



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 **--- EXHIBIT No. CAN 15842:**

6 Briefing to the PM on Foreign
7 Interference Threats to Canada's
8 Democratic Institutions

9 **MS. SHANTONA CHAUDHURY:** So Director, this is
10 a set of briefing notes dated October 26, '22, which I
11 understand are notes that were prepared for you in advance of
12 this meeting.

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

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

1 So the professional staff puts this together,
2 goes up to a couple of review by senior officials inside
3 CSIS. And in this case, because of the type of material, the
4 Deputy Director Policy would be approving the final material,
5 and that would then be transmitted to me.

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

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

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

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

24 But the vast majority of the briefings and
25 meetings would be material that I read ahead of time. I take
26 my own notes and I refine what I expect to be asked, to be --
27 to discuss. I refine the key messages or the key elements,
28 the key facts; facts I would need to convey to the person,

1 the persons I'm briefing. And so that will be how I would
2 normally be using this material.

3 **MS. SHANTONA CHAUDHURY:** Okay.

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

5 Director Vigneault, I'm going to be asking
6 you some questions about specific statements that are in
7 this.

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

10 Director, you'll see a statement there that
11 says:

12 "However, Canada has been slower than
13 our Five Eyes allies to respond to
14 the FI threat with legislative and
15 other initiatives, such as
16 proactively publicizing successful
17 disruption of FI activities as a
18 means of deterring future efforts."

19 Can you recall whether this is something that
20 you conveyed to the Prime Minister and the PMO in this
21 meeting?

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

28 So what you see here, this document, covers

1 what I would call more foreign interference 101 or background
2 information of foreign interference. So in the process of
3 briefing the Prime Minister and his team, and the Clerk in
4 October, my point was not to cover background information on
5 foreign interference, it was to dive right into those very
6 specific cases. So I would not have gone through these notes
7 and cover something like "Canada has been slower than our
8 Five Eyes allies," or others because these are statements
9 that I had made before, in public and in private, during
10 briefing to Ministers. But also because the purpose of that
11 briefing was to cover very specific cases of foreign
12 interference, and also one or two other issues that were not
13 related to foreign interference.

14 **MS. SHANTONA CHAUDHURY:** Thank you, that's
15 helpful, Director.

16 So I take it this wasn't something that you
17 mentioned in this specific meeting, but it was something that
18 you had mentioned before or after?

19 **MR. DAVID VIGNEAULT:** Yes.

20 **MS. SHANTONA CHAUDHURY:** okay.

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

23 **MS. SHANTONA CHAUDHURY:** Okay.

24 Maître Herrera, if you could keep scrolling
25 down to page 3 of 5, please? Okay, there we go. There.
26 Thank you.

27 The next statement, Director:

28 "Ultimately, state actors [were] able

1 to conduct [foreign interference]
2 successfully in Canada because there
3 are no consequences, either legal or
4 political. [Foreign interference] is
5 therefore a low-risk and high-risk
6 endeavour."

7 So I'll ask you the same questions with
8 respect to this statement, Director. Is this something that you
9 conveyed to the Prime Minister and the PMO in this meeting
10 specifically or otherwise?

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

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

24 So that specific line, I have used it before
25 quite a few times, and to the point now that some other
26 people are starting to use it -- use that exact same approach
27 to describe foreign interference and I think even to the
28 Commission this was used. And in the last number of days, I

1 have a number of colleagues who have reminded me that they
2 have heard me say that exact line quite a few times.

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

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

6 So, Director, again, the same questions with
7 respect to these statements:

8 "Ultimately, better protecting
9 Canadian democratic institutions
10 against [foreign interference] will
11 require a shift in the Government's
12 perspective and a willingness to take
13 decisive action and impose
14 consequences on perpetrators."

15 "Until [Foreign Interference] is
16 viewed as an existential threat to
17 Canadian democracy and the Government
18 forcefully and actively responds,
19 these threats will persist."

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

23 **MR. DAVID VIGNEAULT:** So, Madam Commissioner,
24 my recollection is the same as previous statements. These
25 are more tombstone facts about foreign interference, as
26 opposed as the purpose of the meeting in October, which was
27 about these cases.

28 This is something that I have absolutely said

1 a number of times, again, in public and in private. I have
2 used expressions like we need to impose costs, we need to
3 harden Canada, because when you consider foreign
4 interference, you know, the intent of a foreign country to
5 use foreign interference to pursue their interests will -- is
6 something for them that is existential, that they are going
7 to pursue no matter what. So one of the very specific and
8 very important things to do is, as I said, harden the target,
9 increase our resilience, both in government and in public,
10 about foreign interference. And that is one way of reducing
11 the impact of foreign interference, and impose costs on the
12 perpetrator of that.

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

23 And that is the only way that we will be able
24 to reduce the impact on foreign interference and eventually
25 make Canadians safer.

26 **MS. SHANTONA CHAUDHURY:** Director, you've
27 mentioned a few times that this meeting was about specific
28 cases. And just to be clear, these cases are not something

1 you're able to speak about in this forum? Is that correct?

2 **MR. DAVID VIGNEAULT:** That's correct. I can
3 maybe just precise that they were not cases related to
4 elections. They were more cases related to overall foreign
5 interference and one or two other topics that were not
6 related to foreign interference.

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

8 **MR. DAVID VIGNEAULT:** But obviously they are
9 highly classified.

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

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

13 CAN004079_R01

14 **MS. SHANTONA CHAUDHURY:** So, Direct
15 Vigneault, we'll wait for it to come up, but this is another
16 document that's dated October 26th, 2022. There it is. So
17 without getting into any of its classified content, can you
18 tell the Commission what this document is? Like, were these
19 also briefing notes prepared for you? Or?

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

1 day.

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

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

8 "PRC officials could be emboldened in
9 their electoral interference efforts
10 by the 2021 defeat of former Richmond
11 MP Kenny Chiu"

12 Are you able to recall whether that is
13 something that you had conveyed to the Prime Minister in the
14 October 27th meeting?

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

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

26 Me Herrera, can you please pull CAN4495?
27 Thank you.

28 **--- EXHIBIT No. CAN 4495:**

1 Briefing to the Prime Minister's
2 Office on Foreign Interference
3 Threats to Canada's Democratic
4 Institutions

5 **MS. SHANTONA CHAUDHURY:** So, Director, the
6 next meeting here is we understand this was a meeting on
7 February -- the notes are dated February 21st, 2023, but we
8 understand the meeting took place on February 23rd, 2023, and
9 that this was a meeting with the Prime Minister's Office,
10 staff from the PMO, but not the Prime Minister himself, to
11 brief them on the media leaks of classified information.

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

14 **MR. DAVID VIGNEAULT:** Yes. The -- it's the
15 same process that I described, that the briefing material --
16 there was a request for a briefing to the Prime Minister's
17 Office. So again, my staff would have been working to pull
18 together information again covering the waterfront.
19 Sometimes you have an idea of what you believe the topic
20 might be, but you walk into it and there might be quite a few
21 other things.

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

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

28 So again, Director, I'm going to take you to

1 a few specific statements:

2 "We['ve] also observed online and
3 media activities aimed at
4 discouraging Canadians, particularly
5 of Chinese heritage, from supporting
6 the Conservative Party, leader Erin
7 O'Toole, and particularly Steveston-
8 Richmond East candidate Kenny Chiu."

9 Then we have a redaction. And then:

10 "the timing of these efforts to align
11 with Conservative polling
12 improvements; the similarities in
13 language with the articles published
14 by PRC state media; and the
15 partnership agreements between these
16 Canada-based outlets and PRC
17 entities; all suggest that these
18 efforts were orchestrated or directed
19 by the PRC."

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

22 **MR. DAVID VIGNEAULT:** So, Madam Commission, I
23 should have maybe, in my -- when I described the general
24 meeting, I should have added, I think, a piece that is really
25 relevant.

26 In preparing for today's hearing, working
27 with the material that was prepared ahead of time and
28 disclosed. My recollection is that that meeting was very

1 specifically focussed on -- to discuss an article in the
2 Globe and Mail that I believe had been published on the 17th
3 or the 18th, so a few days before, that was talking about
4 some unauthorized disclosures of documents. And if I
5 remember, there was a reference at the end of that article
6 about the 11 candidates, so the issue that has been canvassed
7 in the -- at the inquiry before. So the -- this specific
8 briefing, so the material you have referenced, Ms. Chaudhury,
9 and that specific briefing to the Prime Minister's Office was
10 focussed to discuss on that part. So I think that in terms
11 of context, that is important.

12 Coming back to you now, your specific
13 questions about these two paragraphs, Ms. Chaudhury, again, I
14 would not have been using that specific briefing material
15 because the focus of that -- of the briefing to the PMO was
16 on the Globe and Mail article. And so what you have here,
17 those bullets, represent the, again, what I describe as
18 general briefing material prepared for me, again, to cover
19 different angles as required, but the specific briefing,
20 specific discussion was focussed on the specific information
21 contained in the Globe and Mail article.

22 **MS. SHANTONA CHAUDHURY:** Okay. So does that
23 mean, Director, that this was not something that you conveyed
24 during that meeting because the focus of the meeting was the
25 11 candidates?

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

27 **MS. SHANTONA CHAUDHURY:** Okay. I'm still
28 going to ask you a question about it, which was we know that

1 in the aftermath of the 2021 election, the SITE assessment
2 was the extent to which the PRC was behind these online media
3 activities couldn't be conclusively determined. So my
4 question is, does the statement in these briefing notes
5 indicate a shift in this assessment, where it says all
6 suggest that these efforts were orchestrated or directed by
7 the PRC, is that something new? Is that something that came
8 from additional evidence? Is it a shift in the service's
9 assessment?

10 **MR. DAVID VIGNEAULT:** Mme Commissioner, I
11 would say that it is not. This is one different formulation
12 of the same ideas that have been canvassed and assessed by
13 SITE, which is there was a number of messages. There were
14 some messages that also were conveyed by media entities
15 associated with the Chinese Communist Party. And so the fact
16 that we could see a level of convergence between these
17 different messages suggested that, yes, that they would have
18 been potentially orchestrated by the PRC. And so reviewing
19 the classified SITE report, was -- this wording was not meant
20 to convey any other new analysis or a high level of certainty
21 about the activity. It is a different way of conveying that
22 we've seen a convergence, we've seen there were some PRC
23 entities involved in it, but we were not able to conclude --
24 SITE was not able to conclude that it was specifically
25 orchestrated by the PRC. So that's why, from my perspective,
26 it was absolutely not a change of analysis. It was just a
27 different wording.

28 **MS. SHANTONA CHAUDHURY:** Ms. Herrera, can you

1 now scroll down, please, to page 5 of 6? Thank you. Sorry,
2 the language I'm looking for is -- maybe scroll up a little
3 bit from there? Scroll up again? There we go.

4 So you'll see in this bullet, Director,
5 "In February 2021, I briefed the Prime
6 Minister on PRC-linked individuals
7 interfering with the 2019 Liberal
8 nomination in Don Valley North."

9 Do you have any recollection of this meeting
10 taking place in February 2021?

11 **MR. DAVID VIGNEAULT:** Unfortunately, Mme
12 Commissioner, I don't remember that briefing specifically,
13 and in the period of time between reviewing the material and
14 appearing in front of you, my staff were able to show me some
15 documents in relation. So, again, briefing material in
16 relation to the -- to that briefing that had been prepared
17 for me, but I do not have a specific recollection of that
18 meeting in 2021.

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

21 **MR. DAVID VIGNEAULT:** Well, what I -- sorry,
22 Ms. Chaudhury, what I can say is that, yeah, I do believe it
23 happened. You know, we checked, you know, our calendars and
24 there was briefing material, but as I say, I cannot just take
25 the briefing material that was prepared and assess that this
26 is what was discussed at that meeting. As I described, the
27 briefing material covers many other issues often than what is
28 the exact -- how the -- how exactly the meeting unfolded. So

1 I just do not have a specific recollection of that 2021
2 briefing.

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

7 **MR. DAVID VIGNEAULT:** So if you go back to
8 the initial briefings on -- about Don Valley North around
9 2019, the passage of time between 2019 and 2021, my
10 assumption is that this was not the first time that I was --
11 I would have personally talked to the Prime Minister about
12 this. But again, I -- it's not because the specific
13 information there is highlighting the specifics that I --
14 it's exactly how it unfolded. So I do not want to create an
15 impression for the Commission here that I have that
16 recollection. I just do not, but what I know for a fact is
17 that we had -- the material had been discussed at some
18 length, as I think has been canvassed to the inquiry about
19 the information 2019 and moving on.

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

25 **MR. DAVID VIGNEAULT:** Absolutely. I think,
26 you know, what is -- the reality of these types of briefings
27 is they're not -- I'll use again the example of a Cabinet
28 briefing. I will not go into the details, of course, but if

1 you go to a CAB briefing, you have -- there will be five or
2 six items being discussed in one session. You will have a
3 limited amount of time for each of these elements, and you
4 will have a very prescribed approach to follow. So most
5 people, when they will go to these scripted meetings, if I
6 can use that expression, will have indeed such a script and
7 you will follow, so that you're able to reconstruct much more
8 easily what was said. If you compare and contrast with these
9 types of meetings that are -- that we're discussing this
10 morning, these are much more fluid. You know, my staff would
11 have prepared me for whatever information related to foreign
12 interference, but the specific discussion is often quite
13 different.

14 And the last thing maybe I can say is that it
15 would not have been -- it's not extraordinary to go to a
16 briefing having material and having prepared yourself to
17 discuss a topic, and it's something completely different that
18 happens to be discussed. So that's when I joke with my staff
19 that I bring my briefing material and I'll bring my hockey
20 skates because you have to be able to be very agile on
21 dealing with any issues that the person you're briefing wants
22 to raise with you.

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

25 **MR. DAVID VIGNEAULT:** Yeah, I think the --
26 probably the most -- the best way to describe for the
27 Commission will be to say they go from very informal to very
28 scripted, and they go from a topic that, you know, you go in

1 knowing that you expect a topic to be discussed and it's
2 exactly what is being discussed to other meetings where the
3 specific discussion takes you completely in another
4 direction. So these are not -- again, the purpose of
5 briefing is to convey sometimes very specific information,
6 but also, convey -- be able to answer questions, be able to
7 provide a context to help the person, in this case a decision
8 maker like the Prime Minister or a Minister, to have a view
9 available to answer a number of questions while they are
10 processing the specific information you convey, but also a
11 number of other pieces of information they have. So I think
12 that is probably the best way to describe; very formal to
13 very informal, very specifically discussed, you know, the
14 topic that was planned to be discussed, to a meeting that
15 takes you in a completely different direction.

16 **MS. SHANTONA CHAUDHURY:** Okay. With all of
17 that in mind, Director, I'll just ask you one last question
18 about this document, which is the conclusion you see at the
19 bottom of the page there. That repeats some of the language
20 that we saw in the other notes. So I'll just ask you again
21 whether your recall conveying this to the PMO in the February
22 2023 meeting, or otherwise?

23 **MR. DAVID VIGNEAULT:** Again, Madam
24 Commission, my recollection of this meeting was on the very
25 specific reference to a media article, and so I would not
26 have used the -- more of the generic language about foreign
27 interference.

28 But what I think is instructive here is, you

1 know, again, my staff working to prepare material for me is
2 using, again, that expression, low-risk, high-reward, and so
3 again it's because it's an expression I have used many times
4 in different *fora* and that's why I think you see it again
5 repeated there.

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

7 Madam Commissioner, those are my questions
8 for the witness.

9 **COMMISSIONER HOGUE:** Thank you, Maître
10 Chaudhury.

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

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

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

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

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

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

22 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
23 had a chance to review the material and I do believe that it
24 does indeed reflect the views of the Service. My personal
25 views as a Director of the Service, there are one or two
26 nuances I would make on these different points. There's also
27 the fact that, you know, our knowledge and understanding
28 continues to evolve, so something that was drafted in 2022,

1 would evolve in 2024.

2 But overall, I think it is a very useful tool
3 for someone to see very specific information, with examples,
4 of what foreign interference is in Canada and in our
5 democratic institutions.

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

8 The next question I have for you is about the
9 passage that Ms. Chaudhury showed you about the -- being
10 slower than our Five Eyes allies; I think it was at page 2.
11 My question is simply -- and you may have already said this,
12 but I want to make sure I've got it. Have you ever
13 communicated this particular assessment about us being slower
14 than our Five Eyes allies to either the Prime Minister or the
15 Prime Minister's Office?

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

20 We often -- in order to make sure we
21 understand -- have the best possible assessment of a
22 situation, we often look to other jurisdiction to see what is
23 their own analysis of the threat, what tools they have put in
24 place. And so the comparative analysis of -- with the Five
25 Eyes, but also with other like-minded nations, nations who
26 have similar political systems as ours, or Western
27 democracies, you know, we -- doing the comparative analysis
28 is a very useful tool, both from an intelligence point of

1 view but also from a policy point of view.

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

6 Just this past week, I was in -- testifying
7 in front of the Canada-China Committee in the House of
8 Commons, and I used same kind of analysis on different topics
9 linked to foreign interference. So, yes, to the question to
10 the counsel, this has been conveyed.

11 **MR. GIB van ERT:** Thank you. And I take it
12 your answer would be the same for the passage at page 3 about
13 there being no consequences, legal or political, for state
14 actors who conduct foreign interference; have I got that
15 right?

16 **MR. DAVID VIGNEAULT:** Yes, Madam
17 Commissioner. I elaborated on that point with previous
18 questions -- answers; sorry. But, yes, it is accurate to say
19 that, you know, I am -- I have said -- used these
20 expressions. Indeed, this one very specifically, low-risk,
21 high-reward endeavour.

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

23 Now, this document, as we were hearing, was
24 something that was prepared in advance of an oral briefing
25 that you were you going to give the Prime Minister on the
26 27th of October. And we heard evidence from the Prime
27 Minister on Wednesday that his preferred working method in
28 intelligence matters is to rely on oral briefings rather than

1 briefing notes.

2 Is that a method of working that you were
3 aware of before you heard his evidence about that on
4 Wednesday? Is that something that you have been alive to and
5 have sort of adjusted your practices to meet?

6 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
7 can say that in my experience, I have used both methods,
8 specific material that has been written and provided to the
9 Prime Minister, intelligence assessments or information, but
10 also verbal briefings. So in my experience, both methods
11 have been used, depending on the situation, depending on the
12 context, depending on timing. But we have used -- I have
13 used both methods of briefing.

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

19 **MR. DAVID VIGNEAULT:** Yes, Madam
20 Commissioner. I did not have a chance to see all the
21 proceedings of the Commission, I'm sorry, Madam Commissioner,
22 but I have seen -- I saw that specific reference from the
23 Prime Minister, and my recollection of the briefing is
24 exactly the same.

25 **MR. GIB van ERT:** Thank you. All right. And
26 if it your understanding, then, that in order to ensure that
27 the Prime Minister or his office has been briefed on a matter
28 to do with intelligence, you should ensure that there is an

1 oral briefing that has taken place?

2 **MR. BARNEY BRUCKER:** Excuse me, Commissioner.

3 My understanding was that we were talking
4 about these three documents, and it appears, to me at least,
5 that we're venturing away from that now and that that
6 question is outside the scope of this cross-examination.

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

9 **MS. ERIN DANN:** Commissioner, you're on --
10 you're just on mute, Commissioner.

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

12 **COMMISSIONER HOGUE:** Sorry.

13 **MS. ERIN DANN:** Sorry.

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

15 **MS. ERIN DANN:** Yes.

16 **COMMISSIONER HOGUE:** I'll just ask Maître van
17 Ert to explain the relationship between his question and the
18 three documents.

19 **MR. GIB van ERT:** My concern is simply that
20 given that this document was not delivered to the Prime
21 Minister, and that the Prime Minister's preferred method of
22 receiving intelligence briefings is orally, I wanted to
23 ensure that the material in this was conferred to him, one
24 way or another. It sounds like it wasn't in the October
25 meetings, but of course the Director has had other briefings
26 with the Prime Minister in the past. And so just given the
27 working methods the Prime Minister prefers, I'm wondering
28 whether that CSIS ensures that everything that is sent over

1 in writing is also briefed orally.

2 **COMMISSIONER HOGUE:** I will permit the
3 question.

4 **MR. DAVID VIGNEAULT:** So Madam Commissioner,
5 the way that I think has been testified to by different
6 people is CSIS would be preparing material and intelligence
7 reports and assessments, and that is distributed to the Privy
8 Council Office. So the -- I believe that the National
9 Security Intelligence Advisor has testified to that, but I
10 can say that it is my understanding that the material is then
11 processed by the Privy Council Office, the National Security
12 Intelligence Advisor's office, to be produced to the Prime
13 Minister. So we have -- as I testified, I have used both
14 methods. So specific material and briefing material in
15 writing, and also those verbal briefings.

16 What I think is important is that all of that
17 is underpinned by intelligence products that are with the
18 Privy Council Office and then are able -- they're able to
19 disseminate that to the Prime Minister's Office and the Prime
20 Minister as required.

21 So I think it's important to understand that
22 this is, if I can use an expression, an ecosystem. It is not
23 just one method, one person, but you have those verbal
24 briefings, those written briefings, and intelligence
25 products, and I think this is how we have to understand how
26 we are conveying information, engaging in discussions,
27 answering questions, throughout the year, if you want.

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

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

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

6 Director, it's the bullet point:

7 "We know that the PRC clandestinely
8 and deceptively interfered in both
9 the 2019 and 2021 general elections."

10 Is this knowledge something that you or the
11 Service as a body have communicated to the Prime Minister or
12 the Prime Minister's office?

13 **MR. DAVID VIGNEAULT:** Madam Commissioner, it
14 is indeed something that has been communicated. I believe
15 that I testified to that in -- where I said in our
16 assessment, we saw foreign interference in both the 2019 and
17 2021 elections. However, I concur with the results of the
18 Panel, the conclusion of the Panel, that this interference
19 did not amount to having the impact on the General Election.

20 So I think it's important to understand that
21 both statements, in my opinion, are true at the same time. We
22 saw foreign interference during those elections, and that
23 interference was indeed clandestine and deceptive. And at
24 the same time, that interference did not amount to have an
25 impact on the integrity of the election.

26 **MR. GIB van ERT:** And if I may just finally
27 follow up on this one point, if you're able to say, Director,
28 and I appreciate you may not be, are you able to say whether

1 the interference referred to in this bullet is limited to Don
2 Valley North in 2019 and Steveston-Richmond East in 2021? Or
3 whether it's broader?

4 **MR. DAVID VIGNEAULT:** I think, Madam
5 Commissioner, the best way to answer the question is refer
6 back to the summary that the Government has published in
7 public -- to the Commission as made public regarding the
8 specific information on the 11 candidates and 13 staff
9 members.

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

11 Thank you, Commissioner.

12 **COMMISSIONER HOGUE:** Thank you.

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

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

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

16 My name is Tom Jarmyn, Director Vigneault.

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

20 Commissioner, just following on a question
21 that Mr. Van Ert asked.

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

27 **MR. DAVID VIGNEAULT:** Madam Commissioner, I'm
28 using these words with my own understanding. I think if you

1 go back to my exact testimony, I may have said that, you
2 know, I concurred with the conclusion of the Panel. So I
3 just do not want to leave the impression, because I may have
4 used language that is not identical in both times, that I am
5 hedging my answer, is that I have absolutely concurred with
6 the conclusion of the Panel.

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

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

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

24 The way the material is being put together is
25 to help the person who is going to testify give that person
26 enough information, contextual information, but also very
27 specific information. And so, Mr. Jarmyn, yes, the way you
28 describe it is this was one piece of many other pieces of

1 briefing material that formed the -- what I would have used
2 for such a meeting.

3 **MR. THOMAS JARMYN:** Thank you. And would the
4 briefing note portion have been -- I appreciate it wasn't
5 given to the Prime Minister or the Prime Minister's Office,
6 but would the briefing note portion have been shared with the
7 NSIA or someone at PCO in order that they would know what you
8 were saying in that course? Or what you could be
9 anticipating to say in the course of that briefing?

10 **MR. DAVID VIGNEAULT:** Madam Commissioner, in
11 my experience, I have seen both. Sometimes that we would
12 have part of all of the briefing material shared in advance
13 with the Privy Council Office, and other times where no
14 briefing material is shared ahead of time. It depends both
15 on the issue being discussed, the specific circumstances, the
16 timelines involved, the sensitivity of the information. So
17 as I said, I have and continue to see both cases where we
18 share all or a portion of the material in cases where nothing
19 is shared ahead of time or even left behind after.

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

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

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

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

27 So we've heard from the Prime Minister and
28 others that there are certain generic or -- generic is not

1 the right word. Certain general messages that are
2 consistently referred to, and during meetings dealing with
3 specific topics, that those wouldn't be conveyed because
4 they're already understood.

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

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

10 "[Foreign interference] is therefore
11 low-risk and high-reward."

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

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

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

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

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

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

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

26 **MR. DAVID VIGNEAULT:** Yes, Madam
27 Commissioner. These words, you know, are -- have been
28 carefully selected. And as I testified to earlier, they

1 represent our understanding of the situation.

2 **MR. THOMAS JARMYN:** Thank you, Commissioner.
3 Thank you, Mr. Vigneault.

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

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

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

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

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

11 **MR. NANDO de LUCA:** Thank you, Commissioner.
12 I have two areas of questioning in my four minutes, and I
13 anticipate that with respect to the first, given recent
14 comments, it may be subject to an objection, so what I'd
15 propose to do is state my questions, if there is an
16 objection, hear them, then have your ruling, and then if the
17 witness is permitted to answer, then fine, if not, they will
18 have been noted for the record. Is that okay?

19 **COMMISSIONER HOGUE:** Okay.

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

25 My questions are, are you aware of this
26 reporting? Has CSIS taken any steps to investigate the
27 allegation that a member of the Liberal Party tipped off Han
28 Dong that CSIS was watching him? Has the matter been

1 referred to the RCMP for investigation? Do you believe that
2 the allegation is true? And finally, can you tell us who in
3 the Liberal Party, other than Azam Ishmael, would have had
4 security clearance to receive any information to the effect
5 that CSIS was keeping tabs or watching Han Dong in connection
6 with the 43rd General Election?

7 As to relevance and propriety, Madam
8 Commission, I appreciate this isn't one of the three
9 documents or pieces of information that were dealt with in
10 the application, I guess it was two days ago. That having
11 been said, this is new information that has come to light
12 only on April 10. It does relate to a matter that received
13 great attention and prominence in this hearing, and I think
14 that the questions are proper, to the extent that they can be
15 answered.

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

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

1 So those are my submissions.

2 **COMMISSIONER HOGUE:** I maintain the
3 objection. Clearly these questions are outside the scope of
4 what I've been authorized for Mr. Vigneault's testimony this
5 morning, as well as outside the scope of A and B contained in
6 the Terms of Reference.

7 **MR. NANDO de LUCA:** Thank you, Commissioner.
8 Can I have CAN4079_R01 pulled up on the
9 screen?

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

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

13 **MR. NANDO de LUCA:** And you differentiated
14 these briefing notes from the first briefing notes in
15 CAN15482 that Ms. Chaudhury took you through? Isn't that
16 correct?

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

20 **MR. NANDO de LUCA:** Thank you. And for
21 clarity, am I correct that your evidence here today is that
22 with respect to the information that is contained in this
23 briefing note, i.e., 4079_R01, both what we see and we cannot
24 see because of the redaction was the information -- was this
25 information that you did specifically communicate to the
26 Prime Minister?

27 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
28 used the briefing material to help me form what I wanted to

1 share with the Prime Minister. I can tell you that some of
2 that information was absolutely used to brief on a very
3 specific topic.

4 **MR. NANDO de LUCA:** Okay. And did I
5 understand your evidence correctly that you used the example
6 of the PRC efforts in relation to Kenny Chiu to set the
7 context for your comments to the Prime Minister? Is that
8 correct?

9 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
10 do not believe I have said that. I noted when Ms. Chaudhury
11 brought me to that specific reference in the document that
12 this would have been the kind of example, contextual example,
13 to situate a specific issue of foreign interference. But I
14 believe that I testified that I did not recall if I used
15 those words or that specific example to -- in my briefing.

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

20 Prior to each of the 2019 and 2021 Elections,
21 did CSIS have any evidence of the PRC directly or indirectly
22 channeling funds to specific federal candidates or their
23 campaigns?

24 **MR. DAVID VIGNEAULT:** Madam Commissioner, I
25 would refer back to the summary of the Government's holding
26 that have been provided to the Commission and to the counsel
27 and Canadians to speak to that issue.

28 **MR. NANDO de LUCA:** Okay. Last question. At

1 any point prior to the 2021 Election, did CSIS brief either
2 the Prime Minister, the PMO, the NSIA, Cabinet, or the PCO
3 regarding any other such evidence of specific channeling of
4 funds for either election?

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

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

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

15 **MR. NANDO de LUCA:** Is that correct,
16 Director?

17 **COMMISSIONER HOGUE:** So ---

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

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

23 **MR. DAVID VIGNEAULT:** That would be correct,
24 Madam Commissioner.

25 **COMMISSIONER HOGUE:** Okay. So thank you. So
26 the question will be written down.

27 **MR. NANDO de LUCA:** Thank you, Madam
28 Commissioner.

1 **COMMISSIONER HOGUE:** Thank you.

2 Next one is the Human Rights Coalition.

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

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

5 Good morning, Director.

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

7 **MS. SARAH TEICH:** My first question is about
8 notes you may have taken. You mentioned in direct
9 examination this morning that in the process of briefing the
10 PM, you read this material ahead of time and you take your
11 own notes, you refine what you expect to be asked, you refine
12 key messages.

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

16 **MR. DAVID VIGNEAULT:** Madam Commissioner, the
17 way this process would have unfolded is whatever notes that I
18 would have had at that point would have been produced to the
19 Commission. I don't remember specifically if I have -- if
20 such notes have been produced or not. But if I had those
21 notes, they would indeed have been produced.

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

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

28 **MR. DAVID VIGNEAULT:** Madam Commissioner,

1 maybe if I can just clarify? I did not say there were notes.
2 I said if there were notes, they would have been produced.
3 So I just don't want to leave the impression to counsel or
4 the Commission that I believe there were such notes.

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

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

9 If we can please pull up again 4079? And if
10 we can go to page 2?

11 You speak about leveraging family:

12 "The PRC is known to target and/or
13 leverage family..."

14 Can you elaborate on this, Director?

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

1 the Canadian individuals.

2 **MS. SARAH TEICH:** Thank you. And to the
3 extent you can answer this, is this something the
4 intelligence revealed that happened in the lead up to the
5 2019 or 2021 general elections?

6 **MR. BARNEY BRUCKER:** Again, Mme Commissioner,
7 I think that's out of the scope of the inquiry, and in any
8 event, Commissioner, the Government has in its summary said
9 what it can -- what can be said about the collective
10 intelligence in this matter.

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

13 As a general point, is this leveraging of
14 families, is this something you brief the Prime Minister or
15 the Prime Minister's Office about either in this briefing or
16 other briefings?

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

21 **COMMISSIONER HOGUE:** Is it about this
22 briefing, this document?

23 **MS. SARAH TEICH:** Yes, this is the one that
24 says the PRC is known to target and/or leverage families.
25 I'm wondering, the question is if the Director briefed the
26 Prime Minister or the Prime Minister's Office about this
27 point, and if not in this briefing and other briefings, this
28 is a question that's been asked about other lines in other

1 documents?

2 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
3 maybe what I can say is that this specific briefing was about
4 very specific topics, but I have, I believe, testified
5 exactly on that point, where I talked about the way foreign
6 interference is used against Canadians. And I also spoke
7 about this quite at length publicly and in our annual
8 reports, which is why one of the very pernicious impact of
9 foreign interference is on Canadian diaspora communities and
10 why it's so important to work with them to increase their
11 resilience and protect all Canadians.

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

15 **COMMISSIONER HOGUE:** It will be your last
16 line of questioning, Ms Teich, because your time is already
17 over.

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

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

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

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

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

2 -

3 **COMMISSIONER HOGUE:** Yeah, you understand
4 it's about this briefing?

5 **MS. SARAH TEICH:** Yes, it is about this
6 briefing.

7 **MR. DAVID VIGNEAULT:** Mme Commissioner, my
8 testimony is that this was information that has been prepared
9 for me. I spoke to a very specific aspect of this case that
10 I cannot go into details because of the sensitivity. And so
11 this is the type of information, either in that briefing, but
12 for sure in our assessment, in our briefings, general
13 briefings, in our public briefings that we refer to -- when I
14 testified in -- earlier I spoke about the work of the United
15 Front Work Department and the entire organizations that the
16 PRC leverages, and this statement directly refers to this --
17 these types of activities.

18 **COMMISSIONER HOGUE:** Thank you.

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

20 **COMMISSIONER HOGUE:** Thank you.

21 So next one is counsel for RCDA?

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

23 **MR. GUILLAUME SIROIS:** Good morning, Madam
24 Commissioner, and Director Vigneault

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

26 **MR. GUILLAUME SIROIS:** If you can bring up
27 CAN 15842, please.

28 And in this document we talk about FI, and

1 I'd like to know if you're talking about FI generally
2 speaking is this also connected to Russia?

3 **MR. DAVID VIGNEAULT:** Madam Commissioner, in
4 this briefing note in question there, the material that you
5 have here, yes, it does cover different aspects of foreign
6 interference. Many of the elements are specific to the
7 foreign interference of the Chinese government but there are
8 also other elements that are there with respect to the *modus*
9 *operandi* of other countries. And, yes, it does include
10 Russia.

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

13 "The government's ability to respond
14 to this threat is currently hampered
15 by the lack of legislation, including
16 criminal law and intelligence to
17 evidence framework in a true whole of
18 government approach."

19 [No interpretation].

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

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

27 **MR. DAVID VIGNEAULT:** Madam Commissioner, in
28 my testimony I believe I said that my testimony does say that

1 the material available to us covered generic material for
2 foreign interference, but the specific briefing here for the
3 Prime Minister was on very precise aspects.

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

8 **MR. DAVID VIGNEAULT:** Madam Commissioner, the
9 fact -- the reality is that when we do briefing sessions, we
10 give a context, a framework, so there's elements to the
11 information that we have and we calibrate our intelligence.
12 We provide the right context of the information, the level of
13 certainty we have, so we try to convey that in our briefings.

14 [No interpretation] ...part of the question,
15 as I mentioned, this document here in question mentions a
16 portion of the material that was being used to brief the
17 Prime Minister that day. So there were specific details that
18 I discussed with the Prime Minister, unfortunately, I can't
19 say more about.

20 **MR. GUILLAUME SIROIS:** So on that point, I
21 know that we're talking about intelligence through evidence,
22 and here I would like to an earlier stage when we're talking
23 about a candidate, a politician, or during an election,
24 during the write period. In your testimony, you talk about
25 how there is use of -- suspicious use of social media. So is
26 this also another stage, maybe, which is a challenge to be
27 able to come up with concrete evidence that can be used, that
28 can be acted on?

1 **MR. BARNEY BRUCKER:** I think we're getting
2 away from the two documents and the three documents, Madam
3 Commissioner.

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

5 **MR. GUILLAUME SIROIS:** Well, my answer is
6 that if CSIS think that there's a challenge to go from
7 intelligence to evidence, my submission would be that there's
8 a challenge that predates the moment that we do get
9 intelligence, and you may have information from candidates or
10 from -- like, this could be -- how does this connect to this
11 stage here within the document? That's the question I'm
12 asking.

13 **COMMISSIONER HOGUE:** I think you should keep
14 your question for the next phase of the Commission's work. I
15 think this morning, given the authorized scope of the
16 questioning, I think that we really have gone above and
17 beyond what has been authorized. But keep your question, I
18 think the question may be relevant and useful in the next
19 phase of this Commission.

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

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

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

25 **MR. JEFFREY WANG:** Good morning, Director.
26 In one of the briefing notes we just looked at, it discussed
27 unauthorized releases of classified information from the
28 media, and the briefing note says that these leaks present a

1 direct threat to the integrity of CSIS's operations. Can you
2 tell us more about how media leaks present this threat?

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

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

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

9 **MR. DAVID VIGNEAULT:** So could counsel please
10 repeat his question?

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

14 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
15 the -- again, I testified to that in my previous appearance
16 in front of the Commission. Having information that is
17 released, very sensitive information that is released to
18 people who may make use of it, interpret the information,
19 sometimes I would use my word "overinterpret" some of the
20 information, draw different conclusions is an issue,
21 absolutely. It also, that any information that is released
22 in this type of way presented a danger to our operations. It
23 affects the way we are able to continue to collect the
24 intelligence that is critical to help protect Canadians, and,
25 therefore, we take this extremely seriously. The last thing
26 I would say is that as an intelligence service using both
27 technical but also human sources, we are very, very concerned
28 about the impact that unauthorized disclosure may have on the

1 people who take risk to protect -- to provide information to
2 CSIS in order to protect Canadians. So we do take that
3 extremely seriously.

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

6 "We are working closely with PCO and
7 departmental security officials to
8 identify the source of these leaks."

9 Can you tell us about the activities that
10 CSIS had undertaken to identify the leakers?

11 **MR. BARNEY BRUCKER:** I think we're -- this is
12 outside the scope of the three documents, although it is
13 mentioned in the documents, but the -- to discuss
14 investigations in this forum just can't be done.

15 **COMMISSIONER HOGUE:** Mr. Wang, do you have
16 anything to answer?

17 **MR. JEFFREY WANG:** I'm not sure if it's
18 outside of the scope of the document because it says right
19 there. I'm just wondering if the Director can clarify this
20 particular bullet.

21 **COMMISSIONER HOGUE:** And what about the
22 second part of the ---

23 **MR. JEFFREY WANG:** If the Director can't
24 discuss national security information, I'm happy to accept
25 that.

26 **COMMISSIONER HOGUE:** And is the case, Mr.
27 Vigneault?

28 **MR. DAVID VIGNEAULT:** Yes, Mme Commissioner,

1 this would be -- I have -- it would be very detrimental. I
2 have -- I cannot speak about ongoing investigations or
3 operations.

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

5 **MR. JEFFREY WANG:** Understood.

6 **COMMISSIONER HOGUE:** --- question is written
7 down.

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

10 **MR. BARNEY BRUCKER:** Again, I think the
11 Director's previous answer applies. Can't comment on
12 investigations.

13 **MR. JEFFREY WANG:** Sure. Director, will the
14 public be informed if CSIS or any other agency identifies the
15 leakers?

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

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

19 **MR. BARNEY BRUCKER:** Seems we're on the same
20 track again.

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

22 **MR. JEFFREY WANG:** Thanks. Those are all my
23 questions.

24 **COMMISSIONER HOGUE:** Thank you.

25 AG?

26 **MR. BARNEY BRUCKER:** No questions,
27 Commissioner.

28 **COMMISSIONER HOGUE:** Any ---

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

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

4 **MR. DAVID VIGNEAULT:** Yeah, I just would like
5 to take the opportunity to just say that there's been a lot
6 of comment made about the intelligence in the media, in the
7 Commission and so on, and I just would like to say that as a
8 Director of CSIS, I think it's important that we understand
9 that intelligence is a little bit like a puzzle. Sometime we
10 have a very clear picture of the puzzle. Sometimes, you
11 know, through use of raw intelligence and assessed
12 intelligence we are building that picture. But I think what
13 is important to remember is that this is done by
14 professional, trained intelligence analysts and professionals
15 that are bringing this together. And I just would like to
16 leave you, Mme Commissioner, and through you the Canadians
17 with the message that, you know, intelligence is a very
18 sophisticated approach. We are learning organization, so we
19 are all trying to get better, but also, would like to say
20 that I'm extremely proud of the work that the intelligence
21 professional of CSIS do every day in Canada and around the
22 world in very dangerous situations to protect the Canadians
23 and make sure that we are safe, secure in a prosperous
24 country. Thank you very much, Mme Commissioner.

25 **COMMISSIONER HOGUE:** Thank you, Mr.
26 Vigneault.

27 Me Chaudhury, do you want to conduct a re-
28 examination?

1 **MS. SHANTONA CHAUDHURY:** I do have one
2 question in re-examination.

3 **COMMISSIONER HOGUE:** Go ahead.

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

5 **MS. SHANTONA CHAUDHURY:** Director Vigneault,
6 it's just a clarification question to help the Commission
7 understand the documents that have been produced to it. So
8 you've mentioned, I believe, that for the October 26, 2022
9 briefing, there was a long heads up and the service had time
10 to prepare and the briefing notes that we see were approved
11 at a very high level. Can you tell us whether that would
12 hold true for all briefing notes, speaking points, talking
13 points?

14 **MR. DAVID VIGNEAULT:** So, Mme Commissioner,
15 again, depending on the nature, the amount of time, it would
16 vary. If we have very, very little time to prepare for a
17 briefing, our staff would then, you know, take material that
18 has already been prepared for other briefings, other purpose
19 and collate that together and provide that to me or to
20 whomever else who would be involved in providing the
21 briefing. And so the material would be approved. If we
22 cannot do an approval on that day, it will be material that
23 has been, you know, reviewed before. So I would not have
24 material that is provided to me that has not been somehow
25 vetted. But again, it depends on the specific nature and
26 circumstances of the briefing.

27 **MS. SHANTONA CHAUDHURY:** Thank you. Those
28 are my questions.

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

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

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

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

11 And before we all leave for the weekend, at
12 least I hope you will leave for the weekend, I want to thank
13 all the counsels. Honestly, you know, when I started these
14 hearings, I was not too sure what will happen because, as you
15 know, we were working in a delicate and difficult
16 environment, given all the classified information that we
17 have to deal with, and I really, really appreciate the way
18 counsels have acted throughout the hearings, although you all
19 represented your client very, very well, and you did what you
20 and said what you had to do and to say. I think the way you
21 have done that has been very professional and I really
22 appreciate. It permits the -- it has permitted the
23 Commission to work efficiently and, to a certain extent,
24 serenely.

25 So again, thank you. I will look carefully
26 and read carefully the submissions that you will provide us
27 with.

28 And, you know, I always look at submissions

1 as being a way of -- for me to make better -- usually I would
2 say judgement, but in this case, it's not going to be a
3 judgement, but at least to make better findings, and
4 eventually better recommendations.

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

10 So we'll see -- we'll see -- we'll be
11 together, actually, again sometime probably in the fall. But
12 in the meantime, I wish you all a good summer, if we have a
13 summer this year.

14 Thank you all. Have a good weekend.

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

16 This sitting of the Foreign Interference
17 Commission is adjourned. Thank you.

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

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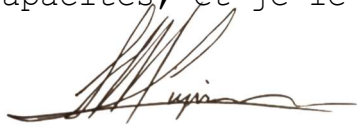
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C E R T I F I C A T I O N

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