



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

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

Public Hearing

Audience publique

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

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II Appearances / Comparutions

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Commission Research Council / Conseil de la recherche de la commission	Geneviève Cartier Nomi Claire Lazar Lori Turnbull Leah West
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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

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Yuen Pau Woo

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Ottawa, Ontario

--- L'audience débute le vendredi 12 avril 2024 à 10 h 00

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

THE REGISTRAR: À l'ordre, s'il vous plait.
Order, please.

Cette séance de la Commission sur l'ingérence étrangère est désormais en cours. La Commissaire Hogue préside.

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

Il est 10 heures. 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.

Alors, mercredi, le 10 avril dernier, j'ai accueilli une demande qui a été présentée conjointement par certaines parties pour que je reconvoque monsieur David Vigneault, directeur du Service canadien du renseignement de sécurité, afin qu'il puisse être interrogé puis contre-interrogé en lien avec les documents portant les numéros CA 00... plusieurs zéros, 4495, CA 0015842, et CA 4079_R01, qui n'avaient pas encore été rendus publics ni communiqués aux parties au moment de son témoignage.

J'ai alors indiqué que les raisons soutenant ma décision seraient communiquées ultérieurement, tout en informant les parties des modalités qui s'appliqueraient à la

1 nouvelle comparution de monsieur Vigneault, notamment le fait
2 qu'elle aurait lieu vendredi le 12 avril à 10 heures par
3 visioconférence, que la durée de son témoignage serait de
4 45 minutes, dont 30 minutes seraient réservées pour les
5 contre-interrogatoires.

6 J'ai invité les parties à me proposer une
7 façon équitable de partager ces 30 minutes, ce qu'elles ont
8 fait. Sous réserve d'une très légère modification que j'ai
9 apportée, j'ai accepté leurs propositions.

10 Les motifs pour lesquels j'ai accepté leur
11 demande sont les suivants.

12 Je souligne toutefois d'abord que rappeler un
13 témoin pour permettre aux parties de compléter leur contre-
14 interrogatoire est une mesure plutôt exceptionnelle
15 puisqu'une commission d'enquête n'est pas un véritable
16 processus contradictoire, mais bien plutôt un processus
17 inquisiteur. Ainsi, quoique les parties ont le droit de
18 contre-interroger les témoins, ce droit est plus limité et
19 plus encadré qu'il ne l'est dans le cadre d'un procès.

20 Je profite d'ailleurs de l'occasion pour
21 expliquer à tous ceux qui suivent nos travaux pourquoi il est
22 inévitable que parfois les documents ne soient pas déposés au
23 moment le plus opportun. La Commission, comme tous le savent
24 maintenant, travaille essentiellement avec une très grande
25 quantité de documents classifiés qui, souvent, doivent être
26 caviardés ou autrement modifiés avant de pouvoir être rendus
27 publics et elle tente de divulguer le plus d'informations
28 possible.

1 Alors, plus d'informations vous divulgez,
2 plus il y a de travail à réaliser pour le faire puisque les
3 documents doivent essentiellement être revus par des experts
4 pour identifier les informations qui ne peuvent être rendues
5 publiques, trouver une façon de les résumer lorsque cela est
6 possible, ou encore les caviarder.

7 La pertinence de certains documents peut
8 d'ailleurs parfois paraître seulement après que certains
9 témoignages aient été entendus. De plus, le processus devant
10 être entrepris pour rendre les documents divulgables implique
11 une équipe spécialisée en sécurité nationale et le processus
12 n'est pas sous le contrôle exclusif de la Commission.

13 L'option qui consisterait à divulguer moins
14 d'informations de façon à pouvoir les divulguer plus
15 rapidement ne m'est pas apparue souhaitable et je ne l'ai pas
16 retenue. Étendre la durée des travaux de la Commission ne
17 m'apparaît pas davantage souhaitable vu l'importance de
18 pouvoir formuler des recommandations en temps utile.

19 Je suis évidemment consciente que cela
20 signifie que les avocats bénéficient parfois de peu de temps
21 pour finaliser la préparation de leur contre-interrogatoire,
22 mais cela n'est pas quelque chose d'inusité et ils en ont
23 l'habitude. D'ailleurs, cela est aussi généralement le cas
24 lors de procès civils qui se tiennent devant les tribunaux de
25 droit commun.

26 Je ne suis donc pas troublée par le fait
27 qu'ils doivent parfois s'ajuster rapidement et j'estime que
28 cela ne porte aucunement atteinte à l'équité du processus.

1 Selon moi, maximiser la transparence est un objectif
2 suffisamment important qui justifie cet inconvénient.

3 Ici, cependant, il ne s'agit pas de cela. Les
4 documents sur lesquels les parties veulent contre-interroger
5 monsieur Vigneault n'avaient pas encore été communiqués aux
6 parties ni autrement rendus publics au moment où elles l'ont
7 contre-interrogé. Elles en ignoraient donc l'existence, et
8 même un travail acharné de la part des avocats ne leur aurait
9 pas permis d'en traiter au moment où ils ont mené leurs
10 contre-interrogatoires.

11 Ces documents, de plus, me semblent
12 importants pour comprendre la façon dont l'information a
13 circulé. Des témoins ont également affirmé que ces documents
14 semblent... que ce que ces documents, pardon, semblent suggérer
15 de prime abord ne correspond peut-être pas à ce qui s'est
16 passé. Il est donc important, tant pour la Commission qu'aux
17 parties, de tenter de faire la lumière sur ceux-ci.

18 Dans ces circonstances – qui sont
19 exceptionnelles, je le répète –, j'ai estimé équitable de
20 rappeler monsieur Vigneault pour permettre aux parties de
21 compléter leurs contre-interrogatoires.

22 Puisqu'il ne s'agit pas de reprendre les
23 contre-interrogatoires déjà menés, ceux d'aujourd'hui seront
24 limités à un maximum de 30 minutes que les parties se
25 partageront et ils porteront sur ces trois documents que j'ai
26 identifiés.

27 Comme cela est d'usage, monsieur Vigneault
28 sera toutefois d'abord interrogé par les avocats de la

1 Commission, puis après les contre-interrogatoires menés par
2 les autres parties, le Procureur général du Canada pourra
3 aussi l'interroger, s'il l'estime opportun.

4 Merci.

5 **Me SHANTONA CHAUDHURY:** Thank you,
6 Commissioner.

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

11 So can I have the witness sworn or affirmed,
12 please?

13 **LE GREFFIER:** Oui.

14 Bonjour, Monsieur Vigneault.

15 **M. DAVID VIGNEAULT:** Oui, bonjour.

16 **LE GREFFIER:** Est-ce que vous désirez faire
17 une affirmation solennelle ou être assermenté aujourd'hui?

18 **M. DAVID VIGNEAULT:** Une affirmation, s'il
19 vous plait.

20 **LE GREFFIER:** Excellent.

21 Pourriez-vous me donner votre nom complet et
22 épeler votre nom de famille pour les fins de la transcription
23 sténographique, s'il vous plait?

24 **M. DAVID VIGNEAULT:** David Vigneault - V-I-G-
25 N-E-A-U-L-T.

26 **LE GREFFIER:** Merci.

27 Donc, affirmez-vous solennellement que vous
28 direz la vérité, toute la vérité, et rien que la vérité?

1 Dites : « Je l'affirme. »

2 **M. DAVID VIGNEAULT:** Je l'affirme.

3 **--- M. DAVID VIGNEAULT, Affimed/Sous affirmation solennelle:**

4 **LE GREFFIER:** Merci.

5 Counsel, you may proceed.

6 **MS. SHANTONA CHAUDHURY:** Thank you. Merci.

7 **--- EXAMINATION IN-CHIEF/EXAMINATION EN-CHEF PAR**

8 **MS. SHANTONA CHAUDHURY:**

9 **Me SHANTONA CHAUDHURY:** Monsieur Vigneault,
10 je vais poser mes questions aujourd'hui en anglais parce que
11 les documents sont en anglais, mais sentez-vous libre, bien
12 sûr, de répondre dans la langue de votre choix.

13 **M. DAVID VIGNEAULT:** Merci.

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

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

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

1 **MS. SHANTONA CHAUDHURY:** Okay.

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

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

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

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

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

28 So this material is for my review for

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

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

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

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

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

25 **MS. SHANTONA CHAUDHURY:** Okay.

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

27 Director Vigneault, I'm going to be asking
28 you some questions about specific statements that are in

1 this.

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

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

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

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

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

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

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

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

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

13 **MR. DAVID VIGNEAULT:** Yes.

14 **MS. SHANTONA CHAUDHURY:** okay.

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

17 **MS. SHANTONA CHAUDHURY:** Okay.

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

21 The next statement, Director:

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

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

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

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

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

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

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

28 So, Director, again, the same questions with

1 respect to these statements:

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

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

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

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

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

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

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

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

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

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

1 their electoral interference efforts
2 by the 2021 defeat of former Richmond
3 MP Kenny Chiu"

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

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

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

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

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

27 So were these also briefing notes that were
28 prepared for you in advance of this meeting?

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

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

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

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

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

24 Then we have a redaction. And then:

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

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

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

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

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

27 Coming back to you now, your specific
28 questions about these two paragraphs, Ms. Chaudhury, again, I

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

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

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

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

25 **MR. DAVID VIGNEAULT:** Mme Commissioner, I
26 would say that it is not. This is one different formulation
27 of the same ideas that have been canvassed and assessed by
28 SITE, which is there was a number of messages. There were

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

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

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

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

26 **MR. DAVID VIGNEAULT:** Unfortunately, Mme
27 Commissioner, I don't remember that briefing specifically,
28 and in the period of time between reviewing the material and

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

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

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

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

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

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

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

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

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

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

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

1 topic that was planned to be discussed, to a meeting that
2 takes you in a completely different direction.

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

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

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

21 **MS. SHANTONA CHAUDHURY:** Thank you.
22 Madam Commissioner, those are my questions
23 for the witness.

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

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

28 **Mr. GIB van ERT:** Thank you, Commissioner.

1 I'll ask the Court Operator to turn up 15842 again.

2 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

3 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/CONTRE-INTERROGATOIRE PAR

3 MR. THOMAS JARMYN:

4 MR. THOMAS JARMYN: Thank you, Commissioner.

5 My name is Tom Jarmyn, Director Vigneault.

6 Clerk, if you could bring up CAN4495 again,

7 please? And if you could scroll down to the same place we

8 were when Mr. Van Ert was examining? Thank you.

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

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

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

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

1 meeting. Is that correct?

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

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

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

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

27 **MR. DAVID VIGNEAULT:** Madam Commissioner, in
28 my experience, I have seen both. Sometimes that we would

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

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

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

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

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

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

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

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

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

1 As I testified to a few minutes ago, I have
2 said that repeatedly, and to the point where some colleagues
3 are now starting to use the same vernacular.

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

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

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

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

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

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

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

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

20 Thank you, Mr. Vigneault.

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

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

24 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

25 **MR. NANDO de LUCA:**

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

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

1 **MR. NANDO de LUCA:** Thank you, Commissioner.

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

9 **COMMISSIONER HOGUE:** Okay.

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

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

25 As to relevance and propriety, Madam
26 Commission, I appreciate this isn't one of the three
27 documents or pieces of information that were dealt with in
28 the application, I guess it was two days ago. That having

1 been said, this is new information that has come to light
2 only on April 10. It does relate to a matter that received
3 great attention and prominence in this hearing, and I think
4 that the questions are proper, to the extent that they can be
5 answered.

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

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

19 So those are my submissions.

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

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

28 Director, you'll recall that Ms. Chaudhury

1 took you through these briefing notes?

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

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

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

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

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

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

27 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
28 do not believe I have said that. I noted when Ms. Chaudhury

1 brought me to that specific reference in the document that
2 this would have been the kind of example, contextual example,
3 to situate a specific issue of foreign interference. But I
4 believe that I testified that I did not recall if I used
5 those words or that specific example to -- in my briefing.

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

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

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

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

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

27 **MR. NANDO de LUCA:** Well this document does
28 refer, under the heading "Current Situation", to what appears

1 to be fundraising in connection with Kenny Chiu's election.

2 **MR. BARNEY BRUCKER:** Well I submit,
3 Commissioner, that the Director's answer is fulsome and he
4 has spoken what he can speak about about this.

5 **MR. NANDO de LUCA:** Is that correct,
6 Director?

7 **COMMISSIONER HOGUE:** So ---

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

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

13 **MR. DAVID VIGNEAULT:** That would be correct,
14 Madam Commissioner.

15 **COMMISSIONER HOGUE:** Okay. So thank you. So
16 the question will be written down.

17 **MR. NANDO de LUCA:** Thank you, Madam
18 Commissioner.

19 **COMMISSIONER HOGUE:** Thank you.
20 Next one is the Human Rights Coalition.

21 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

22 **MS. SARAH TEICH:**

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

24 Good morning, Director.

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

26 **MS. SARAH TEICH:** My first question is about
27 notes you may have taken. You mentioned in direct
28 examination this morning that in the process of briefing the

1 PM, you read this material ahead of time and you take your
2 own notes, you refine what you expect to be asked, you refine
3 key messages.

4 Did you take -- do you recall if you took
5 such notes in the lead up to the two briefings that relate to
6 the three documents that we are talking about today?

7 **MR. DAVID VIGNEAULT:** Madam Commissioner, the
8 way this process would have unfolded is whatever notes that I
9 would have had at that point would have been produced to the
10 Commission. I don't remember specifically if I have -- if
11 such notes have been produced or not. But if I had those
12 notes, they would indeed have been produced.

13 **MS. SARAH TEICH:** All right. Thank you. So
14 we, as the parties, I don't believe we received these notes.
15 Maybe this is a question for Commission counsel.

16 Are we expected to receive these notes in the
17 future or is this something that will be -- is this something
18 that has to be dealt with *in-camera*?

19 **MR. DAVID VIGNEAULT:** Madam Commissioner,
20 maybe if I can just clarify? I did not say there were notes.
21 I said if there were notes, they would have been produced.
22 So I just don't want to leave the impression to counsel or
23 the Commission that I believe there were such notes.

24 **COMMISSIONER HOGUE:** Okay. Ms. Teich, this
25 is an issue that should be addressed, if there's any need to
26 address it, outside this hearing.

27 **MS. SARAH TEICH:** Okay. Thank you.

28 If we can please pull up again 4079? And if

1 we can go to page 2?

2 You speak about leveraging family:

3 "The PRC is known to target and/or
4 leverage family..."

5 Can you elaborate on this, Director?

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

21 **MS. SARAH TEICH:** Thank you. And to the
22 extent you can answer this, is this something the
23 intelligence revealed that happened in the lead up to the
24 2019 or 2021 general elections?

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

1 intelligence in this matter.

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

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

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

12 **COMMISSIONER HOGUE:** Is it about this
13 briefing, this document?

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

21 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
22 maybe what I can say is that this specific briefing was about
23 very specific topics, but I have, I believe, testified
24 exactly on that point, where I talked about the way foreign
25 interference is used against Canadians. And I also spoke
26 about this quite at length publicly and in our annual
27 reports, which is why one of the very pernicious impact of
28 foreign interference is on Canadian diaspora communities and

1 why it's so important to work with them to increase their
2 resilience and protect all Canadians.

3 **MS. SARAH TEICH:** All right. Thank you. If
4 we can go to the last bullet point in the background section,
5 I believe that's up a page, page 1. Yes ---

6 **COMMISSIONER HOGUE:** It will be your last
7 line of questioning, Ms Teich, because your time is already
8 over.

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

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

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

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

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

21 -

22 **COMMISSIONER HOGUE:** Yeah, you understand
23 it's about this briefing?

24 **MS. SARAH TEICH:** Yes, it is about this
25 briefing.

26 **MR. DAVID VIGNEAULT:** Mme Commissioner, my
27 testimony is that this was information that has been prepared
28 for me. I spoke to a very specific aspect of this case that

1 I cannot go into details because of the sensitivity. And so
2 this is the type of information, either in that briefing, but
3 for sure in our assessment, in our briefings, general
4 briefings, in our public briefings that we refer to -- when I
5 testified in -- earlier I spoke about the work of the United
6 Front Work Department and the entire organizations that the
7 PRC leverages, and this statement directly refers to this --
8 these types of activities.

9 **COMMISSIONER HOGUE:** Thank you.

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

11 **COMMISSIONER HOGUE:** Thank you.

12 So next one is counsel for RCDA?

13 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

14 **MR. GUILLAUME SIROIS:**

15 **MR. GUILLAUME SIROIS:** Bonjour, Madame la
16 commissaire.

17 Bonjour, Monsieur... Directeur Vigneault.

18 **M. DAVID VIGNEAULT:** Bonjour.

19 **Me GUILLAUME SIROIS:** J'aimerais, si
20 possible, mettre le document CAN 015842 à l'écran, s'il vous
21 plait.

22 Et on parle dans ce document de « FI », qui
23 est « ingérence étrangère », j'aimerais savoir, si on parle
24 de « FI » en général, est-ce que le Service vise également la
25 Russie?

26 **M. DAVID VIGNEAULT:** Madame la commissaire,
27 quand le briefing note en question ici, le matériel qui est
28 là, effectivement couvre plusieurs aspects de l'ingérence

1 étrangère, beaucoup des éléments sont spécifiques à
2 l'interférence étrangère du gouvernement chinois, mais il y a
3 également plusieurs de ces... des éléments qui sont là qui
4 touchent les modus operandi de d'autres pays. Et, oui, la
5 Russie serait incluse.

6 **Me GUILLAUME SIROIS:** OK. J'aimerais... on peut
7 utiliser peut-être le dernier point de la page 3 peut-être
8 comme exemple. Donc ici, on voit que:

9 « The government's ability to respond
10 to this threat is currently hampered
11 by the lack of legislation, including
12 criminal law and intelligence to
13 evidence framework in a true whole of
14 government approach. »

15 Est-ce que ça, ça s'applique à la Russie
16 également, cette préoccupation?

17 **M. DAVID VIGNEAULT:** Madame la commissaire,
18 comme je l'ai mentionné, certains des éléments sont...
19 j'appellerais « le tronc commun ». Celui-ci, effectivement,
20 peut s'appliquer à d'autres pays que la Chine, et la Russie
21 en ferait partie.

22 **Me GUILLAUME SIROIS:** OK. Et est-ce que ça
23 peut expliquer pourquoi le Service parle de la Chine et de
24 l'Inde dans ce document, mais pas de la Russie?

25 **M. DAVID VIGNEAULT:** Madame la commissaire,
26 mon témoignage, je pense, indique que ce document-là fait
27 état de... est un des documents qui faisaient partie du
28 matériel disponible, couvre plusieurs éléments génériques

1 d'interférence étrangère, d'ingérence étrangère, mais le
2 briefing spécifique au premier ministre était sur des
3 éléments très précis.

4 **Me GUILLAUME SIROIS:** Mais si la... donc, si le
5 Service avait eu de la preuve... on a entendu dire qu'il
6 fallait être assez certain de nos affirmations lorsqu'on
7 faisait le débriefage au premier ministre par exemple, donc
8 si on avait eu plus de preuves sur la Russie, ça aurait
9 probablement fait partie de cette note de breffage là, n'est-
10 ce pas?

11 **M. DAVID VIGNEAULT:** Madame la commissaire,
12 le fait... la réalité est que lorsqu'on fait des breffages, on
13 donne le contexte, donc s'il y a des limites à l'information
14 qu'on a, on calibre nos renseignements. Si je peux le dire
15 anglais, we provide the right context of the information, the
16 level of certainty we have, so we try to convey that in our
17 briefings.

18 Donc, la deuxième partie de la question,
19 c'est, comme je l'ai mentionné, ce document-là ici en
20 question fait état de... c'est une partie du matériel qui était
21 utilisée pour briefier le premier ministre cette journée-là.
22 Donc, les détails spécifiques de ce que j'ai discuté avec le
23 premier ministre, malheureusement je ne peux pas aller plus
24 loin.

25 **Me GUILLAUME SIROIS:** OK. Donc, sur ce point-
26 là, on va passer à un point un peu accessoire, je sais qu'on
27 parle ici de « intelligence to evidence », donc, en français,
28 « renseignement à la preuve », mais j'aimerais porter peut-

1 être votre attention à une étape avant ceci, par exemple
2 lorsqu'on parle de candidats, de politiciens ou de leurs
3 employés, ou même des électeurs lors d'une campagne
4 électorale qui peuvent peut-être être témoins de... comme vous
5 avez mentionné plus tôt dans votre témoignage, de contenus
6 sur les réseaux sociaux un peu étranges ou suspicieux, est-ce
7 que ça aussi c'est une autre étape qui est peut-être un défi
8 pour se rendre à de la preuve concrète qu'on peut... dont on
9 peut se servir et sur laquelle on peut agir?

10 **MR. BARNEY BRUCKER:** I think we're getting
11 away from the two documents and the three documents, Mme
12 Commissioner.

13 **COMMISSAIRE HOGUE:** Maitre Sirois?

14 **Me GUILLAUME SIROIS:** Oui, ma réponse à ça,
15 c'est que si le Service croit qu'il y a un défi de se rendre
16 à « intelligence to evidence », nos soumissions, c'est qu'il
17 y a un défi qui prédate le moment qu'on a de l'*intelligence*,
18 et c'est écrit dans ce document-là précisément « intelligence
19 to evidence » et le renseignement qui est obtenu par des
20 candidats ou des électeurs, ça pourrait s'inscrire dans
21 l'*intelligence*, puis j'aimerais comprendre est-ce que...
22 comment ça s'inscrit dans cette phrase-là qui se trouve dans
23 le document, un des trois documents sur lesquels on a le
24 droit de poser des questions.

25 **COMMISSAIRE HOGUE:** Maitre Sirois, je vais
26 vous inviter à garder en tête votre question pour la
27 prochaine phase des travaux. Je pense que ce matin, compte
28 tenu de la portée qui a été autorisée pour le contre-

1 interrogatoire, on s'aventure effectivement au-delà de ce qui
2 a été autorisé.

3 Mais conservez votre question, elle sera
4 peut-être utile et pertinente dans la prochaine phase.

5 **Me GUILLAUME SIROIS:** Merci, Madame la
6 commissaire.

7 Donc, ça conclut mes questions. Merci.

8 **COMMISSAIRE HOGUE:** Merci.

9 Next one is counsel for Han Dong?

10 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

11 **MR. JEFFREY WANG:**

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

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

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

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

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

26 **MR. JEFFREY WANG:** Sure. So I just wanted to
27 know if you could tell us more about how media links present
28 this direct threat to the integrity of CSIS's operations.

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

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

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

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

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

1 investigations in this forum just can't be done.

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

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

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

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

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

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

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

20 **MR. JEFFREY WANG:** Understood.

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

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

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

28 **MR. JEFFREY WANG:** Sure. Director, will the

1 public be informed if CSIS or any other agency identifies the
2 leakers?

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

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

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

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

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

11 **COMMISSIONER HOGUE:** Thank you.

12 AG?

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

15 **COMMISSIONER HOGUE:** Any ---

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

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

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

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

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

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

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

18 **COMMISSIONER HOGUE:** Go ahead.

19 **--- RE-EXAMINATION BY/NOUVEL-INTERROGATOIRE PAR**

20 **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. Merci, Madame la Commissaire, c'est gentil.

26 **COMMISSIONER HOGUE:** Bon weekend.

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. À ordre, s'il
4 vous plaît.

5 Cette séance de la Commission sur l'ingérence
6 étrangère est suspendue.

7 This sitting of the Foreign Interference
8 Commission is adjourned. Thank you.

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

10 --- L'audience est ajournée à 11 h 26

11

12

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

13

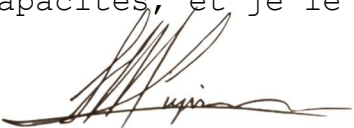
14 I, Sandrine Marineau-Lupien, a certified court reporter,
15 hereby certify the foregoing pages to be an accurate
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19 Je, Sandrine Marineau-Lupien, une sténographe officielle,
20 certifie que les pages ci-hauts sont une transcription
21 conforme de mes notes/enregistrements au meilleur de mes
22 capacités, et je le jure.

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