 4	Possible People's Republic of China Foreign Interference-Related Mis or Disinformation	116
CAN 17676	"Handwritten Notes of B. Clow & Meeting Invitation"	117
CAN 4495	Briefing to the Prime Minister's Office on Foreign Interference Threats to Canada's Democratic Institutions	123
JKW 161	National Terrorism Threat Level	125
COM 346	CTV News – “Process underway for Han Dong's possible return to the Liberal caucus” – June 1, 2023	136
COM 344	CBC – “MP Han Dong says he wants to rejoin Liberal caucus after being ‘vindicated’ by Johnston’s report” – May 24, 2023	139
COM 345	CBC – “Han Dong says he’s met with government, is waiting to learn if he can rejoin caucus” – Sep 21, 2023	139
COM 347	Global News – “Trudeau not saying if Han Dong will return to Liberal caucus after testimony” – April 3, 2024	139
CAN.DOC 15	Public Safety (PS) Institutional Report – UNCLASSIFIED	140
CAN 2096	Elections Security Brief for Minister LeBlanc	142
WIT 66	Interview Summary: Rt. Hon. Justin Trudeau (Prime Minister)	152
WIT 67	In Camera Examination Summary: the Right Honourable Justin Trudeau, Prime Minister	152
CAN 19496	People's Republic of China Political Interference in Canada	156
CAN 5461	FI Efforts against Dong Han	165
CAN 3116	SITE TF SITREP: 22 October 2019	170
CAN 15487	Safeguarding the 2019 General Elections	171

VIX
Exhibit List / Liste des pièces

No.	DESCRIPTION	PAGE
CAN.SUM 13	Comments by Individual People's Republic of China Officials on Expressed Partisan Preferences in the 2019 and 2021 General Election	175
CAN 1082	Liberal Party Representatives SITE Briefing	178
CAN 15842	Briefing to the PM on Foreign Interference Threats to Canada's Democratic Institutions	180
CAN 9803	Handwritten Notes of Katie Telford	182
CAN 14285	Foreign Interference	184
CAN 17673	Handwritten Notes of B. Clow	187
CAN 18009	Handwritten Notes of Brian Clow	190
CAN 5461	FI Efforts against Dong Han	202
COM 104	"First Report The Right Honourable David Johnston Independent Special Rapporteur on Foreign Interference"	208
COM 8	Cabinet Directive on the Critical Election Incident Public Protocol	224
CAN.SUM 2	Intelligence Relating to Han Dong and Communication with People's Republic of China Officials Regarding the "Two Michaels"	230
COM 118	First Report The Right Honourable David Johnston Independent Special Rapporteur on Foreign Interference	232

1 Ottawa, Ontario

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

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

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

7 The time is 9:32.

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

9 **COMMISSIONER HOGUE:** So good morning.

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

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

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

17 **HON. KARINA GOULD:** Affirmed.

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

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

23 **--- HON. KARINA GOULD, Affirmed:**

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

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

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

28 **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 Letter from Prime Minister to Karina
25 Gould

26 **MS. LYNDIA MORGAN:** And the document you see
27 on the screen, is 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 **--- EXHIBIT No. CAN 13303:**

4 Letter to Miriam Burke from Jody
5 Thomas

6 **MS. LYNDA MORGAN:** So you can see here under
7 the heading, "Briefings to Ministers" a series of briefings
8 between August 15th, 2018 and...

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

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

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

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

23 **HON. KARINA GOULD:** The primary focus would
24 be on cyberthreats, both in Canada but also from what we were
25 seeing around the world. And the purpose of including around
26 the world is important so that we could learn from other
27 experiences so that we would be able to protect Canada's
28 democracies and elections against those. And there would be

1 if -- you know, if relevant, high-level descriptions of other
2 potential threats that could include human interference but
3 that they would never be specific; it would be a very general
4 overview, very high level of what the agency was seeing at
5 the time.

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

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

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

13 **HON. KARINA GOULD:** No.

14 **MS. LYNDA MORGAN:** And did you receive
15 intelligence relating to -- like, specific intelligence
16 relating to alleged incidents of foreign interference?

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

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

23 **HON. KARINA GOULD:** So CSIS and CSE would be
24 the two primary sources, but the Rapid Response Mechanism at
25 Global Affairs Canada would also generally provide
26 information, and what the RRM does is -- well, they worked
27 with G7 and NATO allies to look more broadly around the world
28 to try to identify trends and perhaps identify a threat

1 before it would occur. And so they would kind of tell me
2 what they were seeing around the world and new trends or
3 threats that they were identifying in the online space, and
4 from publicly-sourced content.

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

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

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

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

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

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

25 **HON. KARINA GOULD:** Well, what I set out to
26 do as Minister of Democratic Institutions was to come up with
27 a whole of government plan, recognizing that as I learned
28 more about what the threats were that, you know, we needed to

1 ensure that we had a variety of different departments part of
2 this.

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

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

27 And then the other thing is that as we
28 learned more, I pulled in Global Affairs Canada through the

1 Rapid Response Mechanism, as well as Heritage Canada because
2 one of the things that, you know, I learned, and I believe
3 very firmly, is that one of the best methods to protect our
4 democracy was a well-informed citizenry.

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

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

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

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

27 **HON. KARINA GOULD:** So from the get-go, I was
28 engaged with opposition members as well as political parties.

1 I believe in the fall -- as early as the fall of 2017, I had
2 meetings with each of my opposition critics, the critics from
3 Public Safety and Democratic Institutions, to talk about the
4 fact that we were building this plan, to get their input as
5 to what they were concerned about, and to let them know that
6 I thought this was something that we needed to have an
7 ongoing dialogue with regards to.

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

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

1 want to have, you referenced this earlier, in terms of the
2 Obama dilemma, is the very fact of making a public comment
3 can be seen as interference, whether that's from a partisan
4 or from a non-partisan body. And so we needed to have a way
5 to engage and to share information by which all of the
6 parties would be confident. And of course what we saw in the
7 U.S. election was that there were very partisan comments on
8 both sides with regards to whether the information should or
9 should not have been released, or even whether a foreign
10 actor should have been named.

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

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

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

25 **HON. KARINE GOULD:** We certainly presented it
26 to them. I wasn't part of those conversations because that
27 was happening at the staff level, but I think, you know, what
28 you could see from the various reports is that going into the

1 2019 election, there was generally comfort with where we
2 were.

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

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

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

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

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

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

1 of my primary objectives, was to remove any notion that there
2 could be a partisan interest in the decision as to whether or
3 not to release information if something should occur.

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

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

17 I also consulted with the Commissioner of
18 Canada Elections at the time. Again, not really the right
19 space for them either.

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

27 And the other part of it, in terms of the
28 composition, was that the Government of Canada can be quite

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

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

25 And the reason why I felt it was important to
26 have the Deputy for Justice there was specifically to have
27 that legal perspective and to have knowledge and
28 understanding of, you know, the corpus of judicial history

1 and precedent in this country, and to ensure that the
2 democratic rights of Canadian citizens, of candidates, of
3 political parties, were front and center, and understood in
4 making such a profound decision that would have such an
5 important impact on an election process and outcome.

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

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

12 **MS. LYNDA MORGAN:** And that appointment is
13 for an indefinite period?

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

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

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

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

1 future government of a different stripe.

2 That's the role of the public service, is to
3 be professional, to be independent, and to be non-partisan.
4 And particularly during a writ period where the Government is
5 under the Caretaker Convention. And so part of where this
6 Panel of Five fits in is also under the Caretaker Convention,
7 which is something that has existed in Canada since
8 Confederation, where the public service takes on their
9 responsibilities of the Government because the Government is
10 a political actor at that moment in time seeking election or
11 re-election.

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

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

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

28 It was also one of the first times that we

1 had -- well, the second time we had a fixed date election in
2 Canada as well, so there were many kind of different factors.

3 I think in some respects it's almost a bit
4 harder for foreign actors to interfere when you have, you
5 know, more spontaneous elections. When you know there's a
6 fixed date, you have a runway to lead up to.

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

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

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

1 And we have already in the Government of
2 Canada apparatus roles and responsibilities for those
3 activities. What we didn't have was something concrete for
4 the writ period itself. creation of a permanent body.

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

11 In the concept stage, was the threshold
12 intended to be at a high level?

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

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

1 And if someone is saying that the integrity
2 of the process is being questioned or has been compromised,
3 they need to be certain of that fact and they need to be
4 certain that this is something of significant enough value to
5 the national interest that it be made public.

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

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

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

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

23 And it was specific in the Cabinet directive
24 to give the panel the authority and the responsibility to
25 make that judgment call.

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

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

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

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

11 Can I have CAN 15506, please?

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

13 Memo for the NSIA to the PM -
14 Elections Security Briefings for the
15 Hon. Dominic LeBlanc

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

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

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

24 Were you briefed regularly by Deputy
25 Ministers prior to and during GE 2019?

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

28 **MS. LYNDA MORGAN:** Did you expect to receive

1 briefings during the election?

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

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

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

18 **HON. KARINA GOULD:** Correct.

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

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

1 the security agencies.

2 **MS. LYNDA MORGAN:** And I understand, finally,
3 that you were not briefed on intelligence assessments
4 suggesting that there were likely at least two transfers of
5 funds approximating \$250,000 from PRC officials in Canada
6 possibly for FI-related purposes that were transferred via an
7 influential community leader to the staff member of a 2019
8 federal election and then to an Ontario MPP.

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

10 **MS. LYNDA MORGAN:** So you did not receive
11 that intelligence.

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

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

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

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

20 **COMMISSIONER HOGUE:** Thank you.

21 Cross-examination by counsel for Jenny Kwan.

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

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

24 Good morning, Ms. Gould.

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

26 **MS. MANI KAKKAR:** I'm just going to take a
27 minute here to -- so Ms. Gould, this morning I wanted to ask
28 questions specifically related to the kind of information

1 that you considered when you were developing the threshold
2 and to considering the plan for protecting Canada's
3 democracy. In your witness statement, and you've said this
4 in your testimony as well, that your briefings were quite
5 high level, that you actually looked outside of Canada to see
6 the ways in which foreign interference had affected
7 elections. Do you think it would have been helpful to know
8 the specific details though of foreign interference in
9 Canada, so that you could better address what was happening
10 here because perhaps the dynamics would have been different
11 than perhaps our U.S. partners or other countries in the
12 world?

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

1 and say that, yes, both of those were happening, and that was
2 incredibly important to figure out how we protect ourselves.

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

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

23 **HON. KARINA GOULD:** Yeah, so it would be high
24 level in the sense of which are the foreign actors that try
25 to engage the most in foreign interference activities, and
26 some of the ways in which the agencies would have seen them
27 try to do that. So there was an understanding of what the
28 threats are in Canada. I would say that, generally speaking,

1 and as I mentioned in my previous answer, it is known that
2 there have been attempts to interfere in Canadian democracy
3 since the beginning of Confederation, but I would say that
4 our intelligence agencies are, you know, I think quite adept
5 at trying to monitor that, and if they are able to then share
6 that information with the RCMP, whose job it would be then if
7 they have the evidence to act upon it.

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

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

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

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

2 **MS. MANI KAKKAR:** Right.

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

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

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

19 **MS. MANI KAKKAR:** Sure.

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

27 So the panel did a series of tabletop
28 exercises to imagine different scenarios, right, the SITE

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

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

25 **HON. KARINA GOULD:** I don't think you would
26 ever be able to determine if there's an under and
27 overreaction because of the nature of an election, when
28 emotions are so high, when the outcome is so personal to so

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

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

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

22 **COMMISSIONER HOGUE:** Thank you.

23 Counsel for Michael Chong?

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

25 **MR. FRASER HARLAND:** Good morning,
26 Commissioner. Good morning, Ms. Gould.

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

28 **MR. FRASER HARLAND:** Ms. Morgan asked you

1 about consultation with political parties regarding the
2 Critical Election Incident Public Protocol. You remember
3 that?

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

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

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

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

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

28 **MR. FRASER HARLAND:** That's helpful. And I

1 just want to make sure that we have your evidence, because my
2 specific concern is not on the plan as a whole, but is on the
3 Panel of Five, the Critical Election Incident Public
4 Protocol. And so I believe that's what, in response to Ms.
5 Morgan's question, you said we presented it to them. And I'm
6 wondering on that, on the Panel of Five, was there meaningful
7 consultation with the political parties? Or was the plan
8 just presented to them as you had created it?

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

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

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

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

1 **HON. KARINA GOULD:** I would say that as your
2 client was Minister of Democratic Reform who served under --
3 who served alongside and was served by the professional non-
4 partisan public service, that they are independent in the
5 advice that they provide to government, they are loyal in the
6 implementation of it, but I have very, very strong confidence
7 in our public service that they serve the government of the
8 time, but they serve equally well, regardless of what the
9 partisan colour of that government is.

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

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

1 And particularly during the Caretaker period,
2 which is a longstanding convention in Canadian governance,
3 they take on the role of a government at that time. And
4 particularly in this Cabinet Directive, they are given that
5 authority. If you look at the Cabinet Directive, yes, they
6 inform the Prime Minister, but they also have to inform the
7 other political parties as well to make sure that this is
8 something that is fair and information that is being received
9 by everyone ahead of it being made public.

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

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

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

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

28 Thank you, Commissioner.

1 **COMMISSIONER HOGUE:** Thank you.
2 Counsel for Erin O'Toole.

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

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

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

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

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

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

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

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

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

1 **HON. KARINA GOULD:** I don't recall exactly
2 that comment.

3 **MR. THOMAS JARMYN:** Okay.

4 **HON. KARINA GOULD:** Yeah.

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

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

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

12 **MR. THOMAS JARMYN:** And those were -- did you
13 negotiate with any other platforms? Or did you approach any
14 other platforms?

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

20 **MR. THOMAS JARMYN:** Okay. So no one
21 approached Tencent about WeChat?

22 **HON. KARINA GOULD:** I don't think they had an
23 office in Canada at the time. And I would say at the time in
24 2019, the primary focus was really on Russia.

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

27 I'd like to look at paragraph 11 of the
28 witness summary.

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

3 "...alleged interference in a
4 nomination process would not be
5 significant enough to question the
6 integrity of an election in its
7 entirety."

8 But it would be sufficient enough to question
9 the integrity of the election in the particular riding;
10 wouldn't it?

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

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

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

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

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

25 **COMMISSIONER HOGUE:** So rephrase your
26 question, I think.

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

1 "...the remits of the affected
2 political party, Elections Canada [...]
3 and/or the [RCMP]..."

4 How is Elections Canada -- just within the
5 remit of Elections Canada, the ---

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

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

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

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

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

27 **HON. KARINA GOULD:** Context specific, again,
28 so it could be. Certainly what we saw in the U.S.

1 Presidential election, it was.

2 Again, though, as anyone who has run in an
3 election, the information ecosystem is quite chaotic during a
4 writ period and so to be able to determine if it was foreign
5 interference that caused a change in the discourse or it was
6 something else, a statement by a politician, a policy from a
7 political party, a platform from a political party, you know,
8 there needs -- it's hard to determine which one of those
9 things might be the most affected. However, that's where the
10 involvement of the intelligence agencies and intelligence
11 that they see impacting something would then be submitted to
12 the panel to make that judgment call.

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

1 And so to be able to determine specifically
2 that they got there because of one specific element in the
3 election is quite challenging, which is why the threshold was
4 set so high and why the intervention of the panel needed to
5 be taken with the seriousness with which I think it was
6 taken.

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

8 **COMMISSIONER HOGUE:** Thank you.

9 Counsel for the Conservative Party, Me De
10 Luca.

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

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

15 "As Minister of Democratic
16 Institutions, your overarching goal is
17 [or was] to strengthen the openness and
18 fairness of Canada's public
19 institutions and also to restore
20 Canadians' trust and participation in
21 our democratic processes." (As read)
22 Do you recall that or do you recall those
23 words?

24 **HON. KARINA GOULD:** Would you be able to show
25 them to me?

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

28 **HON. KARINA GOULD:** If you could show it to

1 me, that would be helpful.

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

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

4 **HON. KARINA GOULD:** And do you know which
5 paragraph?

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

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

12 **HON. KARINA GOULD:** Sorry. Could you repeat
13 that?

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

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

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

24 But perhaps I can just get to your first
25 point because one of the reasons why I was mandated to
26 restore trust in democracy was because at the time, we were -
27 - when we were elected, it was after the *Fair Elections Act*
28 that the current Leader of the Opposition had put in place

1 which actually reduced citizens' ability to cast their
2 ballots, and that was the primary overarching objective, was
3 to make sure that every Canadian citizen would be able to
4 cast their ballot, be able to participate in our democracy
5 and have confidence in the process.

6 **MR. NANDO de LUCA:** Can I ask that MMC0020 be
7 pulled up?

8 And do you have it in front of you?

9 **--- EXHIBIT No. MMC 20:**

10 CSIS Briefings and Intelligence
11 Products on PRC Foreign Interference
12 in the 2019 and 2021 General
13 Elections

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

15 **MR. NANDO de LUCA:** And this appears to be a
16 summary of the CSIS briefings in the possession of the Privy
17 Council Officer relating to PRC foreign interference in the
18 2019 and 2021 General Elections and a general description of
19 those documents.

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

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

28 **MR. NANDO de LUCA:** Well, the heading

1 actually says PRC. Do you dispute that?

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

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

6 **HON. KARINA GOULD:** Okay, sorry. I didn't
7 see that.

8 But I would just say that those briefings
9 that I would have received would have been general with
10 regards to a variety of actors.

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

15 **HON. KARINA GOULD:** I would say that to make
16 the statement that there is foreign interference in Canadian
17 elections is not entirely accurate. I would say that what
18 these briefings suggested to me or provided to me was an
19 overview of attempted foreign interference broadly around the
20 world as well as activities that potentially could be
21 observed here in Canada.

22 **MR. NANDO de LUCA:** So you received -- let me
23 get this straight. You received seven briefings on foreign
24 interference. Are you suggesting that as a result of those
25 seven briefings, you weren't convinced that any foreign
26 interference in the ---

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

28 **MR. NANDO de LUCA:** Let me finish the

1 question, please.

2 Are you suggesting that you weren't convinced
3 that any foreign interference had taken place in connection
4 with the Canadian elections process?

5 **HON. KARINA GOULD:** What I said was they
6 would show me -- they would share information with me of what
7 potential interference could be of activities that they had
8 seen as attempts and things that we needed to be aware of in
9 terms of what could possibly happen during an election.

10 Certainly I was the Minister of Democratic
11 Institutions before the 2021 election and for a very brief
12 period of time after the 2019 election.

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

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

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

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

1 Security Brief for Minister Gould

2 MR. NANDO de LUCA: And this indicates that
3 it's a briefing or a -- it's a briefing or a security brief
4 that you would have received in or about October 29, 2019
5 from CSIS. Did you, in fact receive this briefing?

6 HON. KARINA GOULD: I did receive a briefing
7 following the 2019 election. I couldn't confirm the date
8 with you, and I have only seen this particular document in
9 preparation for today's proceedings.

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

13 HON. KARINA GOULD: Correct.

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

17 HON. KARINA GOULD: M'hm.

18 MR. NANDO de LUCA: Do you recall being
19 updated with respect to the China threat on or about October
20 29, 2019 after the general election?

21 HON. KARINA GOULD: I would have been briefed
22 at a very high level that they were monitoring the
23 activities.

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

27 "...limited specific incidents

28 suggestive of FI which were briefed

1 to relevant clients (GC and political
2 parties) during the writ period
3 (e.g., Don Valley)."

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

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

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

8 **HON. KARINA GOULD:** --- a high level. I
9 wouldn't have received the specifics about Don Valley and
10 would have said something to the effect of limited activity
11 viewed, action taken, but it wouldn't have been to that
12 specific level.

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

17 **HON. KARINA GOULD:** It would have been all of
18 the briefings. It would have -- it was high level. I was
19 never given specifics about candidates, parties, locations or
20 individuals.

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

23 **HON. KARINA GOULD:** No.

24 **MR. NANDO de LUCA:** Were you given
25 generalities relating to voting irregularities for Don Valley
26 North ---

27 **HON. KARINA GOULD:** No.

28 **MR. NANDO de LUCA:** --- prior to this

1 briefing?

2 HON. KARINA GOULD: No.

3 MR. NANDO de LUCA: You have to let me
4 finish.

5 HON. KARINA GOULD: Oh, well, okay, no.

6 MR. NANDO de LUCA: Okay. Those are my
7 questions. Thank you very much.

8 COMMISSIONER HOGUE: Thank you.

9 Me Sirois for RCDA?

10 --- CROSS-EXAMINATION BY MR. GUILLAUME SIROIS:

11 HON. KARINA GOULD: Good morning.

12 MR. GUILLAUME SIROIS: Minister Gould, you
13 mentioned during your examination-in-Chief that a primary
14 national interest of Russia imposed inciting chaos within
15 democratic nations; right?

16 HON. KARINA GOULD: One of them, yes.

17 MR. GUILLAUME SIROIS: Including the 43rd and
18 44 general election?

19 HON. KARINA GOULD: I wouldn't know that
20 specific for those elections because I was not the Minister
21 of Democratic Institutions at the time, but what I can say is
22 it doesn't necessarily mean that that was their objective in
23 Canada, but that has been one of their objectives in terms of
24 why they engage in cyber activities during election periods
25 and democracies.

26 MR. GUILLAUME SIROIS: So, sorry, your
27 evidence is that Russia has an objective and to -- in
28 interfering -- on the national interest in interfering in

1 democratic nations, but perhaps not Canada?

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

8 **MR. GUILLAUME SIROIS:** Maybe that Canada is
9 not the main focus, but it's certainly one of, therefore, the
10 focus?

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

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

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

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

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

28 **MR. GUILLAUME SIROIS:** But not the 43rd and

1 44 general election in Canada?

2 HON. KARINA GOULD: I wouldn't be able to
3 say. I wasn't -- I was Minister of Democratic Institutions
4 before those events took place.

5 MR. GUILLAUME SIROIS: Understand.

6 HON. KARINA GOULD: But certainly, Russia was
7 something that we were concerned about, which is why we
8 created this whole infrastructure to protect our elections.

9 MR. GUILLAUME SIROIS: You suspecting that
10 Russia may have an intention ---

11 HON. KARINA GOULD: Be prepared.

12 MR. GUILLAUME SIROIS: Yeah.

13 HON. KARINA GOULD: Yeah.

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

19 HON. KARINA GOULD: Yeah.

20 MR. GUILLAUME SIROIS: Yes?

21 HON. KARINA GOULD: Yes.

22 MR. GUILLAUME SIROIS: Is it possible that
23 for different members of the Canadian public also there's
24 different conceptions of what a high threshold is? I'm
25 thinking in particular with respect to diaspora members. For
26 instance, maybe a pro-democracy diaspora member may think
27 that the high threshold has been met by a certain situation,
28 but that may -- same conclusion may not be reached by the

1 Panel of Five?

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

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

8 **HON. KARINA GOULD:** Because it is a very
9 complicated, emotional, high-energy moment that has a huge
10 impact, so that's why it was important to be able to have a
11 group that could make that determination.

12 **MR. GUILLAUME SIROIS:** But it's possible that
13 the group concludes that there's a -- the high threshold
14 hasn't been met, although with the same information, so one
15 from a diaspora group may conclude that the high threshold
16 has been met?

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

23 **MR. GUILLAUME SIROIS:** Well, I know why the
24 Panel of Five has been created. That's clear and thanks to
25 you. I just want to understand whether it's possible for the
26 panel to reach one conclusion with respect to a threshold and
27 a member of the diaspora community to reach a different
28 conclusion with respect to ---

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

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

3 **HON. KARINA GOULD:** --- with all due respect,
4 I'm -- the member of the diaspora community is not
5 necessarily charged with protecting Canada's democracy, and
6 so their understanding of when and what to say publicly may
7 be different. I will certainly grant you that, but I think
8 what's important here is that we have a group of the highest-
9 ranking public servants in the country who determine when
10 that needs to be released publicly.

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

13 **COMMISSIONER HOGUE:** Yes. Counsel for the --
14 for UCC?

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

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

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

18 **MR. JON DOODY:** It's Jon Doody. I'm counsel
19 for the Ukrainian Canadian Congress. We've heard from you
20 and others that the motivation to create the plan to protect
21 Canada's democracy was due to Russia's interference in the
22 U.S. and around the world. From when you got that mandate in
23 2017 and leading up to the 2019 election, did you see that
24 concern decrease or increase from Russia specifically?

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

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

1 **HON. KARINA GOULD:** But what I can say is --
2 well, I think that would maybe be classified information, but
3 what I can say is that I remained very concerned as I
4 continued to learn, that this is something that Canada needed
5 to do, and we needed to make sure that we had a plan and a
6 process in place.

7 **MR. JON DOODY:** Right. And you stated in
8 your testimony this morning that in every election there's
9 been attempts at foreign interference, but whether they're
10 successful or not is another issue.

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

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

15 **HON. KARINA GOULD:** I don't think I can
16 comment on that.

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

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

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

27 **HON. KARINA GOULD:** Yes. I mean, if you
28 consider an election -- a writ period, there's a lot of

1 information that is spread even by domestic actors that is
2 not necessarily true. But the fact of the matter is, is, you
3 know, unless you can tie it specifically to a foreign actor
4 it's hard to determine that that is what made them cast that
5 ballot.

6 So one of the reasons why one of the pillars
7 in the plan to protect democracy was about informing citizens
8 is so that citizens can have the tools to be able to identify
9 information, see valid sources. And that's also the reason
10 why we invited the NATO StratCom to come talk to Canadian
11 journalists as well, so that they, as arbiters of
12 information, can hopefully provide the best sources to
13 Canadian citizens.

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

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

25 So at the end of the day, if a Canadian has
26 made that decision, that their vote is valid. What we are
27 trying to do, or what I was trying to do was to set up an
28 infrastructure to enable Canadians to make informed choices

1 and have an understanding of where that information was
2 coming from.

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

4 **COMMISSIONER HOGUE:** Counsel for Human Rights
5 Coalition.

6 **(SHORT PAUSE)**

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

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

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

10 **MS. HANNAH TAYLOR:** If the Court Operator
11 could please pull up HRC 31? This is the Liberal Party of
12 Canada Bylaw governing procedure for the Permanent Appeals
13 Committee.

14 **--- EXHIBIT No. HRC 31:**

15 LPC Procedure for the Permanent
16 Appeals Committee, Bylaw 9

17 **MS. HANNAH TAYLOR:** And if we could jump to
18 3.1 at the bottom of page 1?

19 It states that:

20 "two (2) Co-Chairs, [are] appointed
21 by the National Board, with the
22 consent of the Leader..."

23 Minister, would that be the Leader of the
24 Liberal Party of Canada?

25 **HON. KARINA GOULD:** So I will just say that
26 before appearing here, I have never read this bylaw before.
27 I would assume it's the Leader of the Liberal Party of
28 Canada, but this was, I think, more a question for the Party

1 apparatus as opposed to a Minister.

2 **MS. HANNAH TAYLOR:** Okay, we can move on.

3 **HON. KARINA GOULD:** Yeah.

4 **MS. HANNAH TAYLOR:** Could we please pull up
5 next CAN 4079_R01? And if we could go to the top of page 2,
6 please? Thank you.

7 **--- EXHIBIT No. CAN 4079 R01:**

8 CAN004079_R01

9 **MS. HANNAH TAYLOR:** It reads:

10 "The PRC is known to target and/or
11 leverage family as part of its FI
12 [meaning foreign interference] and
13 other threat activity, through
14 Operations FOXHUNT and SKYNET, for
15 example. The PRC could potentially
16 threaten or intimidate [redacted]."

17 What are your thoughts on this, Minister?

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

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

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

28 **MS. HANNAH TAYLOR:** Would you be able to

1 speak from -- you know, my understanding is that you have
2 received high-level briefings about actors involved in
3 potential foreign interference and the ways that they engage
4 in that foreign interference. Would you be able to speak to
5 the issue of the PRC targeting and/or leveraging families as
6 part of the foreign interference -- that's foreign
7 interference in your role before that? Are you able to speak
8 about it more generally?

9 **HON. KARINA GOULD:** I can speak more
10 generally about my time as Minister of Democratic
11 Institutions. This is something that I have not seen before
12 or been presented with.

13 **MS. HANNAH TAYLOR:** Have you been presented
14 with information that speaks to the PRC leveraging or
15 threatening family?

16 **HON. KARINA GOULD:** No.

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

20 **HON. KARINA GOULD:** Correct.

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

23 **HON. KARINA GOULD:** Correct.

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

25 **COMMISSIONER HOGUE:** Thank you.

26 AG?

27 **MR. GREGORY TZEMENAKIS:** Good morning,
28 Commissioner.

1 --- CROSS-EXAMINATION BY MR. GREGORY TZEMENAKIS:

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

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

9 **HON. KARINA GOULD:** Correct.

10 **MR. GREGORY TZEMENAKIS:** And you were asked
11 about -- you recall being asked about your state of knowledge
12 regarding Don Valley North?

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

14 **MR. GREGORY TZEMENAKIS:** Can you just confirm
15 for the record, as Minister of Democratic Institutions, did
16 you have responsibility and/or accountability to address any
17 alleged incidents of foreign interference that would have
18 flowed ---

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

20 **MR. GREGORY TZEMENAKIS:** --- in respect of
21 Don Valley North?

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

23 **MR. GREGORY TZEMENAKIS:** And can you tell us
24 which Minister or which portfolio might have been
25 responsible?

26 **HON. KARINA GOULD:** I would think it would be
27 the Minister of Public Safety; however, I believe that that
28 would -- if there was something that happened, that that

1 would be the purview of the RCMP because they would be the
2 ones that would respond in such instance because of a ---

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

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

5 **COMMISSIONER HOGUE:** Thank you.

6 Re-examination?

7 **MS. LYNDA MORGAN:** None.

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

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

12 **(WITNESS WITHDRAWS)**

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

15 Oh, correction; 11:30.

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

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

18 **THE REGISTRAR:** Order please.

19 This sitting of the Foreign Interference
20 Commission is now back in session.

21 **HON. WILLIAM BLAIR:** Good morning, Madam
22 Justice.

23 **COMMISSIONER HOGUE:** Good morning.

24 Mr. Cameron, you will conduct the
25 examination?

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

28 Can I have the witness sworn or affirmed,

1 please.

2 **THE REGISTRAR:** Do you wish to be sworn? You
3 may sit.

4 Could you please state your name and spell
5 your last name for the record, please?

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

8 **THE REGISTRAR:** Thank you.

9 --- HON. WILLIAM BLAIR, Sworn:

10 **THE REGISTRAR:** Thank you very much, sir.
11 You may proceed.

12 --- EXAMINATION IN-CHIEF BY MR. GORDON CAMERON:

13 **MR. GORDON CAMERON:** Good morning,
14 Minister Blair.

15 I wonder if the court operator could pull up
16 WIT 64.

17 --- EXHIBIT No. WIT 64:

18 Public Interview Summary: the
19 Honourable Bill Blair, Minister of
20 National Defence

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

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

1 **HON. WILLIAM BLAIR:** Yes. Thank you,
2 Mr. Cameron. I do, of course, recall that I attended both
3 meetings. I have had the opportunity to review the interview
4 summaries, both the public interview and the *in-camera*
5 interview.

6 **MR. GORDON CAMERON:** Thank you. And were
7 they accurate?

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

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

11 **HON. WILLIAM BLAIR:** No, sir. I believe
12 they're an accurate reflection of the conversations that we
13 had.

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

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

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

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

22 **HON. WILLIAM BLAIR:** Yes, sir. I'll try to
23 be brief. I became a Toronto police officer in 1976, and I
24 performed a number of wide variety of functions within
25 policing, including in criminal intelligence and organised
26 crime. I, in 2005, was appointed the Chief of the Toronto
27 Police Service, and I held that position as the Chief of, I
28 believe, the largest police service in Canada, for

1 approximately 10 years until April of 2026 (sic). During
2 that period of time, I also served as the President of the
3 Canadian Association of Chiefs of Police, the Ontario
4 Association of Chiefs of Police, and many other national and
5 international organisations.

6 I retired from my policing career in -- on
7 April 26th, 2015. I then sought the nomination to run for
8 federal politics in the riding of Scarborough Southwest. I
9 was elected on April 19th, or excuse me, October 19th of
10 2015, and became a Member of Parliament.

11 In July of 2018, I was appointed to Privy
12 Council and the Cabinet of Canada as the Minister of Border
13 Security and Organised Crime Reduction. I then, following
14 the election of 2019, I was appointed in November of 2019 as
15 the Minister of Public Safety and Emergency Preparedness.
16 Following the 2023 election, I was -- excuse me, the 2021
17 election, we didn't have one in '23, in 2021 election, I was
18 appointed the Minister of Emergency Preparedness for Canada,
19 and in July of last year, the Prime Minister appointed me as
20 Canada's Minister of National Defence, the position that I
21 currently hold.

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

27 **HON. WILLIAM BLAIR:** Yeah. Yes, sir. I held
28 that position until I was appointed to a new position, and

1 another individual was appointed in -- after -- following the
2 election of 2021 to the position of Public Safety.

3 **MR. GORDON CAMERON:** Thank you. Now, we had
4 the benefit of hearing yesterday from senior personnel from
5 the Department of Public Security. So what I'd like to ask
6 you about is your perspective from the Minister's chair,
7 being the Minister of that department and the responsible
8 person for the various agencies who report to the Minister,
9 could you describe that for the Commissioner, please?

10 **HON. WILLIAM BLAIR:** Again, I'll attempt to
11 do it briefly. As the Minister of Public Safety, I had a
12 number of responsibilities. Primarily, I was the Minister of
13 the Department of Public Safety, which is headed by a deputy
14 minister, but there are also five agencies for which I had
15 ministerial oversight and responsibility. That included the
16 RCMP, the Canadian Border Services, CSIS, Corrections Canada
17 and the Parole Board. In addition, there are a number of
18 other review bodies pertaining to those organisations for
19 which I also had ministerial responsibility.

20 There is legislation with respect to the
21 position of Minister of Public Safety, defining some of those
22 responsibilities, and in addition, each of the five agencies
23 has foundational legislation that prescribes their
24 authorities but also defines the role of the Minister in
25 relation to those organisations.

26 **MR. GORDON CAMERON:** Thank you for that. And
27 if you could just describe, then, in general terms how you
28 would relate or interact with, for example, the Director of

1 the Service or the Commissioner of the RCMP, how you as
2 Minister would relate to the heads of the various agencies
3 for which you were responsible?

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

11 I also interacted with the Commissioner of
12 the RCMP, the Director of CSIS, the President of CBSA, the
13 Commissioner responsible for Corrections Canada and the Chair
14 of Parole Board, fairly regularly and routinely meeting with
15 them. And they had opportunities to brief me on matters
16 related to their portfolios, and there were also for each of
17 those departments certain authorities that I held over
18 approvals for certain activities within their departments
19 that they would come to me for and seek those approvals.

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

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

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

26 In the context that you were just describing,
27 the way that you managed your responsibility for the various
28 agencies, can you tell me what the role was of the

1 ministerial directives that you might have occasion to issue
2 with respect to any of the agencies?

3 **HON. WILLIAM BLAIR:** One of my
4 responsibilities as Minister was to provide direction to the
5 agencies that were under my portfolio, and the mechanism by
6 which we'd do that was with the issuance of a written
7 ministerial directive that established priorities, for
8 example. And I think pertinent to this discussion, I did
9 have the opportunity to issue ministerial directions to both
10 the RCMP and CSIS outlining what I perceived to be the
11 priorities of those agencies. And the intention of that was
12 to give appropriate direction to the areas that I felt they
13 should prioritise in their work.

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

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

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

20 **HON. WILLIAM BLAIR:** It specifically
21 identified foreign interference as a priority for CSIS. As a
22 matter of fact, in the list of priorities that were
23 identified, foreign interference was the second on the list.
24 And although it was not a prioritised list, I think its
25 position there reflects the importance of which I placed upon
26 it.

27 **MR. GORDON CAMERON:** Thank you. Now, noting
28 that you became the Minister of Public Safety after the 2019

1 election, what was your perspective on foreign interference
2 at the start of your term as Minister of Public Safety?

3 **HON. WILLIAM BLAIR:** I had had the
4 opportunity -- first of all, and as I've already mentioned, I
5 had a very long police career, and I was aware of the --
6 historically hostile activities of certain state actors with
7 respect to Canada, and the threat that that could represent
8 to Canada's national interest, to Canadian citizens, to our
9 critical infrastructure.

10 As -- in my previous role, prior to becoming
11 the Minister of Public Safety, as the Minister of Border
12 Security and Organised Crime Reduction, I also had the
13 benefit of some briefings under the authority of then
14 Minister Goodall, who was the previous Minister of Public
15 Safety, with respect to information that was provided. And
16 when I was appointed, when I became the Minister of Public
17 Safety, I had the benefit of very extensive briefings with
18 respect to the intelligence and the law enforcement
19 situation, the public safety situation in the country, which
20 included briefings with respect to issues around the hostile
21 activities of state actors and the wide variety of risks that
22 that represented.

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

26 And if you can scroll to paragraph 13 of the
27 interview summary of Minister Blair.

28 Minister, the -- you can see it in

1 paragraph 13 of your interview summary there's a description
2 of your account of a briefing you received by CSIS after the
3 2019 election. Is this one of those briefings of the type
4 you were just describing?

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

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

10 **HON. WILLIAM BLAIR:** As part of a number of
11 briefings that was provided to me by the Director of CSIS,
12 there was a discussion about concerns that they had
13 identified through their intelligence reporting about the
14 nomination process in 2019 that occurred in Don Valley North.
15 And they provided me with information with respect to the
16 intelligence that they had received that called into question
17 that nomination process, suggesting that there may have been
18 irregularities in the number -- the people who participated
19 in that and the possibility that it had been influenced in
20 some way by the activities of the People's Republic of China,
21 or representatives of that country.

22 **MR. GORDON CAMERON:** And in your -- in
23 paragraph 13 of your interview summary, you describe your
24 reaction to that briefing. If you look at the sort of second
25 half of the paragraph, you have some numbered points about
26 your reaction.

27 **HON. WILLIAM BLAIR:** Yes, sir. As I've
28 indicated, in previous roles in both policing and in my

1 previous roles in government, I have a fairly good
2 understanding of the nature of intelligence. Intelligence
3 isn't necessarily factual evidence of what took place, if
4 someone perceives that this has happened.

5 And so I made some inquiries during that
6 briefing with respect to the source of that intelligence,
7 that information, on -- to determine if I -- from CSIS'
8 perspective, the reliability of that individual, if there was
9 corroborating evidence to support the intelligence that had
10 been received, if there was other corroboration or manner --
11 effort to substantiate that allegation, it -- they indicated
12 to me that they did not at that time have other corroborating
13 evidence in any way to substantiate that.

14 I also made inquiries if there was any
15 evidence beyond the nomination process itself of interference
16 in the electoral process that we had just gone through in the
17 2019 Election, and they did not indicate at that time to me
18 that there had been any impact during -- in that riding and
19 any evidence of interference following. Their concerns were
20 limited only to the nomination process.

21 And my perception of that was -- and my last
22 question, was there any suggestion that the candidate was
23 knowledgeable and aware of that? And they had no information
24 to corroborate that.

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

26 Perhaps if the Court Operator could call up
27 CAN 3326?

28 **--- EXHIBIT No. CAN 3326 :**

1 Letter from Public Safety Minister

2 **MR. GORDON CAMERON:** Minister Blair, as you
3 discussed in your *in-camera* evidence, you -- not long after
4 your appointment as Minister, you had an initiative, and this
5 was mentioned by your department in their evidence yesterday,
6 so I'll just ask you again, from your perspective as the
7 Minister, if you can start by describing the motion on
8 November 18th, 2020 to which the document we now have on the
9 screen was a response, and why you responded to it with this
10 report and letter to the MPs?

11 **HON. WILLIAM BLAIR:** Yes, there had been a
12 motion on November 18th, 2020 in the House of Commons, when
13 the House sought information on what the Government was doing
14 to address threats to the security, prosperity, and
15 democratic institutions right across the country. And in
16 response to that, I worked very closely with my department,
17 and some excellent policy work that was done by Deputy
18 Minister and his team, along with my Ministry Office, we
19 crafted a response to that motion.

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

25 This information -- I think in order for
26 Canada to defend its institutions, or in order for us to take
27 the steps necessary to respond to the threat of foreign
28 interference, it was necessary to inform my Parliamentary

1 colleagues, but also to inform Canadians of the nature of
2 that threat, give them information on what risk it
3 represented, and also information on how they could then
4 respond. I wanted to tell my colleagues what the Government
5 was doing, but also to tell Canadians, if they saw evidence
6 of foreign interference.

7 The response that is provided in this
8 document did not limit itself, quite frankly, to just
9 political interference. There was a great deal of concern,
10 which frankly I still hold, with respect to the hostile
11 activities of state actors in interfering with a number of
12 our critical infrastructure, our life sciences and health
13 sciences institutions, our research capabilities. There are
14 a number of cyber threats that are also quite significant and
15 deeply concerning to our national interest.

16 And the purpose of this letter was to inform
17 my Parliamentary Colleagues, and through my Parliamentary
18 colleagues, by publishing this document and making it -- and
19 tabling it in Parliament, to inform Canadians about the full
20 nature of this threat, and to inform Canadians about what
21 their government was doing in response to it.

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

26 If the Court Operator could scroll down to
27 page 11 of this report?

28 And if you look down under the heading

1 "Protecting our citizens and [...] communities", there's a
2 paragraph that begins:

3 "Canada does not tolerate harassment
4 or intimidation of its citizens."

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

10 **HON. WILLIAM BLAIR:** Yes, sir. There was and
11 remains a fairly significant concern about the activities of
12 certain hostile states in harassing or intimidating our
13 citizens. I made reference in this document, for example, to
14 Operation Foxtrot, in which the Government of China was
15 attempting to gather information and to intimidate people in
16 Canada with respect to certain economic investigations that
17 they were conducting.

18 I've spent most of my life trying to keep
19 Canadians safe, and it's been my job, and I believe the best
20 way to keep Canadians safe is to give them information on how
21 to protect themselves, but also to tell them what steps to
22 take when they perceive that there is intimidation and
23 threats taking place, that they're not alone, and that we're
24 going to be there for them. And I was hoping to make that
25 clear in this document, that we would not tolerate it and if
26 they perceived that they were subject to intimidation or
27 threat through the course of action of a hostile government,
28 such as the People's Republic of China, that the Government

1 would take it seriously and that we would respond.

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

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

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

13 **MR. GORDON CAMERON:** Including ---

14 **HON. WILLIAM BLAIR:** Some internationally
15 shared Five Eyes intelligence.

16 **MR. GORDON CAMERON:** Right. So there would
17 be no intelligence that you wouldn't be able to see if the
18 appropriate agencies thought it was appropriate that you be
19 briefed on it?

20 **HON. WILLIAM BLAIR:** I don't think there's
21 any restriction on what I am able to ---

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

23 **HON. WILLIAM BLAIR:** --- be made aware of.

24 **MR. GORDON CAMERON:** And generally speaking,
25 in your tenure as Minister, how did classified intelligence
26 come to your attention?

27 **HON. WILLIAM BLAIR:** There were certain --
28 there's various levels of classification of material. And

1 frankly, I've always tried to be very careful with the
2 handling of all classified information, and I frankly never
3 take it from the room or make notes with respect to it
4 because that would, in my opinion, compromise its security.

5 In my role as the Minister of Public Safety,
6 I generally have access, periodically, to some classified
7 material, but virtually everything of a top-secret nature was
8 only shared with me in the confines of a secure environment,
9 a SCIF. Generally throughout my tenure as Public Safety
10 Minister, either in the SCIF at -- [phone ringing]. I
11 apologize. I may be subject to some form of interference.

12 (LAUGHTER)

13 HON. WILLIAM BLAIR: All top-secret material
14 was shared to me in the confines of a SCIF, either at 269
15 Laurier here in Ottawa where there is a secure room where
16 briefings could take place, in the same building as my
17 Ministerial Office was located.

18 I also attended on a number of -- quite a
19 frequent number of occasions at the CSIS Headquarters, which
20 is located in Toronto, where there is secure facilities where
21 information would be shared with me in a secure room. I
22 would enter that room. Occasionally there would be secure
23 communications. Either the Director and his team would be
24 present, the Director of CSIS and his team would be present
25 at briefings. Sometimes that was done virtually,
26 particularly during the pandemic, where we were able to use
27 secure communications for that purpose. And occasionally I
28 would just be in the room and they would present a binder of

1 documents that I would read through.

2 **MR. GORDON CAMERON:** Okay. Could you just
3 expand a little bit on that experience again and describe for
4 me who would be briefing you? Maybe not the same group every
5 time, but typically, who are the personnel briefing you and
6 who are the personnel with you on the Ministerial side or the
7 departmental side of those briefings?

8 **HON. WILLIAM BLAIR:** In every case, the
9 briefing was done by the Director with his team and so the
10 Deputy Director and sometimes their Associate Director would
11 be present in the room.

12 In addition, not in every case, but in some
13 cases, the Deputy Minister and others of his team. His ADM,
14 Mr. Rochon, would also be present in the room. And
15 generally, my Chief of Staff would be present certainly in
16 the meetings that took place in Ottawa.

17 And when I attended to CSIS Headquarters, I
18 will tell you frequently I was in the room by myself. I was
19 sometimes connected virtually by screens and sometimes CSIS
20 personnel would simply come in, present a binder of documents
21 and I would read through them.

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

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

25 When you talk about attending at CSIS in
26 Toronto, I think you're talking about attending at the CSIS
27 regional -- Toronto regional office, right, not CSIS
28 Headquarters?

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

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

6 **HON. WILLIAM BLAIR:** No, it's the Toronto
7 regional office.

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

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

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

15 **MR. GORDON CAMERON:** That's been helpful.
16 Thank you.

17 Madam Commissioner, those are my questions.

18 **COMMISSIONER HOGUE:** Thank you.

19 Cross-examination. First one is counsel for
20 RCDA.

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

22 **MR. GUILLAUME SIROIS:** Good morning, Minister
23 Blair. Guillaume Sirois, for the Russia Canadian Democratic
24 Alliance.

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

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

1 public safety? Is there a chance that this misinformation or
2 disinformation becomes a real threat to the security of
3 Canadians, like threats to violence and so on?

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

7 There were a number of efforts among our
8 public health officials in order to take steps that were
9 necessary in order to keep Canadians safe, but unfortunately,
10 there was a great deal of misinformation and some
11 disinformation that was being widely circulated among the
12 Canadian population which interfered with public health's
13 efforts to keep Canadians healthy and safe. And so that can
14 represent a threat to the public safety of the country.

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

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

26 **HON. WILLIAM BLAIR:** The misinformation that
27 we saw, there ---

28 **MR. GUILLAUME SIROIS:** Just to clarify, I'm

1 talking not necessarily about the misinformation,
2 disinformation online, but perhaps the transfer of this issue
3 to real threats to public safety, for instance, blocking
4 polling stations, refusing to wear a mask at polling stations
5 so that there was ---

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

11 **MR. GUILLAUME SIROIS:** Oh, okay. I was not
12 questioning whether it was -- it met the threshold. I was
13 just questioning as whether -- is it something that the
14 Public Safety witnessed or was aware of during the -- at
15 least the 2021 election.

16 **HON. WILLIAM BLAIR:** Well, I can't tell you -
17 - my officials did not brief me specifically on the impact of
18 mis or disinformation on the 2021 election, but I think all
19 Canadians observed and recognized, you know, the wide
20 diversity of information that was being put forward. And it
21 was a concern, but it did not rise to the level that our
22 officials came forward and said this is something that we
23 need to respond to.

24 **MR. GUILLAUME SIROIS:** Okay.

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

26 **MR. GUILLAUME SIROIS:** And you mentioned in -
27 - just my last question. You mentioned numerous hostile
28 states in one of your previous answers about mis and

1 disinformation.

2 Would one of those be Russia?

3 **HON. WILLIAM BLAIR:** Yes.

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

6 **HON. WILLIAM BLAIR:** Both Canada specifically
7 and generally.

8 **MR. GUILLAUME SIROIS:** And in our elections
9 specifically or generally in ---

10 **HON. WILLIAM BLAIR:** I did not see
11 substantial evidence of Russian efforts to influence our
12 elections through disinformation. I think and we have
13 observed a fairly concerted effort among a number of hostile
14 actors, including Russia, to engage in disinformation within
15 our society, but not specifically directed at our electoral
16 processes in the 2021 election.

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

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

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

26 **COMMISSOINER HOGUE:** Next is counsel for
27 Human Rights Coalition.

28 --- CROSS-EXAMINATION BY MS. HANNA TAYLOR:

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

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

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

7 If we could turn to page 3 to the last
8 paragraph on the page.

9 **HON. WILLIAM BLAIR:** If I may just offer some
10 clarification, I had a great deal of help among my officials,
11 the Deputy Minister and his team and my officials in
12 composing this letter and -- but I adopt it all and added my
13 signature to it, so I am the sender of the letter, but it was
14 very much a team effort.

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

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

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

20 So that paragraph, it reads:

21 "When foreign states target
22 Canadians, persons residing in Canada
23 or their families, they are seeking
24 to deprive members of Canadian
25 communities of their fundamental
26 rights and freedoms. Such actions
27 are unacceptable. If anyone feels
28 intimidated or threatened, it is of

1 the most importance to contact your
2 local police and I can assure you
3 that your concerns will be dealt with
4 in a serious and appropriate manner."

5 Do you remember this sentiment being prepared
6 or your ---

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

12 **MS. HANNAH TAYLOR:** If we could please pull
13 up COM 155 and turn to paragraph 289 on page 106 of the
14 document.

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

16 Annual Report 2019

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

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

23 "...in a spring 2019 presentation to
24 the Standing Senate Committee on
25 Foreign Affairs and International
26 Trade, the Secretary General of
27 Amnesty International Canada noted
28 that those who are targeted do not

1 know whether to turn to CSIS, the
2 RCMP or municipal police, and that
3 they rarely receive a coherent
4 response from officials."

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

6 **COMMISSIONER HOGUE:** I think ---

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

8 Yeah.

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

11 **MS. HANNAH TAYLOR:** Certainly.

12 **COMMISSIONER HOGUE:** At least the paragraph.
13 The document is there, but....

14 Can you repeat the paragraph number?

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

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

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

20 **COMMISSIONER HOGUE:** Oh, 289. Sorry.

21 There you are.

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

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

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

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

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

4 At the start of these hearings, we heard from
5 a panel of representatives from diaspora community
6 organisations, who explained that members of targeted
7 diaspora communities often think it's a waste of time to even
8 try to contact the police because in their experience nothing
9 comes of it, or they get bounced around to different
10 agencies.

11 Are you aware that community members are
12 experiencing these difficulties when they attempt to contact
13 law enforcement for help?

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

1 And I would also acknowledge too that many
2 diaspora communities, you know, often come from cultural
3 experiences which makes them untrustful of the police. And
4 it really is incumbent upon all police services, the RCMP and
5 CSIS, to make a very sincere effort to build trust in those
6 communities so that people know that if they need help
7 they'll get help.

8 **MS. HANNAH TAYLOR:** And speaking specifically
9 to reports of foreign interference through perhaps tip lines,
10 web forums for public reporting, are you aware that diaspora
11 communities are having difficulties accessing those
12 mechanisms?

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

21 **MS. HANNAH TAYLOR:** And so by virtue of the
22 fact that you've recognised that there's a lot more work to
23 do to make sure that law enforcement can properly address the
24 concerns of diaspora communities or they can properly engage
25 in that reporting, access help, does that change your opinion
26 as to whether or not you can assure Canadians that they're
27 concerns will be dealt with in a serious and appropriate
28 manner by law enforcement as you -- as it was stated in that

1 letter?

2 **HON. WILLIAM BLAIR:** Yes, ma'am. I can tell
3 you that I have represented Canadian Police Services across
4 this country as president of the national association, and I
5 work very closely with my colleagues in policing at all
6 levels of policing in this country. I believe there is a
7 very sincere effort to reach out to diaspora communities and
8 to ensure that we are there for them in a way that is both
9 language and culturally appropriate.

10 Building trust is a -- requires a constant
11 effort. Part of that is providing those citizens with a
12 reassurance that we will answer their call and that we will
13 respond in an appropriate way. And I've tried to provide
14 that reassurance in this document.

15 **MS. HANNAH TAYLOR:** Thank you very much,
16 Minister.

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

18 **COMMISSIONER HOGUE:** Thank you.
19 Counsel for Michael Chong.

20 **MR. GIB van ERT:** Thank you, Commissioner.

21 No questions.

22 **COMMISSIONER HOGUE:** No questions.
23 Conservative Party.

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

25 **MR. NANDO de LUCA:** Good morning,
26 Minister Blair.

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

28 **MR. NANDO de LUCA:** Just bear with me. I've

1 had to change equipment here.

2 Minister Blair, in your witness statement at
3 WIT 63.

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

5 In Camera Examination Summary: the
6 Honourable Bill Blair, Minister of
7 Defence

8 **MR. NANDO de LUCA:** Perhaps we can get that
9 called up.

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

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

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

17 **HON. WILLIAM BLAIR:** It's approximately. It
18 depends on the complexity of the application, but that's
19 usually the amount that it takes.

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

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

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

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

7 **MR. NANDO de LUCA:** Right. It could
8 jeopardise the investigation.

9 **HON. WILLIAM BLAIR:** Depending on the
10 investigation, but yes.

11 **MR. NANDO de LUCA:** Can I get MCC000053
12 called up.

13 **--- EXHIBIT No. MCC 53:**

14 Bill Blair took months to approve
15 CSIS surveillance of Liberal
16 powerbroker, national-security source
17 says

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

22 Perhaps we can scroll to that.

23 **MS. ERIN DANN:** Commissioner, I'm sorry to
24 interrupt Mr. De Luca. I just wanted to raise a potential
25 concern as to the -- whether or not this line of questioning
26 may be -- go beyond the scope of these first set of hearings
27 which are directed, as you mentioned in your opening remarks,
28 to the allegations of foreign interference in the 2019 and

1 2021 general elections, information flow relating to those,
2 and two decisionmakers.

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

5 **COMMISSIONER HOGUE:** I'll see what is the
6 line of questioning.

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

8 **COMMISSIONER HOGUE:** Just go on with your
9 question ---

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

11 **COMMISSIONER HOGUE:** --- and I see whether --

12 -

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

14 **COMMISSIONER HOGUE:** --- you're outside the
15 scope of this space ---

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

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

18 **MR. NANDO de LUCA:** So there's a passage
19 that's highlighted in the document itself in purple. Perhaps
20 you could read that to yourself to save me from reading it
21 into the record. But generally, it suggests that there was
22 undue delay in your signing off on a warrant or -- to surveil
23 Michael Chan in the lead up to the 2021 federal election.

24 Can you comment on why it took so long for
25 you to sign off on the warrant?

26 **HON. WILLIAM BLAIR:** Yeah, let me comment.
27 This paragraph is false.

28 **MR. NANDO de LUCA:** What aspects of it are

1 false, sir?

2 **HON. WILLIAM BLAIR:** There was no delay of
3 several months. The document in question ---

4 **MR. NANDO de LUCA:** Right.

5 **HON. WILLIAM BLAIR:** --- was put in front of
6 me on May the 11th. I signed it off the same day, about
7 three hours later.

8 **MR. NANDO de LUCA:** Okay. Thank you. Those
9 are my questions, sir.

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

11 **COMMISSIONER HOGUE:** Thank you.

12 Next one is Jenny Kwan, counsel for Jenny
13 Kwan.

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

15 **MS. MANI KAKKAR:** Good morning, Commissioner,
16 and Mr. Blair.

17 Mr. Blair, I would like to ask you some
18 questions about CSIS' threat reduction measure power and your
19 oversight of that. My understanding is that you, as the
20 Minister, have over any TRMs that CSIS may want to pursue?

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

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

25 **HON. WILLIAM BLAIR:** CSIS -- when a TRM would
26 be sought by CSIS, they would come and brief me, seek my
27 concurrence. My understanding of legislation doesn't
28 necessarily require my approval, per say, but it does require

1 that CSIS make me aware of it, and that I concur with the
2 actions taken.

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

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

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

12 **HON. WILLIAM BLAIR:** No, not specifically.
13 There were things that did not meet the threshold of CSIS
14 seeking authority for a TRM, but there were a number of I
15 think really important and relevant discussions with respect
16 to various serious concerns that CSIS had with respect to,
17 for example, foreign interference in some of our health
18 sciences institutions and research institutions. And we
19 discussed measures that could be taken in response to that.

20 And as a result, CSIS took the steps of very
21 proactively going to those institutions, briefing those
22 institutions, alerting them to the nature of the risk, and
23 helping them take steps to mitigate that risk.

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

28 **HON. WILLIAM BLAIR:** Yes.

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

4 **HON. WILLIAM BLAIR:** No.

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

9 **HON. WILLIAM BLAIR:** I did have discussion,
10 and I had some awareness that CSIS intended to proactively
11 speak to -- frankly, I had a concern that I discussed with
12 the Director about Members of Parliament or candidates who
13 might be unconsciously influenced or interfered with as a
14 result of the action of a hostile government. And I felt it
15 was important to give those individuals enough information so
16 that they would recognize the interference and to alert them
17 to how they might take steps in order to protect themselves,
18 and to make sure that they knew that CSIS was there to help
19 them and support them. And so we did have discussions.

20 CSIS did not tell me specifically who they
21 wanted to talk to, or the information that they would share
22 with them, but we did talk about the importance of what is
23 sometimes called defensive briefings or proactive briefings
24 of -- that CSIS would undertake with an individual, sometimes
25 Parliamentarians, or candidates.

26 **MS. MANI KAKKAR:** And so based on the
27 evidence you're giving now, would you have known not
28 necessarily who was briefed or what they were told, but that

1 the briefing actually occurred?

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

8 We talked about the process, but CSIS did not
9 share with me the information of anyone that they felt that
10 it was necessary to talk to or what information they wanted
11 to share with that individual.

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

17 **HON. WILLIAM BLAIR:** Well it's an operational
18 matter for CSIS, and so the information that they had --
19 Ministerial oversight, if I may, it did not mean that I was
20 sort of overseeing and actively engaged in managing their
21 inquiries, their intelligence gathering, or their -- even
22 their operations in order to mitigate threat. It was to
23 provide Ministerial direction on priorities and where it was
24 necessary for them to seek authority, to provide that
25 authority.

26 But decisions with respect to the operational
27 response, the gathering of intelligence, the sharing of
28 intelligence, and information that they would take to

1 mitigate the nature of threat, was the responsibility of
2 CSIS.

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

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

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

7 **COMMISSIONER HOGUE:** Thank you.

8 Counsel for Han Dong.

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

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

11 Good morning, Madam Commissioner.

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

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

18 So looking at paragraph 13 here on the
19 screen, you said that you were not concerned about the
20 intelligence regarding Don Valley North at the time you were
21 briefed. Is that right?

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

28 **MS. EMILY YOUNG:** Okay. Thank you. And I

1 just want to put a point on what we see here is that you
2 actually gave three specific reasons that you weren't
3 concerned about the intelligence at the time, and I was just
4 hoping that to the extent you've not already spoke about
5 them, you could just do so now? Those three reasons.

6 **HON. WILLIAM BLAIR:** Yeah, if I may, just
7 going through the three reasons that I shared in my earlier
8 testimony, I did make inquiries about the source of this
9 information, whether or not it was single source or multiple,
10 whether or not this individual had previously provided
11 information which was found reliable or not, whether there
12 was any corroborative evidence or other elements of the CSIS
13 investigation that would substantiate the intelligence in
14 this thing.

15 I think it's important to recognize that
16 intelligence isn't necessarily truth. It is the beginning of
17 other inquiries and it has to be assessed in a broad context
18 of reliability in order to make a determination of next
19 steps.

20 The second thing that I specifically inquired
21 about was whether or not that there was any intelligence or
22 suggestion that Mr. Dong was aware of this potential
23 interference, or in any way a willing participant, and the
24 indication that CSIS provided me at that time was that they
25 had no evidence that suggested that.

26 And finally, my concern, because we -- it had
27 been a longstanding concern about the integrity of our
28 elections, whether or not the -- because this briefing was

1 given to me after the 2019 Election, whether or not there had
2 been any other interference or influence that could have
3 influenced the outcome of the 2019 Election in Don Valley
4 North. And they indicated that they had no information that
5 indicated that.

6 **MS. EMILY YOUNG:** Okay. Thank you. Those
7 are our questions.

8 **COMMISSIONER HOGUE:** Thank you.
9 Attorney General?

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

11 **COMMISSIONER HOGUE:** No questions.

12 Re-examination?

13 So you're free to leave ---

14 **MR. GORDON CAMERON:** Excuse me, Madam
15 Commissioner. I don't have any re-examination, but I just
16 wanted to make an observation that we called Minister Blair
17 to speak to his term as Minister generally and that the
18 timing of any specific incident or warrant is not an issue in
19 this part of the proceedings.

20 **COMMISSIONER HOGUE:** Thank you.

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

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

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

25 This sitting of the Foreign Interference
26 Commission is currently in pause.

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

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

1 **THE REGISTRAR:** Order please.

2 This sitting of the Foreign Interference
3 Commission is back in session.

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

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

9 If he could be sworn -- if the witness could
10 be sworn, please.

11 **THE REGISTRAR:** Please give your name and
12 family name.

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

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

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

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

17 **HON. DOMINIC LeBLANC:** With Acadians, of
18 course, it's a capital B, so it's capital L-e, capital B-l-a-
19 n-c. And the Commission is well aware of the spelling of
20 Acadian names.

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

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

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

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

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

28 **MS. ERIN DANN:** Right. And if I could ask

1 that WIT 65 be called up.

2 --- EXHIBIT No. WIT 65:

3 Public Interview Summary: the
4 Honourable Dominic LeBlanc

5 MS. ERIN DANN: Minister, this is a summary
6 of the publicly disclosable information from that interview.
7 Have you had a chance to review the summary?

8 HON. DOMINIC LeBLANC: Yes, I have.

9 MS. ERIN DANN: And is it accurate?

10 HON. DOMINIC LeBLANC: It is.

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

13 HON. DOMINIC LeBLANC: I will.

14 MS. ERIN DANN: Thank you.

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

16 --- EXHIBIT No. WIT 52:

17 Public Summary of In Camera
18 Examination: Minister Dominic LeBlanc

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

22 HON. DOMINIC LeBLANC: Yes, I have.

23 MS. ERIN DANN: And is it accurate?

24 HON. DOMINIC LeBLANC: Yes, it is.

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

27 HON. DOMINIC LeBLANC: I will.

28 MS. ERIN DANN: Thank you.

1 You've had a number of roles in government, a
2 number of roles in Cabinet. I will try and take you through
3 what I understand your various positions have been since
4 approximately August of 2018 and please correct me if I get
5 any of this wrong.

6 I understand that in August of 2018, you were
7 appointed Minister of Intergovernmental Affairs and you held
8 that position until 2019. Is that right?

9 **HON. DOMINIC LeBLANC:** Yes.

10 **MS. ERIN DANN:** And after the election in
11 2019, you were appointed President of what was then the
12 Queen's Privy Council for Canada, which included
13 responsibilities for Democratic Institutions.

14 **HON. DOMINIC LeBLANC:** That's correct.

15 **MS. ERIN DANN:** In the summer of 2020, you
16 were appointed Minister of Intergovernmental Affairs and you
17 served in those offices as Minister of Intergovernmental
18 Affairs and with responsibility for Democratic Institutions
19 until the 2021 election.

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

21 **MS. ERIN DANN:** Right. And after the 2021
22 election, you were appointed Minister of Intergovernmental
23 Affairs and retained responsibility for Democratic
24 Institutions.

25 **HON. DOMINIC LeBLANC:** That's right. And I
26 had the Infrastructure and Communities portfolio attached as
27 well.

28 **MS. ERIN DANN:** Thank you for that addition.

1 And in 2023, you were appointed Minister of
2 Public Safety, Democratic Institutions and Intergovernmental
3 Affairs.

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

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

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

9 **MS. ERIN DANN:** Given the scope of this stage
10 of the proceedings, I'll focus my questions today primarily
11 on your responsibilities in relation to Democratic
12 Institutions.

13 Can you describe your role or mandate in
14 relation to that portfolio?

15 **HON. DOMINIC LeBLANC:** ...secretariat within
16 the Privy Council to -- and they develop policies, consider
17 legislative changes that may be needed to support the
18 capacity of Canadians to hold free and fair elections. And
19 it's a public policy function.

20 And of course, Elections Canada is an
21 independent agency and looks after the operations, but it's a
22 way that the government and the executive interact with the
23 elections apparatus in Canada.

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

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

27 We heard this morning from your colleague,
28 Minister Gould, about her work in developing the plan to

1 protect democracy. Did your responsibilities in relation to
2 Democratic Institutions include reviewing or updating that
3 plan?

4 **HON. DOMINIC LeBLANC:** Yes, they did. She
5 was the Minister in the lead-up to the 2019 General Election.
6 I remember as a Minister her coming to Cabinet with that
7 plan. I remember conversations with her as a colleague
8 around that work.

9 And after the 2019 election, when I took over
10 that responsibility, one of the mandates that I got was to
11 review how the plan had worked in the 2019 election and come
12 back to Cabinet with any suggested changes or adjustments for
13 the upcoming election.

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

16 **MS. ERIN DANN:** And did part of that include
17 reviewing what we've heard referred to as the Judd Report,
18 the May 2020 assessment on the Critical Election Incident
19 Public Protocol?

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

27 We also had the benefit of a National
28 Security and Intelligence Committee of Parliamentarians

1 report, so that work went into the sort of second version or
2 2.0 version of what Karina Gould had taken to Cabinet two
3 years previously.

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

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

8 I would ask the court operator to bring up
9 COM 48.

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

11 Countering an Evolving Threat: Update
12 on Recommendations to Counter Foreign
13 Interference in Canada's Democratic
14 Institutions

15 **MS. ERIN DANN:** And this is a report entitled
16 "Countering An Evolving Threat" that I think, Minister,
17 you'll be quite familiar with. I realize it was produced
18 some time later.

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

23 You mentioned, Minister, that you adopted or
24 recommended adopting a number of the recommendations made by
25 -- made in that report. One recommendation I understand that
26 was not implemented, if we just scroll down a bit on this
27 page, what's listed as number 2, that the protocol would
28 cover the pre-writ period. Can you explain why that

1 particular recommendation was not implemented?

2 **HON. DOMINIC LeBLANC:** So that would have
3 been based on advice that I would have received from senior
4 officials at the Privy Council Office. In a context where
5 we're not in an election period, where a writ hasn't been
6 issued, there's a basic principle of ministerial
7 responsibility. Ministers are in office and have
8 responsibility, including around foreign interference. The
9 national security agencies are empowered to work with the
10 Minister who's in office.

11 This was very much and deliberately designed
12 to be something that would be in effect during a caretaker
13 period. It's a convention of British Parliamentary democracy
14 where the government is, in itself, a candidate to succeed
15 itself.

16 So in a -- governments act with a great deal
17 of restraint during a writ period, as is absolutely
18 appropriate. That's why the Panel and the protocol was
19 deliberately designed to exist at a period where the elected
20 government perhaps shouldn't be the best arbiter of public
21 pronouncements on the conduct of an election.

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

23 Let me turn to a next topic, which is to ask
24 you about whether and when you received classified
25 intelligence in your capacity as Minister of
26 Intergovernmental Affairs and with responsibilities for
27 Democratic Institutions? Do I understand that it would be
28 rare for you to receive classified intelligence or classified

1 briefings?

2 **HON. DOMINIC LeBLANC:** Yes, the Minister of
3 Democratic Institutions is not a regular consumer of
4 intelligence products or intelligence documents or briefings
5 from intelligence officials.

6 And I've had a perspective on that since I
7 became the Minister of Public Safety last summer. I now see
8 the difference between the operational responsibility of a
9 Minister responsible for CSIS or the RCMP and a Minister
10 responsible for Democratic Institutions.

11 The Democratic Institutions portfolio, I did
12 receive eye-level briefings from officials on a number of
13 occasions. I think the first one was in March of 2020, I
14 think literally on the eve of the declaration of the
15 pandemic; one tends to remember those moments. But it was a
16 high-level situational awareness of the threat landscape. It
17 was my first opportunity to hear from them how -- what they
18 had seen, in terms of threat actors and potential attempts to
19 interfere in the election of 2019, but it didn't-- it was to
20 situate my understanding of the threat landscape of the
21 particular state or non-state actors that are active in this
22 space, but it didn't go into granularity around specific
23 constituencies or specific events. It was a higher level
24 briefing. Probably so, as in your reference to the Judd
25 Report and other work that we do, as we were thinking through
26 how we wanted to adjust the protocol and the Protecting
27 Democracy Plan for the subsequent election. This was a sort
28 of an introduction for me to the threat landscape. That was

1 an intelligence briefing but it was at a much higher level
2 than, for example, the Public Safety Minister would typically
3 receive.

4 **MS. ERIN DANN:** All right. We'll go through
5 that briefing in just a moment, but we heard from Minister
6 Gould this morning that in developing the Plan to Protect
7 Democracy, she had sort of monthly meetings, she estimated,
8 with CSIS, CSE; the Privy Council Office received information
9 from RRM. I understand you did not receive -- and those
10 were, to be clear, sort of high-level, as you've described,
11 briefings, not sort of specific incidents or specific
12 geographical areas or things of that sort. I understand you
13 did not have sort of these regular monthly briefing sessions.
14 Can you explain the difference in approach?

15 **HON. DOMINIC LeBLANC:** It's probably three
16 explanations. The first one is in September of 2019 I had a
17 stem cell transplant to deal with a very aggressive and rare
18 form of blood cancer. So when I became Minister, I was
19 literally -- I came from Montreal and went back to Montreal
20 the same day. So I was recovering, in terms of my own
21 health.

22 The assessment was that the plan that Karina
23 had put in place had worked. The initial information was
24 that it had been successful. We recognized that we needed to
25 adjust or tweak or take into account recommendations from the
26 National Security and Intelligence Committee of
27 Parliamentarians or Mr. Judd. So that was less of an
28 undertaking than building a plan from scratch.

1 Before Karina Gould had put together the
2 Protecting Democracy Plan, nothing of this sort had existed.
3 So she built the infrastructure from scratch. It was the
4 first time the federal government had set up these mechanisms
5 to detect and disrupt foreign interference, the public
6 protocol. So these were all new elements. We were satisfied
7 generally with how they had worked. We recognized that we
8 had committed to reviewing and adjusting them, which is what
9 I did. And then along came COVID as well.

10 COVID literally happened, I think, the day --
11 the pandemic was the day after my first briefing. Like many
12 Canadians I returned to New Brunswick. My health was still
13 fragile, recovering from the transplant. And we were
14 building the communications infrastructure as a government to
15 allow Ministers to receive classified information from
16 residences.

17 So that quickly changed, and by the fall
18 everybody was in a much different routine. But the need for
19 the monthly briefings or to travel to California to meet the
20 social media companies was much different after she had, in
21 our view, successfully done that work.

22 **MS. ERIN DANN:** All right. Let's turn to
23 that March 2020 briefing. If the Court Operator could pull
24 up CAN 15506.

25 This is a memo. The memo is dated March 9th,
26 2020. It is a memorandum to the National Security and
27 Intelligence Advisor, and I understand represents the notes
28 for the NSIA for a security briefing to you in your capacity

1 as President of the Queen's Privy Council Office. And we
2 heard some evidence yesterday that briefing notes are not
3 always strictly applied to. So I just want to go through
4 this document and understand what topics were or were not
5 covered in that briefing.

6 If we look at the summary on the first page,
7 it indicates that the purpose of the meeting is to provide
8 you:

9 "...with a summary of elections
10 security related activities
11 undertaken to help safeguard the
12 2019...election...as well as an
13 overview of the threat environment,
14 particularly as it pertains to
15 foreign interference."

16 Does that accord with your memory of the
17 purpose of the briefing?

18 **HON. DOMINIC LeBLANC:** Yes, it does.

19 **MS. ERIN DANN:** Okay. And then the summary
20 also indicates in the third bullet point that the December
21 mandate letter that you had received specified that you were:

22 "...to lead a review of the measures
23 put in place to protect the electoral
24 process, and bring forward
25 recommendations..."

26 And does that accord with your memory of the
27 December mandate letter that you had received?

28 **HON. DOMINIC LeBLANC:** Yes, it does.

1 **MS. ERIN DANN:** And then in the bullet point
2 below that, indicates that Ms. Bruce, who I understood was
3 then the head of the CSE, and Mr. Vigneault, the Director of
4 the CSIS, would expand upon potential threats observed in GE
5 2019.

6 Do you remember whether Ms. Bruce and -- Ms.
7 Bruce and Mr. Vigneault were at that briefing and provided
8 you -- and did they provide you with some information on the
9 potential threats observed during the 2019 election?

10 **HON. DOMINIC LeBLANC:** Yes, they did.

11 **MS. ERIN DANN:** Okay. If we go to page 3 of
12 that document, just scrolling to the bottom of the page,
13 there's a text box there indicating there is some discussion
14 of a threat reduction measure that the Government of Canada
15 had conducted in advance of the 2019 election. Do you recall
16 receiving information about that -- about that TRM in this
17 meeting?

18 **HON. DOMINIC LeBLANC:** I don't recall details
19 of that discussion around threat reduction measures or -- I
20 see that it references the Government of Pakistan. I don't
21 have a specific recollection of a conversation about CSIS
22 threat reduction measures.

23 **MS. ERIN DANN:** All right. And then if we go
24 to page 8 of the document? If we scroll just a little bit
25 further down, there's a title indicating "What we saw".

26 And the bullets indicate that:

27 "...we did not observe any activities..."

28 And I presume -- sorry, I should -- just to

1 put this in context, there's a discussion above about the
2 SITE Taskforce and the Panel of Five's work. So I am
3 assuming, and you can correct me if I'm wrong, that this --
4 the "we" addressed here is the Panel:

5 "...we did not observe any activities
6 that met the threshold for a public
7 announcement or affected Canada's
8 ability to have a free and fair
9 election, including in the online
10 space."

11 Is that something that you recall being
12 briefed on in this meeting?

13 **HON. DOMINIC LeBLANC:** Yes, I do. And as I -
14 - that was one of the most significant takeaways for me from
15 that sort of first high level briefing, is that some of the
16 most senior intelligence and security officials in the
17 country confirmed to me their view that the 2019 Election was
18 free and fair and that any attempts at foreign interference
19 would not have affected the outcome of the election,
20 including in specific and individual ridings.

21 So I remember being reassured that the plan
22 that we had put in place, in their view, in their independent
23 senior official view, had been successful.

24 **MS. ERIN DANN:** And the next bullet point
25 down, do you recall that being said as well?

26 "That is not the same as saying we
27 saw nothing at all."

28 **HON. DOMINIC LeBLANC:** Yes. That's why I

1 said the idea that there have been attempts is not new. This
2 had existed for over a decade. And they would talk about
3 that sort of overall threat landscape, but the takeaway for
4 me, I thought was significant, your first bullet, that the
5 election had been free and fair and decided by Canadians in
6 Canada.

7 **MS. ERIN DANN:** Turning to page 10 of this
8 document?

9 We see a heading labeled "China threat
10 update" and there are a number of largely redacted bullets.
11 The third down, third bullet down, is bolded and says:

12 "...specific incidents suggestive of
13 [foreign interference] which were
14 briefed to relevant clients
15 ([Government of Canada] and political
16 parties) during the writ period
17 (e.g., Don Valley)."

18 Do you recall being briefed on anything
19 specifically related to Don Valley?

20 **HON. DOMINIC LeBLANC:** ...time that I saw
21 this document was when I was preparing for these hearings.

22 So as a Minister who receives a briefing from
23 the officials, I don't see the notes that they've prepared by
24 their colleagues for the meeting, so the first time that I
25 knew that they had such notes, it was honestly when I was
26 preparing for this hearing and when I looked at your
27 documents.

28 So I think I also understand that this

1 section here, it was, for example, if you need any other
2 information, it would be a supplement to the main document.
3 And as I said, my impression was that they wanted to give me
4 a broader perspective with respect to the threat context, but
5 I do not remember at all that we went into such precise
6 details for a giving riding and that a specific country had
7 done something -- was alleged to have done something in a
8 riding.

9 So the first time that I did hear about the
10 allegations with respect to this riding was when it was
11 public following the leaks and last year it came out.

12 **MS. ERIN DANN:** I understand. Thank you.
13 And so my next questions you may be able to answer quite
14 quickly, given that you've indicated it was really more high
15 level or global type briefings.

16 I'm turning away specifically from this
17 document.

18 Can I ask you whether -- I'll ask the Court
19 Operator to pull up SUM 3.

20 **--- EXHIBIT No. CAN.SUM 3:**

21 People's Republic of China Officials
22 - Foreign Interference Activities in
23 Greater Vancouver in the 2019 General
24 Election

25 **MS. ERIN DANN:** Minister, there was a number
26 of summaries produced for the purposes of this Commission on
27 various issues relating to the 2019 and 2021 Elections, and
28 I'll just ask you very briefly to indicate whether or not you

1 were aware of intelligence relating to these various issues
2 at the time of the 2019 and then 2021 Election?

3 So this first one relates to potential
4 interference in the Vancouver area, and specifically the use
5 of, at paragraph 3, the use of proxy agents to exclude
6 candidates from community events.

7 Was this the type of intelligence that you
8 would have been briefed on in 2020 or after the -- sometime
9 after the 2019 Election?

10 **HON. DOMINIC LeBLANC:** Yeah. And in your
11 introduction, you said, like, before the 2019 Election. So I
12 would not have had even this level of detail before the 2019
13 Election when I became Minister Responsible for Democratic
14 Institutions. So after the 2019 Election.

15 The officials that would provide the
16 briefings, it was -- certainly they were focusing on China as
17 one of the most frequent countries in terms of attempting to
18 interfere. I don't remember details of local community
19 events in the City of Vancouver.

20 Again, I -- the first time I saw these
21 summaries was prepared for this hearing, and there are a long
22 list of caveats that you can't figure out from this summary,
23 we don't know at what particular moment this intelligence
24 information was gathered, we don't have the context of other
25 pieces of information, we're not sure if it's a single
26 source, if it was corroborated. So I want to be careful not
27 to comment on these specific things, other than having looked
28 at the summaries before my appearance today.

1 **MS. ERIN DANN:** I understand. And I don't
2 want to ask you about the substance of any of the
3 intelligence. I'm really just looking -- or seeking to
4 understand whether these are -- you would have been briefed
5 on these issues in your capacity as having Responsibilities
6 for Democratic Institutions?

7 **HON. DOMINIC LeBLANC:** So they would have,
8 for example, talked about proxy agents. And that is one of
9 the ways that different hostile actors attempt to interfere.
10 I would have understood that China was very present in that
11 kind of activity, but I -- was it in the City of Vancouver
12 and was somebody kept out of a community event? That, I
13 would not have known.

14 **MS. ERIN DANN:** Understood.

15 And if we could bring up SUM.10, please?

16 **--- EXHIBIT No. CAN.SUM 10:**

17 People's Republic of China Threat
18 Actors, Contact with Candidates and
19 Staff, and Funding of Threat Actors

20 **MS. ERIN DANN:** This is a summary, Minister,
21 in relation to PRC threat actors, contact with candidates,
22 and funding of threat actors. It mentions 11 candidates, 13
23 political staff, and a transfer of \$250,000. Were you
24 briefed in relation -- or had you been briefed in relation to
25 these -- to this body of intelligence in your capacity as
26 Responsible for Democratic Institutions?

27 **HON. DOMINIC LeBLANC:** So again, I wouldn't
28 comment on specific allegations. In this case, I learned

1 about this when it became public following some leaks. So I
2 would not have been briefed in this level of granularity.

3 But as I say, I also think it's important
4 that people not think we are confirming stuff that appeared
5 in particular leaks of intelligence information. I think it
6 just merits saying that I took note of the public discussion
7 of these issues.

8 **MS. ERIN DANN:** Right. And turning to 2021
9 now, I'll ask the Court Operator to bring up SUM 4.

10 **--- EXHIBIT No. CAN.SUM 4:**

11 Possible People's Republic of China
12 Foreign Interference-Related Mis or
13 Disinformation

14 **MS. ERIN DANN:** And this is a summary,
15 Minister, that describes some of the allegations of
16 misinformation, or a disinformation campaign targeted Erin
17 O'Toole, Kenny Chiu, and the Conservative Party of Canada.

18 And I want to ask whether in the months or
19 weeks after the 2021 Election, were you aware of -- were you
20 aware of the intelligence summarized in this summary?

21 **HON. DOMINIC LeBLANC:** Again, I knew that
22 China used social media platforms, and particularly, WeChat,
23 to propagate campaigns of disinformation and misinformation.
24 But the first time I learned about the specific allegations,
25 either with respect to Mr. O'Toole or Mr. Chiu, was
26 following, again, the public release of this information, and
27 then there were subsequent meetings in the fall of 2022, I
28 think, and certainly in the spring of 2023, where we were

1 taken into some more detail a small group of ministers.

2 **MS. ERIN DANN:** Right. And so turning, then,
3 to those -- we'll jump ahead, then, to those briefings, and
4 I'll take you specifically to one that was held in May of
5 2023. And that's CAN 17676.

6 **--- EXHIBIT No. CAN 17676:**

7 Handwritten Notes of B. Clow &
8 Meeting Invitation"

9 **MS. ERIN DANN:** If we can scroll to the
10 second page, please.

11 These -- I realise these are not your notes,
12 Minister, but we heard ---

13 **HON. DOMINIC LeBLANC:** But Brian Clow has
14 pretty good handwriting.

15 **MS. ERIN DANN:** He does indeed. So we heard
16 some evidence from Mr. Clow yesterday that these were notes
17 that he made during a briefing on May 18th. And I understand
18 that you were -- your name is listed at the top, and I
19 understand you were at this briefing?

20 **HON. DOMNIC LeBLANC:** I was.

21 **MS. ERIN DANN:** All right. And the document
22 or the notes refer to some expressions of -- or partisan
23 preferences, shifting, or wanting to punish -- I'm looking at
24 the first, sorry, in the middle of the page, under discussion
25 of media leaks. There is:

26 "PRC - no threats of physical harm to
27 MPs or families..."

28 The next line down:

1 "PRC wanted to punish LPC shift to
2 CPC..."

3 And some further discussion of shifting back
4 to LPC.

5 Was this the first time you had been briefed
6 on intelligence relating to shifting partisan preferences
7 expressed by the PRC?

8 **HON. DOMNIC LeBLANC:** Yes, it was. That was
9 the first time I would have heard that level of granularity.
10 I remember being quite skeptical that an intelligence
11 briefing would be able to discern the shifting preferences of
12 a country in another country's election. I've been in enough
13 elections where a lot of people claim to have influence or to
14 be involved in either a successful or unsuccessful election,
15 and having played a critical role where, in some cases, it's
16 exaggerated. So that's part of a free and open democratic
17 discussion. I -- but I do remember the officials offering up
18 that piece of intelligence at that meeting.

19 **MS. ERIN DANN:** All right. And there's also,
20 I see a note towards the bottom of the screen right now, "FI
21 in DVN 2019 nomination." Is this the first time you would
22 have heard at that sort of granular level about a particular
23 intelligence relating to the nomination process in 2019 in
24 DVN?

25 **HON. DOMNIC LeBLANC:** Yes, I think it was.

26 **MS. ERIN DANN:** Okay. And at the bottom of
27 the screen now, there is reference to the 11 candidates, and
28 a reference to \$250,000. Is -- again, this is the first time

1 you would have heard with that level of granularity about
2 that ---

3 **HON. DOMNIC LeBLANC:** Yes.

4 **MS. ERIN DANN:** --- that allegation?

5 **HON. DOMNIC LeBLANC:** Yes, it was.

6 **MS. ERIN DANN:** All right. And scrolling to
7 the next page. Sorry. The second unredacted line there:
8 "Disinformation campaigns did exist.
9 Can't include direct impact on
10 certain results."

11 And above that, there is a list of various
12 media outlets.

13 Is this the first time you would have heard
14 about intelligence relating to a disinformation campaign in
15 2021?

16 **HON. DOMNIC LeBLANC:** I don't disagree with
17 Brian's notes. I think there was a meeting in February in
18 the winter of that same year, but I don't have those notes in
19 front of me, and I just want to make sure I don't say yeah,
20 that was the first time, and then there's a note
21 referencing....

22 This was the first time that I remember
23 hearing about ridings, allegations around money exchanging.
24 Disinformation campaigns and China using social media
25 platforms was something that we'd heard a lot about for a
26 considerable amount of time, but this may have been the first
27 time when they went into detail of the targets, the
28 particular elements of the disinformation that was used.

1 **MS. ERIN DANN:** Thank you. And I don't mean
2 to suggest it was -- you may well have heard about this at an
3 earlier briefing, but it was well after 2021. It would have
4 only been after various media leaks. Is that fair to say?

5 **HON. DOMNIC LeBLANC:** Yes. Yes.

6 **MS. ERIN DANN:** Okay.

7 **HON. DOMNIC LeBLANC:** This level of
8 granularity started after some of these allegations were in
9 the public domain.

10 **MS. ERIN DANN:** Thank you. And would -- just
11 to conclude, would having knowledge of this type of
12 information, this level of granularity, had -- would it have
13 benefitted your review of the implementation of the plan to
14 protect democracy in 2019, and your efforts to update that
15 plan that you spoke about earlier for 2021? Would having
16 this level of information about the nature and extent of
17 threats of foreign interference have benefitted your efforts
18 in reviewing and developing the Plan 2.0, as you put it?

19 **HON. DOMNIC LeBLANC:** I'm not sure that this
20 level of granularity would have made a significant
21 difference. The senior officials at the Privy Council Office
22 who worked with me talked to their colleagues in the
23 intelligence secretariat of Privy Council Office, and I
24 assume with the national security agencies.

25 I certainly believed in the discussions I had
26 with them, they gave me a sufficiently precise picture of the
27 threat landscape of the countries that were active in the
28 particular foreign interference space. And the measures that

1 we wanted to be put in -- to be adjusted or tweaked following
2 Mr. Judd's report or the National Security Intelligence
3 Committee of Parliamentarians were validated by the fact that
4 we had Mr. Judd, and the members of the Panel themselves,
5 confirming that in their views the measures that had been in
6 place had worked, had been successful. So I had every
7 confidence that I had all of the information I needed, and my
8 colleagues at Privy Council Office, the senior officials that
9 helped me go to Cabinet with the adjusted version of the
10 plan, were well aware of what we needed to ask Cabinet to
11 make the changes, largely based on Mr. Judd's review.

12 And Mr. Judd would have had all of this
13 granularity. So I had very much confidence in his experience
14 in this area. He had a long and distinguished experience in
15 this area, and I was told that he had been taken through all
16 of this detail. I was satisfied to rely on his advice, and
17 the advice of the deputy ministers at the Privy Council
18 Office, when we went to Cabinet for the amended or the
19 adjusted plan.

20 **MS. ERIN DANN:** Those are all my questions,
21 Commissioner.

22 **COMMISSIONER HOGUE:** Thank you. We'll break
23 for lunch, and we'll come back at 2:20.

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

25 This hearing is in recess until 2:20.

26 --- Upon recessing at 1:19 p.m.

27 --- Upon resuming at 2:21 p.m.

28 **THE REGISTRAR:** Order please.

1 This sitting of the Foreign Interference
2 Commission is back in session.

3 **--- HON. DOMINIC LeBLANC, Resumed:**

4 **COMMISSIONER HOGUE:** Well, we just resumed,
5 but I forgot my notes. Just a second.

6 **(SHORT PAUSE)**

7 **COMMISSIONER HOGUE:** At least it's a
8 confirmation that I'm taking notes. Before we start the
9 cross-examination, I just want to specify one thing. The
10 question that I've been asked oft and the answer that I've
11 been given by Minister Blair regarding the media report
12 concerning the CSIS warrant were outside the scope of this
13 stage of the Commission work, and no findings will be made on
14 these matters in the initial report.

15 Cross-examination. First one is Jenny --
16 counsel for Jenny Kwan.

17 **--- CROSS-EXAMINATION BY MR. SUJIT CHOUDHRY:**

18 **MR. SUJIT CHOUDHRY:** My name is Sujit
19 Choudhry. I'm counsel for Jenny Kwan, MP for Vancouver East.

20 **HON. DOMINIC LeBLANC:** Good afternoon.

21 **MR. SUJIT CHOUDHRY:** Good afternoon. I just
22 have five minutes, so a couple of quick questions. The first
23 is you've probably seen reports about the CSIS Director's
24 talking points that we examined yesterday with the PMO panel.
25 I just have a question about those, a quick one. Were you --
26 did you ever receive -- so there's particular talking points
27 regarding a -- that are dated February 21st, 2023, and I'll
28 refer to the CAN doc number from my friends. It's CAN 4495.

1 --- EXHIBIT No. CAN 4495:

2 Briefing to the Prime Minister's
3 Office on Foreign Interference
4 Threats to Canada's Democratic
5 Institutions

6 **MR. SUJIT CHOUDHRY:** And just a quick
7 question is whether you ever received a briefing from the
8 director that covered the points in those talking points?
9 And maybe, if it would help, Minister, we could put up the
10 document. And in particular, it's on pages 5 and 6. There's
11 some conclusions. You can scroll down. Yeah, so there's 3
12 conclusions listed on page 5. And then there's 2 conclusions
13 on page 6. And we're just wondering if you ever received a
14 briefing from the director that covered those five points.

15 **HON. DOMINIC LeBLANC:** Well, then if you want
16 me to speak to all five of them, let's go back to the first -
17 --

18 **MR. SUJIT CHOUDHRY:** Sure.

19 **HON. DOMINIC LeBLANC:** --- three?

20 **MR. SUJIT CHOUDHRY:** Of course, sir.

21 **HON. DOMINIC LeBLANC:** If I could go back up

22 ---

23 **MR. SUJIT CHOUDHRY:** Yeah.

24 **HON. DOMINIC LeBLANC:** --- to the first
25 three?

26 **MR. SUJIT CHOUDHRY:** Yeah.

27 **HON. DOMINIC LeBLANC:** Because this -- you'll
28 appreciate the first time I saw this document was when I was

1 preparing for these.

2 **MR. SUJIT CHOUDHRY:** Of course, sir. Yes.

3 **HON. DOMINIC LeBLANC:** And I was not in that
4 briefing that the Prime Minister would have had.

5 Okay. Can I see the last two again?

6 **MR. SUJIT CHOUDHRY:** Sure, of course. Thank
7 you.

8 **HON. DOMINIC LeBLANC:** And your question
9 again?

10 **MR. SUJIT CHOUDHRY:** I said I -- question is,
11 did you ever receive a briefing from the CSIS Director that
12 addressed any of those five points or communicated those five
13 points?

14 **HON. DOMINIC LeBLANC:** Not in that context at
15 all. My first briefing with the CSIS Director as Minister of
16 Democratic Institutions was, as I said earlier today, a
17 higher level sort of analysis of the threat landscape. Since
18 I became Minister of Public Safety, I talk to the Director of
19 CSIS about these issues with more precision than the Minister
20 of Democratic Institutions at the time. And we're always
21 looking at, and he talks to me about things the service is
22 doing to detect and disrupt foreign interference. We've
23 always said that the threat evolves, that the kind of -- the
24 nature of the threat and the particular ways that hostile
25 state or non-state actors attempt to interfere evolve, and he
26 talks to me about what CSIS is doing to keep up with the
27 evolving threat. So that would be the context of my
28 conversations with him.

1 so is this type of framework an alternative to the high
2 single threshold model that we use for foreign interference,
3 is it something we should consider or look at carefully?

4 **HON. DOMNIC LeBLANC:** So -- and I -- my
5 colleague, Karina Gould, would have talked about that this
6 morning when she was the Minister of Democratic Institutions
7 and brought forward the first Protecting Democracy Plan,
8 which had the public protocol, the threshold is deliberately
9 set at a high-level. It's an extraordinary moment in the
10 middle of an election campaign where a group of five senior
11 public servants chaired by the Secretary to the Cabinet, the
12 most senior non partisan public servant in the country, would
13 intervene in an election context to alert Canadians to a
14 potential threat of foreign interference that in their
15 independent judgement would impact the ability of Canadians
16 to have a free and fair election, including at the riding
17 level or obviously at the national level.

18 So the threshold has to be high. In a -- an
19 election campaign, you deliberately want a robust public
20 discourse. They are often not gentle moments in a country's
21 democratic evolution, and that's positive. You want to
22 encourage robust debate, and having a weekly comment from a
23 panel of the most senior public servants, or a regular
24 commentary, would be an extraordinary moment, and done at
25 anything less than a high threshold in our view might
26 undermine confidence in the election.

27 So that's why it's deliberately set that
28 high, and that's why I don't think a comparison to a

1 terrorism threat level is a valid comparison.

2 During an election campaign, the national
3 security agencies are still very much, according to law,
4 doing their job at detecting and disrupting foreign
5 interference. You're going to the ultimate instrument of a
6 public declaration by the Panel of Five. I think it's
7 important to know that the work is being done on a regular
8 and effective basis throughout the election period, and
9 obviously before the election as well.

10 **MR. SUJIT CHOUDHRY:** So one follow up
11 question, Minister, because -- sorry.

12 **COMMISSIONER HOGUE:** It's going to be the
13 last question ---

14 **MR. SUJIT CHOUDHRY:** Yeah. So just to put
15 this back to you, it could be that at the critical level
16 there is a public announcement by the Panel of Five, but
17 beneath that, there is different types of communications that
18 might not be of that character to parties, to candidates, to
19 different entities. So there is a -- there's a more
20 complicated, a more complex set of tools available to the
21 government than the one that its chosen in this version of
22 the Protocol that might evolve in response to the
23 recommendations that you're, or the review that you're
24 undertaking right now.

25 **COMMISSIONER HOGUE:** And the question is?

26 **MR. SUJIT CHOUDHRY:** And so -- isn't that --
27 isn't -- can't we think about something other than it could
28 be all or nothing approach where it's a public announcement

1 from the Panel of Five, where there is communications to
2 parties, to candidates, to affected communities that maybe
3 don't have the same -- doesn't have the same level of
4 seriousness?

5 **HON. DOMNIC LeBLANC:** Well, I think you -- as
6 I said, you want to be careful in an electoral context,
7 before intelligence information is shared in a public
8 context, you know that there's a security cleared
9 representatives of each political party that can meet with
10 representatives of the intelligence and security community.
11 Elections Canada has access to these officials as well.

12 I don't think that you can -- I don't think
13 that you can have a spectrum of public comment. It either
14 reaches the threshold where in the independent professional
15 judgement of these five senior officials they are required to
16 inform the public because in their judgement our ability to
17 conduct a free and fair election in a riding or nationally is
18 affected. I don't think you take steps along that road.

19 It's a -- candidates respond to allegations,
20 candidates disagree with other candidates, candidates comment
21 on social media posts. That's part of a normal robust
22 democratic discussion, and having intelligence services or
23 senior public officials commenting in a public way in an
24 election, in our view, has to be because in their independent
25 judgement during the caretaker period they think that
26 something has happened that impedes the ability of Canadians
27 to have a free and fair election. And it's important to note
28 that in 2019 and 2021, in their judgement, they did not think

1 that was the case.

2 MR. SUJIT CHOUDHRY: Thank you, sir.

3 COMMISSIONER HOGUE: Thank you.

4 Counsel for UCC?

5 MR. JON DOODY: No questions, Commissioner.

6 COMMISSIONER HOGUE: No questions?

7 Counsel for Erin O'Toole?

8 MR. THOMAS JARMYN: Thank you, Commissioner.

9 --- CROSS-EXAMINATION BY MR. THOMAS JARMYN:

10 MR. THOMAS JARMYN: Good afternoon, Minister.

11 My name is Tom Jarmyn, here on behalf ---

12 HON. DOMNIC LeBLANC: Good afternoon.

13 MR. THOMAS JARMYN: --- of Erin O'Toole.

14 I've just got a couple of questions. During
15 the period from 2019 to 2021, when you were serving your
16 duties as Minister of Democratic Institutions, is it fair to
17 say that your -- the intelligence briefings you received were
18 high level as opposed to directed at significant incidents?

19 HON. DOMNIC LeBLANC: Yeah, they were high
20 level threat analysis of the threat environment. There were
21 -- there was discussions of different state -- hostile state
22 and non state actors that were active in this space. But it
23 didn't go down into details around specific ridings or
24 specific geographical regions.

25 MR. THOMAS JARMYN: Okay, thank you. And
26 this morning, when Minister Gould testified, she talked about
27 the relationship she developed with Facebook, Twitter, and
28 Microsoft, and I guess Google as well, in order to come to

1 this voluntary protocol with respect to the 2019 election.
2 Was that reviewed after the 2019 election?

3 **HON. DOMNIC LeBLANC:** Yes, it was reviewed by
4 the National Security and Intelligence Committee of
5 Parliamentarians and by Mr. Judd in his review. The
6 voluntary undertaking that Ms. Gould got from the major
7 social media platforms was reviewed, and in fact, in 2021, we
8 also added others to that space.

9 **MR. THOMAS JARMYN:** Yes. And what steps were
10 taken to add foreign enterprises like Tencent and ByteDance,
11 who are legal owners of WeChat and TikTok, respectively?

12 **HON. DOMNIC LeBLANC:** So again, we were
13 governed by the analysis that Mr. Judd did and the National
14 Security and Intelligence Committee of Parliamentarians. We
15 always recognised that there was a threat of disinformation
16 and misinformation in this space and that some foreign state
17 and non state actors were particularly active. That is one
18 of the challenges of a democratic process in a moment where
19 social media has taken on such significant importance and has
20 such a significant impact.

21 But we believe that the officials at Privy
22 Council Office, the members of the SITE Task Force, and
23 others, had developed ongoing relationships with these social
24 media platforms, and during the context of an election,
25 during the caretaker period where the government is itself a
26 candidate in the election, they were the ones that would have
27 those conversations and those relationships.

28 **MR. THOMAS JARMYN:** And have ByteDance or

1 Tencent been asked to enter into the same relationships with
2 -- as Facebook, Twitter, Microsoft, and Google?

3 **HON. DOMNIC LeBLANC:** I want to be careful
4 before getting in. I'd want to -- I don't want to talk about
5 specific discussions that may have happened with intelligence
6 officials who are the ones that are best placed to give this
7 advice to the government. But we have participated, for
8 example, in a G7 effort, the Rapid Response Mechanism Canada
9 was a global leader in this space, there was the Paris call
10 for trust in democracy where I participated quickly or soon
11 after becoming Democratic Institutions Minister, with other
12 countries. It's a live conversation with our Five Eyes
13 partners about what we can do in terms of sharing information
14 around different platforms, but also which hostile state
15 actors or non state actors are active in this space.

16 **MR. THOMAS JARMYN:** But if their -- wouldn't
17 their refusal to participate in such an arrangement be a
18 signal to the government, particularly after the 2019
19 election, where we began to observe these activities, that
20 other measures might be necessary?

21 **HON. DOMNIC LeBLANC:** Again, regulating
22 global social media platforms is obviously a complicated
23 space. You'll appreciate that it's not easy for one country
24 to regulate or legislate in this area. That's why the most
25 effective ways, in our view, are to work with likeminded
26 countries. And there's increasingly an effort from Five Eyes
27 partners, from G7 partners to work in this space together.

28 We took our responsibility to do everything

1 that we could. And I would think that certainly the work
2 that Ms. Gould did told us that the major social media
3 platforms want to ensure that they're not participating in
4 activities or being used in a way that disinformation or
5 misinformation campaigns could affect, negatively, the
6 outcome of an election. But it's a constant challenge for
7 democratic governments around the world, and it's an active
8 conversation that I've had with counterparts in other
9 countries as well.

10 **MR. THOMAS JARMYN:** Okay. That's my time.
11 Thank you, Minister.

12 **COMMISSIONER HOGUE:** Thank you.

13 Next one is counsel for RCDA, Me Sirois.

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

15 **MR. GUILLAUME SIROIS:** You were involved in
16 the mandate of this Commission, Minister LeBlanc.

17 **HON. DOMINIC LeBLANC:** [No interpretation]

18 **MR. GUILLAUME SIROIS:** So the Commission was
19 set up with great care?

20 **HON. DOMINIC LeBLANC:** Could you repeat your
21 question, please?

22 **MR. GUILLAUME SIROIS:** Each word was picked
23 with great caution.

24 **HON. DOMINIC LeBLANC:** Of course. And it was
25 negotiated with all political parties in the House of
26 Commons, NDP, Conservatives, Bloc Québécois and so on and so
27 forth. We all agreed with each word in the Terms of
28 Reference and the mandate you just quoted.

1 **MR. GUILLAUME SIROIS:** And the mandate
2 accordings (sic) the Commission to investigate foreign
3 interference by China, among other state actors.

4 So China is specifically mentioned because
5 this was brought up in the media. So is the government aware
6 of similar allegations when Russia interfered with the 43rd
7 and 42nd General Election?

8 **HON. DOMINIC LeBLANC:** I will not comment on
9 publications -- on allegations in the public domain about
10 allegations of particular intelligence.

11 It is known in the public domain that Russia
12 is particularly involved in disinformation and misinformation
13 campaign in other contexts and in cyber attacks. I am
14 referring to what is in the public domain.

15 And earlier, in other countries, we saw
16 allegations of Russia's involvement in such threats, but I
17 will not comment on the specifics of Russian interference.
18 But I will say, as was said publicly, that Russia was quite
19 active in other circumstances and we wanted to make sure that
20 all appropriate measures of protections were available in
21 Canada.

22 **MR. GUILLAUME SIROIS:** There are other
23 countries which are also actively involved. So we're
24 mentioning Russia, China and other state actors.

25 I'm wondering why we don't just mention China
26 and other state actors if there is no apparent intention of
27 Russians -- Russian involvement in the 43rd and 44th General
28 Election?

1 **HON. DOMINIC LeBLANC:** I didn't say that
2 Russian didn't get involved. I said that it is a permanent
3 threat, the fact that Russia is interfering through
4 misinformation and disinformation campaigns. In other
5 countries in the public domain there were allegations
6 concerning Russia concerning cyber attacks.

7 When I spoke with my counterparts, the
8 Parliamentary leaders of the three major political parties,
9 the discussion was quite public. A year ago, in the spring,
10 people spoke about China and Russia. There are other
11 countries. We saw allegations regarding India.

12 I remember at some point in the conversation,
13 it was, I believe, in the month of August, when we were
14 finalizing the Terms of Reference, we concluded among
15 ourselves that we wanted to give the Commission the ability
16 to lead the evidence. We used the terms of other state and
17 non-state actors because we want the Commission to be able to
18 establish the evidence and to come to its -- and to come to
19 some findings.

20 **MR. GUILLAUME SIROIS:** So the Commission was
21 created to make sure that nothing was missed by the
22 government in terms of Russian involvement in the last two
23 general elections.

24 **HON. DOMINIC LeBLANC:** We're always seeking
25 recommendations in order to reinforce the already robust
26 measures that we have put in place and which were appropriate
27 during the last two general elections, but we're looking
28 forward to receiving the recommendations of the Commission

1 and of other experts because we recognize that the way the
2 threat is evolving requires measures to detect and counter
3 interference which may also evolve.

4 **MR. GUILLAUME SIROIS:** So your statement
5 applies particularly to Russia and that's why it is mentioned
6 in the Commission's Terms of Reference.

7 **HON. DOMINIC LeBLANC:** No, I wouldn't say
8 that it applies particularly to Russia.

9 I am looking forward to seeing the analysis
10 and the recommendation of the Commission regarding several
11 countries, some findings which deserve to be looked into and
12 reviewed. I don't spend a lot of time speculating about
13 where the Commission is going to go in its findings, but
14 among the four major parties, we agreed that Russia was in --
15 and China were involved. But they're not the only countries
16 and we will not comment on specific incidents of a particular
17 country.

18 The Commission, of course, has access to all
19 information and all evidence, but I would like to be careful
20 in the public domain.

21 **MR. GUILLAUME SIROIS:** My last question.

22 So we did mention Russia to make sure that
23 Russia would be investigated by the Commission.

24 **HON. DOMINIC LeBLANC:** We recognize that
25 Russia is active, particularly in terms of potential cyber
26 attacks and disinformation and misinformation. And the four
27 political parties decided to use two examples of countries
28 which were discussed a lot in the public domain, but we

1 wanted the Commission -- for the Commission to have access to
2 all classified information, to all documents, and with senior
3 officials who are able to brief the Commission. So in its
4 finding, we wanted the Commission to be able to lead (sic)
5 the evidence.

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

7 **HON. DOMINIC LeBLANC:** Thank you.

8 **COMMISSIONER HOGUE:** Conservative Party.

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

10 **MR. NANDO de LUCA:** Good afternoon.

11 **HON. DOMINIC LeBLANC:** Good afternoon.

12 **MR. NANDO de LUCA:** Can I have COM 346 pulled
13 up, please?

14 **--- EXHIBIT No. COM 346:**

15 CTV News - "Process underway for Han
16 Dong's possible return to the Liberal
17 caucus" - June 1, 2023

18 **MR. NANDO de LUCA:** Minister -- do you have
19 it in front of you, Minister LeBlanc? This is a news report
20 from CTV News published June 2, 2023.

21 And at the top -- if you could scroll down,
22 please? Page 2? The top of page 2.

23 It says:

24 "A senior government official says
25 Intergovernmental Affairs Minister
26 Dominic LeBlanc is leading a process
27 to determine Independent MP Han
28 Dong's possible return to the Liberal

1 caucus."

2 Do you see that?

3 **HON. DOMINIC LeBLANC:** Yes.

4 **MR. NANDO de LUCA:** Is it correct that as of
5 June 2, 2023, you were leading a process to determine if Mr.
6 Dong could rejoin the Liberal caucus?

7 **MR. GREGORY TZEMENAKIS:** Apologies,
8 Commissioner. If my friend could explain how this is
9 relevant to Parts A and B of your mandate?

10 **MR. NANDO de LUCA:** Well we've been ---

11 **COMMISSIONER HOGUE:** Can you, please?

12 **MR. NANDO de LUCA:** Sure. We've been through
13 this before there's considerable controversy about Mr. Dong's
14 participation, willing or not, in foreign interference, and
15 there's conflicting reports as to what he did or didn't do,
16 and what he said or didn't say, and whether that gave rise
17 to, for lack of a better term, discipline or him being forced
18 from Liberal caucus.

19 So I'm asking this witness whether that in
20 fact happened, and whether, in light of -- I'll come to the
21 questions, in light of the Special Rapporteur's conclusions,
22 that decision to be excluded from caucus has been
23 reconsidered at all.

24 **COMMISSIONER HOGUE:** And tell me, what is the
25 relationship with A and B of the Terms of Reference? Because
26 I can follow you if we look at the broad ---

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

28 **COMMISSIONER HOGUE:** --- mandate of the

1 Commission, ---

2 **MR. NANDO de LUCA:** Well if we ---

3 **COMMISSIONER HOGUE:** --- but we are just in

4 Phase 1 ---

5 **MR. NANDO de LUCA:** Well part of Phase 1 ---

6 **COMMISSIONER HOGUE:** --- and I fail to see --

7 -

8 **MR. NANDO de LUCA:** Part of Phase 1 is to
9 understand the extent of foreign interference, who it
10 involved, and what the government officials knew. I put it
11 to -- or I submit to you, Madam Commissioner, that the extent
12 to which Mr. Dong was disciplined, and remains disciplined,
13 is relevant to that inquiry.

14 **COMMISSIONER HOGUE:** I'm going to allow the
15 question as to whether he was disciplined, but I think after
16 that, you know, what happened in 2023 or 2024 is outside the
17 scope of the Commission for the time being.

18 **HON. DOMINIC LeBLANC:** So Mr. Dong said
19 publicly in the House of Commons that he voluntarily decided
20 to withdraw from the Liberal Caucus when the allegations
21 became public. He stood up one evening in the House of
22 Commons and voluntarily withdrew from the Liberal Caucus and
23 asked the speaker to sit as an independent. That was the
24 decision that Mr. Dong made when these allegations became
25 public, and that is on the public record. Those were his
26 words.

27 **MR. NANDO de LUCA:** Okay. Mr. Dong has also
28 said since that he would like to rejoin caucus and that he's

1 had discussions with you about the possibility of rejoining
2 the caucus; is that correct?

3 **COMMISSIONER HOGUE:** I think that's crossing
4 the line. It goes beyond the ---

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

6 **COMMISSIONER HOGUE:** --- the scope of the --
7 this phase.

8 **MR. NANDO de LUCA:** Okay. So I'll just put
9 the questions on the record. I appreciate your ruling.

10 And if it's correct that Mr. Dong has
11 requested to rejoin caucus, and that has not yet been
12 exceeded to that request, I'd like to know why, and so that's
13 the next question. I accept your ruling, Madam Commissioner.
14 And I'd just like to put on the record the documents that
15 speak to these questions that I've intended to ask Minister
16 LeBlanc. It's COM 3044, 30 -- sorry, COM 344, 345, 346 and
17 347.

18 **--- EXHIBIT No. COM 344:**

19 CBC - "MP Han Dong says he wants to
20 rejoin Liberal caucus after being
21 'vindicated' by Johnston's report" -
22 May 24, 2023

23 **--- EXHIBIT No. COM 345:**

24 CBC - "Han Dong says he's met with
25 government, is waiting to learn if he
26 can rejoin caucus" - Sep 21, 2023

27 **--- EXHIBIT No. COM 347:**

28 Global News - "Trudeau not saying if

1 Han Dong will return to Liberal
2 caucus after testimony" - April 3,
3 2024

4 COMMISSIONER HOGUE: So ---

5 MR. NANDO de LUCA: Those are my ---

6 COMMISSIONER HOGUE: --- it's noted. Thank
7 you.

8 MR. NANDO de LUCA: Those are my questions.
9 Thank you.

10 HON DOMINIC LeBLANC: Thank you.

11 COMMISSIONER HOGUE: Counsel for Michael
12 Chong?

13 MR GIB van ERT: Madame, nous n'avons aucune
14 question pour ce témoin. Merci.

15 COMMISSIONER HOGUE: Merci.
16 Counsel for Han Dong?

17 MR. MARK POLLEY: No questions. Thank you.

18 COMMISSIONER HOGUE: Human Rights Coalition?

19 --- CROSS-EXAMINATION BY MS. HANNAH TAYLOR:

20 MS. HANNAH TAYLOR: Good afternoon.

21 HON. DOMINIC LeBLANC: Hello.

22 MS. HANNAH TAYLOR: Could we please pull up
23 CAN.DOC 15 and turn to page 4?

24 --- EXHIBIT No. CAN.DOC 15:

25 Public Safety (PS) Institutional
26 Report - UNCLASSIFIED

27 MS. HANNAH TAYLOR: This is going to be the
28 institutional report prepared by Public Safety Canada. And

1 the final bullet point on page 4 reads,
2 "The Public Safety Minister is
3 responsible for most of the federal
4 agencies operating in the areas of
5 national security, policing and law
6 enforcement, border services and
7 corrections, and conditional release,
8 namely, the RCMP, CSIS, CBSA, CSE and
9 PBC. The Minister's role is to
10 coordinate their activities and
11 establish strategic priorities
12 relating to public safety and
13 emergency preparedness." (As read)

14 Is this correct?

15 **HON. DOMINIC LeBLANC:** Yes.

16 **MS. HANNAH TAYLOR:** Is it a strategic
17 priority to protect diaspora communities?

18 **HON. DOMINIC LeBLANC:** It's always been a
19 priority not just of the Public Safety Department, but of the
20 whole government. As I learned about the prevalence of
21 foreign interference, we were always struck that diaspora
22 communities are, in many cases, the targets and the victims
23 of these foreign interference attempts. So it's -- the
24 Public Safety Department is absolutely seized with that, as
25 would be, for example, of CSIS and other agencies, but the
26 whole government is concerned about this. My colleague, the
27 Minister of Diversity and Inclusion talks to me about this.
28 So it's not just my department, but the Public Safety

1 Department is absolutely concerned about this, but it goes
2 beyond one department.

3 **MS. HANNAH TAYLOR:** Thank you. And if I
4 could ask the Court Operator to please pull up CAN 2096?

5 **--- EXHIBIT No. CAN 2096:**

6 Elections Security Brief for Minister
7 LeBlanc

8 **MS. HANNAH TAYLOR:** And as it's being pulled
9 up, Minister, I understand this was an election security
10 brief provided to you. Looking to the first page at the
11 third bullet point, it's under the heading ---

12 **HON. DOMINIC LeBLANC:** Sorry, do you know the
13 date of that?

14 **MS. ERIN DANN:** Unfortunately, that document
15 was produced without a date.

16 **HON. DOMINIC LeBLANC:** Okay.

17 **MS. HANNAH TAYLOR:** So just under slide two,
18 it reads,

19 "A [2016] public threat report from
20 the Communications Security
21 Establishment (CSE) identified
22 political parties and politicians,
23 electoral activities, and the media
24 as vulnerable to threats, but also
25 noted that our system has inherent
26 strengths built-in. For example,
27 paper-based ballots cannot be
28 "hacked"."

1 Would you agree with this statement?

2 And for ---

3 **HON. DOMINIC LeBLANC:** I think our system has
4 a lot of inherent strengths. One of them is paper-based
5 ballots. That's probably in the context of cyber attacks.
6 That -- my discussions with Elections Canada or the security
7 agencies have always been around the risk, obviously, of a
8 cyber attack. In the case of paper ballots, it's a lot
9 easier to maintain public confidence in the election
10 machinery and in the outcome, but it's -- it would be one
11 example. I don't remember the details. I accept the
12 document you put before me. If it was my then Deputy
13 Minister Ian McCowan, who was the Deputy Secretary at Privy
14 Council Office, these were ongoing conversations that I would
15 have had with him over a number of meetings or briefings.

16 **MS. HANNAH TAYLOR:** And so you've said that
17 it would be one of many tools in an arsenal to address the
18 issue. And with that in mind, you would agree that a paper-
19 based ballot doesn't make an elector any less vulnerable to
20 intimidation or harassment, which is why there needs to be
21 other mechanisms to protect them?

22 **HON. DOMINIC LeBLANC:** Yeah, that's a fair
23 statement.

24 **MS. HANNAH TAYLOR:** Okay. Thank you,
25 Minister.

26 **COMMISSIONER HOGUE:** Thank you.

27 AG?

28 **MR. GREGORY TZEMENAKIS:** I have no questions.

1 Thank you.

2 **COMMISSIONER HOGUE:** Re-examination?

3 **MS. ERIN DANN:** No, thank you.

4 **COMMISSIONER HOGUE:** I have a question for
5 you, Mr. LeBlanc.

6 You indicated during the chief examination
7 that you heard about allegations about Mr. Chiu and Mr.
8 O'Toole only when the information was made public in 2022.
9 And also, when you addressed another question, you said that
10 it would not really have been useful to you when you
11 undertook to assess to what extent the measures which were
12 put in place had been sufficient or had been efficient.

13 Could you indicate if, in your role as a
14 Minister, this type of information would have been useful to
15 you at the same time when such information was identified?

16 **HON. DOMINIC LeBLANC:** Are you speaking as
17 the Minister of Democratic Institutions?

18 **COMMISSIONER HOGUE:** Yes, as the Minister of
19 Democratic Institutions, and then you can speak as the
20 Minister of Public Safety.

21 **HON. DOMINIC LeBLANC:** I'm quite comfortable
22 about the fact that my discussions with the PCO officials and
23 my private discussions gave me sufficient information to
24 assess how we needed to evolve our measures between the 2019
25 and the 2021 election.

26 For example, I was aware that there were
27 hostile actors that were using social media or media
28 platforms that were using proxies for intimidation purposes.

1 At the time, I had no operational responsibilities to follow
2 up in the case of X and Y person or X and Y country because
3 this would have been in the hands of my colleague who was in
4 charge of Public Safety. This would have been left to
5 intelligence organizations.

6 So in my general discussions with senior
7 officials, I was convinced that they had enough information
8 to assess a plan to protect democratic institutions. I
9 didn't necessarily need to know that it was X candidate or
10 city Y which were involved. It was about asking and being
11 reassured that Elections Canada, the RCMP, the Privy Council
12 and other intelligence agencies had sufficient information to
13 detect and counter this kind of interference.

14 So it was just because of a Cabinet reshuffle
15 that I had these duties as Minister for Democratic
16 Institutions and then, last summer, I took on
17 responsibilities as Minister for Public Safety.

18 And I became aware, as I hadn't been before,
19 the role of the Minister for Public Safety in terms of
20 approving some operations by intelligence agencies, the
21 questions of the mandate of some intelligence -- of CSIS.

22 Sometimes they will inform the Minister of a
23 threat in this -- the function of the Public Safety Minister,
24 but I think it would not have been appropriate to be aware of
25 such details as Minister for Democratic Institutions. And
26 right now, I'm very fortunate to wear both hats.

27 **COMMISSIONER HOGUE:** And as a Public Safety
28 Minister, do you expect to be made aware of such allegations?

1 **HON. DOMINIC LeBLANC:** Yes, absolutely. And
2 I can assure you that in my discussions with Mr. Vigneault or
3 his colleagues, it is the kind of discussions that they have
4 very freely with me. I am quite well informed on such issues
5 and -- if they deem it appropriate or when they need my
6 approval or they are obligated to inform me.

7 Sometimes they are required to inform me
8 without necessarily requiring the -- my authorization, but I
9 am very comfortable with such exchanges now.

10 **COMMISSIONER HOGUE:** Thank you.

11 **COMMISSIONER HOGUE:** So no re-examination
12 after my questions?

13 **MS. ERIN DANN:** No.

14 **MR. ALAIN MANSEAU:** [No interpretation]

15 **COMMISSIONER HOGUE:** Pardon.

16 **MR. ALAIN MANSEAU:** Alain Manseau, Bloc
17 Québécois.

18 Since Han Dong and the Government of Canada
19 asked questions, I would ask for authorization to ask a few
20 questions as well.

21 **COMMISSIONER HOGUE:** Sure. I'll give you a
22 few minutes.

23 We'll give you five minutes, Mr. Manseau.

24 **--- CROSS-EXAMINATION BY MR. ALAIN MANSEAU:**

25 **MR. ALAIN MANSEAU:** Good afternoon, Mr.
26 LeBlanc.

27 **HON. DOMINIC LeBLANC:** Good afternoon.

28 **MR. ALAIN MANSEAU:** Alain Manseau from the

1 Bloc Québécois.

2 We learned through the media as well as by
3 way of different testimony here that the Safeguard Defend
4 Human Rights Coalition in September of 2022 had drawn the
5 attention of 55 Chinese police stations around the world,
6 including three here. And then the RCMP had said they had
7 conducted an inquiry on two of these police stations, one in
8 Montreal and another one in Brossard.

9 These two police stations seem to have
10 engaged in interference activities from those locations, so
11 you, the Minister at the time ---

12 **HON. DOMINIC LeBLANC:** Which Minister?

13 **MR. ALAIN MANSEAU:** The Minister of Public
14 Safety at the time.

15 **HON. DOMINIC LeBLANC:** You mean my
16 predecessor?

17 **MR. ALAIN MANSEAU:** Yes.

18 So your predecessor mentioned, and this was
19 reported in the media, that the two police stations in
20 question had been closed. They had been shut down
21 indefinitely. And we also learned that illegal activities
22 had been carried out and this is why those two police
23 stations had been shut down.

24 Can you tell us whether, indeed, those
25 illegal activities were criminal activities?

26 **MS. ERIN DANN:** Excuse me, Commissioner.
27 Sorry to interrupt. I'm concerned that the question goes
28 beyond the scope of this portion of the hearings -- of this

1 portion of the Commission's work, which is focussed on the
2 2019 and 2021 general elections.

3 **COMMISSIONER HOGUE:** Mr. Manseau, can you
4 please establish the connection you are making? Our mandate
5 is fairly limited in this stage.

6 **MR. ALAIN MANSEAU:** In fact, you are right,
7 my colleague is right to point that out. But the connection
8 I'm establishing is that those police stations were created
9 before 2022 as we learned through the media. So these police
10 stations were in existence in 2019 or 2021 unless there is
11 evidence to the contrary.

12 **COMMISSIONER HOGUE:** I want to make sure I
13 understand. I don't want to open a can of worms at this
14 point which will not be useful in this phase.

15 What you are saying, what we are looking at
16 is foreign interference just before or during the 2019 and
17 2021 elections. And what you are saying is that these
18 Chinese police stations existed before that time. So what
19 connection are you establishing between the 2019 and 2021
20 elections and their existence?

21 **MR. ALAIN MANSEAU:** Yes, absolutely. They
22 existed then and we can presume there was interference
23 because the RCMP shut them down afterwards because of illegal
24 activities without telling us exactly what those activities
25 were which had been committed at the time.

26 **COMMISSIONER HOGUE:** So your question is?

27 **MR. ALAIN MANSEAU:** What were those illegal
28 acts? The RCMP would only have interfered in terms of

1 foreign interference if there had been illegal activities.
2 We never learned about those activities.

3 **COMMISSIONER HOGUE:** I believe the question
4 is too general.

5 If you can reword the question whether to the
6 knowledge of the Minister illegal acts were carried out in
7 relation to the 2019 and 2021 elections, I would allow that
8 question, but I think the question as you worded it is --
9 exceeds the mandate of this Commission.

10 **MR. GREGORY TZEMENAKIS:** ... according to
11 your terms of reference, if there were ongoing investigations
12 related to this matter, and there is ongoing litigation in
13 relation to this matter, it would not be appropriate. And
14 then my second point is my friend has not provided any
15 information to found the statements that he is making, that
16 these police stations were in existence early, that they were
17 in 2019. And it's somewhat unfair for the witness to be
18 asked questions on the basis of a hypothetical set of
19 circumstances that he may know nothing about.

20 **COMMISSIONER HOGUE:** But this is the reason
21 why I made clear that it's as far as Minister LeBlanc knows.
22 He doesn't have to speculate, but if knows whether some of
23 the ---

24 **MR. ALAIN MANSEAU:** [No interpretation]

25 **COMMISSIONER HOGUE:** --- alleged activities
26 would have been in relation with the elections, then this
27 question is permitted.

28 But I will not permit that you go very far

1 with this line of questions.

2 **MR. ALAIN MANSEAU:** So did you know about any
3 illegal acts which may have been committed from these two
4 Chinese police stations in Montreal and Brossard in
5 connection with the elections of 2019 and 2021?

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

7 **MR. ALAIN MANSEAU:** [No interpretation]

8 **HON. DOMINIC LeBLANC:** Well, I would hesitate
9 in answering the question because the Minister does not
10 determine what is a legal or illegal activity. I am not a
11 prosecutor or a policeman or a judge.

12 I believe you when you quote what the RCMP
13 allegedly said. I would have to look into what the RCMP had,
14 in fact, stated. I am aware of what was said publicly about
15 these supposed police stations. I think it is important to
16 use "supposed" or "alleged" to qualify those stations, but I
17 don't have any operational details from the RCMP.

18 And as the government -- as government
19 counsel has said, I am not confident enough to answer that,
20 as there may be ongoing investigations, so I'm quite hesitant
21 to answer the question on that particular issue.

22 **MR. ALAIN MANSEAU:** Thank you.

23 **COMMISSIONER HOGUE:** We will now move into
24 break.

25 I know that we are supposed to have a five-
26 minute break, but in fact, it will be more like 20 minutes
27 given the fact that witnesses will be changing and that
28 certain security measures will have to be put into place. So

1 expect to be back in about 20 minutes.

2 Thank you.

3 **THE REGISTRAR:** Order please.

4 This hearing is in recess until 3:25?

5 **COMMISSIONER HOGUE:** 3:30.

6 **THE REGISTRAR:** 3:30.

7 --- Upon recessing at 3:08 p.m.

8 --- Upon resuming at 3:34 p.m.

9 **THE REGISTRAR:** Order please.

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

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

13 **MS. SHANTONA CHAUDHURY:** Good afternoon.

14 **COMMISSIONER HOGUE:** Good afternoon.

15 **MS. SHANTONA CHAUDHURY:** Shantona Chaudhury.

16 Lead counsel for the Commission. Our witness this afternoon
17 is Prime Minister Justin Trudeau.

18 Can I ask that the witness be sworn or
19 affirmed?

20 **THE REGISTRAR:** Would you like to be sworn or
21 affirmed for the record?

22 **RT. HON. JUSTIN TRUDEAU:** Sworn, please.

23 **THE REGISTRAR:** Could you please state your
24 name for the record?

25 **RT. HON. JUSTIN TRUDEAU:** Justin Trudeau.

26 **--- RT. HON. JUSTIN TRUDEAU, Sworn:**

27 **THE REGISTRAR:** Thank you very much.

28 Counsel, you may proceed.

1 --- EXAMINATION IN-CHIEF BY MS. SHANTONA CHAUDHURY:

2 **MS. SHANTONA CHAUDHURY:** Thank you. So,
3 Prime Minister, we'll start with the typical routine
4 housekeeping.

5 Mr. Clerk, can I ask you to pull up WIT 66,
6 please?

7 --- EXHIBIT No. WIT 66:

8 Interview Summary: Rt. Hon. Justin
9 Trudeau (Prime Minister)

10 **MS. SHANTONA CHAUDHURY:** Prime Minister,
11 you'll recall being interviewed by Commission counsel on
12 February 27th, 2024?

13 **RT. HON. JUSTIN TRUDEAU:** Yes.

14 **MS. SHANTONA CHAUDHURY:** Can you confirm that
15 you've reviewed the summary of that interview, that the
16 summary is accurate, and that you adopt it as part of your
17 evidence before the Commission?

18 **RT. HON. JUSTIN TRUDEAU:** I can.

19 **MS. SHANTONA CHAUDHURY:** Thank you.

20 The next is WIT 67, please, Mr. Clerk.

21 --- EXHIBIT No. WIT 67:

22 In-Camera Examination Summary: The
23 Right Honourable Justin Trudeau,
24 Prime Minister

25 **MS. SHANTONA CHAUDHURY:** So, Mr. Prime
26 Minister, this is the summary of your *in-camera* examination.
27 You'll recall having been examined *in-camera* by Commission
28 counsel earlier this year?

1 **RT. HON. JUSTIN TRUDEAU:** Yes, I do.

2 **MS. SHANTONA CHAUDHURY:** Okay. And once
3 again, can you confirm that you've reviewed the summary, that
4 the summary is accurate, and that you adopt it as part of
5 your evidence before the Commission?

6 **RT. HON. JUSTIN TRUDEAU:** I can.

7 **MS. SHANTONA CHAUDHURY:** Perfect.

8 We can take that down now, Mr. Clerk.

9 So I'm going to ask you to start today, Prime
10 Minister, by asking a pretty general question, but
11 nevertheless a fundamental one, which is, having been Prime
12 Minister now since 2015, can you paint for the Commission a
13 picture of the foreign interference landscape over your
14 tenure as Prime Minister?

15 And before you answer, I'll just put two sort
16 of precisions on that. One is that we know foreign
17 interference comes in all shapes and sizes, but the kind of
18 foreign interference that interests us most today at this
19 Commission is, obviously, foreign interference in democratic
20 processes and electoral processes and institutions.

21 Second, it goes without saying, but in
22 answering this question and all questions I pose to you,
23 please stick to information that can be safely publicly
24 disclosed.

25 **RT. HON. JUSTIN TRUDEAU:** Indeed. One of the
26 things that we had grown concerned about as a party when we
27 were in opposition before the 2015 election was the lack of
28 oversight by Parliamentarians into what was going on in our

1 national security universe in this country.

2 An example of the Afghan detainee documents,
3 where there wasn't a process whereby Parliamentarians of
4 different parties, of opposition parties, could examine top-
5 secret material was seen as a lacking that Canada had,
6 certainly compared to our other Five Eyes partners, which is
7 why in our 2015 campaign platform we committed to creating a
8 National Security and Intelligence Committee of
9 Parliamentarians whereby parliamentarians of all different
10 parties would be sworn into the highest levels of clearance
11 to be able to oversee, verify, and ascertain that everything
12 that our national security agencies were doing was on the one
13 hand compliant with Canadian values, rules, and the *Charter*,
14 and on the other hand, doing everything necessary to keep
15 Canadians safe.

16 So we started in 2015 with a commitment to
17 strengthen our national security institutions. We did that
18 by the creation of National Security and Intelligence
19 Committee of Parliamentarians. We also combined a number of
20 oversight organisations into NSIRA, which is a more judicial
21 or academic or high level oversight of our national security
22 agencies, as well as, you know, as we began to govern,
23 strengthened our various national security and intelligence
24 agencies and tools.

25 One of the things I did is I changed our
26 national security advisor to a national security and
27 intelligence advisor because it's not just about security.
28 And obviously the work around intelligence was getting more

1 and more complex and important and part of keeping Canadians
2 safe.

3 Over the course of that first mandate, we
4 witnessed the significant foreign interference allegations or
5 threats during the 2016 Presidential Election in the United
6 States, where Russia, certainly through misinformation and
7 disinformation online, attempted to interfere. But also,
8 more interestingly as a key example, in 2017, during the
9 French Presidential Election, there was actually a moment in
10 which officials within the French governmental apparatus
11 actually had to come out and tell the citizens of France that
12 a particular piece of information or news that was about to
13 break was in fact Russian disinformation and should not be
14 given any weight or heed.

15 That got us to reflecting on whether or not
16 Canada had a potential to intercede in an election campaign
17 if there was a significant threat of foreign interference
18 impacting the ability of our elections to actually unfold in
19 a free in and fair way. So we got to work on developing such
20 a mechanism here in Canada, which ended up being two
21 mechanisms, both the SITE panel -- the SITE Task Force that
22 allows our security agencies to monitor very closely the
23 going's on in an election, and the Panel of Five, which is
24 top civil servants who would have the ability, if they deemed
25 it necessary, to actually go public or take other actions to
26 ensure the protection of our democratic institutions and
27 electoral processes from foreign interference.

28 One of the other examples of things that

1 we've -- we did during that time, in 2018, when Canada hosted
2 the G7 leaders meeting in Charlevoix, Quebec, we actually
3 brought forward and created the G7 Rapid Response Mechanism,
4 which was designed to monitor and respond to threats of
5 misinformation and disinformation in our democracies. A tool
6 that has been successfully used over the past year since in a
7 number of different occasions, and indeed was more recently
8 actually strengthened to weigh in a little more on the
9 democracies in Eastern Europe where we're seeing significant
10 interference by Russians, given the conflict in Ukraine.

11 **MS. SHANTONA CHAUDHURY:** Okay. Thank you for
12 that summary. What I'm going to try and get at now is the
13 threats, really, to which all of this responds. So we heard
14 from Minister Gould this morning about the plan to protect
15 Canada's democracy and what it was really designed to do,
16 that process.

17 Mr. Clerk, I'm going to ask you to pull up a
18 document, CAN 019496.

19 **--- EXHIBIT No. CAN 19496:**

20 People's Republic of China Political
21 Interference in Canada

22 **MS. SHANTONA CHAUDHURY:** So Mr. Prime
23 Minister, this is a document actually from 2017, so before
24 this Commission's mandate per se, but it gives an idea, I
25 think, of the kind of information or at least that was
26 available to you at that time, and that's what I'm going to
27 bring out here. So if we -- this is the memo that was
28 written to you by David Morrison, your NSIA at the time. You

1 received it in June 2017.

2 So the top of that document there talks about
3 the Chinese foreign interference threat, and it says CSIS
4 describes the PRC, essentially, as sophisticated, pervasive,
5 persistent. There are other countries around, but the PRC is
6 the big one.

7 Mr. Clerk, if you can just scroll down a
8 little bit more. Okay. Scroll down, scroll down. I'll tell
9 you when to stop. Keep going. Okay, there we go.

10 So on the third page here, you'll see, Prime
11 Minister, it talks about allies who are facing similar
12 challenges, and refers specifically to Australia in which --
13 I believe what's explained there is they -- in Australia it
14 was found that agents of the Chinese Government were donating
15 millions of dollars across the political spectrum. So your
16 NSIA is informing you of this.

17 And keep scrolling down, please, Mr. Clerk,
18 to the next page.

19 And then brings it back to Canada.

20 Oh, sorry. Scroll down a little bit more,
21 Mr. Clerk, to the next page. PCO comments. There we go.
22 Okay, last page:

23 "Politicians, and elected officials,
24 in particular...provincial,
25 territorial, and municipal levels,
26 are largely unaware of the PRC's (and
27 others) efforts to influence Canada's
28 political landscape, making them more

1 vulnerable to these attempts, either
2 in Canada or when travelling abroad."

3 So there's that.

4 And then scroll down just a little bit more,
5 Mr. Clerk, so we can see the last part of this.

6 So this is -- I'm sorry, I said it was David
7 Morrison. It's actually Daniel Jean:

8 "This is a very sensitive issue, and
9 public efforts to raise awareness
10 should remain general and not single
11 out specific countries to avoid
12 potential bilateral incidents.
13 However, countries that cross the
14 line should be reminded of
15 appropriate conduct and risk of
16 consequences."

17 So Mr. Prime Minister, I'd like you to speak
18 to those points if you can. First of all, the level of
19 knowledge about foreign interference, the level of threat,
20 here we see it coming from the PRC, and also that tension
21 between sort of exposing something about foreign
22 interference, while at the same time having to balance
23 international relations, bilateral incidents, and the like.

24 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,
25 it's a good example, as I spoke about the experiences in the
26 United States and in France, the experience that Australia
27 had, not with Russia but with China, is another excellent
28 example that we were very aware of at the time, and

1 highlighted the fact that there are foreign state actors who
2 are interested in playing a role in our democracies or in
3 disrupting our democracies.

4 The difference between Russia and China is a
5 significant one in that China has a very large diaspora of
6 Chinese Canadians who are often the first targets of
7 interference efforts by a foreign state, by that foreign
8 state. So we were very aware of it.

9 As a politician in Canada for eight years,
10 when I became Prime Minister, I was certainly aware of the
11 various ways officials and different countries, particularly
12 through diasporas, can take an interest in Canadian political
13 processes. But to understand it better, one of the first
14 things we did in 2015, maybe into 2016, was request a
15 briefing from our national security officials that would go
16 at some of the things we had heard, some of the things we
17 knew, or understood as opposition politicians now in a
18 position of being in government. That we wanted to
19 understand more about the role of foreign interference in
20 particular communities, in -- you know, we wanted to know
21 about particular individuals that we had heard things about,
22 and understand what landscape we were actually walking into
23 because we suddenly had access to a very sophisticated and
24 excellent national security apparatus that when one is a
25 simple opposition politician you don't have access to.

26 So from the very beginning, we knew there
27 were things we needed to know about, and we got briefings on
28 that. And this 2017 memo is certainly a continuation of that

1 level of awareness. The issue of it being a sensitive issue
2 is quite germane, and it evolves over time. Back in the
3 early days of our government, we were very much looking to
4 deepen the trade and commercial ties with China, seeing it as
5 an opportunity for exports. One of my biggest files of the
6 day on that was trying to restore the canola shipments that
7 many western grain farmers were relying on that were seeing
8 irregular blockages from the Chinese authorities. So that
9 was part of our work.

10 But even as we were doing that, we were very
11 aware of the areas in which we needed to challenge or contest
12 China, whether it was on issues of human rights, or democracy
13 of Uyghurs, of protection of the rights of our diaspora
14 communities from influence or intimidation. There has always
15 been a complex approach that every government has had to take
16 with China. Over the years, however, this has shifted
17 significantly, as I'm sure we'll get into. The relations
18 with China took a significant turn when they chose to
19 arbitrarily detain two Canadian citizens. And for close to
20 three years, we were not just pushing back hard against China
21 on the arbitrary nature of those detentions and the fact that
22 they needed to release those to Canadians. But we were
23 extremely active around the world in mobilizing other
24 countries to bring up Canada and the plight of the two
25 Michaels during their bilateral conversations, which was
26 something I can say ended up putting a significant amount of
27 strain on our relationship because it was a massive irritant
28 to China that everyone kept talking about these two Michaels,

1 even when they didn't have anything to do with Canada. We
2 heard it regularly. But that was what we continue to do.

3 It perhaps came to the greatest sort of head
4 in terms of being reminded of appropriate contact and risk of
5 consequences in November of 2022 when I was in Indonesia for
6 a G20 meeting where when I saw the President of China, Xi
7 Jinping, at the opening ceremonies. I mentioned to him that
8 I needed China to stop interfering in Canadian democratic
9 processes because that was very much something that people
10 were very concerned about back home at that particular
11 moment.

12 **MS. SHANTONA CHAUDHURY:** Okay. We'll move
13 then to the -- from the general landscape, which we now I
14 think have a decent picture of, to some more precise
15 questions having to do with the Commission's Terms of
16 Reference.

17 So now let's move on to a topic which is
18 contained in your interview summary and your testimony. It
19 has to do with the way that you receive information --
20 intelligence information.

21 Now, in your interview and previous
22 testimony, it was said that the written documents were not
23 necessarily a reflection of the information you received and,
24 in fact, it's the verbal briefings that make up the main part
25 of your briefings. Can you explain that to us and can you
26 generally explain to us the way you receive the information
27 you need?

28 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,

1 my Prime Minister receives countless briefings, receives
2 countless information, not only on foreign interference or
3 national security issues, but on the economy or public
4 security issues, concerns shared by allies. I am constantly
5 in receiving mode of all kinds of information from
6 departments and advisors across government.

7 I, of course, also follow the headlines to
8 know what Canadians are reading about, hearing about, what
9 they are concerned about in their daily lives.

10 Now, all of this information is presented in
11 different ways, but despite the fact that I receive written
12 information, weekly summaries or briefs on intelligence which
13 are often on an FYI basis, the only sure way to make me aware
14 of a priority issue is not simply to give me a note which I
15 may or may not read or may not have time to read if I am
16 travelling or if I'm particularly busy at that point, it is -
17 - the best way to convey information to me is to receive a
18 direct briefing from my National Security Advisor and
19 intelligence advisor, who would give me security updates,
20 usually on several topics during the same session. And this
21 would happen on a regular basis. Sometimes it's once or
22 twice a week or even more often, if necessary. Sometimes
23 it's only three or four times a month. It all depends.

24 But the only way to guarantee, to make sure
25 that I receive the necessary information is to give me an in-
26 person briefing or over a secure line, if necessary, on any
27 issue or priority issue.

28 **MS. SHANTONA CHAUDHURY:** Now, you mentioned

1 the NSIA, so the National Security and Intelligence Advisor.
2 Is this the person you depend on the most to provide you with
3 the information you need in this area or do you get the

4 **RT. HON. JUSTIN TRUDEAU:** Well, in that
5 particular field, it is the NSIA to keep me fully briefed on
6 everything I need to know and to answer any questions I might
7 have about security or intelligence, so she is the person I
8 turn to to get the answers I need.

9 The Clerk often has a role to play to bring
10 priority issues to my attention. It could be security or
11 intelligence issues, but it's mostly the NSIA who is mandated
12 with keeping me fully briefed on security and intelligence
13 issues.

14 **MS. SHANTONA CHAUDHURY:** When you receive
15 that information, I would ask you to explain to us how you
16 respond, how you react. Can you tell us this specifically?
17 Because your Chief of Staff, Ms. Telford, yesterday testified
18 that she received some information or security or
19 intelligence products with a certain degree of reserve, does
20 not necessarily take the information at face value.
21 Sometimes the information might be erroneous.

22 And I would like to know what you think about
23 that based on your experience.

24 **RT. HON. JUSTIN TRUDEAU:** Well, in politics
25 there is a principle, especially for those who are giving
26 briefing or passing along information to a Minister or to the
27 Prime Minister, that if you're not sure about what you are
28 conveying, you might not want to convey it. You cannot give

1 a Minister or the Prime Minister wrong information before
2 they rise in the House or speak publicly. This could be very
3 problematic.

4 So when I receive information on an incident
5 which has occurred or on any kind of concern or on a natural
6 disaster or an issue Canadians need to deal with, well, the
7 veracity of the information, the accuracy of the information,
8 its completeness is very important.

9 However, I would make an exception with
10 regard to intelligence. When you receive intelligence, it's
11 not -- it hasn't always been corroborated. In legal circles,
12 it's well known that the difference between intelligence and
13 evidence, well, there's a distinction between those two
14 issues.

15 So when I receive a briefing, whether it's in
16 writing or, more frequently, verbally, by security officials
17 or intelligence officials, the reliability of the information
18 is part and parcel of what is being said. For instance, when
19 I was briefed on the fact that Iran had shot down a Ukrainian
20 airline on which 100 Canadians were on board, the first
21 reports were a little more vague; however, they told me they
22 had indications that A, B or C. And then, at the next
23 briefing, there was a lot more information. They knew that
24 Iranian armed forces had shot down that Ukrainian aircraft.

25 So what I am saying is that you have to take
26 this intelligence, you have to take this information with a
27 certain awareness that it still needs to be confirmed or it
28 might not be 100 percent accurate because it is very

1 sensitive information, so that information could be very
2 useful to indicate, for instance, that Russia is about to
3 invade Ukraine.

4 So we take that intelligence, we receive it
5 in a different manner than I would, for instance, receive a
6 report on Canada's unemployment rate or inflation rate. So
7 there is a certain degree -- I would not say scepticism, but
8 of critical thought that must be applied to any information
9 collected by our security and intelligence services.

10 **MS. SHANTONA CHAUDHURY:** We'll probably come
11 back to some of that as we go along.

12 I'm going to take you to the 2019 election
13 now specifically.

14 Mr. Clerk, can you pull up CAN 005461,
15 please?

16 **--- EXHIBIT No. CAN 5461:**

17 FI Efforts against Dong Han

18 **MS. SHANTONA CHAUDHURY:** So Prime Minister,
19 this is, while it's getting pulled up -- yeah, there it is.

20 We know at this point in the evidence before
21 the Commission that on September 28th, 2019 the SITE Task
22 Force and CSIS gave a briefing to the security cleared
23 representative of the Liberal Party about foreign
24 interference in the Don Valley North riding. We also know
25 from Mr. Broadhurst that he then received that information.

26 How did this play out from your perspective?

27 **RT. HON. JUSTIN TRUDEAU:** Late in September,
28 as I was coming through Ottawa, I believe I was on my way out

1 across the country for another stretch of campaigning -- I
2 believe it was on a Sunday, as I was heading out after a
3 Saturday with my family.

4 Mr. Broadhurst met me at the airport in a
5 holding room in a lounge on the government side of the
6 airport, government terminal in the airport to let me know of
7 concerns that he had received from the SITE Task Force and
8 CSIS about the nomination campaign -- the nomination election
9 -- the nomination race contest in Don Valley North.

10 He shared with me that intelligence services
11 had shared with him concerns that Chinese officials in Canada
12 had been developing plans to possibly engage in interference
13 in the nomination contest, specifically by mobilizing buses
14 filled with -- the challenge in this is always trying to pick
15 out what I heard exactly then from what I knew later, but I
16 believe it was either buses full of students or buses filled
17 with Chinese speakers or Chinese diaspora members who would
18 be mobilized to support Han Dong -- who would have been
19 mobilized to support Han Dong in that nomination contest of a
20 few weeks previous.

21 In what ended being probably a 20-minute to
22 half-hour conversation with Mr. Broadhurst, I asked him more
23 specifically about, okay, so they had plans or an intent or
24 capacity to do this. "Do we know that they did? Did you
25 hear from CSIS and the security agencies that this was
26 actually done?"

27 They weren't entirely certain. There was
28 reasons to believe that perhaps it has and perhaps there were

1 -- the indication was that there were buses filled with
2 Chinese speakers at that nomination contest.

3 I asked if -- and as a matter of course,
4 those who are in politics and certainly on the ground riding
5 politics know that it is regular for buses to be mobilized in
6 -- particularly in contested nominations of community
7 organizations, student groups. You know, a particular
8 seniors' residence could bring a minibus full of seniors to
9 participate in a nomination contest. So just the existence
10 of buses wasn't enough -- buses with Chinese speakers or
11 Mandarin speakers in them wasn't enough to be itself alarming
12 or a condemnation, but it was -- there were clear indications
13 that there were concerns by CSIS that China might have been
14 behind this and that those students or those individuals on
15 the bus might have been motivated or mobilized to vote in
16 that way and they were concerns that CSIS had.

17 I asked the extent to which they were certain
18 that it happened, the extent to which they were certain that
19 China was, indeed, behind the mobilizing of the bus or buses,
20 and I also asked whether or not CSIS had information that Han
21 Dong knew about this, whether he was a witting and aware that
22 China had mobilized or Chinese officials had mobilized buses
23 for him or not. And the answers were not clear from CSIS at
24 that point, according to what Mr. Broadhurst told me.

25 I then asked -- I also asked if it was a
26 close nomination, if there was a sense that the actual result
27 of the nomination could have been affected by this bus or
28 buses or what was there, and that wasn't clear at all. CSIS

1 didn't have any conclusions to share at that point.

2 I asked Mr. Broadhurst whether CSIS was
3 making any recommendations or suggestions as to what we
4 should do with this information and it was clear to Mr.
5 Broadhurst that this was very much about just letting us know
6 so that we know and could perhaps take any actions that we
7 deemed appropriate, but they weren't going to be recommending
8 for us to take action one way or another. But they also
9 specified that this was secret information that we could not
10 share with the candidate in question, Mr. Dong, or the public
11 at large in terms of what they were telling us about these
12 concerns and these allegations.

13 I then asked Mr. Broadhurst what the Liberal
14 Party processes that are in place to oversee nominations,
15 particularly contested nominations, had flagged around that
16 nomination contest of a few weeks before.

17 There are Party officials that oversee the
18 voting, the registrations, the voting, the processes, the
19 counting. There are lawyers in place overseeing the count.
20 There are possibilities for the losing contestant or
21 contestants to challenge the result if they feel it was
22 unfair. There are many processes because political parties
23 often have some very complex fights around nomination parties
24 -- nomination contests. All political parties are like that.

25 And Mr. Broadhurst assured me that they had
26 looked into when they heard these allegations or this
27 information from CSIS and SITE, and had no flags on the
28 nomination process.

1 So then I had what was a brief conversation
2 with Mr. Broadhurst after we had established all that to sort
3 of agree that the threshold for overturning a democratic
4 event like an official party nomination to find out who would
5 be the candidate for a general election, particularly during
6 an election -- general election, must have a fairly high
7 threshold for removal of that candidate. And that was really
8 sort of the binary choice we were placed with in that
9 situation.

10 Acting would be removing Han Dong as our
11 official candidate. The other choice would be not to remove
12 that candidate. But even not having removed that candidate,
13 it would be something, given this information, that we would
14 have to revisit. Certainly in the case that that candidate
15 got elected, there would be questions we would have to follow
16 up on after the election to properly understand what happened
17 and what the issues or the risks were in this situation.

18 But understanding that the decision to remove
19 someone needed a high threshold. A threshold that,
20 incidentally, I have met and seen many other cases. As
21 Liberal Party leader, I have, on many, many different
22 occasions, had to ask people to step down, step away, or
23 desist as candidates for the Liberal Party, most recently as
24 the last election, where we did that in the case of a
25 downtown Toronto riding.

26 But in this case, I didn't feel that there
27 was sufficient or sufficiently credible information that
28 would justify this very significant step as to remove a

1 candidate in these circumstances.

2 **MS. SHANTONA CHAUDHURY:** So where does that
3 leave you? So you don't exercise that option, and you put it
4 as a pretty binary choice, but you have this information, you
5 receive this information, it's, as you say, classified
6 information that you can't share. What are you able to do?
7 Where does this leave a political party receiving this
8 information?

9 **RT. HON. JUSTIN TRUDEAU:** Well it meant that
10 after the election, when we were out of Caretaker period,
11 where I went back to being primarily Prime Minister and not
12 simply leader of a political party with 338 candidates across
13 the country, I was able to turn to our intelligence agencies
14 and say, "We need to know more about this. We need to
15 understand what the context is," because the answers that we
16 get on that will have a bearing on choices we could make in
17 the future about different roles or responsibilities for an
18 individual in such a situation.

19 **MS. SHANTONA CHAUDHURY:** Okay. Going to move
20 on to some other things now because we have a lot to cover in
21 75 minutes [no interpretation].

22 Okay. So the next topic then. Mr. Clerk,
23 you can pull this up, CAN003116.

24 **--- EXHIBIT No. CAN 3116:**

25 SITE TF SITREP: 22 October 2019

26 **MS. SHANTONA CHAUDHURY:** But Prime Minister,
27 I think I can ask you this question without reference to a
28 document.

1 An incident that was reported by the RRM in
2 the 2019 Election had to do with an article published in the
3 Buffalo Chronicle, some misinformation, false information
4 about you specifically. Is that something that came to your
5 attention in the 2019 Election?

6 **RT. HON. JUSTIN TRUDEAU:** No, it did not.

7 **MS. SHANTONA CHAUDHURY:** No, it did not.

8 Okay.

9 **RT. HON. JUSTIN TRUDEAU:** Sorry, the
10 engagement of the SITE Taskforce, or the Panel, or anyone
11 into that issue was not something that I was aware of at the
12 time. I was, of course, aware of the quite disgusting false
13 conspiracies or allegations being shared by both the Buffalo
14 Chronicle and a significant number of Conservative
15 politicians.

16 **MS. SHANTONA CHAUDHURY:** Okay. So you were
17 aware of the article, but not how, let's say, the apparatus
18 was dealing with it?

19 **RT. HON. JUSTIN TRUDEAU:** I may have been
20 aware of the article. I was certainly aware of the
21 allegations and the accusations that were heinous and untrue
22 in that.

23 **MS. SHANTONA CHAUDHURY:** Okay. I think
24 that's probably what we'll cover for 2019, although I do want
25 to pull up CAN015487, please.

26 **--- EXHIBIT No. CAN 15487:**

27 Safeguarding the 2019 General
28 Election

1 **MS. SHANTONA CHAUDHURY:** So, Prime Minister,
2 this is the memo from David Morrison. I misspoke earlier.
3 This is January 14th, 2020, I think when you received this.
4 And it's essentially a report on the 2019 Election. Not on
5 the outcome of the election, but on the operation of the SITE
6 Taskforce and the Panel.

7 Mr. Clerk, can you scroll down to the third
8 bullet, please?

9 **RT. HON. JUSTIN TRUDEAU:** Actually, could I
10 just quickly look at the box?

11 **MS. SHANTONA CHAUDHURY:** Sorry.

12 **RT. HON. JUSTIN TRUDEAU:** Yeah, sorry. The
13 third bullet, yes. That's fine.

14 **MS. SHANTONA CHAUDHURY:** Okay. So what they
15 say here is:

16 "Pre-election intelligence briefings
17 and monitoring provided a baseline
18 assessment [...] suggesting [that]
19 foreign interference would be
20 commensurate to overall interference
21 [campaigns]. While some instances
22 [...] were [noted], and some TRMs [TRM
23 is a threat reduction measure] were
24 [taken], [...] none of these activities
25 met the threshold..."

26 And then, Mr. Clerk, can you keep scrolling
27 down? Next page. Keep going. I'll tell you when to stop.
28 I think we may -- oh, no. There we go. Okay.

1 It says:

2 "As it pertains to [FI] and as
3 reference above, despite concerns
4 that Canada would be targeted..."

5 And then I'm going to go through this quite
6 quickly, but the assessment is:

7 "...there was no foreign cyber threat
8 activity targeting Elections Canada,
9 no [...] instances of foreign
10 interference in the HUMINT space, [...] no
11 significant indications of [FI] in
12 the digital information ecosystem..."

13 And then what Mr. Morrison says is:

14 "Arguably, this [...] places the level
15 of [FI] [...] in GE 2019 below the
16 anticipated baseline..."

17 Is that consistent with the information that
18 was being provided to you about what happened in GE 2019?

19 **RT. HON. JUSTIN TRUDEAU:** Yes. This was a
20 report in January of 2020. So three months after the
21 election. I would have already have been briefed multiple
22 times by the Clerk and by others that their conclusion was
23 that the elections in 2019 were indeed free and fair and the
24 outcome was not affected by foreign interference either
25 overall or in the specific riding contests.

26 **MS. SHANTONA CHAUDHURY:** Okay. So now let's
27 leave 2019 and move to the 2021 Election. I'm going to ask
28 you about a series of some incidents or events that -- about

1 which the Commission has received information. And I'll do
2 the first one with reference to one of the topical summaries
3 that's been produced to the Commission by the Government.

4 So, Mr. Clerk, that's CAN.SUM4.

5 The title of this one is a bit of a tongue
6 twister, but *Possible People's Republic of China Foreign*
7 *Interference-Related Mis or Disinformation*.

8 So what we have here, if you can scroll down
9 past the caveat page, Mr. Clerk, is a summary of essentially
10 allegations of misinformation about the Conservative Party,
11 its leader Erin O'Toole, and I think Kenny Chiu is in there
12 as well, that were circulating during the 2021 Election.

13 So my question to you, Prime Minister, is, is
14 this something that you were aware of as it was occurring in
15 2021?

16 **RT. HON. JUSTIN TRUDEAU:** During the 2021
17 Election, no. Shortly after the 2021 Election when the
18 Conservative Party went public with its concerns in sort of
19 the week that followed, I learned about it through media
20 reports.

21 **MS. SHANTONA CHAUDHURY:** Okay. And were you
22 aware that the Conservative Party had raised those concerns
23 with the Government as well?

24 **RT. HON. JUSTIN TRUDEAU:** Not at the time,
25 but later I would learn that through briefings.

26 **MS. SHANTONA CHAUDHURY:** Okay.

27 **RT. HON. JUSTIN TRUDEAU:** Months later.

28 **MS. SHANTONA CHAUDHURY:** The next one then is

1 CAN.SUM13, please, Mr. Clerk.

2 **--- EXHIBIT No. CAN.SUM 13:**

3 Comments by Individual People's
4 Republic of China Officials on
5 Expressed Partisan Preferences in the
6 2019 and 2021 General Election

7 **MS. SHANTONA CHAUDHURY:** So this is actually
8 a summary about both 2019 and 2021, a more germane one,
9 maybe, 2021.

10 Can you scroll down to the information page?
11 Thank you, Mr. Clerk.

12 So what this summarizes, you'll see, is
13 expressions of partisan preferences by certain PRC officials
14 in Canada. And what it says about 2019 is that there was
15 reporting that some PRC officials expressed political
16 preferences which were party agnostic and opportunist at
17 riding levels.

18 So and scrolling down, please, again, Mr.
19 Clerk. In 2021, there was reporting that some individual PRC
20 officials in Canada made comments expressing a preference for
21 a Liberal Party minority government. The rationale was they
22 don't perceive any of the political parties as being
23 particularly pro-China, but perceived minority governments of
24 being more limited in terms of acting -- enacting anti-China
25 policies.

26 So this reporting of an expressed preference
27 by certain PRC officials for a Liberal minority, was that
28 something of which you were aware at the time?

1 **RT. HON. JUSTIN TRUDEAU:** As I said, both the
2 2019 and 2021 elections happen in the context of significant
3 tensions between our government and the government of the
4 People's Republic of China, particularly over the illegal and
5 arbitrary detention of two Canadian citizens, the two
6 Michaels. We were extremely active both in pushing back at
7 Chinese officials on this issue, but also, as I said, active
8 around the world in drumming up support for people for the
9 two -- for different countries, for the two Michaels, but
10 also support for an initiative we were taking around
11 arbitrary detention and how it shouldn't be used as a tool of
12 political pressure or achieving political goals. So, yeah, I
13 can certainly say that while individual officials may well
14 have expressed a preference or another, the impression we got
15 and consistently would get is that the actual People's
16 Republic of China would have no -- it just would seem very
17 improbable that the Chinese government itself would have a
18 preference in the election.

19 **MS. SHANTONA CHAUDHURY:** So I take it from
20 this that whatever intelligence reporting there was on that,
21 it did not reach your ears?

22 **RT. HON. JUSTIN TRUDEAU:** No.

23 **MS. SHANTONA CHAUDHURY:** Okay. Thanks. You
24 can take that down now, Mr. Clerk.

25 **RT. HON. JUSTIN TRUDEAU:** And there's also
26 the issue of the difference between foreign interference and
27 attempts by different countries to influence behaviour.
28 Diplomats around the world are in their roles to try and

1 influence favourable behaviours by the countries in which
2 they're serving towards the country they represent. That is
3 a big part of the role of a diplomat, of a foreign official,
4 of all types. Canadians certainly take an active role in
5 furthering our interests, including, from time to time,
6 having certain preferences around what might happen or what
7 might be an outcome of an election or a particular domestic
8 debate in a foreign country.

9 However, foreign interference happens when
10 there is -- and there's a full proper definition of it
11 somewhere, but my understanding is where it's covert, where
12 it's coercive, where it is using pressure, or a particularly
13 untoward means other than having a diplomat express, "I
14 really hope you should sign this trade deal, it'd be good for
15 both our countries," as opposed to trying to strongarm people
16 behind the scenes to get them to sign said trade deal, or
17 whatever one might examine.

18 So for a diplomat to express a preference,
19 whether it would be personal, or tactical, or what have you,
20 is not in itself foreign interference. It may be attempts at
21 influence. It may not be anything other than the regular
22 conduct of diplomacy.

23 **MS. SHANTONA CHAUDHURY:** So it would be the
24 actions they take to further their preference that would
25 constitute potentially foreign interference?

26 **RT. HON. JUSTIN TRUDEAU:** And certainly, in
27 the case of China, we have seen regularly that many examples
28 to this Commission that there are clear actions that would

1 amount to or indicate a willingness to engage in foreign
2 interference.

3 **MS. SHANTONA CHAUDHURY:** The next incident I
4 want to bring you to is CAN 001082, Mr. Clerk.

5 **--- EXHIBIT No. CAN 1082:**

6 Liberal Party Representatives SITE
7 Briefing

8 **MS. SHANTONA CHAUDHURY:** This is another
9 briefing, Prime Minister, that was given to the cleared
10 representative of the Liberal Party at the time. It's the
11 2021 election this time. You probably, judging from that
12 document, can't say very much about this, but what I'm
13 interested in knowing here is the timing of how this one
14 played out, again, from your perspective. So we know that
15 the briefing it was actually on the 12th of September, I
16 believe, not the 11th as this document indicates, but it was
17 given, again, to the Liberal Party representative and then to
18 Mr. Broadhurst. And we've heard Mr. Broadhurst's evidence on
19 it, so now we'd like yours.

20 **RT. HON. JUSTIN TRUDEAU:** My understanding is
21 -- which I learned after the election was over, was that Mr.
22 Broadhurst made the determination that it wasn't something
23 that he needed to bring to my attention as leader of the
24 Liberal Party, and he did not.

25 **MS. SHANTONA CHAUDHURY:** He did not bring it
26 to your attention?

27 **RT. HON. JUSTIN TRUDEAU:** He did not bring it
28 to my attention.

1 **MS. SHANTONA CHAUDHURY:** During the election?

2 **RT. HON. JUSTIN TRUDEAU:** During the
3 election, yes.

4 **MS. SHANTONA CHAUDHURY:** After the election?

5 **RT. HON. JUSTIN TRUDEAU:** He did not -- or he
6 probably did, but I actually got more official briefings on
7 this matter after the election.

8 **MS. SHANTONA CHAUDHURY:** Okay. I understand.
9 Okay.

10 **RT. HON. JUSTIN TRUDEAU:** He was the vehicle
11 for briefing me theoretically during the election, not
12 officials, because that's the way it would flow through as
13 party leader -- in my party leader role. But afterwards,
14 once I was once again fully Prime Minister, it was officials
15 who would be able to brief me on this.

16 **MS. SHANTONA CHAUDHURY:** Okay. Speaking of
17 briefings, we're going to turn to that topic now. So I'm
18 going to go through a few briefings that we know you -- or we
19 think you received. We do know you received in many
20 instances on foreign interference over the relevant time
21 period. I'll start with February 9th, 2021. This one I
22 don't really have a document to point you to, so I'm just
23 going to ask you for your recollection of it. So this would
24 be, again, February 20 -- February 9th, I'm sorry, 2021. Do
25 you recall receiving a briefing on that date?

26 **RT. HON. JUSTIN TRUDEAU:** Yes. That was a
27 briefing that I got on the phone. I was not in person for
28 that briefing. I was there via teleconference on a secure

1 phone, and, yes, I got a briefing.

2 **MS. SHANTONA CHAUDHURY:** Okay. Do you recall
3 the content of that briefing at all?

4 **RT. HON. JUSTIN TRUDEAU:** It was a, as I
5 recall, a general briefing on a number of issues, including
6 foreign interference.

7 **MS. SHANTONA CHAUDHURY:** Okay. The next one
8 then in time skips to the fall of 2022. Mr. Clerk, can you
9 pull up CAN 015842, please?

10 **--- EXHIBIT No. CAN 15842:**

11 Briefing to the PM on Foreign
12 Interference Threats to Canada's
13 Democratic Institutions

14 **MS. SHANTONA CHAUDHURY:** Okay. This document
15 which has been talked about quite a bit in these proceedings
16 is "Briefing Notes to the Director of CSIS." And, Mr. Clerk,
17 again, can you scroll down just so the Prime Minister can see
18 a bit of the document and its content?

19 So, Prime Minister, my first question is you
20 -- do you remember getting this briefing in the fall of 2022,
21 October 27th?

22 **RT. HON. JUSTIN TRUDEAU:** Yes, my memory's
23 always better when I'm -- when I was physically in the place
24 where I got the briefing, so I remember very clearly this
25 briefing. This briefing was actually an overview of a number
26 of different cases and situations, none of which had to do
27 with federal elections.

28 **MS. SHANTONA CHAUDHURY:** Okay. So would you

1 say that the content of this particular -- these notes, these
2 briefing notes accurately conveys what you were told during
3 that briefing?

4 **RT. HON. JUSTIN TRUDEAU:** Not particularly.
5 Obviously, there are elements in this that are consistent
6 with the briefing that was on different elements of foreign
7 interference, but when it comes to briefings, and others can
8 speak to this and how they make decisions about what to read
9 from their prepared notes during an actual briefing with
10 Ministers or Prime Minister, but it is much more of a
11 conversation than someone reading a prepared text to the
12 Minister that they're briefing.

13 Yeah, there are elements in here that say,
14 for example, having read the briefing notes in preparation
15 for this Inquiry, that talk about how serious foreign
16 interference is and how we need to do more.

17 That wouldn't have been something that the
18 CSIS Director or the National Security Advisors or whoever
19 would have had to spend much time on because they would have
20 known that we did understand how serious foreign interference
21 is and how much we take it seriously and, actually, that was
22 why we would spend more time on specific cases or concerns
23 that were really the meat of the briefing.

24 So while notes are prepared for the briefers,
25 what actually becomes the most important thing that I
26 certainly recall about those briefings was the various and
27 specific cases we went through and how they are examples of
28 concern or not concern that we then have to behave in certain

1 ways or have follow-ups on this or that.

2 I mean, it is much less a large theoretical
3 briefing and much more concrete, this is the situation. And
4 then the discussion about how we deal with this particular
5 situation or example or another would be where the larger
6 theoretical discussion and implications would come in, but
7 they would be concentrated around specific individuals or
8 cases.

9 **MS. SHANTONA CHAUDHURY:** Okay. So maybe
10 we'll pull up now Ms. Telford's notes from that meeting, so
11 that's CAN 009803.

12 **--- EXHIBIT No. CAN 9803:**

13 Handwritten Notes of Katie Telford

14 **Me SHANTONA CHAUDHURY:** They're a little more
15 sparse than Brian Clow's would be, but at least we have a few
16 points here.

17 Do these notes help shed any light on what
18 was dealt with in that briefing for you, Prime Minister? Do
19 they seem familiar?

20 **RT. HON. JUSTIN TRUDEAU:** Yes, I think the 1,
21 2, 3 indicates the different examples that we were -- or
22 situations -- actually, they're cases that we were talking
23 about or individuals we were talking about.

24 And the bragging is not doing, definitely,
25 definitely helps me recall a part of the conversation where
26 there was -- and let me be careful how I say this so it's not
27 identifiable.

28 There was a foreign government official based

1 in Canada who was taking credit for a certain thing having
2 happened in Canada in their reporting to a superior or to
3 their home country and just the fact that a foreign official
4 was taking credit for having delivered a particular outcome
5 in no way meant that anything that particular official did
6 actually created the outcome.

7 Bragging is not doing. So you know, one can
8 imagine a diplomat in a far-off land wanting to write back
9 home to say, "See, look, look what I did. Aren't I good? We
10 got the outcome we wanted", perhaps, when that individual may
11 not have had any actually bearing on the outcome of the
12 particular event.

13 **MS. SHANTONA CHAUDHURY:** Okay.

14 **RT. HON. JUSTIN TRUDEAU:** I don't know if
15 that's sufficiently clear for what it was.

16 **MS. SHANTONA CHAUDHURY:** It is, and thank
17 you.

18 The last document, maybe, on this point,
19 4097.

20 794079, sorry. So 4079. My bad.

21 There we go. Okay.

22 So again, these are notes from that day, so
23 if you can have a quick look at these, Prime Minister, the
24 non-redacted parts of these.

25 And what you'll see there is a text box over
26 information that's been redacted but summarized by the
27 Commission.

28 Does this seem familiar as information that

1 was discussed at that meeting?

2 **RT. HON. JUSTIN TRUDEAU:** During that same
3 October meeting?

4 Sorry. Was that the ---

5 **MS. SHANTONA CHAUDHURY:** Yes, yes.

6 **RT. HON. JUSTIN TRUDEAU:** --- October ---

7 **MS. SHANTONA CHAUDHURY:** That's the October
8 meeting.

9 **RT. HON. JUSTIN TRUDEAU:** I couldn't really
10 speak to it. There's too many redactions on a document that
11 I would never have seen.

12 **MS. SHANTONA CHAUDHURY:** Fair enough. Okay.

13 Next one, then, is November 30th, 2022.

14 Can we pull up, please, Mr. Clerk, CAN

15 014285?

16 **--- EXHIBIT No. CAN 14285:**

17 Foreign Interference

18 **MS. SHANTONA CHAUDHURY:** So this is a memo to
19 you, Prime Minister, of November 30th, 2022.

20 And Mr. Clerk, again, if you can scroll down
21 so the Prime Minister can see the document past the
22 transmittal note.

23 It's a memorandum for you by the NSI copied
24 to the Clerk, "Claims of foreign interference in the 2019
25 General Election for information". And the context of this,
26 Prime Minister, is this is shortly after the media leaks have
27 started about foreign interference, so a memo was written.

28 And we can again scroll through a bit to see

1 the content of that memo.

2 Just keep going a little faster than that.

3 I'm not really going to stop on anything.

4 But I will ask you, now that you've seen it a
5 little bit, to just scroll back up to the summary part, Mr.
6 Clerk.

7 Okay. There we go. "PCO searched its
8 holdings".

9 So what's happening here is the NSIA and PCO
10 are trying to figure out what you were briefed on and when,
11 and so there's a paragraph here:

12 "PCO searched its holdings and
13 engaged security and intelligence
14 partners to identify instances when
15 briefings on suspected interference
16 in the 2019 General Election were
17 provided..."

18 That identified a single PCO information note
19 dated January 14th, 2020, which is the one that we've seen
20 earlier, and then it references the February 9th, 2021
21 briefing.

22 Is that consistent with your recollection of
23 when you were briefed on these issues?

24 **RT. HON. JUSTIN TRUDEAU:** Sorry. This note
25 of November 30th, 2022 was when we were asking, okay, there
26 have been all these leaks on what may have happened during
27 the 2011 -- 2019 election and we were asking, you know, were
28 these things we got briefed on, were these things that we

1 were flagged at that time.

2 And yes, that's the single POC information
3 note dated January 24th, 2020 ---

4 **MS. SHANTONA CHAUDHURY:** And then the
5 February 9th, 2021 briefing.

6 So all I'm asking is whether that's
7 consistent with your recollection of when you were briefed on
8 these issues.

9 **RT. HON. JUSTIN TRUDEAU:** But I wasn't --
10 these were requests I was made -- I made a request to our
11 National Security Intelligence Advisor because there were
12 things being alleged in the leaks that we had not been
13 briefed on, so I'm not entirely certain about the briefing
14 dates there given because there were things, including those
15 11 candidates as a quote, that we had never been briefed on
16 until we saw them in the papers because -- following the
17 leaks.

18 **MS. SHANTONA CHAUDHURY:** Right. So I guess
19 maybe my question wasn't clear.

20 The content of this particular document I'm
21 not asking you about except just to confirm that this is
22 consistent with your recollection of when you were briefed,
23 the January 2020 and the February 2021.

24 **RT. HON. JUSTIN TRUDEAU:** January 2020 ---

25 **MS. SHANTONA CHAUDHURY:** Was the memo that we
26 looked at earlier.

27 **RT. HON. JUSTIN TRUDEAU:** Sorry. That was
28 the David Morrison memo?

1 **MS. SHANTONA CHAUDHURY:** Right.

2 **RT. HON. JUSTIN TRUDEAU:** I never read the
3 David Morrison memo, to my recollection. I got briefed on
4 the contents, which was basically that foreign interference
5 was lower than expected and the elections were free and fair
6 in 2019. Those were the top level conclusions that I was
7 briefed on within days or weeks of the end of the 2019
8 election.

9 By the time we got around to January, it was
10 good to have that report. I ended up reading the -- the Judd
11 Report, I believe, was the full assessment of the work that
12 SITE and the Panel did during the 2019 election, but I did
13 not read that -- I did not receive that January 24th note
14 because I had already been briefed on its entire contents.

15 **MS. SHANTONA CHAUDHURY:** Okay.

16 **RT. HON. JUSTIN TRUDEAU:** And then the
17 February 9th, 2021 footnote was that was, that was the phone
18 brief that we spoke about earlier, yes.

19 **MS. SHANTONA CHAUDHURY:** Right. I guess that
20 goes back to your point about oral briefings or what really
21 get to you, not necessarily the written ones.

22 Okay. Can we then pull up, Mr. Clerk,
23 CAN 017673.

24 **--- EXHIBIT No. CAN 17673:**

25 CAN 017673 - [Handwritten Notes of B.
26 Clow]

27 **RT. HON. JUSTIN TRUDEAU:** And let me just --
28 I mean, wouldn't want to give people the impression that

1 briefings weren't something particularly -- intelligence
2 briefings we took very, very seriously. But in most of these
3 secure briefings, which we'd go into a skiff, a secure
4 compartmentalised room, where we would be told -- we're told
5 to leave our phones outside, take off our watches and our
6 Fitbits, and make sure were totally secure within a Faraday
7 cage, and then we received the briefings, often being told
8 no, we can't keep any of the documents that are given. We
9 can read the documents that are given, but we then need to
10 return them to the officials.

11 Certainly in the beginning, we were never
12 clear on whether we could take notes on this either because
13 security was important. Fortunately, as we've all seen
14 through various inquiries, it's a good thing Brian Clow does
15 take notes. But you know, there was always a sense that
16 there was lots of written material and lots of tracking of
17 that information, as the government must, and taking very
18 seriously all of these things and very careful controls.

19 But when it came to briefing and taking
20 actions and understanding the context, it happened through
21 secure briefings and conversations that were primarily us
22 receiving information, us asking questions, us directing
23 further actions or research in this area or that area that
24 they would then take away and do.

25 I wouldn't want anyone to think that oh,
26 because the briefings were primarily oral, or for example,
27 that that David Morrison memo I didn't read because it wasn't
28 delivered to me, because I got the content in other

1 conversations with my NSIA, with my Clerk about the fact that
2 the election was -- integrity was upheld.

3 **MS. SHANTONA CHAUDHURY:** Okay. We'll just go
4 to some other notes, then. I think -- I believe these are
5 Brian Clow's notes from November 30th, 2022.

6 Do you recall this briefing or this meeting,
7 Prime Minister?

8 **RT. HON. JUSTIN TRUDEAU:** My notes indicate
9 that this was immediately before Question Period, a briefing
10 that happened over lunch hour as I was preparing to go into
11 deal with some fairly intense questioning on the issue of
12 foreign interference, given the explosive nature of the media
13 stories stemming from unsubstantiated and uncorroborated
14 intelligence shared by a leaker. So these were -- you know,
15 these were conversations around what I could say and what we
16 could and couldn't say around some of these allegations that
17 were in the paper, but would leave us limited on what we
18 could actually rebut, regardless of the fact that there was -
19 - there were inconsistencies, there were uncorroborated
20 information in the leaks. There were also things that were
21 flat out wrong.

22 But I was reminded of the old story of a FBI
23 agent questioning a witness in a organised crime situation
24 and saying, "Well, did you meet with that mobster in LA?"
25 Guy says, "I can't comment." "Did you meet with that mobster
26 in Detroit?" "I can't comment." "Did you meet with that
27 mobster in Miami?" "No, I definitely did not." You know,
28 sometimes in denying something you're giving information you

1 couldn't.

2 And throughout my preoccupation on why these
3 leaks were of such deep concern was that we couldn't actually
4 correct the record without in some cases confirming the
5 tradecraft and the work that women and men in our security
6 agencies, and sources relied upon by our security agencies to
7 keep Canadians, our institutions safe, without putting them
8 at risk, without sharing with adversaries some of the
9 information or the methods that we use to keep Canadians
10 safe.

11 And that's part of the reason for the complex
12 nature of a public inquiry into issues of foreign
13 interference, that if we say certain things or if we
14 contradict or deny other things we could be giving our
15 adversaries tools to actually understand how we go about
16 detecting their interference or illicit ways of engaging to
17 harm Canadians.

18 **MS. SHANTONA CHAUDHURY:** It's a complex
19 problem.

20 So the next -- I'm going to keep going with
21 the briefings, and the post leak world briefings
22 specifically, Prime Minister.

23 Not long left, but CAN 018009, please.

24 **--- EXHIBIT No. CAN 18009:**

25 Handwritten Notes of Brian Clow

26 **MS. SHANTONA CHAUDHURY:** So these are notes
27 from -- the date on the notes is March 19th, but we know it
28 was actually March 20th. So this is March 20th, 2023, a

1 meeting at which you were present and I believe your staff
2 was present and a number of senior national security
3 officials.

4 So if we scroll down so again, Mr. Prime
5 Minister, you can see the content of this document or the
6 unredacted content. Are you able to tell us your
7 recollection of what was happening at this meeting based on
8 these notes?

9 **RT. HON. JUSTIN TRUDEAU:** Yes. I remember
10 this meeting well.

11 If you actually scroll back up, please,
12 Mr. Clerk, to -- yeah, a little higher so we get both --
13 there. Right there is fine.

14 PM, that's me, speaking of nominations. We
15 were talking about -- thank you.

16 **(LAUGHTER)**

17 **RT. HON. JUSTIN TRUDEAU:** We were talking
18 about nominations in there, and I don't remember what they --
19 what the next -- who the next speaker was, that's redacted,
20 but the emphasis on *Charter* rights or the bringing up of
21 *Charter* rights, and further down, "PM - no June 2019
22 meeting".

23 Those are two examples of us working
24 constructively with CSIS and the intelligence agencies to
25 better understand and validate certain pieces of information.
26 For example, in the information we were seeing, we've seen
27 that CSIS had a source that said that there was a June 2019
28 meeting that I was at that I can clearly and unequivocally at

1 the time and since then confirm never happened. I did not
2 have the meeting that the source had said.

3 Now, this doesn't mean that CSIS got it
4 wrong, it meant that CSIS was now able to validate that what
5 their source had said in this situation was wrong, and
6 therefore, that puts a particular understanding or colour on
7 their ability to interpret other statements of fact, supposed
8 fact that that source made.

9 And that's part of how intelligence work
10 happens. When you know for sure -- when a source says
11 something that you can verify is true, that's make them more
12 reliable. A source says something that you can then verify
13 was wrong, that also gives you more information about that
14 source. So it was important for us to highlight for example
15 in that meeting that there was no meeting, as was described
16 by that source.

17 Similarly, on the question of *Charter* rights,
18 that was a slightly different tweak where in the CSIS
19 analysis, the analyst had highlighted that there was possible
20 violations of people's Charter Rights in a particular
21 situation. And we had asked and pressed for more sort of
22 legal or judicial analysis of that assertion within, because
23 it didn't quite ring true to our instincts as political
24 actors in terms of the analysis that CSIS was making.

25 Again, it's part of the process that one goes
26 through as you engage with the experts in foreign
27 intelligence and security in an active way to try and make
28 sure we're understanding, getting the accurate picture, and

1 able to then continue to keep both Canadians and our
2 institutions safe through the various jobs we do.

3 **MS. SHANTONA CHAUDHURY:** Madame la
4 Commissaire, I think I'm out of time. [No interpretation]

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

6 **MS. SHANTONA CHAUDHURY:** Mr. Prime Minister,
7 I'm going to sort of ask you to conclude this by addressing
8 the following question.

9 So we've heard about the existence of foreign
10 interference, the pervasiveness of the threat, and various
11 measures that, as you've said, have been put in place to
12 combat this.

13 You may know that earlier in these
14 proceedings we heard from a number of individuals who found
15 themselves sort of in the receiving end, being targeted by
16 potential foreign interference in some ways. And there have
17 been calls for the Government to do more than it's done
18 already to address this and to protect Canadians.

19 And in particular, I'm going to take you --
20 I'll just read you a small excerpt of former MP Kenny Chiu
21 when he was testifying here. He said that experiencing what
22 he had gone through in terms of the potential PRC, well, we
23 don't know PRC, but potentially PRC related misinformation,
24 disinformation, potential foreign interference, he said:

25 "...it's almost like I was drowning,
26 and they are watching, and the best
27 they could do, by the way, is to let
28 know that I'm drowning. I don't need

1 their notification. I need their
2 help.”

3 **RT. HON. JUSTIN TRUDEAU:** H'm.

4 **MS. SHANTONA CHAUDHURY:** So, Prime Minister,
5 I'd like to hear your response to that, and essentially maybe
6 in providing this response, help set the stage for the second
7 phase of the Commission's work?

8 **RT. HON. JUSTIN TRUDEAU:** Starting by perhaps
9 taking a bit of a step back, and the idea that, you know, we
10 need to do more. I agree.

11 When we took office in 2015, there was very
12 little, if any, mechanisms to counter foreign interference.
13 Yes, our intelligence agencies did good work, but the idea or
14 the priority of protecting our democracy, particularly when
15 it comes to misinformation, disinformation, active engagement
16 in various diaspora communities, or electoral events, was not
17 on the radar at all when we took office. It hadn't been
18 something that the previous government or any previous
19 government had done much on at all.

20 So we started from a standing start. We
21 created the National Security Intelligence Committee of
22 Parliamentarians. We created NSIRA, we moved forward with
23 the Rapid Response Mechanism, and we've continued to do more.
24 Yes, the Panel for the 2019 to 2021 Elections, SITE. But
25 we've continued to continue to do more. The -- we recently
26 brought in a National Security Committee, National Security
27 Council of Cabinet to address sort of strategic threats on a
28 larger level. We're continuing to give more tools and powers

1 and learning from what the P5 was able to do in 2019 and
2 2021, that they'll be able to apply in the 2025 Election when
3 it's likely to come.

4 There is always more to do, and one of the
5 things I'm very much looking forward to, coming from the work
6 this Commission is doing, is to make recommendations on how
7 we can strengthen even further the protection of institutions
8 and of our democracy.

9 But that's only half of it. The other half
10 is giving Canadians confidence in their institutions and
11 their democracy. And whether it's a diaspora member worried
12 about stepping up to running for elected office in this
13 country because they're worried about the impact that might
14 be real or perceived from a country they chose to leave many
15 years ago for whatever reasons. There are real concerns and
16 feelings involved.

17 And ultimately, democracy only works when
18 people are confident in its ability to keep them safe, but
19 also be the articulation of what they want for their
20 community and their country. That's where confidence in the
21 integrity of the elections in 2019 and 2021 is so important
22 and something that we have emphasized throughout this
23 process, that the -- every briefing I've ever got from all my
24 intelligence and security experts is that those elections
25 were indeed free and fair and nothing we have seen and heard,
26 despite, yes, attempts by foreign states to interfere, those
27 elections held in their integrity, were decided by Canadians.

28 But the feeling that individuals can have

1 that maybe our institutions aren't so strong, maybe they are
2 impacted by foreign actors who wish to do ill to Canada and
3 to Canadians, is something that we need to be very, very
4 thoughtful about.

5 And one of the ways, ultimately, to keep
6 ensuring that our democracy is safe is to make sure that
7 citizens themselves are engaged, active, critical thinkers
8 who are empowered to see what is information, what is
9 misinformation or disinformation, and be robust in their
10 right to choose whatever direction they want for the country.

11 And we've seen with the intensity of
12 misinformation and disinformation, not just from foreign
13 actors, but just on social media generally in many topics,
14 that it's not automatic. Democracy requires constant
15 vigilance and constant hard work. It didn't happen by
16 accident. It doesn't continue without effort. It's not just
17 effort of Commissioners, and politicians, and spooks, it's
18 efforts of every single individual to feel like they have the
19 full ability to engage in our democratic processes and to
20 feel that they are safe and protected as they engage, whether
21 it's as a voter, or a candidate, or an elected Member of
22 Parliament, of Provincial Parliament or wherever.

23 These are things that we all need to continue
24 to work together on.

25 And I am in constant awe of everyone across
26 this country who continues to put up their hand and step
27 forward in a time where it's getting more and more difficult
28 and more and more challenging to be part of public and

1 political discourse, to say, "No, I want to build my country
2 for the better. I want to contribute to my community and I'm
3 going to step forward into a place where I'm going to take
4 slings and arrows," particularly members of diaspora
5 communities.

6 But bringing in that diversity of Canadian
7 experiences is the only way to make sure that we're actually
8 building the kind of country we need to be for the future.
9 So I salute everyone who steps up and will continue to commit
10 myself to making sure that those feelings of confidence and
11 of safety as we involve -- engage as citizens or more, as our
12 democracy, are protected.

13 **MS. SHANTONA CHAUDHURY:** No more questions.

14 **COMMISSIONER HOGUE:** As far as you know, do
15 you have a mechanism or a procedure in place that will ensure
16 that the NSIA would constantly have access and receive
17 information relating to foreign interference?

18 **RT. HON. JUSTIN TRUDEAU:** The NSIA has a role
19 of collecting and looking for all the information available
20 in all of our security agencies, whether it's at the defence
21 level or whether it's at Foreign Affairs or the -- or any
22 other security agency. That is the person who is beside me
23 to coordinate that universe, so she has the capacity and the
24 ability to look for those answers.

25 For example, when I woke up this morning, I
26 saw some reports in the media raising some concerns. I
27 immediately consulted my NSIA to ask her, "Can you do a
28 follow-up on what I'm reading this morning and come back to

1 me with information?".

2 And I have confidence that no matter the
3 universe or the place in the security and intelligence
4 universe where information is available, she has access to
5 that universe. She is the person towards which everything
6 gathers towards.

7 **COMMISSIONER HOGUE:** So I understand that she
8 has access to everything, but whether it's the agencies or
9 the departments involved, do those agencies and departments
10 transmit information regarding foreign interference to the
11 NSIA?

12 **RT. HON. JUSTIN TRUDEAU:** I am confident that
13 she receives the information that the agencies find relevant,
14 but as we can see and we have seen, things can always be
15 improved with respect to how the different departments and
16 the different levels of government work together. And the
17 very existence of the NSIA ensures that we have a point of --
18 a connection between authority and gives her the capacity to
19 collect information from everywhere.

20 **COMMISSIONER HOGUE:** When you receive
21 information, intelligence, that is, that may not have been
22 corroborated as of yet but that are likely to be very
23 important, that could have a significant impact, could you
24 ask the agencies by setting up a priority list to complete or
25 to follow through with those investigations?

26 **RT. HON. JUSTIN TRUDEAU:** Absolutely. And
27 often and in almost every situation, when I say there's a
28 follow-up on -- "You should follow up on this", the answer I

1 receive is, "We are doing that, and this is what we're
2 doing".

3 Of course, the work that the agencies do does
4 not need for a Minister to ask for a follow-up. They will
5 follow up on preoccupying situations. Yes, a government or a
6 Prime Minister can highlight something, can put pressure to
7 accelerate things or send more resources, but our systems and
8 our agencies in the area of security have the mandates and
9 the responsibilities to follow up on preoccupying situations.

10 **COMMISSIONER HOGUE:** So we could -- you could
11 amend things.

12 **RT. HON. JUSTIN TRUDEAU:** Yes. So we would
13 have a regular reflection on our priorities with respect to
14 security for our country. We could lay more emphasis on
15 cyber security, for example. When we see what the emphasis
16 was 10 years ago, it's very different. The world is
17 changing.

18 The reality of our world is that the balance
19 of powers are changing. Russia has become extremely
20 problematic, not just mildly problematic as was the case 10
21 years ago, so we adjust regularly and elected officials have
22 an important role to play, indeed, but the work that our
23 intelligence and security agencies play is that they work in
24 a robust fashion in general.

25 **COMMISSIONER HOGUE:** When your campaign
26 manager, Mr. Broadhurst, informed you that there were
27 allegations that some people were bused to go and vote for a
28 contest -- a nomination contest, did you ask for further

1 investigation?

2 **RT. HON. JUSTIN TRUDEAU:** With respect to the
3 Party, yes, I first asked what information do we have in this
4 regard and I also asked if we could follow up, or at least
5 the Party should follow up with Elections Canada and identify
6 the reports that were -- see the reports that were written
7 out, what were the conclusions, do we have additional
8 information.

9 Well, the reality is that in highly contested
10 nomination situations, there are usually bused voters.
11 Sometimes that will be covered by the spending of the
12 candidate and in other situations, you will see buses that
13 belong to an elder persons' centre, and that would be used by
14 one group or another. And in that case, you might not see
15 receipts being submitted.

16 In my own nomination contest that was in
17 March or April 2007, there were many buses of Italians and
18 Greeks because that was my reality in Papineau, my riding of
19 Papineau. So that's a common occurrence, and that would not
20 be enough to flag any situation where anybody looking at the
21 nomination contest would say that, "No, we have to follow up
22 on that".

23 We're not a forensic organisation. [No
24 interpretation]

25 **COMMISSIONER HOGUE:** [No interpretation]
26 be revisited after the elections.

27 [No interpretation] revisited after the
28 elections"?

1 RT. HON. JUSTIN TRUDEAU: [No interpretation]

2 COMMISSIONER HOGUE: [No interpretation]

3 RT. HON. JUSTIN TRUDEAU: [No interpretation]

4 COMMISSIONER HOGUE: [No interpretation]

5 RT. HON. JUSTIN TRUDEAU: [No interpretation]

6 COMMISSIONER HOGUE: Before the cross-
7 examination, we are supposed to take a break, and I think we
8 will take a break.

9 So -- but we are running a late a little bit,
10 so I suggest a 10-minutes break. So we'll come back at 5:15.

11 THE REGISTRAR: Order, please.

12 This sitting of the Foreign Interference
13 Commission is in recess until 5:15.

14 --- Upon recessing at 5:07 p.m.

15 --- Upon resuming at 5:30 p.m.

16 THE REGISTRAR: Order please.

17 This sitting of the Foreign Interference
18 Commission is back in session.

19 COMMISSIONER HOGUE: So the first one to
20 conduct cross-examination is counsel for Michael Chong.

21 --- RT. HON. JUSTIN TRUDEAU, Resumed:

22 --- CROSS-EXAMINATION BY MR. GIB van ERT:

23 MR. GIB van ERT: Prime Minister.

24 RT. HON. JUSTIN TRUDEAU: Gib.

25 MR. GIB van ERT: You've already heard Ms.
26 Chaudhury telling you that we had Mr. Broadhurst in
27 yesterday.

28 And I'll just ask the court reporter to turn

1 up the document that you've already seen and that we went
2 through with Mr. Broadhurst, and that's CAN 5461, please.

3 --- EXHIBIT No. CAN 5461:

4 FI Efforts against Dong Han

5 **MR. GIB van ERT:** And so this is the document
6 that we looked at earlier. I took Mr. Broadhurst through it
7 because I wanted to have his evidence about what he told you.
8 And of course, the value of this document is that it sticks
9 to things that we can talk about in an open proceeding like
10 this.

11 And so I just want to show you the key
12 points. Of course, the first one is that there were
13 allegations of foreign interference by China in the Don
14 Valley North nomination contest.

15 And then secondly, if you'll just scroll down
16 a little bit, please, this is the redacted bit. Thank you.

17 The summary of the redaction is:

18 "Buses being used to bring
19 international students to the
20 nomination process in support of Han
21 Dong at the direction of PRC
22 officials in Canada."

23 And so it's that second paragraph that I want
24 to focus on to begin with.

25 And I just want to begin by noting that
26 there's nothing in this summary that indicates what language
27 the students were speaking. They're described as
28 international students.

1 And the reason why I'm noting that is that in
2 your evidence earlier and also in the witness statements that
3 you adopted at the beginning, you referred to people on the
4 bus, the students, at points as being "Chinese speaking
5 peoples" or "Chinese speakers". Do you recall that?

6 I can take you to the passages, if you like.

7 **RT. HON. JUSTIN TRUDEAU:** No, no. No, I
8 appreciate that.

9 One of the challenges that I have is
10 remembering what I knew at a particular moment when months
11 later or even years later I would find out more information
12 about this means that I'm never 1000 percent precise on what
13 it is that I knew at a particular moment.

14 **MR. GIB van ERT:** Yes, I do appreciate that.

15 **RT. HON. JUSTIN TRUDEAU:** I do remember at
16 one point when we were talking about whether or not CSIS
17 understood how nomination races worked and how community
18 organizations would regularly bring buses, there was a quote
19 -- or there was -- someone relayed to me that one of CSIS's
20 concerns was they were bus filled with Chinese speakers
21 showing up at the nomination. And my response, as I sort of
22 alluded to in my previous testimony, was, "Well, I had buses
23 filled with Greek speakers and Italian speakers because in my
24 nomination in Papineau those were the communities that were
25 mobilized".

26 That phrase stuck in my head, but I will
27 admit that I do not specifically remember whether or not the
28 Chinese speakers or Mandarin speakers element was part of

1 that what I call the airport briefing, that briefing on this
2 particular Sunday during the campaign, or not.

3 **MR. GIB van ERT:** Yes.

4 **RT. HON. JUSTIN TRUDEAU:** But it certainly is
5 consistent with this.

6 **MR. GIB van ERT:** All right. No, that's very
7 helpful.

8 And I will ask the court reporter to turn up
9 WIT 067 on this. And if you'll go, Mr. Clerk, to paragraph
10 30, which is -- sorry, starting at paragraph 29, please.

11 Paragraph 29. There we are.

12 Right. Thank you.

13 And so the last sentence is the concern was
14 that buses of Chinese speakers had arrived at the nomination
15 or possibly been brought into the nomination.

16 And if we go to paragraph 30 and just over
17 the page, the top of the next page. A little further. There
18 we are.

19 Prime Minister, you see the last sentence:

20 "The central issue of concern was
21 that buses filled with Chinese
22 speakers could have been
23 international students directed by
24 the PRC."

25 So the point that I want to make with you,
26 Prime Minister, and it sounds to me like perhaps you've
27 already got it, is that the central concern of the service
28 here, as I understand it, is not that they were Chinese

1 speakers.

2 **RT. HON. JUSTIN TRUDEAU:** No.

3 **MR. GIB van ERT:** It's that they were
4 directed by the PRC.

5 Had these people been students from
6 Switzerland rather than China but were brought at the behest
7 of China and to do China's bidding, I say the service's
8 concerns would have been absolutely the same, which is ---

9 **RT. HON. JUSTIN TRUDEAU:** Yes.

10 **MR. GIB van ERT:** --- that this would be
11 foreign interference.

12 **RT. HON. JUSTIN TRUDEAU:** Yes. Entirely.

13 It is not the nature of that -- that is part
14 of what I remember as context around the Service's concerns
15 that China might have mobilized individuals, yes.

16 **MR. GIB van ERT:** Thank you. And I
17 appreciate you acknowledging that. And I'll tell you why.
18 And it's because, as you'll recall, there have been times
19 where you have, let us say, cautioned us all as the news
20 about the allegations in Don Valley North came out and as
21 other allegations concerning Han Dong came out. You have, as
22 I say, let us say, cautioned Canadians not to fall into anti-
23 Chinese or anti-Asian stereotypes around this.

24 And what I want to press on you here is that
25 the ethnicity or the language of these students has never
26 been the issue, either for the Service or for any right-
27 thinking Canadian. The concern instead is that PRC was
28 directing people, whoever they were, to go do their bidding

1 and to help Han Dong into his seat in Parliament.

2 And you can have that concern, and worry
3 about that, and worry about the consequences for our
4 democracy, without having an ounce of racial prejudice
5 running through your veins. Do you agree with me on that?

6 **RT. HON. JUSTIN TRUDEAU:** Entirely. And that
7 was actually the point that I made to the Service, that I
8 made in response to them saying -- or the suggestion that,
9 oh, the concern was the bus filled with Chinese speakers. I
10 said, "That has nothing absolutely no bearing on anything."

11 **MR. GIB van ERT:** And I want to be clear
12 though, I hope it is your evidence that you did not feel that
13 the Service itself was acting in some racially prejudiced
14 way?

15 **RT. HON. JUSTIN TRUDEAU:** No. My concern was
16 more that perhaps the Service didn't understand, as deeply as
17 political actors do, the prevalence of bussing of different
18 community groups in nomination campaigns.

19 **MR. GIB van ERT:** Right. And let's come to
20 that point as well.

21 If we could go to WIT 66, please?

22 That's your other statement.

23 Paragraph 24, please. Thank you. And
24 actually, it's at the top of page 7, so keep scrolling a
25 little. Yes. Stop there.

26 In the middle of the page, Prime Minister:

27 "The fact that there were buses of
28 Chinese-speaking people at the

1 nomination meeting did not
2 necessarily corroborate the
3 allegation that the PRC was
4 responsible.”

5 And in fact, I should have read the sentence
6 before as well. He, meaning you, Prime Minister:

7 “...also remembered that the
8 intelligence was only an allegation,
9 [...] included no evidence that the
10 people being bussed to the polls were
11 supported by PRC officials.”

12 Right. And you go on to say, Prime Minister,
13 that you remembered asking whether the Service understood
14 that busing is part of the nomination process. Is that
15 right?

16 **RT. HON. JUSTIN TRUDEAU:** Yes.

17 **MR. GIB van ERT:** Okay. Thank you. And
18 again, going back to the reporting I just showed you, there's
19 obviously a reference to bussing there. But what I want to
20 suggest to you is that the emphasis again wasn't on the mode
21 of travel for these people. They took busses this time. All
22 right. They could have come some other way and it wouldn't
23 terribly matter for the Service's perspective because their
24 concern was that they were directed by PRC and assisted in
25 getting to the nomination place in order to, allegedly, help
26 one candidate over the other. So the way they got there
27 doesn't matter one way or another. I understand your point
28 that you wanted to make sure CSIS understood that busses per

1 say are not a problem, but my proposition to you, sir, is
2 that when you read that statement, that the emphasis is on
3 "direction by China". Yes, they got there by busses. That's
4 the allegation. They could have got there by tricycles. It
5 doesn't terribly matter. The point is, they were directed by
6 China.

7 **RT. HON. JUSTIN TRUDEAU:** I would suggest
8 that it might be more difficult for a foreign actor to
9 organize fleets of individuals showing up on tricycles,
10 rather than filling them into a bus.

11 **MR. GIB van ERT:** I expect that's right. But
12 one way or another, let's say they managed that miracle, CSIS
13 would still be concerned, and rightly so?

14 **RT. HON. JUSTIN TRUDEAU:** Absolutely.

15 **MR. GIB van ERT:** Yes. All right. I would
16 like to take you to the David Johnston report for a moment
17 now.

18 That's at COM 104.

19 **--- EXHIBIT No. COM 104:**

20 "First Report The Right Honourable
21 David Johnston Independent Special
22 Rapporteur on Foreign Interference"

23 **MR. GIB van ERT:** And if you'll go to page
24 23, please? Now, I forgot that this is in two columns, so
25 I'm not sure where I'm going to find my quote.

26 Let me read it to you. I don't think it's
27 controversial. You may recall that Mr. Johnston, I hope we
28 can find it in here somewhere, but Mr. Johnston concluded in

1 respect of the Don Valley North allegations, he said:

2 "...there is a well-grounded suspicion
3 that the irregularities were tied to
4 the PRC Consulate in Toronto..."

5 Do you recall that, sir? I can try to find
6 it for you, if you don't. One moment.

7 **RT. HON. JUSTIN TRUDEAU:** Yes, there it is.
8 "Irregularities were observed..."

9 **MR. GIB van ERT:** Yes. And then there we
10 are, and there's -- thank you very much, Prime Minister:

11 "...and there is a well-grounded
12 suspicion that the irregularities
13 were tied to the PRC Consulate in
14 Toronto..."

15 That's what I wanted to ask you about.

16 Now, I fully appreciate, sir, that that was
17 not a conclusion you were able to make or prepared to make in
18 September 2019.

19 But my question for is today, now that we've
20 had Mr. Johnston's report and he's come to that conclusion,
21 do you accept, first, that there were irregularities in that
22 nomination contest, and secondly, that they were likely tied
23 to the PRC Consulate in Toronto?

24 **RT. HON. JUSTIN TRUDEAU:** I'd suggest that
25 irregularities being observed is not itself enough to
26 overturn a democratic event. And I'd also suggest that a
27 well-grounded suspicion is certainly warranting more
28 reflection and follow-ups, but also might not hit the

1 necessarily very high threshold for overturning the result of
2 a democratic event.

3 **MR. GIB van ERT:** Yes, but I don't think
4 that's what Mr. Johnston is speaking to. He's just saying
5 that there is a well-grounded suspicion that the
6 irregularities, which he seems to have found, were tied to
7 the Consulate. And what I want to know is, do you accept
8 those conclusions today?

9 **RT. HON. JUSTIN TRUDEAU:** Yeah, sorry, if
10 you're not asking me about how -- I accept there is a
11 suspicion that PRC officials in Canada were engaged in some
12 way with that nomination. I can't speak to irregularities.
13 Perhaps you know what irregularities specifically Mr.
14 Johnston was talking about?

15 **MR. GIB van ERT:** No, not as well as some
16 people in this room. All right. Well you do accept though,
17 and you say that there's a suspicion. Do you accept that
18 it's well-grounded? That was Mr. Johnston's view.

19 **RT. HON. JUSTIN TRUDEAU:** I can't speak to
20 analysis made by others. I certainly -- and again,
21 distinguishing what I knew in 2019 from what I may have
22 learnt later leaves me in an awkward position around
23 answering this.

24 **MR. GIB van ERT:** All right. I'll move to my
25 next document, and that is CAN15842, please.

26 And you've seen this already. It is the
27 October -- late October 2022 briefing.

28 You've already given evidence that your

1 briefings are oral, you didn't see this document per say, and
2 I've got that point, sir.

3 But I do want to go to page 2 of the
4 document. And scrolling down a little further? There we
5 are. Thank you.

6 My question for you is, did the Director say
7 words to the effect of, or convey the message that, as you
8 see here:

9 "Canada has been slower than our Five
10 Eyes allies to respond to the
11 [foreign interference] threat..."

12 **RT. HON. JUSTIN TRUDEAU:** No.

13 **MR. GIB van ERT:** All right. And if you
14 continue on in that same passage:

15 "...such as proactively publicizing
16 successful disruption [...] activities..."

17 Was that something that the Director conveyed
18 to you?

19 **RT. HON. JUSTIN TRUDEAU:** No. When I spoke
20 to this before, I believe I said that the briefing notes
21 prepared for the Director didn't particularly align with the
22 actual briefing we got.

23 **MR. GIB van ERT:** Yes.

24 **RT. HON. JUSTIN TRUDEAU:** The briefing was
25 spent almost entirely on specific cases, and all of these
26 notes prepared for the Director generally saying, "Yes,
27 foreign interference is serious. India. China. Serious,"
28

1 would have taken up the first 30 seconds of what the Director
2 said, because ---

3 **MR. GIB van ERT:** Understood.

4 **RT. HON. JUSTIN TRUDEAU:** --- he would have
5 gotten right into the cases. So this is not ---

6 **MR. GIB van ERT:** I'm just going to show you
7 one more point from this. I do have your point about that.

8 It's page 3. Yes, thank you. Yes.

9 It's the bullet point that begins with the
10 word "ultimately":

11 "Ultimately, state actors are able to
12 conduct [foreign interference]
13 successfully in Canada because there
14 are no consequences, either legal or
15 political. [Foreign interference] is
16 therefore a low-risk and high-reward
17 endeavour."

18 Did the Director convey, in those words or in
19 some similar words, that message, that this is an -- a
20 low-risk, high-reward endeavour because there are no
21 consequences?

22 **RT. HON. JUSTIN TRUDEAU:** No.

23 **MR. GIB van ERT:** Thank you. That's very
24 helpful.

25 **COMMISSIONER HOGUE:** Thank you.

26 Counsel for Jenny Kwan.

27 **--- CROSS-EXAMINATION BY MR. SUJIT CHOUDHRY:**

28 **MR. SUJIT CHOUDHRY:** Prime Minister, good

1 afternoon. So Prime Minister, it's a matter of public record
2 that MP Kwan has alleged that she may have been the target of
3 foreign interference by the Communist Party of China in the
4 2021 general election. So based on that premise, there's --
5 time permitting, there is three sets of issues I hope we
6 could discuss.

7 The first is how MP Kwan came to know from
8 CSIS that she was a target for foreign interference; the
9 second is why she might be a target; and the third is how
10 foreign interference be occurring against her in Canada.

11 So you're aware, Prime Minister, that MP Kwan
12 received a confidential briefing from CSIS on May 26, 2023.

13 **RT. HON. JUSTIN TRUDEAU:** Yes.

14 **MR. SUJIT CHOUDHRY:** And you're aware that
15 she has not shared publicly any of the classified information
16 she received in that briefing.

17 **RT. HON. JUSTIN TRUDEAU:** I believe that to
18 be correct, yes.

19 **MR. SUJIT CHOUDHRY:** But you're aware she
20 stated that she was told that she is an evergreen target for
21 the Communist Party of China and for the rest of her life,
22 even after she leaves politics.

23 **RT. HON. JUSTIN TRUDEAU:** I can't speak to
24 directly what she was told, but that seems consistent with
25 what they might have told her, yes.

26 **MR. SUJIT CHOUDHRY:** So Prime Minister, are
27 you able in this setting to share with us whether you had any
28 role in the decision to brief MP Kwan about foreign

1 interference?

2 **RT. HON. JUSTIN TRUDEAU:** When there were --
3 when there are allegations or information brought to me
4 regarding a particular Member of Parliament or a particular
5 individual, often one of our first responses in my office,
6 and my response, is to ask CSIS, or the security agency
7 involved, to engage directly with the individual. The nature
8 of that engagement, often we find that CSIS is already
9 preparing to do that. Sometimes us encouraging it allows it
10 -- or encourages it to happen more quickly. It's certainly
11 something CSIS can make decisions about on its own as well,
12 but I believe in this case, we encouraged those briefings to
13 happen.

14 **MR. SUJIT CHOUDHRY:** And so you encouraged
15 them to happen. And if you're able to comment, was one of
16 the reasons why you and your office encouraged the briefing
17 to happen was to enable MP Kwan to herself identify foreign
18 interference that might be occurring and to take steps, if
19 she could, to counter foreign interference?

20 **RT. HON. JUSTIN TRUDEAU:** The challenge of
21 foreign interference exists for, as we've heard, for just
22 about every elected official at every different order of
23 government has a potential threat, but we also know that
24 diaspora communities, particularly from certain countries of
25 origin, are more susceptible to be targets on that. So
26 whether it's defensive briefings or threat reduction
27 measures, which are two different approaches that CSIS and
28 others can use in terms of briefing, it is their design to

1 both inform, make aware, and hopefully help the individual in
2 avoiding the kind of interference that is of concern.

3 **MR. SUJIT CHOUDHRY:** And so one -- so one
4 goal is to help individuals avoid foreign interference if
5 it's occurring, so a self-help remedy, if we could, but
6 surely another purpose would be to urge an individual to come
7 forth with concerns about potential foreign interference to
8 CSIS or the RCMP or the Commissioner of Canada Elections or
9 some other federal authority. Is that ---

10 **RT. HON. JUSTIN TRUDEAU:** Yes.

11 **MR. SUJIT CHOUDHRY:** --- right? Right. And
12 so the -- and of course, for anyone to come forward, a Member
13 of Parliament or any Canadian who might be targeted for
14 foreign interference, the expectation would be that if they
15 presented such a complaint or a concern that it would be
16 investigated thoroughly.

17 **RT. HON. JUSTIN TRUDEAU:** That it would be
18 given the attention that it merits, yes.

19 **MR. SUJIT CHOUDHRY:** And so I want to ask --
20 dig in a bit to why MP Kwan might have been targeted and what
21 your thoughts are. So you're aware that MP Kwan's testified
22 here that she believes she has been targeted for foreign
23 interference because of her outspoken criticism over many
24 years of the human rights record of the People's Republic of
25 China. Are you aware of that?

26 **RT. HON. JUSTIN TRUDEAU:** Yes.

27 **MR. SUJIT CHOUDHRY:** Yeah. And so she's --
28 you know -- you're aware of her criticisms of the Tiananmen

1 Square massacre?

2 RT. HON. JUSTIN TRUDEAU: Yes.

3 MR. SUJIT CHOUDHRY: And the Hong Kong
4 National Security Law?

5 RT. HON. JUSTIN TRUDEAU: Yes, like many,
6 many Canadians of all different origins, but particularly,
7 progressive Canadians of Chinese origin, there are some very,
8 very strong and outspoken and brave individuals who speak up
9 against the government of their country of origin.

10 MR. SUJIT CHOUDHRY: And she made some of
11 those criticisms as a parliamentarian ---

12 RT. HON. JUSTIN TRUDEAU: M'hm.

13 MR. SUJIT CHOUDHRY: --- on the floor of the
14 House of Commons.

15 RT. HON. JUSTIN TRUDEAU: Yes.

16 MR. SUJIT CHOUDHRY: So for example, when she
17 spoke in favour and voted in favour of the resolution on the
18 Uyghur genocide. And so it's clear, then, in making these
19 criticisms she was actually exercising her right to free
20 speech. You'd agree?

21 RT. HON. JUSTIN TRUDEAU: Yes.

22 MR. SUJIT CHOUDHRY: And that she was
23 exercising her parliamentary privilege when she ---

24 RT. HON. JUSTIN TRUDEAU: Yes.

25 MR. SUJIT CHOUDHRY: --- had made those
26 criticisms? And so no Canadian ---

27 RT. HON. JUSTIN TRUDEAU: But I'd also say
28 more.

1 **MR. SUJIT CHOUDHRY:** Yeah.

2 **RT. HON. JUSTIN TRUDEAU:** She was fulfilling
3 her responsibilities as a Member of Parliament to represent
4 her constituents and her community in our Parliament.

5 **MR. SUJIT CHOUDHRY:** Agreed. And that no
6 Canadian, MP or not, should be subject to foreign
7 interference for expressing their political views?

8 **RT. HON. JUSTIN TRUDEAU:** Indeed. Yes.

9 **MR. SUJIT CHOUDHRY:** So I want to then take
10 you, then, if I may, Prime Minister, to how foreign
11 interference by the CCP might be occurring in Canada. And so
12 we have had testimony that the CCP's foreign interference
13 activities occur through the United Front, an arm of the
14 Chinese Communist Party. You're aware of that.

15 **RT. HON. JUSTIN TRUDEAU:** Not exclusively.

16 **MR. SUJIT CHOUDHRY:** Right. Not -- but
17 including through the United Front?

18 **RT. HON. JUSTIN TRUDEAU:** Yes. There are
19 many different ways, and the United Front is one of the ways
20 in which the Communist Party of China exerts either
21 influence, or perhaps in other cases, interference.

22 **MR. SUJIT CHOUDHRY:** And the other -- are you
23 able to comment on the other ways?

24 **RT. HON. JUSTIN TRUDEAU:** Chinese police
25 stations are a perfect example of something that's been in
26 the news recently that our friend from the Bloc asked about
27 earlier today.

28 **MR. SUJIT CHOUDHRY:** And of course -- and

1 they often -- the United Front often operates through proxies
2 we've learned. You agree that that's correct.

3 **RT. HON. JUSTIN TRUDEAU:** Yes.

4 **MR. SUJIT CHOUDHRY:** And I think the words
5 you used to describe foreign interference in your examination
6 in-Chief were "covert", "coercive", "deceptive". And so
7 would it surprise you if you were told that the United Front
8 might funnel funds to Chinese proxies in Canada?

9 **RT. HON. JUSTIN TRUDEAU:** I am wary of
10 getting into too much of what I know in an open forum here,
11 but I think there has been evidence submitted along the lines
12 of that.

13 **MR. SUJIT CHOUDHRY:** Okay. And so -- and
14 you're aware that CSIS has confirmed that the United Front
15 uses proxies to disinvite or deplatform regime opponents from
16 invitations to important community events.

17 **RT. HON. JUSTIN TRUDEAU:** I -- again, I would
18 encourage you to go directly to the source of these reports
19 and allegations. I can say that yes, I am kept very, very
20 highly briefed on various ways of interference. I am not
21 always sure which ones I can talk about that I know about
22 that others may not know about.

23 **MR. SUJIT CHOUDHRY:** Right.

24 **RT. HON. JUSTIN TRUDEAU:** But if you're
25 talking about public record things, then it's good that
26 you're putting them into the record.

27 **MR. SUJIT CHOUDHRY:** Sure. And so as a
28 politician of course, part of the -- some of the rituals of

1 Canadian political life involve attending events hosted by
2 different ethnic communities that are potentially quite
3 significant, so the Sakhi would be one, I'm sure, that you
4 might be familiar with.

5 **RT. HON. JUSTIN TRUDEAU:** Yes.

6 **MR. SUJIT CHOUDHRY:** And so there is a
7 certain significance, then, to having been invited for many
8 years to an event and then suddenly disinvited in a public
9 way. That would be designed to send a message, wouldn't you
10 agree?

11 **RT. HON. JUSTIN TRUDEAU:** I think publicly
12 disinviting someone, as wrong as it would be, might fall into
13 the category of influence rather than interference. If a
14 diplomat is hosting an event that the Chinese government is
15 behind or through proxies, it's a fairly open and visible way
16 and perhaps meant to be open and visible to exclude an
17 individual.

18 That sounds like -- as wrong or as
19 unfortunate or much as we might disagree with it, it sounds
20 like something that is not covert or surreptitious, but more
21 very direct disapproval.

22 **MR. SUJIT CHOUDHRY:** But if it's a community
23 event organized by a Canadian organization ---

24 **RT. HON. JUSTIN TRUDEAU:** I think we're
25 getting into hypotheticals here, but I understand your point,
26 that it is unfortunate that China in general tries to silence
27 critics of its regime, including, you know, high-profile
28 Members of Parliament.

1 **MR. SUJIT CHOUDHRY:** Okay. So a couple of
2 concluding questions, if I may, Prime Minister.

3 So the GAC panel testified that if the
4 People's Republic of China or, for that matter, any other
5 foreign state were engaged in foreign interference in Canada,
6 it would violate international law. Do you have any reason
7 to disagree with that evidence?

8 **RT. HON. JUSTIN TRUDEAU:** No, I'm -- yes.
9 The foreign interference is violation of Canadian law and
10 international law.

11 **MR. SUJIT CHOUDHRY:** And you'd agree, then,
12 it's a violation of Canadian sovereignty.

13 **RT. HON. JUSTIN TRUDEAU:** Yes.

14 **MR. SUJIT CHOUDHRY:** Thank you, Prime
15 Minister.

16 **COMMISSIONER HOGUE:** Thank you.

17 Mr. Jarmyn, representing Erin O'Toole.

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

19 **MR. THOMAS JARMYN:** Thank you, Prime Minister
20 -- or thank you, Commissioner.

21 Prime Minister, my name's Tom Jarmyn. I
22 represent Erin O'Toole.

23 Just building on a question that my colleague
24 was asking, Mr. O'Toole, similar to Ms. Kwan, has also
25 received a defensive briefing from CSIS. And was that done
26 with the permission or direction of your office?

27 **RT. HON. JUSTIN TRUDEAU:** Again, it is not
28 something that CSIS needs to get permission from the Prime

1 Minister's Office to do, but in this case, we certainly
2 encouraged it.

3 **MR. THOMAS JARMYN:** And has your office given
4 general direction when MPs come under this sort of, I guess,
5 scrutiny or attack that they should be made aware of that?

6 **RT. HON. JUSTIN TRUDEAU:** That is in general
7 our approach on things, yes.

8 **MR. THOMAS JARMYN:** But has your office given
9 direction to that effect?

10 **RT. HON. JUSTIN TRUDEAU:** It is not to us to
11 direct CSIS on what threat reduction or defensive briefings
12 it gives or doesn't give, but certainly our posture has been
13 one of encouraging CSIS to keep all Parliamentarians informed
14 and aware of not just threats against them, but of issues of
15 foreign interference.

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

17 I guess if we could go to CAN 4495.

18 And this is a document that supposedly
19 relates to a briefing which was intended to occur some time
20 in late February of 2023. It was prepared by CSIS.

21 Commission counsel has shown it to you and I
22 believe you also saw it during your witness interview.

23 If you could scroll down to the third page.
24 A little further, please. Thank you.

25 So I understand from your witness interview
26 that you were not advised of this -- these events concurrent
27 to them happening in the election in 2021, but I would ask
28 after February 21st of 2023, have you ever been briefed by

1 either CSIS or the NSIA with respect to conclusions similar
2 to this that:

3 "...observed online media activities
4 aimed at discouraging Canadians,
5 particularly of Chinese heritage,
6 from supporting Conservative Party of
7 Canada, leader Erin O'Toole, and
8 particularly Steveston-Richmond East
9 candidate Kenny Chiu.

10 ...the timing of these efforts to
11 align with Conservative polling
12 improvements; the similarities in
13 language with articles published by
14 PRC state media; and the partnership
15 agreements between these Canada-based
16 outlets and PRC entities; all suggest
17 that these efforts were orchestrated
18 or directed by the PRC."

19 **RT. HON. JUSTIN TRUDEAU:** I think on this I'd
20 like to turn to the summary prepared of evidence on this one.
21 I believe it's ---

22 **MR. THOMAS JARMYN:** I think it's WIT 66,
23 paragraph 49.

24 **RT. HON. JUSTIN TRUDEAU:** Sorry. I'm talking
25 about the intelligence summaries, not the interview
26 summaries. The prepared summaries.

27 **MR. FREDERICK SCHUMANN:** Madam Commissioner,
28 I think the Prime Minister's referring to the multi-source

1 topical summary on ---

2 **RT. HON. JUSTIN TRUDEAU:** That one, topical
3 summaries. Yes.

4 **MS. ERIN DANN:** I believe it's number 4, if
5 that assists, .4.

6 **RT. HON. JUSTIN TRUDEAU:** Yes, thank you.
7 That's it.

8 **MR. THOMAS JARMYN:** So that's the topical
9 summary, but going back to my question, which was, has any
10 official, either the NSIA or Director of CSIS or anyone on
11 your staff, briefed you with respect to the conclusions that
12 were in CAN 4495?

13 **MR. FREDERICK SCHUMANN:** And just to be fair
14 to the witness, perhaps he could be allowed look at those
15 conclusions one by one rather than ---

16 **MR. THOMAS JARMYN:** Sure.

17 **MR. FREDERICK SCHUMANN:** --- en masse.

18 **MR. THOMAS JARMYN:** So possibly he can go
19 back to CAN 4495.

20 **RT. HON. JUSTIN TRUDEAU:** Yes, I have the
21 summary, so if we can go back on the page to the document you
22 brought up.

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

24 Scroll down. Thank you.

25 Just a little bit further. Thank you.

26 So the overall statement is observed online
27 media activities aimed at discouraging Canadians,
28 particularly of Chinese heritage, from supporting the

1 Conservative Party leader, Erin O'Toole, and particularly
2 Steveston-Richmond East candidate Kenny Chiu.

3 **RT. HON. JUSTIN TRUDEAU:** Yeah. What I will
4 go to is the bottom of that -- the last line in the second
5 paragraph there and refer to the general summary there, point
6 6, that says no PRC state direction of the incident was
7 detected or reported.

8 **MR. THOMAS JARMYN:** Yes, I realize that's
9 what that document says.

10 But my question is, did anyone brief you with
11 respect to those allegations that are in CAN 4495? And if
12 your answer is no, that's fine.

13 **RT. HON. JUSTIN TRUDEAU:** The -- first of
14 all, these are briefing notes that I never saw. These are
15 briefings for a briefer who then gave a briefing that, as
16 we've seen, may or may not have included all of these things.

17 I am and was, however, aware of the elements
18 in the summary that talked about whether it's following the
19 publication of the article in the Hill Times. There was a
20 number of different media organizations that picked up and
21 ran with those things, but again, getting to the bottom line,
22 no, you know, Chinese state direction of the incident was
23 detected or report.

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

25 And I'd like to turn now to COM 008, which is
26 the Cabinet directive from 2021 with respect to the Critical
27 Election Incident Public Protocol.

28 **--- EXHIBIT No. COM 8:**

1 Cabinet Directive on the Critical
2 Election Incident Public Protocol

3 **MR. THOMAS JARMYN:** And this is the standing
4 directive right now. It is -- unlike 2019, this is an
5 ongoing thing. Is that correct?

6 **RT. HON. JUSTIN TRUDEAU:** Yes, this is the
7 existing directive now. Yes.

8 **MR. THOMAS JARMYN:** And we've heard from
9 various witnesses, Madam Drouin, who said that the threshold
10 for intervention by the Panel of Five would either be high or
11 very high, were the words she used. Minister Gould used
12 "observed with certainty" and Minister LeBlanc used the "high
13 threshold" as well. Is that consistent with your
14 understanding of how the directive is meant to apply?

15 **RT. HON. JUSTIN TRUDEAU:** The directive is
16 meant to apply, and the Panel is meant to kick in when there
17 are threats to Canada being able to hold a free and fair
18 election. That must necessarily be a significantly high
19 threshold because just the act of engaging for the Panel
20 could itself have an impact on the unfolding of the election.

21 So the expertise and the experience and the
22 professional judgment of the people on the Panel is what we
23 lean on significantly for whether and how they intervene.

24 I will highlight that not every intervention
25 by the P5 would be to convene a supper hour press conference
26 to tell Canadians about something in the middle of an
27 election campaign. It could involve, as it has, apprising
28 different parties of concerns; it could be -- involve asking

1 or working with a social media giant to take down a
2 particular piece of misinformation. Like, there are
3 different things that would have different thresholds, in
4 terms of what is required to do to ensure that the election
5 remains free and fair for Canadians.

6 **Mr. THOMAS JARMYN:** Can we scroll down in the
7 directive itself, please, and into 5? There we are, the
8 Process. Actually, we need -- sorry; I have go to back up
9 again. So they say -- paragraph 3, please.

10 You say, Minister -- or Prime Minister,
11 rather, that this can be engaged by threats. The Panel of
12 Five has testified that it must be an event that has occurred
13 which affects a free and fair election, at which they would
14 give notice to Canadians. Is it your evidence that the Panel
15 can act on a perceived threat as opposed to an event?

16 **RT. HON. JUSTIN TRUDEAU:** I'd ask, actually,
17 to scroll down to -- go to 4.0 or -- no, next one, 5.0.
18 There we go:

19 "...lays out a process through which
20 Canadians would be notified of an
21 incident that threatens Canada's
22 ability to have a free and fair
23 election, should notification be
24 necessary."

25 I suppose an incident could be an event, but
26 I think if there is an imminent threat to Canada's ability to
27 have free and fair election, I have no doubt that the Panel
28 would engage with that, whether or not the incident or event

1 had happened or was just imminently about to happen.

2 **MR. THOMAS JARMYN:** Okay.

3 Just one last question, please, Commissioner.

4 **COMMISSIONER HOGUE:** Sure.

5 **MR. THOMAS JARMYN:** And that threat could
6 crystallize at the general election level, at the riding
7 level, or indeed, among a diaspora community level that's
8 spread out over across several ridings.

9 **RT. HON. JUSTIN TRUDEAU:** Sorry; and what's
10 your question?

11 **MR. THOMAS JARMYN:** That threat could
12 crystallize ---

13 **RT. HON. JUSTIN TRUDEAU:** Good. Yes.

14 **MR. THOMAS JARMYN:** --- at either the general
15 election level, an individual riding level, or among a
16 broader community that's spread out over several ridings.

17 **RT. HON. JUSTIN TRUDEAU:** Yes, as long as it
18 threatens Canada's ability to have a free and fair election,
19 either at the riding level or in the aggregate general
20 election, which is just the sum of 338 individual riding
21 elections.

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

23 **RT. HON. JUSTIN TRUDEAU:** Thank you, Tom.

24 **COMMISSIONER HOGUE:** Thank you.

25 Mr. de Luca, acting on behalf of the
26 Conservative Party.

27 **(SHORT PAUSE)**

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

1 **Mr. NANDO de LUCA:** Good evening, Mr. Prime
2 Minister.

3 Could I have -- just give me a moment. Could
4 I have TRN 6 called up, please?

5 And while that's being called up, Mr. Prime
6 Minister, in preparation for your testimony here today, have
7 you been aware that MP Han Dong confirmed under oath at this
8 Inquiry that he spoke to PRC officials on multiple occasions
9 about the two Michaels while they were held in captivity in
10 China?

11 **RT. HON. JUSTIN TRUDEAU:** I believe so, yes.

12 **MR. NANDO de LUCA:** Okay. And am I correct
13 that the two Michaels had been taken into custody and
14 detained in China commencing in December 2018 until they were
15 released at the end of September 2021?

16 **RT. HON. JUSTIN TRUDEAU:** Yes.

17 **MR. NANDO de LUCA:** Okay. Would you agree
18 with me that the detention of the two Michaels was a very
19 high profile and very sensitive matter, both in Canada and
20 abroad?

21 **RT. HON. JUSTIN TRUDEAU:** It was certainly
22 very high profile, and it was a detention that caused us to
23 mobilize broadly. It was certainly a very difficult
24 experience for the two Michaels and their families, but it
25 was also something that mobilized an awful lot of not just
26 Canadians but our partners around the world.

27 **MR. NANDO de LUCA:** Thank you.

28 We've heard evidence, and seen evidence at

1 this Inquiry, that at least one of the conversations between
2 Mr. Dong and PRC General Consul -- Consul General in Toronto
3 was intercepted and monitored, that it touched upon the two
4 Michaels in some respect, and that at least a summary of the
5 intercepted conversation exists, and I have a couple of
6 questions for you regarding this intercepted conversation.

7 **MR. FREDERICK SCHUMANN:** Just before my
8 friend does, I'm not sure whether -- of the details he is --
9 or the assertion he's making is one that can be found in the
10 public record, but I'm happy to hear from him about that. I
11 would urge him to refer to the summary, the topical summary
12 on this issue.

13 **MR. NANDO de LUCA:** I'm going to come to the
14 topical summary, but if I could ask the Prime Minister
15 generally, when were you first made aware that Mr. Dong had
16 been having conversations with the PRC Consul General
17 regarding the two Michaels?

18 **RT. HON. JUSTIN TRUDEAU:** I can't recall
19 offhand at what point that was.

20 **MR. NANDO de LUCA:** Do you remember what
21 year, sir?

22 **RT. HON. JUSTIN TRUDEAU:** Perhaps there's
23 documents that refer to the meeting that I can talk about
24 publicly, various briefings that I've had when these
25 allegations came out. I believe -- actually, I believe they
26 -- this was the source -- this was a matter disclosed in the
27 leaks in the fall of 2022, and it was only subsequent to
28 those leaks that I became aware of those conversations. So

1 it would have been late in 2022.

2 **MR. NANDO de LUCA:** You don't believe you
3 were made aware of any such conversations prior to that?

4 **RT. HON. JUSTIN TRUDEAU:** No.

5 **MR. NANDO de LUCA:** And could I ask that
6 CAN.SUM 2 be called up, please?

7 **--- EXHIBIT No. CAN.SUM 2:**

8 "Intelligence Relating to Han Dong
9 and Communication with People's
10 Republic of China Officials Regarding
11 the "Two Michaels"

12 **MR. NANDO de LUCA:** And I believe Ms.
13 Chaudhury took you through tis document, to some extent,
14 earlier. This is a summary of intelligence held by CSIS and
15 the intelligence agencies relating to Han Dong and some
16 communications with the People's Republic of China relating
17 to the two Michaels. And I take it from your answers
18 earlier, you reviewed this document in preparation for your
19 testimony here today?

20 **RT. HON. JUSTIN TRUDEAU:** Yes.

21 **MR. NANDO de LUCA:** And there's a summary of
22 five points relating to this intelligence. Can you confirm
23 -- and I think you may have -- that aside from your review of
24 this particular document in preparation for today, that you
25 have received intelligence briefings and information that is
26 reflected in each of these five points?

27 **RT. HON. JUSTIN TRUDEAU:** I have six points
28 on mine.

1 **MR. NANDO de LUCA:** I may have misspoken,
2 you're correct. Quite correct, six points.

3 **RT. HON. JUSTIN TRUDEAU:** Okay. Yes.

4 **MR. NANDO de LUCA:** Okay. Can I turn your
5 attention to point 4? Perhaps you can review that, and while
6 you are, the second sentence says:

7 "MP Dong expressed the view that even if the PRC released the
8 'Two Michaels' at that moment,
9 opposition parties would view the
10 PRC's action as an affirmation of the
11 effectiveness of a hardline Canadian
12 approach to the PRC."

13 You see that?

14 **RT. HON. JUSTIN TRUDEAU:** Yes.

15 **MR. NANDO de LUCA:** When were you first made
16 aware of MP Dong expressing that view?

17 **RT. HON. JUSTIN TRUDEAU:** As I said, this was
18 subsequent to leaks. But let me also just say that it's
19 aware of information alleging that MP Dong expressed these
20 views. As has been previously stated, there have been
21 significant questions around both translation and summary of
22 the actual exchange that -- you know, I don't think I need to
23 read the first page filled with *caveats* around incomplete,
24 single-sourced, varying degrees of reliability, you know, not
25 necessarily indicating corroboration or reliability of
26 sources. So there's a lot of uncertainty around even the
27 things that we're saying in -- that we're seeing in the
28 summaries.

1 **MR. NANDO de LUCA:** Can I ask you, Prime
2 Minister, have you personally reviewed that summary?

3 **RT. HON. JUSTIN TRUDEAU:** This summary?

4 **MR. NANDO de LUCA:** No, the summary of the
5 intercepted conversation.

6 **MR. FREDRICK SCHUMANN:** Madam Commissioner,
7 I'm concerned that we're getting into a sensitive area. I'm
8 frankly not sure ---

9 **RT. HON. JUSTIN TRUDEAU:** I can say yes to
10 that. Yes, I have. But there's not much more I can say
11 about it.

12 **MR. NANDO de LUCA:** That's fine. Thank you.
13 Can we call up COM 118, which is the Special
14 Rapporteur's first report that was produced or dated May 23,
15 2023?

16 **THE COURT OPERATOR:** COM 118?

17 **MR. NANDO de LUCA:** Yes.

18 **THE COURT OPERATOR:** Just one moment.

19 **--- EXHIBIT No. COM 118:**

20 First Report The Right Honourable
21 David Johnston Independent Special
22 Rapporteur on Foreign Interference

23 **MR. NANDO de LUCA:** And I'd like to go to
24 page 26, small roman numeral viii.

25 There's an analysis of a piece of reporting
26 that Han Dong advised the PRC Consulate to extend the
27 detention of the Two Michaels, Global News, March 22, 2023.
28 Do you see that?

1 **RT. HON. JUSTIN TRUDEAU:** Yes.

2 **MR. NANDO de LUCA:** Okay. And immediately
3 before that, Mr. Johnston comments on how there has been
4 considerable media attention about an alleged transcript of
5 this conversation. Do you see that?

6 **RT. HON. JUSTIN TRUDEAU:** Yes.

7 **MR. NANDO de LUCA:** And he then says:

8 "I have reviewed the same
9 intelligence report that was provided
10 to the Prime Minister relating to
11 this allegation, which I am advised
12 is the only intelligence that speaks
13 to this issue. I can report the
14 following..."

15 And we're going to come to the following.
16 But my question now though is, Mr. Johnston tells us that he
17 reviewed the same intelligence report that you did and that
18 this is the only report that exists that speaks to this
19 issue.

20 So my question for you is the following. Is
21 the intelligence report that Mr. Johnston is referring to
22 there CAN.SUM002 that we just looked at? Or is it something
23 else?

24 **MR. FREDRICK SCHUMANN:** I'm not sure the
25 witness can answer that in this setting.

26 **COMMISSIONER HOGUE:** So we'll note the
27 question.

28 **MR. NANDO de LUCA:** And are there other

1 reports that, for now we'll go with written reports, either
2 hardcopy or electronic, that you're aware of that perhaps
3 were not shared with Mr. Johnston that might relate to
4 precisely what was or wasn't said between Mr. Dong and the
5 PRC official?

6 **RT. HON. JUSTIN TRUDEAU:** I'm not certain I
7 can answer that question.

8 **MR. NANDO de LUCA:** For the same reasons ---

9 **RT. HON. JUSTIN TRUDEAU:** Reasons of security
10 and confidentiality.

11 **MR. NANDO de LUCA:** Thank you.

12 **RT. HON. JUSTIN TRUDEAU:** National security.

13 **MR. NANDO de LUCA:** Thank you. Have those
14 reports, if there are any such reports, have they been
15 provided to the present Commission?

16 **RT. HON. JUSTIN TRUDEAU:** Again, I'm not sure
17 I can -- I cannot confirm or infirm the existence of any
18 other reports that I cannot speak to here.

19 **MR. NANDO de LUCA:** Thank you very much. Mr.
20 Johnston then gives his assessment of that particular
21 allegation as follows. He says:

22 "The allegation is false. Mr. Dong
23 discussed the Two Michaels with the
24 PRC official but did not suggest to
25 the official that the PRC extend
26 their detention. The allegation that
27 he did make that suggestion has had a
28 very adverse effect." (As read)

1 Do you agree with that assessment, sir?

2 **RT. HON. JUSTIN TRUDEAU:** Yes. We know that
3 the media reports and the allegations made in rather a
4 spectacular fashion about Mr. Dong were false.

5 **MR. NANDO de LUCA:** Okay. But would you
6 agree with ---

7 **RT. HON. JUSTIN TRUDEAU:** In regards to what
8 he said or didn't say about the Two Michaels.

9 **MR. NANDO de LUCA:** Okay. Would you agree
10 with me, sir, that all that Mr. Johnston was commenting on
11 was what is contained in that heading? That particular
12 allegation? Mr. Johnston didn't comment one way or the other
13 about whether -- what else Mr. Dong might have said to the
14 PRC Consul re: the Two Michaels was correct. So for example,
15 in CAN.SUM02, the conversation is stated slightly
16 differently.

17 **MR. FREDRICK SCHUMANN:** I'm not sure the
18 witness can comment on what Mr. Johnston was or was not
19 commenting on.

20 **MR. NANDO de LUCA:** Mr. Prime Minister, I
21 have very many more questions, as you might imagine, but I
22 simply don't have the time. Thank you very much.

23 **COMMISSIONER HOGUE:** Thank you, Mr. De Luca.
24 Counsel for Han Dong?

25 **--- CROSS-EXAMINATION BY MR. MARK POLLEY:**

26 **MR. MARK POLLEY:** Thank you, Commissioner.
27 Prime Minister, I am Mark Polley, and as you
28 heard, I represent Han Dong.

1 I'm going to start with the same issue that
2 Mr. De Luca finished with, and that is the allegations that
3 were made in the -- in Global, at least, relating to the Two
4 Michaels.

5 And we -- as you know, we heard yesterday
6 from Mr. Clow, among others, and Mr. Clow told us about how
7 after the leaks came out, there were discussions about what
8 to do, what -- how to respond, whether there could be any
9 response, and in particular, he said there were a number of
10 discussions about how to get the truth out that the story was
11 wrong. And he explained that up until yesterday, he was not
12 able to say that publicly.

13 Are you able to, first of all, tell us, did
14 you have conversations like that as well about whether there
15 was anything the government could do, whether -- anything you
16 could do?

17 **RT. HON. JUSTIN TRUDEAU:** Well, further, what
18 we actually did was engage the Special Rapporteur, who had
19 the opportunity to go through the evidence and state quite
20 categorically that the allegations were false. We felt that
21 having the Special Rapporteur able to engage on that and
22 qualify those allegations as false was perhaps more
23 reassuring to concerned Canadians than having officials of
24 the same -- elected officials of the same party as Mr. Dong
25 categorizing that the same way.

26 **MR. MARK POLLEY:** And so does that -- well,
27 aside from ultimately making that decision, did you, like Mr.
28 Clow, have discussions about whether there was anything that

1 could be released before that, like immediately, to respond?

2 **RT. HON. JUSTIN TRUDEAU:** There were many
3 discussions following the leaks on this issue, but on a
4 number of the issues that were leaking. As we highlighted
5 and attempted to highlight a few times in the media, there
6 were clear falsehoods and inaccuracies in the media
7 reporting. But the challenge of protecting national security
8 meant that we were very much limited in our ability to
9 contradict the false allegations being made by the leaker.

10 **MR. MARK POLLEY:** And that difficulty you're
11 describing, although we've heard, as I say, Mr. Clow talking
12 about finally being able to say something publicly yesterday,
13 you're speaking about it today to some extent, but I take it
14 that same tension continues? That there's only so much, as
15 we can see, that you can -- you're able to say?

16 **RT. HON. JUSTIN TRUDEAU:** But, you know,
17 given, as Mr. Clow pointed out yesterday, we are now in a
18 position to express and to repeat the way it was
19 characterized in the media was wrong.

20 **MR. MARK POLLEY:** So let me turn to busses.
21 The ongoing discussion about busses. We heard about you
22 being briefed by Mr. Broadhurst in September of 2019, and you
23 talked about him flagging concerns and describing this
24 scenario of students being brought to Don Valley North
25 nomination meeting. And you asked whether the intelligence
26 agency understood this thing that bussing people to
27 nomination meetings is standard, or I think you said regular
28 earlier. Is that right?

1 RT. HON. JUSTIN TRUDEAU: Yes.

2 MR. MARK POLLEY: And ---

3 COMMISSIONER HOGUE: This will be your last
4 question.

5 MR. MARK POLLEY: Thank you.

6 And you -- sorry, let me make sure. And you
7 raised the issue of whether the intelligence agency
8 understood this basic issue that someone like you who knows
9 politics and nomination campaigns knows, and did you figure
10 out an answer to that? Whether the people at the Agency who
11 were reporting this had that context?

12 RT. HON. JUSTIN TRUDEAU: Oh, certainly.
13 Listen, our intelligence agencies, even though they don't
14 organise nomination meetings themselves as, you know,
15 political parties do, you know, regularly turn to experts
16 and, you know, learn about the things that they don't know
17 about when they need to. So I am very confident that our
18 intelligence agencies now know a lot more about the unfolding
19 of nominations, which is important because they need to be
20 able to ensure that those nominations, like all electoral
21 events, are decided by, you know, by the residents and indeed
22 by ensuring that our democratic processes are free and fair
23 and absent interference by foreign actors.

24 MR. MARK POLLEY: Okay.

25 COMMISSIONER HOGUE: Thank you.

26 MR. MARK POLLEY: Thank you.

27 COMMISSIONER HOGUE: Human Rights Coalition?

28 --- CROSS-EXAMINATION BY MS. SARAH TEICH:

1 **MS. SARAH TEICH:** My name is Sarah Teich, and
2 as the Commissioner stated, I'm representing the Human Rights
3 Coalition. I understand, Mr. Prime Minister, that you have a
4 lot of confidence in your NSIA's ability to receive
5 information from the national security agencies, but I want
6 to ask about your level of confidence in the agencies'
7 abilities to receive information from those most vulnerable,
8 namely, members of targeted diaspora communities. So let me
9 just start with this, were you aware, Mr. Prime Minister,
10 that the RCMP's National Security Information Network is only
11 available in English and French?

12 **RT. HON. JUSTIN TRUDEAU:** I was not.

13 **MS. SARAH TEICH:** Were you aware that the
14 CSE's online reporting tool, as well as CSIS's reporting
15 tool, and the OCE's complaints form on the website are also
16 available in only English and French?

17 **RT. HON. JUSTIN TRUDEAU:** But I am also aware
18 that all those agencies use in language individuals who are
19 able to reach into and engage with communities, but I take
20 your word for it that the online forms are only in English
21 and French.

22 **MS. SARAH TEICH:** I appreciate that. And we
23 also heard on March 27th with the diaspora panel, that was
24 the first day of these hearings, that community members
25 oftentimes don't feel empowered to reach out to the agencies.
26 They feel that they won't be heard. They feel it's a waste
27 of time, for whatever reason. Given these limitations, how
28 can you expect the agencies themselves to really know, and,

1 therefore, how can you expect the NSIA to really know if
2 coercion, harassment, or intimidation of diaspora community
3 members is happening including in the context of elections?

4 **RT. HON. JUSTIN TRUDEAU:** This is certainly a
5 challenge, and it is something that we've been working on
6 over the past years to try and improve and increase the --
7 not just the diversity within our various agencies, but also,
8 the ability of those agencies to reach into people who are
9 often most vulnerable to interference, particularly in
10 diaspora communities, but also, at the same time, often with
11 good reason, most suspicious of authorities and enforcement
12 agencies that have not always treated them fairly in the
13 past.

14 **MS. SARAH TEICH:** Thank you. Given these
15 limitations, does this plant even a seed of doubt in your
16 mind in terms of the integrity of the 2019 and 2021 general
17 elections?

18 **RT. HON. JUSTIN TRUDEAU:** I think those are
19 two different things. The challenge of any democracy is
20 ensuring that people who perhaps disagree with the outcome of
21 a given election still have faith that that is indeed the
22 will of the people, the will of citizens. And that's where
23 having a panel in place, both in 2019 and 2021, that can say
24 that they have determined, or they have concluded that the
25 election was free and fair is a really important step. Now
26 nobody can say that about the 2015 election, for example, or
27 elections before because those panels didn't exist. At the
28 same time, what we've learned from the 2019 election was

1 applied to the 2021 election and will continue to be applied
2 and expanded and become more -- perhaps more sensitive or
3 alert to various vulnerabilities that are more difficult to
4 go into, particularly when you talk about racialized or
5 marginalised communities. So there is more to do, but I do
6 have confidence in the ability of our intelligence agencies
7 and our panel to have drawn the conclusion that the elections
8 in 2019 and in 2021 were indeed free and fair.

9 **MS. SARAH TEICH:** All right. Thank you.

10 **COMMISSIONER HOGUE:** Thank you.

11 Mr. Doody for the Ukrainian Canadian Congress
12 -- or, yes. No, it's the Sikh Coalition, I'm sorry.

13 You'll be next.

14 **--- CROSS-EXAMINATION BY MR. PRABJOT SINGH:**

15 **MR. PRABJOT SINGH:** Thank you, Commissioner.
16 Mr. Trudeau, my name is Prabjot Singh. I'm appearing on
17 behalf of the Sikh Coalition. So I don't have a whole lot of
18 time, but I want to start by asking whether you would agree
19 that your government missed key opportunities to hold India
20 to account for its interference in Canada. And to be more
21 specific so we can narrow down a precise answer, that there
22 were attempts made by the government to minimise the threat
23 that India posed throughout this relevant period and actually
24 tried to hide the severity of the threat from Canadians.
25 Would you agree with that assessment?

26 **RT. HON. JUSTIN TRUDEAU:** No.

27 **MR. PRABJOT SINGH:** Mr. Operator, if we can
28 bring up COM 155? So, Mr. Trudeau, this is a copy of the

1 2019 annual report of NSICOP, which you mentioned was a body
2 created by your government in the hopes of creating some
3 oversight and transparency on security and intelligence
4 issues.

5 And, Mr. Operator, if we can go to page 73
6 of the PDF? So as you know, this report deals with concerns
7 about foreign interference. Is that 73 of the PDF? Or,
8 yeah, 55 of the actual document. And so this is a section
9 that deals with foreign interference specifically. And if we
10 can continue to scroll down until 79, please? You can go a
11 little bit faster.

12 And right there if you can hold for a second.
13 If you can scroll up, please? So there is mentioned
14 specifically of foreign interference by the People's Republic
15 of China. Continue scrolling. There's mention of the
16 Russian Federation. And if we can pause right there and it
17 specifically says, "other states engaged in foreign
18 interference". And if you continue scrolling, that entire
19 section has been redacted.

20 Mr. Operator, if we can go to page 108 of the
21 PDF? And if you continue scrolling until 113, we see these
22 are instances of Canada's response to foreign interference in
23 relation to China. And then it goes into instances of a
24 response to Russian interference. And if we scroll down, and
25 this entire section again is redacted.

26 So, Mr. Trudeau, I'm going to suggest that
27 the redacted sections of this report outline details of
28 Indian electoral interference and coercive activities against

1 the Sikh community, as well as outlining governmental
2 failures in combating the specific threat. And so I
3 understand that you may not be able to address this in a
4 public setting for national security reasons, and if that's
5 the case, you can indicate that to the Commissioner, so can
6 you confirm that that is the substance that's been redacted
7 in this report?

8 **RT. HON. JUSTIN TRUDEAU:** Obviously, in a
9 public setting, I can't speak to redactions made for national
10 security, but I will say that the principle that anyone who
11 comes to Canada from anywhere in the world has all the rights
12 of a Canadian, to be free from extortion, coercion,
13 interference from a country that they left behind, and how we
14 have stood up for Canadians, including in the very serious
15 case that I brought forward to Parliament of the killing of
16 Nijjar, demonstrates our government's commitment to defending
17 the rights and freedoms of Canadians for whom we have --
18 which are the reasons for which so many people crossed oceans
19 and continents to come live in this country and build this
20 country. And the suggestion that we haven't and we won't do
21 everything we can to defend Canadian rules and values and
22 defend Canadians from foreign interference is simply
23 misplaced.

24 **MR. PRABJOT SINGH:** And so I take your point
25 there and I have very limited time, but I do want to confirm
26 that it was you that approved the redactions in this report;
27 is that correct, based on suggestions from public servants
28 that you received?

1 **RT. HON. JUSTIN TRUDEAU:** Redactions are made
2 by professional public servants, and we sign off on them, but
3 we do not modify them.

4 **MR. PRABJOT SINGH:** But you do have the
5 authority, the ultimate approval, and you do have the
6 possibility to push back against excessive redactions.

7 **RT. HON. JUSTIN TRUDEAU:** Redactions are made
8 by professional public servants, not by the political wing.

9 **MR. PRABJOT SINGH:** And does the Prime
10 Minister have the authority to push back on the suggestions
11 that are made in cases where there may be excessive
12 redactions?

13 **RT. HON. JUSTIN TRUDEAU:** That gets into the
14 entire question of declassification of information. And in
15 the American system, the President can, you know, declassify
16 in ways that are not replicated in our system here in Canada.

17 **MR. PRABJOT SINGH:** So just very simply, I
18 have one last question I want to ask after this, does the
19 Prime Minister have the authority and the ability to push
20 back against those suggestions when there's excessive
21 redaction?

22 **RT. HON. JUSTIN TRUDEAU:** The Prime Minister
23 has an ability to engage in discussions and ask for reasons,
24 but like I said, as Prime Minister and as a government, our
25 habit and our approach has always been to allow the
26 professional public service to make determinations around
27 what needs to be redacted in the name of national security
28 and confidentiality.

1 **MR. PRABJOT SINGH:** Madam Commissioner, I
2 have one final question if that's okay?

3 **COMMISSIONER HOGUE:** Very quick.

4 **MR. PRABJOT SINGH:** Sure. I think you would
5 agree that the lack of meaningful steps to expose and stop
6 foreign interference activities when they first arise,
7 including deliberate actions to redact any failures that may
8 have been included in the NSICOP report, could play a role in
9 India's increasingly aggressive interference and repressive -
10 - repression activities over this period. So that would be a
11 consequence of failing to act effectively and failing to
12 bring the threat of Indian foreign interference to Canadians'
13 attention earlier; is that correct?

14 **RT. HON. JUSTIN TRUDEAU:** I think that's
15 certainly a question one needs to ask of the previous
16 Conservative government that was known for its very cozy
17 relationship with the current Indian government; whereas, our
18 government has always stood up to defend minorities in Canada
19 and the rights of minorities to speak out, even if it
20 irritates their home countries overseas.

21 **MR. PRABJOT SINGH:** Thank you. Those are all

22 ---

23 **COMMISSIONER HOGUE:** Thank you.

24 **MR. PRABJOT SINGH:** --- my questions.

25 **COMMISSIONER HOGUE:** So, Mr. Doody, it's your
26 turn.

27 --- CROSS-EXAMINATION BY MR. JON DOODY:

28 **MR. JON DOODY:** Good evening, Prime Minister.

1 It's Jon Doody. I'm counsel for the Ukrainian Canadian
2 Congress. We've heard that Russia's foreign interference
3 activities, foreign elections, was the catalyst for the plan
4 to protect Canada's democracy, and that Russia was a foreign
5 nation the Canadian government was concerned could
6 potentially interfere in Canadian elections; correct?

7 **RT. HON. JUSTIN TRUDEAU:** Yes.

8 **MR. JON DOODY:** Okay. And we've also heard
9 from the SITE Task Force and the Panel of Five that neither
10 identified any foreign interference activity by Russia in
11 either of the 2019 or the '21 general election. It would
12 seem possible that Russia was not interested in interfering
13 with Canadian elections in those years, or equally possible
14 that they did, and the Canadian government failed to detect
15 it. Would you agree that it's possible that Russia
16 interfered in one or both the elections and the Canadian
17 government simply failed to notice it?

18 **RT. HON. JUSTIN TRUDEAU:** I would highlight
19 that, of course, it is always possible that the entire body
20 of our national security intelligence agencies, our very
21 sophisticated cyber and security communications establishment
22 detected absolutely nothing or got it wrong. But I would
23 also suggest that undermining Canadians' confidence in their
24 elections being free and fair is probably something that
25 Russia would love to see in Canada, so I would be very wary
26 about saying that, oh, you know, despite the fact you didn't
27 find any evidence of it, it still might have happened.

28 I think we have seen the extent to which

1 Russia is engaged in misinformation, disinformation and
2 actions of sowing chaos and destabilising democracies around
3 the world, including attempts at cyber attacks and successful
4 cyber attacks in Canada. But I think one of the big
5 differences between Russia and a number of other hostile or
6 challenging state actors is the significant lack of a
7 critical mass of either Russian diaspora or Russian speakers
8 in Canada, as you contrast with the situation in the Ukraine,
9 or in Latvia, or elsewhere where there is an easier threshold
10 for them to interfere in democratic processes.

11 **MR. JON DOODY:** You spoke about the need for
12 Canadians to be confident that the government is doing what
13 it can to keep Canadians safe. How confident are you in the
14 SITE Task Force and Panel of Five's conclusion that Russia
15 did not interfere with either election?

16 **RT. HON. JUSTIN TRUDEAU:** We know Russia is
17 responsible for significant amounts of propaganda, of
18 misinformation, of disinformation, and certainly attempts at
19 interference are no doubt ongoing from Russia. They are a
20 hostile actor, hostile to Canada, hostile to our values,
21 hostile to our support of the Ukraine and hostile to our
22 democracy. But to say -- to reach a threshold at which there
23 is a belief that Russia posed a threat to the integrity of
24 our elections, to the outcome of our elections is certainly
25 not something that either the SITE or the Panel determined.

26 **MR. JON DOODY:** And finally, would you expect
27 members of the Canadian-Ukrainian community to have a high
28 level of confidence in that conclusion as well?

1 **RT. HON. JUSTIN TRUDEAU:** Yes, I think the
2 Canadian-Ukrainian community, like all Canadians, can have a
3 high degree of confidence in the conclusions by all of our
4 national security experts and top public servants that the
5 elections in 2019 and 2021 are free and fair. At the same
6 time, I think Ukrainian Canadians, like all Canadians, need
7 to remain vigilant to Russian disinformation and to the
8 amplification of pro-Russian narratives in context and coming
9 from places that one wouldn't suspect pro-Russian narratives
10 to be amplified. I'm very pleased to see that Ukraine just
11 passed the updated Canada Ukraine Free Trade Agreement, yeah,
12 over the past days, and I am -- continue to be bewildered of
13 the fact that the Conservative Party voted against that
14 update because they fell prey to pro-Russian narratives that
15 are undermining Canada's support for Ukraine amongst
16 Conservative Canadians which I know is a thing of deep
17 distress for many Ukrainian-Canadians and rightly so.

18 **MR. JON DOODY:** Thank you, Prime Minister

19 **COMMISSIONER HOGUE:** Me Sirois for the RCDA,
20 Russian Canadian Democratic Alliance.

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

22 **MR. GUILLAUME SIROIS:** Hello, Mr. Prime
23 Minister.

24 **RT. HON. JUSTIN TRUDEAU:** Hello.

25 **MR. GUILLAUME SIROIS:** Madam Commissioner.
26 I am representing the Russian Canadian
27 Alliance.

28 We have heard that some disinformation

1 campaigns could have affected some political parties in the
2 2021 election, so I'm sure you know what I'm talking about.
3 I want to remove politics about this and I want to talk about
4 disinformation.

5 **RT. HON. JUSTIN TRUDEAU:** I want to indicate
6 that the conclusion from our national security experts and
7 the panel in charge of ensuring the integrity of our
8 elections, well, they agreed that there was no impact in the
9 results due to foreign interference, whether it's in the
10 different counties or in the general elections at large. So
11 yes, there were attempts to interfere, but our elections were
12 -- the integrity of our elections stood firm.

13 **MR. GUILLAUME SIROIS:** I want to ask if that
14 kind of attempt affected just one Party or could it affect
15 all parties, leaders of all parties, like the Liberal Party
16 and the others.

17 **RT. HON. JUSTIN TRUDEAU:** Well, the
18 involvement of foreign interference can affect just one
19 Party, all parties or a few parties. It can also affect the
20 country of origin, the county and the region as well.

21 **MR. GUILLAUME SIROIS:** Did you witness this
22 as the leader of the Liberal Party during the 2021 and 2019
23 elections?

24 **RT. HON. JUSTIN TRUDEAU:** In my capacity as
25 Party leader, I was supposed to campaign, speak to as many
26 Canadians as possible and ensure that as many Liberal members
27 are elected as possible. I was confident in the institutions
28 that we had built like the P5 to ensure that the integrity of

1 the elections stood firm and they concluded that in both
2 elections, 2021 and 2019, these elections were free and fair.

3 **MR. GUILLAUME SIROIS:** Let's put aside the
4 institution. I want to ask you this question as a Party
5 leader campaigning in 2019 and 2021. I want to know what you
6 heard with your own eyes and heard -- heard with your own
7 ears and saw with your own eyes.

8 Did these attempts affect members of the
9 Liberal Party during both campaigns?

10 **RT. HON. JUSTIN TRUDEAU:** Well,
11 disinformation campaigns were quite widespread, more in 2021
12 than in 2019. We saw conspiracy theories with respect to
13 vaccination. We also witnessed conspiracy theories about the
14 World Economic Forum and even personal attacks against me and
15 my family. So yes, there was misinformation and
16 disinformation during those campaigns.

17 **MR. GUILLAUME SIROIS:** Well, it can't be
18 easy, especially when it affects your family, but my question
19 is, you understand how social media works. You did your
20 campaign in 2015 thanks to social media. I'm sure it was
21 very helpful in that campaign.

22 I want to know whether there were some
23 disinformation campaigns that were more important and do you
24 think that impacted voters during those two campaigns?

25 **RT. HON. JUSTIN TRUDEAU:** Well, every
26 political Party was using social media to try and garner
27 voters, so of course social media played an important role in
28 those elections.

1 **MR. GUILLAUME SIROIS:** I was talking about
2 disinformation campaigns, wondering if you know whether we
3 can influence voters in that regard.

4 **RT. HON. JUSTIN TRUDEAU:** I think we can see
5 that disinformation and misinformation impacts several
6 people. There are thousands of Canadians who believed that
7 vaccination was more dangerous than COVID-19 itself. That is
8 an example of people who were affected, sometimes fatally, by
9 disinformation.

10 **COMMISSIONER HOGUE:** Mr. Sirois, you have a
11 last question.

12 **MR. GUILLAUME SIROIS:** This is my last
13 question.

14 I want to know if you witnessed
15 disinformation that could, if you had witnessed this, why
16 didn't you raise this issue with government institutions,
17 those who are mandated and authorized to act on these
18 misinformation and disinformation campaigns, especially when
19 it affects the integrity of the elections?

20 **RT. HON. JUSTIN TRUDEAU:** Because those
21 institutions -- and I speak regularly about this with my
22 National Security Advisors, about the impacts of
23 misinformation and disinformation. We can -- let's remember
24 the situation that happened with the convoys in Ottawa to
25 understand that it's a real situation, but it's not up to me
26 to tell the panels that you have to be wary of disinformation
27 and misinformation. It's part of their job to ensure that
28 the elections are -- remain -- keep their integrity, and they

1 did a good job in 2019 and 2021.

2 And we understand that in 2025, it will be
3 even more difficult and they have to keep doing the excellent
4 job.

5 **MR. GUILLAUME SIROIS:** One last questions, if
6 I may.

7 If you as the Party leader, you're in an
8 election campaign and you see serious interference, false
9 information, would you repeat that? Is Elections Canada
10 doing its work?

11 **RT. HON. JUSTIN TRUDEAU:** I trust that they
12 will do their work, but it is part of our responsibility, all
13 of us, whether we're citizens, candidates, Party leaders or
14 political parties, we all need to work with the SITE Task
15 Force to report any misinformation or disinformation. And
16 this is part of what we're going to do with the panel. We
17 will raise issues with the panel, but the panel does not
18 depend on us to do its work.

19 But yes, absolutely, we can contribution and
20 we should.

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

22 **COMMISSIONER HOGUE:** The Attorney General?

23 **MR. FREDERICK SCHUMANN:** Nothing from the
24 Attorney General. Thank you very much, Madam Commissioner.

25 **COMMISSIONER HOGUE:** Nothing.

26 Re-examination?

27 **MS. SHANTONA CHAUDHURY:** No, thank you,
28 Commissioner.

1 **COMMISSIONER HOGUE:** Thank you very much.

2 I don't know if I can say you are free to
3 leave, but I will allow myself to tell you that you are free
4 to leave.

5 **RT. HON. JUSTIN TRUDEAU:** Thank you very
6 much.

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

8 This sitting of the Foreign Interference
9 Commission has adjourned.

10 --- Upon adjourning at 6:51 p.m.

11

12 **C E R T I F I C A T I O N**

13

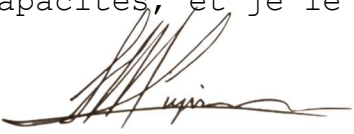
14 I, Sandrine Marineau-Lupien, a certified court reporter,
15 hereby certify the foregoing pages to be an accurate
16 transcription of my notes/records to the best of my skill and
17 ability, and I so swear.

18

19 Je, Sandrine Marineau-Lupien, une sténographe officielle,
20 certifie que les pages ci-hautes sont une transcription
21 conforme de mes notes/enregistrements au meilleur de mes
22 capacités, et je le jure.

23

24



25 Sandrine Marineau-Lupien

26

27

28