



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

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The Honourable / L'honorable
Marie-Josée Hogue

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Ottawa, Ontario

--- The hearing begins Friday, April 12, 2024, at 10:00 a.m.

THE REGISTRAR: Order, please.

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

The time is 10 o'clock.

COMMISSIONER HOGUE: Thank you.

Good morning, all. Before we begin with Mr. Vigneault's testimony, I want to give the reason for the present hearing.

[No interpretation] ...so a process that, despite the fact that the parties do have the right to cross-examine the witness, it needs to be within a greater framework than is in this hearing. And I would like to explain to all of you who are following our work why it was inevitable that sometimes the documents are not filed in a more appropriate time.

The Commission, as all know now, is working essentially with a huge quantity of documents, classified documents, that often have to be modified before being made public, and this -- in order to give them the most information possible.

More, there is work that is to be given out more with -- the work is heavier, to be able to look at what cannot be made public and to be able to summarize those notes, or they need to be blacked out. And sometimes the documents can only be made public once the testimony is

1 heard. And we have to have the disclosure team that has
2 security, and this is not under the exclusive control of the
3 Commission.

4 So the option, which would consist of
5 disclosing less information to be able to do it more quickly,
6 did not seem a good idea in this case. Given the short time,
7 it's important to be able to formulate recommendations
8 quickly.

9 And I'm also aware that this means that the
10 lawyers sometimes have very little time to finalize their
11 cross-examination questions, but this is something unusual,
12 and they're used to this type of thing. And also that was
13 case when you have that before the courts. So I am not
14 bothered by the fact that sometimes they need to adjust
15 quickly, and I think that that really does not affect the
16 equity of the process. According to me, to maximize
17 transparency is a sufficiently important objective to justify
18 the inconvenience.

19 And, however, this is not the case here. The
20 documents that the parties want to have cross-examine Mr.
21 Vigneault had not yet been communicated to the parties, nor
22 made public at the time when they had their cross-
23 examination. And so there was great work done by the lawyers
24 that would not have allowed them to deal with these questions
25 when they were doing their cross-examination. Those
26 documents are important to be able to understand how the
27 information circulates.

28 Witnesses have also said that what these

1 documents seem to be suggesting does not necessarily
2 correspond to what has happened. So it's important for the
3 Commission, as well as for the parties, to be able to bring
4 light to these questions.

5 In the exceptional circumstances, I felt that
6 it was equitable to bring back Mr. Vigneault to allow parties
7 to complete their cross-examination. Since it's not a
8 question of going over cross-examinations that have already
9 heard, they will have a maximum of 30 minutes that will be
10 shared, and it will be on these three documents that I have
11 identified.

12 Mr. Vigneault will be first questioned by the
13 Commission lawyers, and then we'll have -- he will also be --
14 the Attorney General will also have the possibility of
15 questioning him before the other parties cross-examine.

16 **MS. SHANTONA CHAUDHURY:** Thank you,
17 Commissioner.

18 As you've said, our witness today is the
19 Director of CSIS, Mr. David Vigneault, and he's been recalled
20 to testify to three specific documents. The scope of his
21 examination today will be limited to that.

22 So can I have the witness sworn or affirmed,
23 please?

24 **THE REGISTRAR:** [No interpretation].

25 **MR. DAVID VIGNEAULT:** [No interpretation].

26 **THE REGISTRAR:** [No interpretation].

27 **MR. DAVID VIGNEAULT:** [No interpretation].

28 **THE REGISTRAR:** [No interpretation].

1 **MR. DAVID VIGNEAULT:** David Vigneault, V-i-g-
2 n-e-a-u-l-t.

3 **THE REGISTRAR:** [No interpretation].

4 **MR. DAVID VIGNEAULT:** [No interpretation].

5 **--- MR. DAVID VIGNEAULT, Affirmed:**

6 **THE REGISTRAR:** [No interpretation].

7 Counsel, you may proceed.

8 **MS. SHANTONA CHAUDHURY:** Thank you. [No
9 interpretation].

10 **--- EXAMINATION IN-CHIEF MS. SHANTONA CHAUDHURY:**

11 **MS. SHANTONA CHAUDHURY:** [No interpretation]

12 ...today because the document's in English, but you can
13 answer in the language of your choice.

14 **MR. DAVID VIGNEAULT:** [No interpretation].

15 **MS. SHANTONA CHAUDHURY:** So the first thing
16 that I'm going to ask you about this morning, Director, is a
17 meeting that took place on October 27th, 2022, at which you
18 briefed the Prime Minister and PMO on foreign interference.
19 Before I pull up any documents relating to that, I just want
20 to ask you what your recollection of that meeting is.

21 **MR. DAVID VIGNEAULT:** Thank you.

22 The meeting was at the request of the Clerk
23 of the Privy Council Office. I had briefed the Clerk and the
24 National Security Intelligence Advisor, at my request, at
25 National CSIS Headquarters earlier in September to give them
26 an overview of significant cases of relative foreign
27 interference. And as a result, I was asked to go brief the
28 Prime Minister. So that was the genesis of the October

1 meeting.

2 **MS. SHANTONA CHAUDHURY:** Okay.

3 Maître Herrera, can I ask you to pull up CAN
4 015842? Thank you.

5 So Director, this is a set of briefing notes
6 dated October 26, '22, which I understand are notes that were
7 prepared for you in advance of this meeting.

8 Before I start asking you about the specific
9 of these notes, I'm going to ask you to explain to the
10 Commission; help us understand what briefing notes are.

11 **MR. DAVID VIGNEAULT:** Yes. So typically for
12 briefing -- an important briefing to a Minister, the Prime
13 Minister, senior officials, we have sometimes a little bit of
14 heads-up, or a longer period of time to prepare. In this
15 case, my professional staff had a longer heads-up, so they
16 were able to prepare a lot of material for my reference to be
17 able to prepare for the meeting in question. So the material
18 is a combination of our policy and operational experts,
19 intelligence experts, looking at the issues that I would be
20 potentially having to brief. But as -- the expression I
21 would use, it's also trying to cover the waterfront; what are
22 some other issues that could come up that I would need to be
23 -- to have some reference material.

24 So the professional staff puts this together,
25 goes up to a couple of review by senior officials inside
26 CSIS. And in this case, because of the type of material, the
27 Deputy Director Policy would be approving the final material,
28 and that would then be transmitted to me.

1 So this material is for my review for
2 reference points. It's not something I need to approve
3 because, you know, it's for my own use; it's not something I
4 need to transmit to somebody else. And so that is -- this is
5 why you have, in some of these briefing binders, as we refer
6 to them, a fairly large amount of different documents.

7 So *grosso modo*, that would be the process of
8 how we are putting together the briefing material.

9 **MS. SHANTONA CHAUDHURY:** Okay. So you've
10 said they're not approved by you. How do you use them? Do
11 you read briefings notes during your meetings, or...?

12 **MR. DAVID VIGNEAULT:** So the way I would be
13 using this, and again, it depends on the type of briefings.
14 If it's a more formal briefing, organized, like a Cabinet
15 meeting or something, I normally would have something more
16 prepared. I have limited amount of time and I have some
17 specific points to go through, so that would be more of a
18 scripted approach.

19 But the vast majority of the briefings and
20 meetings would be material that I read ahead of time. I take
21 my own notes and I refine what I expect to be asked, to be --
22 to discuss. I refine the key messages or the key elements,
23 the key facts; facts I would need to convey to the person,
24 the persons I'm briefing. And so that will be how I would
25 normally be using this material.

26 **MS. SHANTONA CHAUDHURY:** Okay.

27 Mr. Herrera, can you scroll down, please?

28 Director Vigneault, I'm going to be asking

1 you some questions about specific statements that are in
2 this.

3 So Mr. Herrera, can you scroll down to page 2
4 of 5, please? There we go.

5 Director, you'll see a statement there that
6 says:

7 "However, Canada has been slower than
8 our Five Eyes allies to respond to
9 the FI threat with legislative and
10 other initiatives, such as
11 proactively publicizing successful
12 disruption of FI activities as a
13 means of deterring future efforts."

14 Can you recall whether this is something that
15 you conveyed to the Prime Minister and the PMO in this
16 meeting?

17 **MR. DAVID VIGNEAULT:** So Madam Commissioner,
18 what I remember of this briefing, some briefings are more
19 specific, I believe imprinted in your memory more strongly
20 than others. This one I remember clearly that it was a
21 briefing to cover a number of very specific points, specific
22 foreign interference cases.

23 So what you see here, this document, covers
24 what I would call more foreign interference 101 or background
25 information of foreign interference. So in the process of
26 briefing the Prime Minister and his team, and the Clerk in
27 October, my point was not to cover background information on
28 foreign interference, it was to dive right into those very

1 specific cases. So I would not have gone through these notes
2 and cover something like "Canada has been slower than our
3 Five Eyes allies," or others because these are statements
4 that I had made before, in public and in private, during
5 briefing to Ministers. But also because the purpose of that
6 briefing was to cover very specific cases of foreign
7 interference, and also one or two other issues that were not
8 related to foreign interference.

9 **MS. SHANTONA CHAUDHURY:** Thank you, that's
10 helpful, Director.

11 So I take it this wasn't something that you
12 mentioned in this specific meeting, but it was something that
13 you had mentioned before or after?

14 **MR. DAVID VIGNEAULT:** Yes.

15 **MS. SHANTONA CHAUDHURY:** okay.

16 **MR. DAVID VIGNEAULT:** I had, as I mentioned,
17 both in private and in public.

18 **MS. SHANTONA CHAUDHURY:** Okay.

19 Maître Herrera, if you could keep scrolling
20 down to page 3 of 5, please? Okay, there we go. There.
21 Thank you.

22 The next statement, Director:

23 "Ultimately, state actors [were] able
24 to conduct [foreign interference]
25 successfully in Canada because there
26 are no consequences, either legal or
27 political. [Foreign interference] is
28 therefore a low-risk and high-risk

1 endeavour.”

2 So I'll ask you the same questions with
3 respect to this statement, Director. Is this something that you
4 conveyed to the Prime Minister and the PMO in this meeting
5 specifically or otherwise?

6 **MR. DAVID VIGNEAULT:** So I would not have
7 used that specific expression at that meeting, because we're
8 talking very specific cases, and these cases were complex,
9 nuanced, and the focus was entirely on those cases.

10 However, this is a line that I have used
11 before. I have said that exact line quite a few times.
12 That's one of the reasons why my professional staff, when
13 they're putting these briefing materials together, they're
14 not only bringing me new facts, new analysis, and
15 information, but they also refer to how I have verbalized
16 some of these issues in the past so that when I go to the
17 material to prepare myself for different meetings, this is
18 something that I remember that reflects on me.

19 So that specific line, I have used it before
20 quite a few times, and to the point now that some other
21 people are starting to use it -- use that exact same approach
22 to describe foreign interference and I think even to the
23 Commission this was used. And in the last number of days, I
24 have a number of colleagues who have reminded me that they
25 have heard me say that exact line quite a few times.

26 **MS. SHANTONA CHAUDHURY:** Thank you.

27 Me Herrera, could you please scroll down to
28 page 5 of 5? There we go.

1 So, Director, again, the same questions with
2 respect to these statements:

3 "Ultimately, better protecting
4 Canadian democratic institutions
5 against [foreign interference] will
6 require a shift in the Government's
7 perspective and a willingness to take
8 decisive action and impose
9 consequences on perpetrators."

10 "Until [Foreign Interference] is
11 viewed as an existential threat to
12 Canadian democracy and the Government
13 forcefully and actively responds,
14 these threats will persist."

15 Is this something that you conveyed to the
16 Prime Minister and the PMO in the October 27th meeting or is
17 it something that you've conveyed at other times?

18 **MR. DAVID VIGNEAULT:** So, Madam Commissioner,
19 my recollection is the same as previous statements. These
20 are more tombstone facts about foreign interference, as
21 opposed as the purpose of the meeting in October, which was
22 about these cases.

23 This is something that I have absolutely said
24 a number of times, again, in public and in private. I have
25 used expressions like we need to impose costs, we need to
26 harden Canada, because when you consider foreign
27 interference, you know, the intent of a foreign country to
28 use foreign interference to pursue their interests will -- is

1 something for them that is existential, that they are going
2 to pursue no matter what. So one of the very specific and
3 very important things to do is, as I said, harden the target,
4 increase our resilience, both in government and in public,
5 about foreign interference. And that is one way of reducing
6 the impact of foreign interference, and impose costs on the
7 perpetrator of that.

8 And this is why, Madam Commissioner, for
9 example, I've been talking about having Sunshine Policy
10 related to foreign interference, because the solution to
11 foreign interference is not just from the Government. It
12 comes from a society that is informed, it comes from a
13 society that is able to, in some specific ways, in democratic
14 processes, but also in normal day to day lives, being able to
15 identify that there's something bizarre here and that, you
16 know, people can understand that they can do something about
17 this, they can report this information.

18 And that is the only way that we will be able
19 to reduce the impact on foreign interference and eventually
20 make Canadians safer.

21 **MS. SHANTONA CHAUDHURY:** Director, you've
22 mentioned a few times that this meeting was about specific
23 cases. And just to be clear, these cases are not something
24 you're able to speak about in this forum? Is that correct?

25 **MR. DAVID VIGNEAULT:** That's correct. I can
26 maybe just precise that they were not cases related to
27 elections. They were more cases related to overall foreign
28 interference and one or two other topics that were not

1 related to foreign interference.

2 **MS. SHANTONA CHAUDHURY:** Thank you.

3 **MR. DAVID VIGNEAULT:** But obviously they are
4 highly classified.

5 **MS. SHANTONA CHAUDHURY:** Mr. Herrera, you can
6 take that document down now, please, and pull 4079.

7 So, Direct Vigneault, we'll wait for it to
8 come up, but this is another document that's dated October
9 26th, 2022. There it is. So without getting into any of its
10 classified content, can you tell the Commission what this
11 document is? Like, were these also briefing notes prepared
12 for you? Or?

13 **MR. DAVID VIGNEAULT:** Yes, Madam
14 Commissioner, this is one of the supporting materials that
15 would have been included in my briefing binder. It speaks to
16 one of those specific cases that I said that I briefed the
17 Prime Minister on that day. So it's about a specific issue.
18 And of course you can see some of the information. It speaks
19 to foreign interference by the People's Republic of China.
20 So some of the information has been released. And so this is
21 one of the cases that I briefed the Prime Minister on that
22 day.

23 **MS. SHANTONA CHAUDHURY:** Me Herrera, can you
24 scroll down a little bit so we see the text box? Perfect.
25 Thank you.

26 So, Director Vigneault, you'll see that text
27 box, which is a summary of the redacted information
28 underneath it, and it says:

1 "PRC officials could be emboldened in
2 their electoral interference efforts
3 by the 2021 defeat of former Richmond
4 MP Kenny Chiu"

5 Are you able to recall whether that is
6 something that you had conveyed to the Prime Minister in the
7 October 27th meeting?

8 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
9 don't remember if I've used these exact words, but talking
10 about that specific case, I put that case in context in
11 relation to other PRC activities. So I cannot recall if that
12 exact line was used, but it is -- would have been part of the
13 context that would have situated the case I briefed the Prime
14 Minister on in relation to overall PRC interference
15 activities.

16 **MS. SHANTONA CHAUDHURY:** Thank you, Director.
17 We're now going to leave October 27th, 2022 and go to
18 February 23rd, 2023.

19 Me Herrera, can you please pull CAN4495?
20 Thank you.

21 So, Director, the next meeting here is we
22 understand this was a meeting on February -- the notes are
23 dated February 21st, 2023, but we understand the meeting took
24 place on February 23rd, 2023, and that this was a meeting
25 with the Prime Minister's Office, staff from the PMO, but not
26 the Prime Minister himself, to brief them on the media leaks
27 of classified information.

28 So were these also briefing notes that were

1 prepared for you in advance of this meeting?

2 **MR. DAVID VIGNEAULT:** Yes. The -- it's the
3 same process that I described, that the briefing material --
4 there was a request for a briefing to the Prime Minister's
5 Office. So again, my staff would have been working to pull
6 together information again covering the waterfront.
7 Sometimes you have an idea of what you believe the topic
8 might be, but you walk into it and there might be quite a few
9 other things.

10 So again, this is an example of the team
11 putting together material that covers quite a few aspects of
12 foreign interference in this case.

13 **MS. SHANTONA CHAUDHURY:** Okay. Me Herrera,
14 can you scroll down please to page 3 of 6? The second bullet
15 is what I'm interested in seeing.

16 So again, Director, I'm going to take you to
17 a few specific statements:

18 "We['ve] also observed online and
19 media activities aimed at
20 discouraging Canadians, particularly
21 of Chinese heritage, from supporting
22 the Conservative Party, leader Erin
23 O'Toole, and particularly Steveston-
24 Richmond East candidate Kenny Chiu."

25 Then we have a redaction. And then:

26 "the timing of these efforts to align
27 with Conservative polling
28 improvements; the similarities in

1 language with the articles published
2 by PRC state media; and the
3 partnership agreements between these
4 Canada-based outlets and PRC
5 entities; all suggest that these
6 efforts were orchestrated or directed
7 by the PRC."

8 So first of all, was this something that you
9 conveyed to the PMO at the February 23 meeting?

10 **MR. DAVID VIGNEAULT:** So, Madam Commission, I
11 should have maybe, in my -- when I described the general
12 meeting, I should have added, I think, a piece that is really
13 relevant.

14 In preparing for today's hearing, working
15 with the material that was prepared ahead of time and
16 disclosed. My recollection is that that meeting was very
17 specifically focussed on -- to discuss an article in the
18 Globe and Mail that I believe had been published on the 17th
19 or the 18th, so a few days before, that was talking about
20 some unauthorized disclosures of documents. And if I
21 remember, there was a reference at the end of that article
22 about the 11 candidates, so the issue that has been canvassed
23 in the -- at the inquiry before. So the -- this specific
24 briefing, so the material you have referenced, Ms. Chaudhury,
25 and that specific briefing to the Prime Minister's Office was
26 focussed to discuss on that part. So I think that in terms
27 of context, that is important.

28 Coming back to you now, your specific

1 questions about these two paragraphs, Ms. Chaudhury, again, I
2 would not have been using that specific briefing material
3 because the focus of that -- of the briefing to the PMO was
4 on the Globe and Mail article. And so what you have here,
5 those bullets, represent the, again, what I describe as
6 general briefing material prepared for me, again, to cover
7 different angles as required, but the specific briefing,
8 specific discussion was focussed on the specific information
9 contained in the Globe and Mail article.

10 **MS. SHANTONA CHAUDHURY:** Okay. So does that
11 mean, Director, that this was not something that you conveyed
12 during that meeting because the focus of the meeting was the
13 11 candidates?

14 **MR. DAVID VIGNEAULT:** Yes, that's correct.

15 **MS. SHANTONA CHAUDHURY:** Okay. I'm still
16 going to ask you a question about it, which was we know that
17 in the aftermath of the 2021 election, the SITE assessment
18 was the extent to which the PRC was behind these online media
19 activities couldn't be conclusively determined. So my
20 question is, does the statement in these briefing notes
21 indicate a shift in this assessment, where it says all
22 suggest that these efforts were orchestrated or directed by
23 the PRC, is that something new? Is that something that came
24 from additional evidence? Is it a shift in the service's
25 assessment?

26 **MR. DAVID VIGNEAULT:** Mme Commissioner, I
27 would say that it is not. This is one different formulation
28 of the same ideas that have been canvassed and assessed by

1 SITE, which is there was a number of messages. There were
2 some messages that also were conveyed by media entities
3 associated with the Chinese Communist Party. And so the fact
4 that we could see a level of convergence between these
5 different messages suggested that, yes, that they would have
6 been potentially orchestrated by the PRC. And so reviewing
7 the classified SITE report, was -- this wording was not meant
8 to convey any other new analysis or a high level of certainty
9 about the activity. It is a different way of conveying that
10 we've seen a convergence, we've seen there were some PRC
11 entities involved in it, but we were not able to conclude --
12 SITE was not able to conclude that it was specifically
13 orchestrated by the PRC. So that's why, from my perspective,
14 it was absolutely not a change of analysis. It was just a
15 different wording.

16 **MS. SHANTONA CHAUDHURY:** Ms. Herrera, can you
17 now scroll down, please, to page 5 of 6? Thank you. Sorry,
18 the language I'm looking for is -- maybe scroll up a little
19 bit from there? Scroll up again? There we go.

20 So you'll see in this bullet, Director,
21 "In February 2021, I briefed the Prime
22 Minister on PRC-linked individuals
23 interfering with the 2019 Liberal
24 nomination in Don Valley North."

25 Do you have any recollection of this meeting
26 taking place in February 2021?

27 **MR. DAVID VIGNEAULT:** Unfortunately, Mme
28 Commissioner, I don't remember that briefing specifically,

1 and in the period of time between reviewing the material and
2 appearing in front of you, my staff were able to show me some
3 documents in relation. So, again, briefing material in
4 relation to the -- to that briefing that had been prepared
5 for me, but I do not have a specific recollection of that
6 meeting in 2021.

7 **MS. SHANTONA CHAUDHURY:** Okay. So it
8 happened, but you don't have a recollection of it.

9 **MR. DAVID VIGNEAULT:** Well, what I -- sorry,
10 Ms. Chaudhury, what I can say is that, yeah, I do believe it
11 happened. You know, we checked, you know, our calendars and
12 there was briefing material, but as I say, I cannot just take
13 the briefing material that was prepared and assess that this
14 is what was discussed at that meeting. As I described, the
15 briefing material covers many other issues often than what is
16 the exact -- how the -- how exactly the meeting unfolded. So
17 I just do not have a specific recollection of that 2021
18 briefing.

19 **MS. SHANTONA CHAUDHURY:** Okay. That's fair.
20 Can you tell us though whether that would have -- in your
21 recollection, whether that would have been the first time
22 that you briefed the Prime Minister on Don Valley North?

23 **MR. DAVID VIGNEAULT:** So if you go back to
24 the initial briefings on -- about Don Valley North around
25 2019, the passage of time between 2019 and 2021, my
26 assumption is that this was not the first time that I was --
27 I would have personally talked to the Prime Minister about
28 this. But again, I -- it's not because the specific

1 information there is highlighting the specifics that I --
2 it's exactly how it unfolded. So I do not want to create an
3 impression for the Commission here that I have that
4 recollection. I just do not, but what I know for a fact is
5 that we had -- the material had been discussed at some
6 length, as I think has been canvassed to the inquiry about
7 the information 2019 and moving on.

8 **MS. SHANTONA CHAUDHURY:** Okay. So I --
9 Director, if I'm understanding correctly, would it be fair to
10 say that just because information is in briefing materials
11 for you, the Commission can't take for granted that that
12 information was necessarily conveyed during that briefing?

13 **MR. DAVID VIGNEAULT:** Absolutely. I think,
14 you know, what is -- the reality of these types of briefings
15 is they're not -- I'll use again the example of a Cabinet
16 briefing. I will not go into the details, of course, but if
17 you go to a CAB briefing, you have -- there will be five or
18 six items being discussed in one session. You will have a
19 limited amount of time for each of these elements, and you
20 will have a very prescribed approach to follow. So most
21 people, when they will go to these scripted meetings, if I
22 can use that expression, will have indeed such a script and
23 you will follow, so that you're able to reconstruct much more
24 easily what was said. If you compare and contrast with these
25 types of meetings that are -- that we're discussing this
26 morning, these are much more fluid. You know, my staff would
27 have prepared me for whatever information related to foreign
28 interference, but the specific discussion is often quite

1 different.

2 And the last thing maybe I can say is that it
3 would not have been -- it's not extraordinary to go to a
4 briefing having material and having prepared yourself to
5 discuss a topic, and it's something completely different that
6 happens to be discussed. So that's when I joke with my staff
7 that I bring my briefing material and I'll bring my hockey
8 skates because you have to be able to be very agile on
9 dealing with any issues that the person you're briefing wants
10 to raise with you.

11 **MS. SHANTONA CHAUDHURY:** So these are more
12 informal conversations than formal presented briefings?

13 **MR. DAVID VIGNEAULT:** Yeah, I think the --
14 probably the most -- the best way to describe for the
15 Commission will be to say they go from very informal to very
16 scripted, and they go from a topic that, you know, you go in
17 knowing that you expect a topic to be discussed and it's
18 exactly what is being discussed to other meetings where the
19 specific discussion takes you completely in another
20 direction. So these are not -- again, the purpose of
21 briefing is to convey sometimes very specific information,
22 but also, convey -- be able to answer questions, be able to
23 provide a context to help the person, in this case a decision
24 maker like the Prime Minister or a Minister, to have a view
25 available to answer a number of questions while they are
26 processing the specific information you convey, but also a
27 number of other pieces of information they have. So I think
28 that is probably the best way to describe; very formal to

1 very informal, very specifically discussed, you know, the
2 topic that was planned to be discussed, to a meeting that
3 takes you in a completely different direction.

4 **MS. SHANTONA CHAUDHURY:** Okay. With all of
5 that in mind, Director, I'll just ask you one last question
6 about this document, which is the conclusion you see at the
7 bottom of the page there. That repeats some of the language
8 that we saw in the other notes. So I'll just ask you again
9 whether your recall conveying this to the PMO in the February
10 2023 meeting, or otherwise?

11 **MR. DAVID VIGNEAULT:** Again, Madam
12 Commission, my recollection of this meeting was on the very
13 specific reference to a media article, and so I would not
14 have used the -- more of the generic language about foreign
15 interference.

16 But what I think is instructive here is, you
17 know, again, my staff working to prepare material for me is
18 using, again, that expression, low-risk, high-reward, and so
19 again it's because it's an expression I have used many times
20 in different *fora* and that's why I think you see it again
21 repeated there.

22 **MS. SHANTONA CHAUDHURY:** Thank you.

23 Madam Commissioner, those are my questions
24 for the witness.

25 **COMMISSIONER HOGUE:** Thank you, Maître
26 Chaudhury.

27 So we'll start the cross-examination. The
28 first one will be conducted by counsel for Michael Chong.

1 **Mr. GIB van ERT:** Thank you, Commissioner.
2 I'll ask the Court Operator to turn up 15842 again.

3 **--- CROSS-EXAMINATION BY MR. GIB van ERT:**

4 **MR. GIB van ERT:** Director, thank you for the
5 evidence you've given so far; it's been extremely helpful for
6 all of us to understand your process.

7 Let me ask you, in a general way, whether you
8 are able to confirm that this document as a whole reflects
9 the Service's views on the matters that it addresses?

10 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
11 had a chance to review the material and I do believe that it
12 does indeed reflect the views of the Service. My personal
13 views as a Director of the Service, there are one or two
14 nuances I would make on these different points. There's also
15 the fact that, you know, our knowledge and understanding
16 continues to evolve, so something that was drafted in 2022,
17 would evolve in 2024.

18 But overall, I think it is a very useful tool
19 for someone to see very specific information, with examples,
20 of what foreign interference is in Canada and in our
21 democratic institutions.

22 **MR. GIB van ERT:** Thank you, sir. That's
23 very helpful.

24 The next question I have for you is about the
25 passage that Ms. Chaudhury showed you about the -- being
26 slower than our Five Eyes allies; I think it was at page 2.
27 My question is simply -- and you may have already said this,
28 but I want to make sure I've got it. Have you ever

1 communicated this particular assessment about us being slower
2 than our Five Eyes allies to either the Prime Minister or the
3 Prime Minister's Office?

4 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
5 can say with confidence that this is something that has been
6 conveyed to the government, to Ministers, the Prime Minister
7 using these words and other types of words.

8 We often -- in order to make sure we
9 understand -- have the best possible assessment of a
10 situation, we often look to other jurisdiction to see what is
11 their own analysis of the threat, what tools they have put in
12 place. And so the comparative analysis of -- with the Five
13 Eyes, but also with other like-minded nations, nations who
14 have similar political systems as ours, or Western
15 democracies, you know, we -- doing the comparative analysis
16 is a very useful tool, both from an intelligence point of
17 view but also from a policy point of view.

18 So I can say with a high degree of confidence
19 that, you know, these examples, I have used them in both
20 private briefings but also in our -- in my speeches, public
21 speeches, in CSIS annual reports, in Parliamentary testimony.

22 Just this past week, I was in -- testifying
23 in front of the Canada-China Committee in the House of
24 Commons, and I used same kind of analysis on different topics
25 linked to foreign interference. So, yes, to the question to
26 the counsel, this has been conveyed.

27 **MR. GIB van ERT:** Thank you. And I take it
28 your answer would be the same for the passage at page 3 about

1 there being no consequences, legal or political, for state
2 actors who conduct foreign interference; have I got that
3 right?

4 **MR. DAVID VIGNEAULT:** Yes, Madam
5 Commissioner. I elaborated on that point with previous
6 questions -- answers; sorry. But, yes, it is accurate to say
7 that, you know, I am -- I have said -- used these
8 expressions. Indeed, this one very specifically, low-risk,
9 high-reward endeavour.

10 **MR. GIB van ERT:** Thank you.

11 Now, this document, as we were hearing, was
12 something that was prepared in advance of an oral briefing
13 that you were you going to give the Prime Minister on the
14 27th of October. And we heard evidence from the Prime
15 Minister on Wednesday that his preferred working method in
16 intelligence matters is to rely on oral briefings rather than
17 briefing notes.

18 Is that a method of working that you were
19 aware of before you heard his evidence about that on
20 Wednesday? Is that something that you have been alive to and
21 have sort of adjusted your practices to meet?

22 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
23 can say that in my experience, I have used both methods,
24 specific material that has been written and provided to the
25 Prime Minister, intelligence assessments or information, but
26 also verbal briefings. So in my experience, both methods
27 have been used, depending on the situation, depending on the
28 context, depending on timing. But we have used -- I have

1 used both methods of briefing.

2 **MR. GIB van ERT:** All right. And in the
3 event that -- let me back up and ask you this; we heard the
4 Prime Minister say that these notes were not provided to him,
5 and I don't think you dispute that because they were meant to
6 be your notes, not notes for him, am I right?

7 **MR. DAVID VIGNEAULT:** Yes, Madam
8 Commissioner. I did not have a chance to see all the
9 proceedings of the Commission, I'm sorry, Madam Commissioner,
10 but I have seen -- I saw that specific reference from the
11 Prime Minister, and my recollection of the briefing is
12 exactly the same.

13 **MR. GIB van ERT:** Thank you. All right. And
14 if it your understanding, then, that in order to ensure that
15 the Prime Minister or his office has been briefed on a matter
16 to do with intelligence, you should ensure that there is an
17 oral briefing that has taken place?

18 **MR. BARNEY BRUCKER:** Excuse me, Commissioner.
19 My understanding was that we were talking
20 about these three documents, and it appears, to me at least,
21 that we're venturing away from that now and that that
22 question is outside the scope of this cross-examination.

23 **MR. GIB van ERT:** Commissioner, I'm content
24 to hear your ruling on that.

25 **MS. ERIN DANN:** Commissioner, you're on --
26 you're just on mute, Commissioner.

27 **MR. GIB van ERT:** Oh.

28 **COMMISSIONER HOGUE:** Sorry.

1 **MS. ERIN DANN:** Sorry.

2 **COMMISSIONER HOGUE:** That's better now.

3 **MS. ERIN DANN:** Yes.

4 **COMMISSIONER HOGUE:** I'll just ask Maître van
5 Ert to explain the relationship between his question and the
6 three documents.

7 **MR. GIB van ERT:** My concern is simply that
8 given that this document was not delivered to the Prime
9 Minister, and that the Prime Minister's preferred method of
10 receiving intelligence briefings is orally, I wanted to
11 ensure that the material in this was conferred to him, one
12 way or another. It sounds like it wasn't in the October
13 meetings, but of course the Director has had other briefings
14 with the Prime Minister in the past. And so just given the
15 working methods the Prime Minister prefers, I'm wondering
16 whether that CSIS ensures that everything that is sent over
17 in writing is also briefed orally.

18 **COMMISSIONER HOGUE:** I will permit the
19 question.

20 **MR. DAVID VIGNEAULT:** So Madam Commissioner,
21 the way that I think has been testified to by different
22 people is CSIS would be preparing material and intelligence
23 reports and assessments, and that is distributed to the Privy
24 Council Office. So the -- I believe that the National
25 Security Intelligence Advisor has testified to that, but I
26 can say that it is my understanding that the material is then
27 processed by the Privy Council Office, the National Security
28 Intelligence Advisor's office, to be produced to the Prime

1 Minister. So we have -- as I testified, I have used both
2 methods. So specific material and briefing material in
3 writing, and also those verbal briefings.

4 What I think is important is that all of that
5 is underpinned by intelligence products that are with the
6 Privy Council Office and then are able -- they're able to
7 disseminate that to the Prime Minister's Office and the Prime
8 Minister as required.

9 So I think it's important to understand that
10 this is, if I can use an expression, an ecosystem. It is not
11 just one method, one person, but you have those verbal
12 briefings, those written briefings, and intelligence
13 products, and I think this is how we have to understand how
14 we are conveying information, engaging in discussions,
15 answering questions, throughout the year, if you want.

16 **MR. GIB van ERT:** Thank you.

17 Commissioner, I have one question about
18 Document 4495 and then I'll be done.

19 If you could pull that up, please, Mr. Clerk?
20 And if you'll go, please, to page 2, about one third down?
21 There we are. Yes.

22 Director, it's the bullet point:

23 "We know that the PRC clandestinely
24 and deceptively interfered in both
25 the 2019 and 2021 general elections."

26 Is this knowledge something that you or the
27 Service as a body have communicated to the Prime Minister or
28 the Prime Minister's office?

1 **MR. DAVID VIGNEAULT:** Madam Commissioner, it
2 is indeed something that has been communicated. I believe
3 that I testified to that in -- where I said in our
4 assessment, we saw foreign interference in both the 2019 and
5 2021 elections. However, I concur with the results of the
6 Panel, the conclusion of the Panel, that this interference
7 did not amount to having the impact on the General Election.

8 So I think it's important to understand that
9 both statements, in my opinion, are true at the same time. We
10 saw foreign interference during those elections, and that
11 interference was indeed clandestine and deceptive. And at
12 the same time, that interference did not amount to have an
13 impact on the integrity of the election.

14 **MR. GIB van ERT:** And if I may just finally
15 follow up on this one point, if you're able to say, Director,
16 and I appreciate you may not be, are you able to say whether
17 the interference referred to in this bullet is limited to Don
18 Valley North in 2019 and Steveston-Richmond East in 2021? Or
19 whether it's broader?

20 **MR. DAVID VIGNEAULT:** I think, Madam
21 Commissioner, the best way to answer the question is refer
22 back to the summary that the Government has published in
23 public -- to the Commission as made public regarding the
24 specific information on the 11 candidates and 13 staff
25 members.

26 **MR. GIB van ERT:** Understood.

27 Thank you, Commissioner.

28 **COMMISSIONER HOGUE:** Thank you.

1 So next one is counsel for Erin O'Toole.

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

3 **MR. THOMAS JARMYN:** Thank you, Commissioner.

4 My name is Tom Jarmyn, Director Vigneault.

5 Clerk, if you could bring up CAN4495 again,
6 please? And if you could scroll down to the same place we
7 were when Mr. Van Ert was examining? Thank you.

8 Commissioner, just following on a question
9 that Mr. Van Ert asked.

10 You answered him that you knew there was
11 clandestine and deceptive interference in both elections, but
12 it did not have an impact. Is the correct answer, as I
13 understand the Panel's conclusion, is that the impact did not
14 meet the threshold specified in the Cabinet Directive?

15 **MR. DAVID VIGNEAULT:** Madam Commissioner, I'm
16 using these words with my own understanding. I think if you
17 go back to my exact testimony, I may have said that, you
18 know, I concurred with the conclusion of the Panel. So I
19 just do not want to leave the impression, because I may have
20 used language that is not identical in both times, that I am
21 hedging my answer, is that I have absolutely concurred with
22 the conclusion of the Panel.

23 **MR. THOMAS JARMYN:** Right. Thank you. And
24 just to go back to the general issue of preparation of these
25 documents, my understanding is that this briefing note sits
26 at the top of probably a briefing binder of maybe 70, or 80,
27 or more pages in order to support you in the course of that
28 meeting. Is that correct?

1 **MR. DAVID VIGNEAULT:** Madam Commissioner,
2 maybe the best analogy I can give here is for anyone who has
3 the chance or the opportunity to attend a Parliamentary
4 Committee Hearing, or watch on T.V. a Parliamentary Committee
5 Hearing, there is one common truth to all of these hearings,
6 is that you will see a senior official coming up with a big
7 black binder, a very thick binder full of information.

8 And I think the other thing that is
9 universally true of these meetings is that no senior official
10 is going through that binder from head to toe, from top to
11 bottom, in the hearing, or even for the preparation.

12 The way the material is being put together is
13 to help the person who is going to testify give that person
14 enough information, contextual information, but also very
15 specific information. And so, Mr. Jarmyn, yes, the way you
16 describe it is this was one piece of many other pieces of
17 briefing material that formed the -- what I would have used
18 for such a meeting.

19 **MR. THOMAS JARMYN:** Thank you. And would the
20 briefing note portion have been -- I appreciate it wasn't
21 given to the Prime Minister or the Prime Minister's Office,
22 but would the briefing note portion have been shared with the
23 NSIA or someone at PCO in order that they would know what you
24 were saying in that course? Or what you could be
25 anticipating to say in the course of that briefing?

26 **MR. DAVID VIGNEAULT:** Madam Commissioner, in
27 my experience, I have seen both. Sometimes that we would
28 have part of all of the briefing material shared in advance

1 with the Privy Council Office, and other times where no
2 briefing material is shared ahead of time. It depends both
3 on the issue being discussed, the specific circumstances, the
4 timelines involved, the sensitivity of the information. So
5 as I said, I have and continue to see both cases where we
6 share all or a portion of the material in cases where nothing
7 is shared ahead of time or even left behind after.

8 **MR. THOMAS JARMYN:** But in this case, was
9 this note shared with the NSAI or someone from PCO?

10 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
11 do not remember that specific note, unfortunately.

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

13 Now if I could direct -- let's go down to the
14 bottom, in the conclusion paragraphs.

15 So we've heard from the Prime Minister and
16 others that there are certain generic or -- generic is not
17 the right word. Certain general messages that are
18 consistently referred to, and during meetings dealing with
19 specific topics, that those wouldn't be conveyed because
20 they're already understood.

21 Are these the sorts of messages that are so
22 consistently conveyed by you that everyone knows they're
23 accurate and they don't need to be restated?

24 **MR. DAVID VIGNEAULT:** Madam Commissioner, if
25 I can use the example of the specific point where it says:

26 "[Foreign interference] is therefore
27 low-risk and high-reward."

28 As I testified to a few minutes ago, I have

1 said that repeatedly, and to the point where some colleagues
2 are now starting to use the same vernacular.

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

4 And then can we scroll up to the page 3?

5 **COMMISSIONER HOGUE:** Mr. Jarmyn, it's going
6 to be your last question because your time is already over.

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

8 Looking at that page 3, the comment with
9 respect to Mr. Chiu and Mr. O'Toole. Thank you.

10 These observations in that bullet that start
11 "We also observed..." and then ending, "...directed by the PRC",
12 those are prepared by your staff and they represent -- those
13 words are chosen with intention? Is that correct?

14 **MR. DAVID VIGNEAULT:** Yes, Madam
15 Commissioner. These words, you know, are -- have been
16 carefully selected. And as I testified to earlier, they
17 represent our understanding of the situation.

18 **MR. THOMAS JARMYN:** Thank you, Commissioner.
19 Thank you, Mr. Vigneault.

20 **MR. DAVID VIGNEAULT:** Thank you.

21 **COMMISSIONER HOGUE:** So next one is Me De
22 Luca for the Conservative Party.

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

24 **MR. NANDO de LUCA:** Thank you, Commissioner.
25 Can you hear me okay?

26 **COMMISSIONER HOGUE:** Yes, I do.

27 **MR. NANDO de LUCA:** Thank you, Commissioner.
28 I have two areas of questioning in my four minutes, and I

1 anticipate that with respect to the first, given recent
2 comments, it may be subject to an objection, so what I'd
3 propose to do is state my questions, if there is an
4 objection, hear them, then have your ruling, and then if the
5 witness is permitted to answer, then fine, if not, they will
6 have been noted for the record. Is that okay?

7 **COMMISSIONER HOGUE:** Okay.

8 **MR. NANDO de LUCA:** Director, a Globe and
9 Mail article published earlier this week on April 10 reported
10 that a member of the Liberal Party tipped off Han Dong that
11 CSIS was keeping tabs or watching him shortly after CSIS
12 briefed the Liberals during the 2019 Election.

13 My questions are, are you aware of this
14 reporting? Has CSIS taken any steps to investigate the
15 allegation that a member of the Liberal Party tipped off Han
16 Dong that CSIS was watching him? Has the matter been
17 referred to the RCMP for investigation? Do you believe that
18 the allegation is true? And finally, can you tell us who in
19 the Liberal Party, other than Azam Ishmael, would have had
20 security clearance to receive any information to the effect
21 that CSIS was keeping tabs or watching Han Dong in connection
22 with the 43rd General Election?

23 As to relevance and propriety, Madam
24 Commission, I appreciate this isn't one of the three
25 documents or pieces of information that were dealt with in
26 the application, I guess it was two days ago. That having
27 been said, this is new information that has come to light
28 only on April 10. It does relate to a matter that received

1 great attention and prominence in this hearing, and I think
2 that the questions are proper, to the extent that they can be
3 answered.

4 **COMMISSIONER HOGUE:** Mr. Brucker?

5 **MR. BARNEY BRUCKER:** Yes, well my friend is
6 unusually appreciating. We do object to the question on a
7 number of grounds. As he apparently acknowledges, outside
8 the scope of the Director's reattendance today. CSIS does
9 not comment on investigations, whether there are or there
10 aren't investigations. This is a media article. My friend
11 is asking the Director to comment on a media article. There
12 are no documents that I am aware of that have been provided
13 to the Commission and/or produced to the public dealing on
14 this matter. And it is nothing whatsoever to do with the
15 Terms of Reference that you are here to make a determination
16 on.

17 So those are my submissions.

18 **COMMISSIONER HOGUE:** I maintain the
19 objection. Clearly these questions are outside the scope of
20 what I've been authorized for Mr. Vigneault's testimony this
21 morning, as well as outside the scope of A and B contained in
22 the Terms of Reference.

23 **MR. NANDO de LUCA:** Thank you, Commissioner.
24 Can I have CAN4079_R01 pulled up on the
25 screen?

26 Director, you'll recall that Ms. Chaudhury
27 took you through these briefing notes?

28 **MR. DAVID VIGNEAULT:** Yes, I do.

1 **MR. NANDO de LUCA:** And you differentiated
2 these briefing notes from the first briefing notes in
3 CAN15482 that Ms. Chaudhury took you through? Isn't that
4 correct?

5 **MR. DAVID VIGNEAULT:** I believe that I said
6 that this briefing note was about a specific issue, as
7 opposed to more generic information on foreign interference.

8 **MR. NANDO de LUCA:** Thank you. And for
9 clarity, am I correct that your evidence here today is that
10 with respect to the information that is contained in this
11 briefing note, i.e., 4079_R01, both what we see and we cannot
12 see because of the redaction was the information -- was this
13 information that you did specifically communicate to the
14 Prime Minister?

15 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
16 used the briefing material to help me form what I wanted to
17 share with the Prime Minister. I can tell you that some of
18 that information was absolutely used to brief on a very
19 specific topic.

20 **MR. NANDO de LUCA:** Okay. And did I
21 understand your evidence correctly that you used the example
22 of the PRC efforts in relation to Kenny Chiu to set the
23 context for your comments to the Prime Minister? Is that
24 correct?

25 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
26 do not believe I have said that. I noted when Ms. Chaudhury
27 brought me to that specific reference in the document that
28 this would have been the kind of example, contextual example,

1 to situate a specific issue of foreign interference. But I
2 believe that I testified that I did not recall if I used
3 those words or that specific example to -- in my briefing.

4 **MR. NANDO de LUCA:** Okay. Under the heading
5 "Current Situation" there's a reference to the use of
6 fundraising and material support. I have two final
7 questions, and they're these.

8 Prior to each of the 2019 and 2021 Elections,
9 did CSIS have any evidence of the PRC directly or indirectly
10 channeling funds to specific federal candidates or their
11 campaigns?

12 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
13 would refer back to the summary of the Government's holding
14 that have been provided to the Commission and to the counsel
15 and Canadians to speak to that issue.

16 **MR. NANDO de LUCA:** Okay. Last question. At
17 any point prior to the 2021 Election, did CSIS brief either
18 the Prime Minister, the PMO, the NSIA, Cabinet, or the PCO
19 regarding any other such evidence of specific channeling of
20 funds for either election?

21 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
22 have testified at length about a number of these issues this
23 morning looking at the purpose of the three documents. I'm
24 not sure about how the question refers to these documents.

25 **MR. NANDO de LUCA:** Well this document does
26 refer, under the heading "Current Situation", to what appears
27 to be fundraising in connection with Kenny Chiu's election.

28 **MR. BARNEY BRUCKER:** Well I submit,

1 Commissioner, that the Director's answer is fulsome and he
2 has spoken what he can speak about about this.

3 **MR. NANDO de LUCA:** Is that correct,
4 Director?

5 **COMMISSIONER HOGUE:** So ---

6 **MR. BARNEY BRUCKER:** The question doesn't
7 flow from the document, in my submission.

8 **COMMISSIONER HOGUE:** But on top of it, I
9 understand that you cannot, in any event, talk about -- more
10 deeply about that? Am I right?

11 **MR. DAVID VIGNEAULT:** That would be correct,
12 Madam Commissioner.

13 **COMMISSIONER HOGUE:** Okay. So thank you. So
14 the question will be written down.

15 **MR. NANDO de LUCA:** Thank you, Madam
16 Commissioner.

17 **COMMISSIONER HOGUE:** Thank you.

18 Next one is the Human Rights Coalition.

19 **--- CROSS-EXAMINATION BY MS. SARAH TEICH:**

20 **MS. SARAH TEICH:** Good morning.

21 Good morning, Director.

22 **MR. DAVID VIGNEAULT:** Good morning.

23 **MS. SARAH TEICH:** My first question is about
24 notes you may have taken. You mentioned in direct
25 examination this morning that in the process of briefing the
26 PM, you read this material ahead of time and you take your
27 own notes, you refine what you expect to be asked, you refine
28 key messages.

1 leverage family..."

2 Can you elaborate on this, Director?

3 **MR. DAVID VIGNEAULT:** So Madam Commissioner,
4 in my -- I believe in my previous testimony, I spoke about
5 the fact that foreign interference is, yes, indeed affecting
6 democratic processes, but also very importantly and somewhat
7 dramatically engages and involves people, affects the
8 Canadians here in Canada. And one of the way that we know
9 that has been documented publicly but also has been
10 documented through intelligence is that family members here
11 in Canada, but also back in the country of origin, are being
12 leveraged -- leveraged might be a question here of being
13 pressured, or being induced to -- or provided, you know,
14 incitement to try to pressure their relatives back here in
15 Canada, or pressured in a way to put -- give threats and use
16 coercive measures against them to increase the pressure on
17 the Canadian individuals.

18 **MS. SARAH TEICH:** Thank you. And to the
19 extent you can answer this, is this something the
20 intelligence revealed that happened in the lead up to the
21 2019 or 2021 general elections?

22 **MR. BARNEY BRUCKER:** Again, Mme Commissioner,
23 I think that's out of the scope of the inquiry, and in any
24 event, Commissioner, the Government has in its summary said
25 what it can -- what can be said about the collective
26 intelligence in this matter.

27 **MS. SARAH TEICH:** That's fine. I'm content
28 to move on.

1 As a general point, is this leveraging of
2 families, is this something you brief the Prime Minister or
3 the Prime Minister's Office about either in this briefing or
4 other briefings?

5 **MR. BARNEY BRUCKER:** Again, we're talking
6 about a specific three documents. If the question I guess
7 about this briefing makes sense, then -- or is appropriate,
8 then the Director could answer it, in my submission.

9 **COMMISSIONER HOGUE:** Is it about this
10 briefing, this document?

11 **MS. SARAH TEICH:** Yes, this is the one that
12 says the PRC is known to target and/or leverage families.
13 I'm wondering, the question is if the Director briefed the
14 Prime Minister or the Prime Minister's Office about this
15 point, and if not in this briefing and other briefings, this
16 is a question that's been asked about other lines in other
17 documents?

18 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
19 maybe what I can say is that this specific briefing was about
20 very specific topics, but I have, I believe, testified
21 exactly on that point, where I talked about the way foreign
22 interference is used against Canadians. And I also spoke
23 about this quite at length publicly and in our annual
24 reports, which is why one of the very pernicious impact of
25 foreign interference is on Canadian diaspora communities and
26 why it's so important to work with them to increase their
27 resilience and protect all Canadians.

28 **MS. SARAH TEICH:** All right. Thank you. If

1 we can go to the last bullet point in the background section,
2 I believe that's up a page, page 1. Yes ---

3 **COMMISSIONER HOGUE:** It will be your last
4 line of questioning, Me Teich, because your time is already
5 over.

6 **MS. SARAH TEICH:** I figured as much. That's
7 all right. Thank you, Commissioner.

8 This point about -- that this,
9 "...will foster a bond of obligation to the PRC that will pay
10 dividends for the promotion of CCP interest if elected."

11 Same question, is this a line that you
12 briefed the Prime Minister or the Minister's Office about,
13 and if not in this briefing, in another briefing?

14 **MR. BARNEY BRUCKER:** Again, we can talk about
15 this briefing or any other briefings that the three documents
16 refer to.

17 **MS. SARAH TEICH:** My question was the same --
18 -

19 **COMMISSIONER HOGUE:** Yeah, you understand
20 it's about this briefing?

21 **MS. SARAH TEICH:** Yes, it is about this
22 briefing.

23 **MR. DAVID VIGNEAULT:** Mme Commissioner, my
24 testimony is that this was information that has been prepared
25 for me. I spoke to a very specific aspect of this case that
26 I cannot go into details because of the sensitivity. And so
27 this is the type of information, either in that briefing, but
28 for sure in our assessment, in our briefings, general

1 briefings, in our public briefings that we refer to -- when I
2 testified in -- earlier I spoke about the work of the United
3 Front Work Department and the entire organizations that the
4 PRC leverages, and this statement directly refers to this --
5 these types of activities.

6 **COMMISSIONER HOGUE:** Thank you.

7 **MS. SARAH TEICH:** All right. Thank you.

8 **COMMISSIONER HOGUE:** Thank you.

9 So next one is counsel for RCDA?

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

11 **MR. GUILLAUME SIROIS:** Good morning, Madam
12 Commissioner, and Director Vigneault

13 **MR. DAVID VIGNEAULT:** [No interpretation].

14 **MR. GUILLAUME SIROIS:** If you can bring up
15 CAN 15842, please.

16 And in this document we talk about FI, and
17 I'd like to know if you're talking about FI generally
18 speaking is this also connected to Russia?

19 **MR. DAVID VIGNEAULT:** Madam Commissioner, in
20 this briefing note in question there, the material that you
21 have here, yes, it does cover different aspects of foreign
22 interference. Many of the elements are specific to the
23 foreign interference of the Chinese government but there are
24 also other elements that are there with respect to the *modus*
25 *operandi* of other countries. And, yes, it does include
26 Russia.

27 **MR. GUILLAUME SIROIS:** Maybe we could use the
28 last point on page 3 as an example. Here you can see:

1 "The government's ability to respond
2 to this threat is currently hampered
3 by the lack of legislation, including
4 criminal law and intelligence to
5 evidence framework in a true whole of
6 government approach."

7 [No interpretation].

8 **MR. DAVID VIGNEAULT:** Madam Commissioner, as
9 I mentioned, some of the elements, as I was saying, have a
10 common nature and this can apply to other countries than
11 China, and Russia would be amongst those countries.

12 **MR. GUILLAUME SIROIS:** Well, does that
13 explain why they talk about China and India but not Russia in
14 this document?

15 **MR. DAVID VIGNEAULT:** Madam Commissioner, in
16 my testimony I believe I said that my testimony does say that
17 the material available to us covered generic material for
18 foreign interference, but the specific briefing here for the
19 Prime Minister was on very precise aspects.

20 **MR. GUILLAUME SIROIS:** So if your Service had
21 evidence and the Prime Minister were briefed, if there had
22 been more evidence on Russia, it would have been included in
23 this briefing note, is that not true?

24 **MR. DAVID VIGNEAULT:** Madam Commissioner, the
25 fact -- the reality is that when we do briefing sessions, we
26 give a context, a framework, so there's elements to the
27 information that we have and we calibrate our intelligence.
28 We provide the right context of the information, the level of

1 certainty we have, so we try to convey that in our briefings.
2 [No interpretation] ...part of the question,
3 as I mentioned, this document here in question mentions a
4 portion of the material that was being used to brief the
5 Prime Minister that day. So there were specific details that
6 I discussed with the Prime Minister, unfortunately, I can't
7 say more about.

8 **MR. GUILLAUME SIROIS:** So on that point, I
9 know that we're talking about intelligence through evidence,
10 and here I would like to an earlier stage when we're talking
11 about a candidate, a politician, or during an election,
12 during the write period. In your testimony, you talk about
13 how there is use of -- suspicious use of social media. So is
14 this also another stage, maybe, which is a challenge to be
15 able to come up with concrete evidence that can be used, that
16 can be acted on?

17 **MR. BARNEY BRUCKER:** I think we're getting
18 away from the two documents and the three documents, Madam
19 Commissioner.

20 **COMMISSIONER HOGUE:** Mr. Sirois?

21 **MR. GUILLAUME SIROIS:** Well, my answer is
22 that if CSIS think that there's a challenge to go from
23 intelligence to evidence, my submission would be that there's
24 a challenge that predates the moment that we do get
25 intelligence, and you may have information from candidates or
26 from -- like, this could be -- how does this connect to this
27 stage here within the document? That's the question I'm
28 asking.

1 **COMMISSIONER HOGUE:** I think you should keep
2 your question for the next phase of the Commission's work. I
3 think this morning, given the authorized scope of the
4 questioning, I think that we really have gone above and
5 beyond what has been authorized. But keep your question, I
6 think the question may be relevant and useful in the next
7 phase of this Commission.

8 **MR. GUILLAUME SIROIS:** [No interpretation].
9 This is all my questions. Thank you.

10 **COMMISSIONER HOGUE:** [No interpretation].
11 Next one is counsel for Han Dong?

12 **--- CROSS-EXAMINATION BY MR. JEFFREY WANG:**

13 **MR. JEFFREY WANG:** Good morning, Director.
14 In one of the briefing notes we just looked at, it discussed
15 unauthorized releases of classified information from the
16 media, and the briefing note says that these leaks present a
17 direct threat to the integrity of CSIS's operations. Can you
18 tell us more about how media leaks present this threat?

19 **MR. DAVID VIGNEAULT:** Mme Commissioner, could
20 counsel call up the document, please, just to make sure that
21 I know what exactly he's referring to?

22 **COMMISSIONER HOGUE:** Yes, for sure.

23 **MR. JEFFREY WANG:** Sure. Sure, no problem.
24 It's 4495. It's just the second bullet there.

25 **MR. DAVID VIGNEAULT:** So could counsel please
26 repeat his question?

27 **MR. JEFFREY WANG:** Sure. So I just wanted to
28 know if you could tell us more about how media links present

1 this direct threat to the integrity of CSIS's operations.

2 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
3 the -- again, I testified to that in my previous appearance
4 in front of the Commission. Having information that is
5 released, very sensitive information that is released to
6 people who may make use of it, interpret the information,
7 sometimes I would use my word "overinterpret" some of the
8 information, draw different conclusions is an issue,
9 absolutely. It also, that any information that is released
10 in this type of way presented a danger to our operations. It
11 affects the way we are able to continue to collect the
12 intelligence that is critical to help protect Canadians, and,
13 therefore, we take this extremely seriously. The last thing
14 I would say is that as an intelligence service using both
15 technical but also human sources, we are very, very concerned
16 about the impact that unauthorized disclosure may have on the
17 people who take risk to protect -- to provide information to
18 CSIS in order to protect Canadians. So we do take that
19 extremely seriously.

20 **MR. JEFFREY WANG:** Sure. And if we could
21 scroll down to the next bullet? It says here that,

22 "We are working closely with PCO and
23 departmental security officials to
24 identify the source of these leaks."

25 Can you tell us about the activities that
26 CSIS had undertaken to identify the leakers?

27 **MR. BARNEY BRUCKER:** I think we're -- this is
28 outside the scope of the three documents, although it is

1 mentioned in the documents, but the -- to discuss
2 investigations in this forum just can't be done.

3 **COMMISSIONER HOGUE:** Mr. Wang, do you have
4 anything to answer?

5 **MR. JEFFREY WANG:** I'm not sure if it's
6 outside of the scope of the document because it says right
7 there. I'm just wondering if the Director can clarify this
8 particular bullet.

9 **COMMISSIONER HOGUE:** And what about the
10 second part of the ---

11 **MR. JEFFREY WANG:** If the Director can't
12 discuss national security information, I'm happy to accept
13 that.

14 **COMMISSIONER HOGUE:** And is the case, Mr.
15 Vigneault?

16 **MR. DAVID VIGNEAULT:** Yes, Mme Commissioner,
17 this would be -- I have -- it would be very detrimental. I
18 have -- I cannot speak about ongoing investigations or
19 operations.

20 **COMMISSIONER HOGUE:** Okay. So the ---

21 **MR. JEFFREY WANG:** Understood.

22 **COMMISSIONER HOGUE:** --- question is written
23 down.

24 **MR. JEFFREY WANG:** But, Director, can you
25 confirm that CSIS is taking action to identify the leakers?

26 **MR. BARNEY BRUCKER:** Again, I think the
27 Director's previous answer applies. Can't comment on
28 investigations.

1 **MR. JEFFREY WANG:** Sure. Director, will the
2 public be informed if CSIS or any other agency identifies the
3 leakers?

4 **MR. BARNEY BRUCKER:** Same objection.

5 **MR. JEFFREY WANG:** And my last question is
6 what has CSIS done to prevent media leaks going forward?

7 **MR. BARNEY BRUCKER:** Seems we're on the same
8 track again.

9 **COMMISSIONER HOGUE:** So it's written down.

10 **MR. JEFFREY WANG:** Thanks. Those are all my
11 questions.

12 **COMMISSIONER HOGUE:** Thank you.

13 AG?

14 **MR. BARNEY BRUCKER:** No questions,
15 Commissioner.

16 **COMMISSIONER HOGUE:** Any ---

17 **MR. DAVID VIGNEAULT:** Mme Commissioner, would
18 you allow me to say one thing?

19 **COMMISSIONER HOGUE:** Yes, you can.

20 **MR. DAVID VIGNEAULT:** Yeah, I just would like
21 to take the opportunity to just say that there's been a lot
22 of comment made about the intelligence in the media, in the
23 Commission and so on, and I just would like to say that as a
24 Director of CSIS, I think it's important that we understand
25 that intelligence is a little bit like a puzzle. Sometime we
26 have a very clear picture of the puzzle. Sometimes, you
27 know, through use of raw intelligence and assessed
28 intelligence we are building that picture. But I think what

1 is important to remember is that this is done by
2 professional, trained intelligence analysts and professionals
3 that are bringing this together. And I just would like to
4 leave you, Mme Commissioner, and through you the Canadians
5 with the message that, you know, intelligence is a very
6 sophisticated approach. We are learning organization, so we
7 are all trying to get better, but also, would like to say
8 that I'm extremely proud of the work that the intelligence
9 professional of CSIS do every day in Canada and around the
10 world in very dangerous situations to protect the Canadians
11 and make sure that we are safe, secure in a prosperous
12 country. Thank you very much, Mme Commissioner.

13 **COMMISSIONER HOGUE:** Thank you, Mr.
14 Vigneault.

15 Me Chaudhury, do you want to conduct a re-
16 examination?

17 **MS. SHANTONA CHAUDHURY:** I do have one
18 question in re-examination.

19 **COMMISSIONER HOGUE:** Go ahead.

20 **--- RE-EXAMINATION BY MS. SHONTANA CHAUDHURY:**

21 **MS. SHANTONA CHAUDHURY:** Director Vigneault,
22 it's just a clarification question to help the Commission
23 understand the documents that have been produced to it. So
24 you've mentioned, I believe, that for the October 26, 2022
25 briefing, there was a long heads up and the service had time
26 to prepare and the briefing notes that we see were approved
27 at a very high level. Can you tell us whether that would
28 hold true for all briefing notes, speaking points, talking

1 points?

2 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
3 again, depending on the nature, the amount of time, it would
4 vary. If we have very, very little time to prepare for a
5 briefing, our staff would then, you know, take material that
6 has already been prepared for other briefings, other purpose
7 and collate that together and provide that to me or to
8 whomever else who would be involved in providing the
9 briefing. And so the material would be approved. If we
10 cannot do an approval on that day, it will be material that
11 has been, you know, reviewed before. So I would not have
12 material that is provided to me that has not been somehow
13 vetted. But again, it depends on the specific nature and
14 circumstances of the briefing.

15 **MS. SHANTONA CHAUDHURY:** Thank you. Those
16 are my questions.

17 **COMMISSIONER HOGUE:** That's all?

18 So thank you, Mr. Vigneault. I know it's --
19 you're a very busy director, and I really appreciate that you
20 made yourself available on a very short notice actually. And
21 I think your comments will be very useful to all those that
22 are involved in the work we are conducting. So from now you
23 are free to go.

24 **MR. DAVID VIGNEAULT:** Thank you very much,
25 Commissioner. [No interpretation].

26 **COMMISSIONER HOGUE:** [No interpretation].

27 And before we all leave for the weekend, at
28 least I hope you will leave for the weekend, I want to thank

1 all the counsels. Honestly, you know, when I started these
2 hearings, I was not too sure what will happen because, as you
3 know, we were working in a delicate and difficult
4 environment, given all the classified information that we
5 have to deal with, and I really, really appreciate the way
6 counsels have acted throughout the hearings, although you all
7 represented your client very, very well, and you did what you
8 and said what you had to do and to say. I think the way you
9 have done that has been very professional and I really
10 appreciate. It permits the -- it has permitted the
11 Commission to work efficiently and, to a certain extent,
12 serenely.

13 So again, thank you. I will look carefully
14 and read carefully the submissions that you will provide us
15 with.

16 And, you know, I always look at submissions
17 as being a way of -- for me to make better -- usually I would
18 say judgement, but in this case, it's not going to be a
19 judgement, but at least to make better findings, and
20 eventually better recommendations.

21 So I'm sure I do not have to tell you that,
22 but I invite you, really, to work hard for your submissions,
23 doing the best you can, because I really look forward to
24 reading these submissions and see them as a very useful tool
25 for the work we have to do from now.

26 So we'll see -- we'll see -- we'll be
27 together, actually, again sometime probably in the fall. But
28 in the meantime, I wish you all a good summer, if we have a

1 summer this year.

2 Thank you all. Have a good weekend.

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

4 This sitting of the Foreign Interference
5 Commission is adjourned. Thank you.

6 --- Upon adjourning at 11:26 a.m.

7

8 **C E R T I F I C A T I O N**

9

10 I, Sandrine Marineau-Lupien, a certified court reporter,
11 hereby certify the foregoing pages to be an accurate
12 transcription of my notes/records to the best of my skill and
13 ability, and I so swear.

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15 Je, Sandrine Marineau-Lupien, une sténographe officielle,
16 certifie que les pages ci-hautes sont une transcription
17 conforme de mes notes/enregistrements au meilleur de mes
18 capacités, et je le jure.

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21 Sandrine Marineau-Lupien

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