



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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Balpreet Singh

Prabjot Singh

Bloc Québécois

Mathieu Desquilbet

Iranian Canadian Congress

Dimitri Lascaris

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**1                           CULTURAL COMMUNITY MEDIA PANEL**  
**PANEL MÉDIAS CULTUREL COMMUNAUTAIRE**

Ottawa, Ontario

--- The hearing begins Tuesday, October 1, 2024 at 9:33 a.m.

--- L'audience débute le mardi 1 octobre 2024 à 9 h 33

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

This sitting of the Foreign Interference  
Commission is now in session. Commissioner Hogue is  
presiding. Cette séance de la Commission sur l'ingérence  
étrangère est en cours. La Commissaire Hogue préside.

The time is 9:33 a.m. Il est 9 h 33.

**COMMISSIONER HOGUE:** Alors, bonjour à tous.  
Good morning to all. I hope you all had a good weekend.

One little thing this morning, just to let  
you know as well as those that are hearing the -- following  
our work, the questionnaires that have been launched I think  
about two weeks ago will still be on the website and it will  
be possible to fill out the questionnaire for the -- until  
October 16th.

Alors, le questionnaire qui a été mis en  
ligne il y a deux semaines demeurera disponible sur notre  
site web et nous avons décidé d'étendre la date d'échéance au  
16 octobre. Alors, il sera possible toujours de répondre au  
questionnaire pour ceux qui le désirent. Merci.

So good morning, sir.

**MR. MATTHEW FERGUSON:** Good morning.

**MR. HAMZA MOHAMADHOSSEN:** Good morning.

**COMMISSIONER HOGUE:** Who will be conducting?  
It's you?



2            **CULTURAL COMMUNITY MEDIA PANEL**  
**PANEL MÉDIAS CULTURELS DE LA COMMUNAUTÉ**

1            **--- INTRODUCTION OF THE PANEL ON CULTURAL COMMUNITY**  
2            **MEDIA/INTRODUCTION DU PANEL SUR LES MÉDIAS CULTURELS DE LA**  
3            **COMMUNAUTÉ:**

4                            **MR. MATTHEW FERGUSON:** Yes, Commissioner.

5                            So good morning, Commissioner. As you know,  
6            the Commission today will be conducting a consultation panel  
7            with representatives of Community Cultural Media.

8                            The panel, who are all experienced in Chinese  
9            and Indian language cultural media in Canada, will speak to  
10           the current media landscape in those communities as well as  
11           their own experiences and observations related to foreign  
12           influence and the issues affecting ethnocultural media in  
13           Canada.

14                           So if you allow me, I will introduce the  
15           panel members this morning. I'll begin with Mr. Victor Ho,  
16           who is in the centre.

17                           Mr. Ho, you were born in Hong Kong where you  
18           worked as a reporter before coming to Canada in 1997.  
19           Shortly after arriving in Canada, you began working as a  
20           reporter for a Chinese language radio station.

21                           In 2005, you became editor-in-chief of Sing  
22           Tao Daily Vancouver, a Canadian-Chinese language newspaper  
23           partly owned by Tor Star. You held that position until your  
24           retirement in 2018, and you've taught editing and reporting  
25           and, currently, you create online content for Media Analytica  
26           Productions Inc. Is that correct?

27                           **MR. VICTOR HO:** Yeah.

28                           **MR. MATTHEW FERGUSON:** Okay. Thank you.

**3            CULTURAL COMMUNITY MEDIA PANEL  
PANEL MÉDIAS CULTURELS DE LA COMMUNAUTÉ**

1            Mr. Gurpreet Singh, you've immigrated to  
2 Canada from India in 2001. Prior to coming to Canada, you  
3 worked as a staff correspondent for the Tribune India.

4            You hold a Bachelor of Commerce and obtained  
5 a Master's in Journalism from Punjab University in Indian,  
6 and you've worked for two Indian language radio stations in  
7 Canada and host a daily 30-minute talk program consisting of  
8 interviews, news and current affairs.

9            I understand you're also a regular guest on  
10 Channel Punjabi on YouTube and you write articles for an  
11 online arts and culture media outlet. You're also the  
12 founder of an online magazine covering Canadian and  
13 international politics.

14            **MR. GURPREET SINGH:** Yes, that's right.

15            **MR. MATTHEW FERGUSON:** And Mr. Leung, Ronald  
16 Leung, you were born in Hong Kong and came to Canada as a  
17 student in 1983. You're fluent in Cantonese and Mandarin.

18            You hold a PhD in Chemistry from Simon Fraser  
19 University and you've been involved in the Chinese language  
20 media since 1995, first as a host of a call-in radio language  
21 program, and then as a commentator on a Cantonese language  
22 radio station.

23            Since 2016, you've hosted a weekly television  
24 show in which you interview a variety of individuals with a  
25 focus on Canadian politics.

26            You were also a columnist with Ming Pao and  
27 Sing Tao, two Chinese Canadian -- two Chinese language  
28 publications.

**4            CULTURAL COMMUNITY MEDIA PANEL  
PANEL MÉDIAS CULTURELS DE LA COMMUNAUTÉ**

1                    **MR. RONALD LEUNG:** Thank you. Yes.

2                    **MR. MATTHEW FERGUSON:** Yes. So the format of  
3 the consultation panel today will resemble the consultation  
4 panels that were conducted during the national security  
5 confidentiality hearings in January 2024.

6                    The panel members will not be under oath and  
7 will not -- or affirmation, so questioning of panel members  
8 will be done by Commission counsel, myself, Matthew Ferguson,  
9 and Hamza Mohamadhossen.

10                   And we will be breaking some time for about  
11 half an hour. It will be a bit longer this morning so we can  
12 receive questions from the parties and then we'll take that  
13 break to review the questions and put some of the questions  
14 to the panel members.

15                   **COMMISSIONER HOGUE:** Perfect. You can  
16 proceed.

17                   **--- EXAMINATION OF THE PANEL BY/INTERROGATOIRE DU PANEL PAR**

18                   **MR. MATTHEW FERGUSON :**

19                   **MR. MATTHEW FERGUSON:** So I'll begin with the  
20 first questions to Mr. Ho and Mr. Leung.

21                   Canada is home to a large Chinese Canadian  
22 community. It is not a monolith. There have been various  
23 waves of immigration and Chinese Canadians are spread across  
24 the country from Vancouver, Toronto, Calgary, Montreal and  
25 elsewhere.

26                   There's a rich diversity of Chinese culture,  
27 language, opinion, religion. There's a diversity of opinion.  
28 There is different levels of political engagement and so on.

5            **CULTURAL COMMUNITY MEDIA PANEL**  
**PANEL MÉDIAS CULTUREL COMMUNAUTAIRE**  
**Ex. (Ferguson)**

1                    At a high level, can you tell us a bit more  
2 about that community and those communities?

3                    **MR. VICTOR HO:** Start for me?

4                    **MR. MATTHEW FERGUSON:** Sure, Mr. Ho.

5                    **MR. VICTOR HO:** Okay. Yeah, the Honourable  
6 Commissioner, esteemed panel members and ladies and  
7 gentlemen, the Chinese community in Canada has long been  
8 caught in the cross-hairs of political discourse,  
9 disinformation and propaganda originating from the Chinese  
10 Community Party, CCP. From Toronto to Vancouver, much of the  
11 Chinese language media in these communities exist under the  
12 immense influence of the CCP.

13                    This linguistic and cultural connection to  
14 the homeland has facilitated a prolonged period of  
15 manipulation, making it challenging for non-Chinese Canadians  
16 to differentiate between authentic information and fabricated  
17 narratives. If the CCP seeks to influence or interfere in  
18 Canada's democratic process, one of its most effective tools  
19 is the Chinese language media.

20                    The majority of local Chinese media has been  
21 influenced, if not outright controlled, by the CCP for years.  
22 This is why our concern group supports the countering foreign  
23 interference, Bill C-70.

24                    In addition to controlling traditional media,  
25 the CCP have also exported digital influence through popular  
26 Chinese social media platforms such as WeChat, TikTok and  
27 Weibo.

28                    These platforms are used to flood the local

**6            CULTURAL COMMUNITY MEDIA PANEL**  
**PANEL MÉDIAS CULTUREL COMMUNAUTAIRE**  
**Ex. (Ferguson)**

1        Chinese community with CCP narratives, serving as vehicles  
2        for political indoctrination under the guise of social  
3        interaction.

4                    The CCP's control over Chinese language media  
5        in Canada goes beyond shaping public opinion. It plays a  
6        critical role in enabling transnational repression and  
7        lateral interference. In the year 2021 Canadian  
8        parliamentary elections, there were coordinated  
9        disinformation campaigns on WeChat and WhatsApp aiming at  
10        dissuading voters from supporting candidates who held entire  
11        China wills. The Chinese language media's influence,  
12        therefore, extends into direct attempts to manipulate  
13        Canadian electoral outcomes, raising serious national  
14        security concerns.

15                    **MR. MATTHEW FERGUSON:** Mr. Ho, if I ask you  
16        to speak about the diversity of opinion that exists in the  
17        Chinese language community, and by extension to the media.  
18        If I could perhaps direct the question to Mr. Leung as well.

19                    **MR. RONALD LEUNG:** Yeah. Thank you for the  
20        introduction.

21                    Now, I came to Canada in 1983. I was  
22        introduced to radio broadcast when I study at Simon Fraser  
23        University. I worked at the campus radio station, and then I  
24        worked at the co-op radio station with the Chinese community;  
25        that's 1985.

26                    So the Chinese community at that time are  
27        more uniform because they immigrate from either Hong Kong,  
28        Taiwan, a little bit from mainland China, so the public

7           **CULTURAL COMMUNITY MEDIA PANEL**  
**PANEL MÉDIAS CULTUREL COMMUNAUTAIRE**  
**Ex. (Ferguson)**

1           opinion on different political issues more aligned the same  
2           way. But with the change in the immigration, more coming  
3           from mainland China; particularly in the last 20 years,  
4           there's a large influx of Chinese immigrants from China, the  
5           People's Republic of China.

6                               Right now we have about 1.7 million  
7           Canadian ---

8                               **MR. MATTHEW FERGUSON:** One point seven (1.7)?

9                               **MR. RONALD LEUNG:** --- 1.7 million, and  
10           mostly reside in the three big metropolitan area, Toronto,  
11           Montreal, and Vancouver. And if you look at the composition,  
12           it is still about 60 percent first-generation Chinese  
13           immigrants. They immigrate when they are adults; 60 percent.  
14           And about 40 percent, 1.5, first generation, means they came  
15           here at a very young age, or they were born in Canada and  
16           brought up in Canada.

17                              So if you look at those numbers, so the  
18           majority, 60 percent, are still first-generation immigrant,  
19           came here as adult.

20                              Now, in the older days, people come from Hong  
21           Kong, Taiwan, their so-so composition is more similar to  
22           Canada, have the freedom of press, freedom of thoughts,  
23           freedom of speech, but closer to the last 20 years it became  
24           from mainland China.

25                              We know it's a atheist country.

26                              **MR. MATTHEW FERGUSON:** An atheist country?

27                              **MR. RONALD LEUNG:** It's an atheist country.

28           And they brought up in a despotic, patriotic type of

**8            CULTURAL COMMUNITY MEDIA PANEL**  
**PANEL MÉDIAS CULTUREL COMMUNAUTAIRE**  
**Ex. (Ferguson)**

1        education. So when they come to Canada, it take a long time  
2        for them to appreciate our value as Canadian.

3                    So it's more diverse now in their public  
4        opinion on different issues, particularly in political  
5        issues. And with the rise and importance of the PRC, there's  
6        always a saying in the Chinese community; it's the rise of  
7        the East and the fall of the West. That means that their  
8        authoritarian management system of the country is superior  
9        than our democratic capitalist country.

10                   So in the community there's a vast diversity  
11        of opinion, and it's more and more leaning to support what  
12        they call their mother country, China. And they have very  
13        difficult time to appreciate what they are seeing in Canada.  
14        Maybe it's not up to what they thought before they came.

15                   We have a lot of social issues in the wider  
16        community, even for long-time Canadian. And if you look at  
17        the recent statistic from our Statistic Canada on the  
18        democratic analysis of how people support basic Canadian  
19        value, they are human rights, freedom of speech, our  
20        reconciliation with the aboriginals; we just have our holiday  
21        yesterday to remember that.

22                   But people come to Canada in their first five  
23        to 10 years, they have more appreciation and support of those  
24        values, but after a long time, their support get less, closer  
25        to average Canadian. So it's not a very good sign.

26                   But we can see if we cannot tell new  
27        immigrant in their first five to 10 years in Canada, what is  
28        our system; how we can live harmony as a society to bring

1 Canada forward, we will have a lot of problem after the first  
2 five to 10 years when they see more and more Canadian  
3 problem.

4 So that is what is happening in the Chinese  
5 community. It's really diverse and there's more tendency of  
6 the people looking back at where they came from and to  
7 appreciate more what they left behind, and get in more and  
8 more trouble seeing Canada.

9 So that's what I'm seeing in the Chinese  
10 community.

11 **MR. MATTHEW FERGUSON:** Thank you, Mr. Leung.

12 **--- EXAMINATION OF THE PANEL BY/INTERROGATOIRE DU PANEL PAR**

13 **MR. HAMZA MOHAMADHOSSEN:**

14 **MR. HAMZA MOHAMADHOSSEN:** So Mr. Singh,  
15 Canada is also home to a large Indian diaspora that is  
16 culturally, linguistically, religiously, socioeconomically,  
17 and politically diverse. And within that diaspora, there is  
18 also a large Sikh and a large Punjabi-speaking sub-diaspora,  
19 particularly in the Greater Vancouver area and the Greater  
20 Toronto area. Can you tell us a little about these  
21 communities and these sub-communities? And I would also  
22 invite you to comment if there are any differences, depending  
23 on whether it's Toronto or Vancouver or anywhere else in  
24 Canada, or whether it's impacted by when individuals  
25 immigrated to Canada?

26 **MR. GURPREET SINGH:** Well, there's no  
27 question about it, Indian diaspora is very diverse, both in  
28 terms of their religious or ethnic identities, and also



**10      CULTURAL COMMUNITY MEDIA PANEL**  
**PANEL MÉDIAS CULTUREL COMMUNAUTAIRE**  
**Ex. (Mohamadhossen)**

1      political beliefs. And there is no question, the Sikh  
2      community dominates politically here. It's widely  
3      represented, both in the Parliament and different  
4      legislatures, city councils.

5                      But nevertheless Hindu community is also very  
6      strong in Canada. And if Sikhs are 36 percent, Hindus are 32  
7      percent; this is my rough estimate.

8                      And there are other communities as well  
9      within the Indian diaspora who follow Christianity, who  
10     follow Buddhism; there are atheists, there are so-called  
11     Dalits, or oppressed groups. And in Surrey, I have noticed  
12     over these recent years the South Indian community has also  
13     grown, which itself is very diverse.

14                     In South India, people speak different  
15     languages; they speak Tamil, they speak Telegu, they speak  
16     Kannada and Malayalam. People speaking those languages also  
17     reside in Surrey. So it's so diverse, there's no question  
18     about it.

19                     And within the Sikh community also, which is  
20     again divided on the basis of caste, although caste system  
21     has no room in Sikhism as such. But Sikh community is also  
22     divided into different caste groups. They come from  
23     different regions of Punjab, which are very distinct, in  
24     terms of their dialect. For example, people from Mahja,  
25     people from Doaba, people from Malwa, and sometimes they're  
26     also very polarized. So it's so huge, so diverse.

27                     And in terms of political belief system,  
28     there is no question there are people in the community --

11 CULTURAL COMMUNITY MEDIA PANEL  
PANEL MÉDIAS CULTUREL COMMUNAUTAIRE  
Ex. (Mohamadhossen)

1 within the Sikh community who support Khalistan; there are  
2 people who do not support it. There are people who support  
3 the current regime in New Delhi; there are people who are  
4 opposed to that regime. So everyone is politically -- have  
5 its own belief system.

6 There are supporters of the Congress Party,  
7 which used to rule India for a very long time, before the  
8 BJP. There are the Communist activists within the Sikh  
9 community or the Punjab Indian community. So it's very  
10 diverse, there's no question about it. One community cannot  
11 claim to represent the entire Indian or South Asian diaspora.

12 **MR. HAMZA MOHAMADHOSSEN:** Great, thank you.

13 And Mr. Ho, if we speak a bit about the media  
14 landscape in the Chinese-Canadian community, can you describe  
15 the main sources of news for Chinese Canadians? Do they get  
16 their news from mainstream media or more locally?

17 **MR. VICTOR HO:** Oh yeah. For the media  
18 consumption of the Chinese Canadian here, basically, people  
19 you know, prefers the people's original hometown. If from  
20 Hong Kong, Taiwan, they are more, you know, consume the  
21 mainstream English media, no matter radio or newspaper. But  
22 from those people, immigrants from mainland China, they have  
23 a universal habit to consume the news from their home country  
24 because of the language barrier. So they consume more  
25 Chinese language content, more than people from Hong Kong,  
26 Taiwan, or other places.

27 So it makes a good chance for CCP to control  
28 the media export to, you know, try to make their own official

12 CULTURAL COMMUNITY MEDIA PANEL  
PANEL MÉDIAS CULTUREL COMMUNAUTAIRE  
Ex. (Mohamadhossen)

1 narrative more popular in the local communities, especially  
2 with more people came from mainland, especially Vancouver or  
3 Toronto.

4 As Ronald said earlier, the past 20 years a  
5 lot of people came from China, over how many, in sense of  
6 number. So for me, Mandarin is now more popular than  
7 Cantonese ---

8 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

9 **MR. VICTOR HO:** --- in the metropolitan  
10 cities in Canada, no matter Toronto or Vancouver. And ---

11 **MR. HAMZA MOHAMADHOSSEN:** But that doesn't  
12 make a difference in print media; correct?

13 **MR. VICTOR HO:** Print media, no difference,  
14 but print media is tired now.

15 **MR. HAMZA MOHAMADHOSSEN:** M'hm. Okay.

16 **MR. VICTOR HO:** So the online media makes  
17 more chance for CCP to infiltrate their narrative from online  
18 content. That makes a great concern for Canadian Government  
19 to monitor or to watch out what happens in our Chinese  
20 community.

21 How can they place full advertisement on the  
22 newspaper, the front page, to celebrate the 25<sup>th</sup> anniversary  
23 of PRC and list hundreds of organizations and individuals and  
24 names on the full-page advertisement in Chinese paper, ---

25 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

26 **MR. VICTOR HO:** --- but now here in Canada,  
27 you are not celebrating the Canada Day, but celebrating the  
28 national day of your home country? How can this happen?

13 CULTURAL COMMUNITY MEDIA PANEL  
PANEL MÉDIAS CULTUREL COMMUNAUTAIRE  
Ex. (Mohamadhossen)

1 What is your loyalty to the new country?

2 MR. HAMZA MOHAMADHOSSEN: M'hm.

3 MR. VICTOR HO: It may confuse some  
4 perceptions of non-Chinese societies here. There may be, you  
5 know, some strange things on this part of new immigrants from  
6 China.

7 MR. HAMZA MOHAMADHOSSEN: Yeah.

8 MR. RONALD LEUNG: Yeah, maybe I can share --  
9 -

10 MR. HAMZA MOHAMADHOSSEN: Yeah.

11 MR. RONALD LEUNG: --- a little bit of my  
12 experience working in the Chinese media, because in the last  
13 40 years, I worked in most of the Chinese media in Canada. I  
14 started as a volunteer in a local co-op radio station as a  
15 news announcer in Chinese.

16 In the 80's, we don't have local print  
17 Chinese paper and we only started have one Chinese broadcast  
18 three hours a day in the evening from a mainstream radio  
19 channel. Three hours a day in the evening. And the co-op  
20 radio station had three hours in the morning. So I wanted,  
21 as a student, to read the news. And the source of the news  
22 is -- they're all from Hong Kong. We used the Hong Kong  
23 newspaper as our major news source to tell our audience what  
24 is happening in the world. That is in the 80s.

25 But the trend has changed. After Canada set  
26 up multicultural radio stations, and at that time we have two  
27 major Chinese radio stations in Canada. That is starting.  
28 Regulated multicultural broadcast. And I worked in one of

14 CULTURAL COMMUNITY MEDIA PANEL  
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1 those Chinese radio stations. At that time, we still used  
2 the Hong Kong newspapers as our main news source.

3 But gradually we imported broadcast news from  
4 Hong Kong to rebroadcast those news items in Canada. That is  
5 in the 80s and in the 90s. And that trend continues even  
6 today.

7 And in the 80s, while I was still working for  
8 the co-op radio station, one big thing happened in China is  
9 the June 4<sup>th</sup> Tiananmen killing of the democratic student  
10 protest. Everyone knows about that case. And I was very  
11 impressed in what happened, because I worked in the co-op  
12 radio station. We reported what happened. And at that time  
13 in Canada, we called that the Tiananmen Massacre. A lot of  
14 media called it in that way, but in China, of course, they  
15 don't think that is a massacre. There is a killing of the  
16 Tiananmen Square of protestors.

17 But the Chinese community at that time are  
18 quite unified. Even people in Hong Kong -- the media in Hong  
19 Kong were unified. There's a lot of people died at that  
20 evening of that killing of the Tiananmen Square. Many people  
21 died. But in the Chinese community at that time, I was a  
22 reporter for the community radio station and the Fil-Chinese  
23 community leader, who has a very close connection with the  
24 Consul General's Office, they came out and spoke to the  
25 media, "No one died at the square." How can they say that?  
26 We watched from the T.V., we read from the news around the  
27 world what happened. So that is in the 80s.

28 That trend continues today. At that time,

1 most people listened to radio stations to get the news. But  
2 now today, it's not the case. But our regulated radio  
3 stations are still the same way. They operate similarly.  
4 Make broadcasts, the majority, in Cantonese, and not  
5 Mandarin.

6 But as Victor explained, in the last 20  
7 years, more and more people came to Canada from Mainland  
8 China. Their major language is Mandarin. The commercial  
9 Canada regulated multicultural station still only have a  
10 small proportion of their time dedicated to Mandarin-speaking  
11 audience. And you will think it's a commercial radio  
12 station, commercial T.V. station. Why they still spend most  
13 of the time in Cantonese? It's a business consideration,  
14 because as Victor said, people came from China in Canada,  
15 they consume their news from the internet.

16 **MR. MATTHEW FERGUSON:** Right. And so you --  
17 can you speak to that, to the internet now, ---

18 **MR. RONALD LEUNG:** Yeah.

19 **MR. MATTHEW FERGUSON:** --- and the role of  
20 social media now in that environment?

21 **MR. VICTOR HO:** Yeah, in regard of the  
22 tactics of CCP over the Chinese-language media, I have some  
23 five tactics ---

24 **MR. MATTHEW FERGUSON:** But without getting  
25 into that, we'll come to -- a bit more to tactics a bit  
26 later, but if we just speak about the role that social media  
27 now, following the examples that you've both given about  
28 going from print media, ---

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1 MR. VICTOR HO: Okay.

2 MR. MATTHEW FERGUSON: --- radio and  
3 television, and now with the prevalence of social media, how  
4 does that effect how Chinese-Canadians ---

5 MR. VICTOR HO: Oh.

6 MR. MATTHEW FERGUSON: --- get their news?

7 MR. VICTOR HO: As for the social media, you  
8 know, the WeChat is the most important ---

9 MR. MATTHEW FERGUSON: M'hm.

10 MR. VICTOR HO: --- instrument for the  
11 immigrants from China ---

12 MR. MATTHEW FERGUSON: M'hm.

13 MR. VICTOR HO: --- and part of people from  
14 Hong Kong, WeChat. Also TikTok's very popular, because those  
15 social medias are serving the entertainment purpose,  
16 basically, and information is only secondary. But the people  
17 largely like to use these social media to get in contact with  
18 their relatives and friends in Hong Kong or in China, ---

19 MR. MATTHEW FERGUSON: M'hm.

20 MR. VICTOR HO: --- so they still use those  
21 WeChat, especially on the election season, those social  
22 medias play a very important role for the opposing government  
23 to influence Chinese people here.

24 MR. MATTHEW FERGUSON: Okay. Thank you.

25 MR. HAMZA MOHAMADHOSSEN: And so, Mr. Singh,  
26 I'll invite you to speak to the same considerations for the  
27 Indo-Canadian community. Where do Indo-Canadians primarily  
28 obtain their news from and then what is the proportion

1 between Canadian mainstream media and Indian community media?

2 **MR. GURPREET SINGH:** Well I don't have the  
3 exact figures, but what I can tell you is that, again, it  
4 will take me back to my previous statement, the community is  
5 very diverse, so is the listenership or viewership, because  
6 our community not only follows Indian media all the time.  
7 They also follow what is being reported on CBC, or CTV, or  
8 the mainstream media here in Canada.

9 But as far as the Indian channels are  
10 concerned, a number of news channels of India are being  
11 followed here in Canada through service providers. And  
12 they're also very diverse.

13 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

14 **MR. GURPREET SINGH:** Some are called as Godi  
15 media or pro-Modi embedded media outlets. Some are neutral.  
16 Some are objective.

17 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

18 **MR. GURPREET SINGH:** And it's also very  
19 diverse. I mean, the media, the Indian media, and even the  
20 Indian community in Canada, has a very old history. So the  
21 Indians started coming to this part of the world under  
22 British occupation, so they started a paper called Swadesh  
23 Sewak, which was a very old newspaper at that time.

24 **MR. HAMZA MOHAMADHOSSEN:** Can you spell that  
25 just for the record?

26 **MR. GURPREET SINGH:** Sure.

27 **MR. HAMZA MOHAMADHOSSEN:** Yeah.

28 **MR. GURPREET SINGH:** So it's S-W-A-D-E-S-H.



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1 Swadesh. And ---

2 MR. HAMZA MOHAMADHOSSEN: Swadesh.

3 MR. GURPREET SINGH: --- Sewak -- m'hm -- S-  
4 E-W-A-K. Two words.

5 So this was a paper started by the freedom  
6 fighters. So I'm just giving you context.

7 MR. HAMZA MOHAMADHOSSEN: M'hm.

8 MR. GURPREET SINGH: The interest in the  
9 media has been very old and the time came when some community  
10 papers, they mushroomed, like Indo Canadian Times, Charhdi  
11 Kala, Punjab Guardian. So these are -- readership of those  
12 papers still -- it exists even today.

13 And also, people listen to radio a lot. I  
14 can give you a rough figure. Around the entire listenership  
15 of our community stations in Surrey, or Lower Mainland, it  
16 makes up 300,000. And out of that, we can say 119,000 are  
17 the listeners of our Spice radio station alone. So it's a  
18 huge audience.

19 MR. HAMZA MOHAMADHOSSEN: Yeah.

20 MR. GURPREET SINGH: And people also follow  
21 what is being reported on, say, OMNI TV ---

22 MR. HAMZA MOHAMADHOSSEN: M'hm.

23 MR. GURPREET SINGH: --- share TV channel,  
24 they are local. And apart from that, the other media  
25 outlets, which are reporting services through the providers  
26 here in British Columbia ---

27 MR. HAMZA MOHAMADHOSSEN: Okay.

28 MR. GURPREET SINGH: So it's very diverse and

1 the content is very diverse, and they have number of options.

2 MR. HAMZA MOHAMADHOSSEN: Yeah,

3 MR. MATTHEW FERGUSON: Great. Turning back  
4 now to Mr. Leung and Mr. Ho, how engaged is the -- is -- or  
5 what is the prominence of politics, either local politics or  
6 domestic politics in Canada, or politics in the PRC, how  
7 prevalent is that in the Chinese language media in Canada?

8 MR. VICTOR HO: Yeah, the -- always in the  
9 media, the local -- all news are local, you know, Canadian  
10 news always on -- could be, you know, the first part for the  
11 audience here ---

12 MR. MATTHEW FERGUSON: M'hm.

13 MR. VICTOR HO: --- the Canadian local news,  
14 no matter federal, provincial or municipal news. But for the  
15 cover, the length of cover, the news from Hong Kong, the news  
16 from China will be bigger than local news, because they have  
17 so-called essential kitchen content provide from Hong Kong --  
18 I mean, Hong Kong news media company, or their parent company  
19 LEI Sing Tao. You know, Sing Tao, the Canadian bureaus are  
20 all give -- are all, you know, use the same China news  
21 content, Hong Kong news content, even financial news, Hong  
22 Kong financial news content from the parent newspaper in Hong  
23 Kong. And local news usually occupy around 10 pages, the  
24 first 10 pages. The others are from Hong Kong or Mainland.

25 MR. MATTHEW FERGUSON: Okay. Thank you.

26 MR. RONALD LEUNG: Now, on the ---

27 MR. MATTHEW FERGUSON: Yeah, sorry.

28 MR. RONALD LEUNG: --- radio and TV, the

1 major news are Canadian news. They have done a pretty good  
2 job from my standard to cover Canadian news, even political  
3 bickering between different party. They have very lively  
4 discussion on Canadian politics, no doubt about it, and it's  
5 a very good sign. More and more people are in tune with  
6 what's happening in Canada. But on the other hand, when we  
7 talk about issue outside Canada, particularly around China,  
8 Taiwan, Southeast Asia, there's not much a diversified  
9 discussion. It's mostly one-sided, because in China we know  
10 they do not allow people have dissent. You have to all  
11 repeat the same narrative from the government. It is later  
12 in the Chinese discussion. Most people will tow the official  
13 China line in any discussion. Only a very, very small  
14 percentage of people will have a different opinion. And the  
15 commentator used by those medias, the majority of them will  
16 tow the mainland China official line in all discussion. So  
17 only -- I discuss it with Victor. He said maybe five per  
18 cent of those commentators or callers will have different  
19 opinion from the official line from China. That is the  
20 situation in our community.

21 **MR. MATTHEW FERGUSON:** So what you're saying  
22 is essentially that there is a lively coverage of local  
23 Canadian politics and issues here, but when the topics turn  
24 to matters affecting the PRC, that's where the diversity of  
25 opinion dries up?

26 **MR. VICTOR HO:** That's right, correct.

27 **MR. MATTHEW FERGUSON:** Okay.

28 **MR. VICTOR HO:** Especially the public forum

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1      program on -- always on weekend. They will invite the local  
2      commentators to attend the program to give opinion analysis.  
3      That is the good chance for the owner of the media company to  
4      select the, you know, the tone and the way or the real  
5      points. They will always select the idea, similar way of the  
6      Chinese official organ to present their opinion, rather than  
7      have a balanced forum, one for pros, one cons. Not this  
8      case. Not this case. Especially last 10 years.

9                    **MR. MATTHEW FERGUSON:** Okay. And you mention  
10     some of the issues that could be touchy. Are there issues  
11     that are taboo that are not discussed in ---

12                   **MR. VICTOR HO:** Oh ---

13                   **MR. MATTHEW FERGUSON:** --- that medium?

14                   **MR. VICTOR HO:** --- a lot. Not only Five  
15     Poisons.

16                   **MR. MATTHEW FERGUSON:** Okay. And what are  
17     the ---

18                   **MR. VICTOR HO:** Maybe Five Poisons mean  
19     Thailand, means Hong Kong issue, I mean Hong Kong  
20     independence something ---

21                   **MR. MATTHEW FERGUSON:** M'hm.

22                   **MR. VICTOR HO:** --- means Uyghur, Tibet and  
23     the Democratic Movement Overseas -- I mean, China -- Chinese  
24     Democratic Movement Oversea. This is Five Poisons. This is  
25     taboos. You cannot release these ideas opposite with --  
26     opposite to the CCP if you participate their forum. At the  
27     first time, you won't be invited. No chance to convey your  
28     opinion because they select beforehand, just like the media

1 company. The CCP try to control the media content now. They  
2 won't control the content. They control the boss. They  
3 control the owner. They control the proprietor. And they  
4 make interest vested with the boss of the media company, and  
5 then the boss will do the right thing, so-called right thing.  
6 That is the highest level of control.

7 **COMMISSIONER HOGUE:** Mr. Ho?

8 **MR. VICTOR HO:** I will say a bit more later.

9 **COMMISSIONER HOGUE:** What you're saying is  
10 actually they are controlling the content by controlling who  
11 is invited, and those that are allowed or invited and allowed  
12 to speak are those that are sharing the same views than the  
13 CPC?

14 **MR. VICTOR HO:** They are controlling the boss  
15 and then the boss have investment in Mainland. And on the  
16 other side, the boss won't invite the people with opposite  
17 viewpoints with Communist China. That will counter the way  
18 of the boss interest, commercial interest in Mainland. That  
19 is the media management control. That is the highest level  
20 control. Not only in here, in Hong Kong also.

21 **MR. RONALD LEUNG:** Yeah. I just want to say  
22 one thing. Sure. On the other hand of taboo issue, there  
23 are issue that they want to amplify is the internal conflict  
24 in Canada. For example, drug policy is one of the big topic  
25 in the Chinese community because of the history of China,  
26 people in general, they don't like drug abuse. They hate  
27 drugs. And so they have a lot of different from what  
28 Canada's doing on the management of this issue. Another one

1 is gender identity, crime and safety, the Indigenous issue,  
2 human right. When China try to amplify those conflicts in  
3 western country, we can see it in the Chinese media in  
4 Canada, they will do the same thing to amplify those problem,  
5 to create a diversion of opinion from the Chinese community  
6 than the Canadian public in general.

7 **MR. MATTHEW FERGUSON:** Okay. Thank you.

8 **MR. HAMZA MOHAMADHOSSEN:** And so, Mr. Singh,  
9 from your perspective, in the Indo-Canadian media community,  
10 how much news coverage is dedicated to politics and news  
11 events happening in India versus in Canada, and then  
12 afterwards, I'll ask you to also comment on how diverse are  
13 the viewpoints and opinions that are shared in covering these  
14 events?

15 **MR. GURPREET SINGH:** As far as I'm concerned,  
16 I do my evening show Monday through Thursday, which is  
17 totally dedicated to the local issues. There is no question.  
18 Unless there is some Indian connection, for example,  
19 something has happened in Punjab and there is a reaction to  
20 that and some kind of demonstration is being held in  
21 Vancouver, that will be taken as a local news. Other than  
22 that, I mostly focus on the local content. As far as my  
23 Sunday morning show is concerned, there is also balance.  
24 Part of it is based on what is happening in India and part of  
25 it what was happening here. Because I'm dealing with current  
26 affairs and news, it can come from anywhere. But by in large  
27 there is a good tendency, within the South Asian diaspora  
28 media, to give a lot of coverage to the Indian news stories,

1 because most of the listeners are in the category of 50 plus.

2 So if you are doing open line show and you  
3 are talking about Punjab, talking about India, you will get  
4 more calls. You can engage more people. And when you talk  
5 about local issues, sometimes that is not the case.

6 But again, there are some exceptions. For  
7 example, right now we have elections going on in British  
8 Columbia and it's a really hot issue and most of the coverage  
9 is dedicated to the B.C. election. But other than that,  
10 people do take interest in day-to-day events back home, and  
11 you cannot take it away from them. As I told you, 50 plus is  
12 the average audience, and they are more engaged when you open  
13 lines on those issues. So any host will be tempted to do  
14 those kind of talk shows, rather than doing something  
15 locally. Nobody wants to have a blank.

16 **MR. HAMZA MOHAMADHOSSEN:** And in doing these  
17 talk shows and covering these events, are journalists able to  
18 present a variety of viewpoints on any one issue?

19 **MR. GURPREET SINGH:** See, that's also a huge  
20 challenge, because you were talking about taboos. So there  
21 are some taboos within the Indian media industry, for  
22 example, Kashmir, Pakistan, cast system, unfortunately even  
23 Air India is a taboo. You are only one side or that other,  
24 that's the tragedy. So, and you get a lot of pushback from  
25 the Indian Consulate or Indian diplomats if you deal with  
26 these issues. They will try to influence you to either  
27 remain on the middle of the road or give some coverage to  
28 their perspective.

1 MR. HAMZA MOHAMADHOSSEN: M'hm.

2 MR. GURPREET SINGH: So that you cannot deny.  
3 It's a reality, we face it every day. And unfortunately, in  
4 India the Canadian tragedies, still we cannot talk about it  
5 in a very objective manner. You have to take a side.  
6 Sometimes that kind of thing happens here. And these are  
7 some of the issues which still remain taboo. Yeah.

8 MR. HAMZA MOHAMADHOSSEN: Thank you.

9 We'd like to talk a bit -- get a better  
10 understanding of -- we've spoken about, and I think Mr.  
11 Leung, you brought it up, the fact that there has been more  
12 media outlets in the past 20 or 30 years, you mentioned in  
13 the 1980s there was just two radio stations, now there are  
14 many across the country. And I guess we're trying to get a  
15 better understanding of the independence of these outlets and  
16 whether there is -- whether they are in fact independent or  
17 there is a consolidation of -- with respect to ownership and  
18 content. Can you speak to that?

19 MR. RONALD LEUNG: I would divide that into  
20 the regulated and non-regulated. The regulated means they  
21 are all regulated by CRTC, so it's under the Canadian  
22 regulations. There are still about the same number. There's  
23 not that many. But their popularity are less than before  
24 because people are turning into internet to get all their  
25 information.

26 Even those regulated by the Canadian  
27 Government, they expand into the internet, they need to have  
28 apps for people to continue to listen to their program. So



1 that means less people's owning radio, maybe that will get  
2 even less in the future. People will use mainly their cell  
3 phone to listen to broadcasts, podcasts, and all the new  
4 media, social media.

5 So when you talk about the media, the CRTC  
6 role, and the control they have on the radio, on the TV, on  
7 cable, is getting less. A lot of new immigrants from China,  
8 they set up their radio on the internet only and they have  
9 their office in Canada, they broadcast from Canada, but it's  
10 through the internet, it's not regulated.

11 **MR. VICTOR HO:** Is it an underground station?

12 **MR. RONALD LEUNG:** Well, you can't call it  
13 underground, it's on the internet, it's open to the public,  
14 everyone can listen to it.

15 Okay. So this is the present situation. So  
16 more is on the internet, but regarding those regulated by the  
17 Canadian regulations, if you look at the CRTC website, look  
18 that the ownership and the structure of the ownership,  
19 usually that ethnic media outlet is controlled by one person,  
20 100 percent, 90 percent control. That is a real problem as  
21 explained by Victor.

22 We created a media for foreign influence.  
23 They can broadcast propaganda programs from an outside  
24 country, and they can tailor their news to suit the taste of  
25 the owner, because it's one person controls everything. They  
26 control who they hire, they set up gatekeepers in every  
27 department to make sure they are not outside what the boss  
28 what. So that is the present situation. So we have the

1 regulated not really regulated, we have the non-regulated.  
2 That is our situation.

3 **MR. MATTHEW FERGUSON:** Okay. And in terms of  
4 content, how -- if you can speak to the variety of viewpoints  
5 that are expressed over that media, whether it's online,  
6 unregulated, and regulated media?

7 **MR. RONALD LEUNG:** Now, you talk about  
8 information these days. We are in an information war. We  
9 are fighting with the rest of the world. And if we allow our  
10 Canadian media -- we can't control the internet, even the  
11 Canadian regulated media, we cannot control the information.  
12 We cannot have our Canadian narrative compete with all the  
13 other information, or misinformation, or disinformation from  
14 other countries. And they may come from our adversaries.

15 So this is the situation when people consume  
16 news in a different language other than English and French,  
17 how much Canada is providing to have our narrative for them  
18 to choose? We believe in freedom of speech, freedom of  
19 press, human right, and all those values. But if we are not  
20 given the alternative, or our amenity for people to choose,  
21 to make the right choice, we are losing this war.

22 **MR. MATTHEW FERGUSON:** Okay. Thank you.

23 **MR. HAMZA MOHAMADHOSSEN:** And so, Mr. Singh,  
24 from the Indo-Canadian perspective, can you speak to us a  
25 little bit about media ownership and whether there are  
26 several different independent media outlets, or whether there  
27 is some sort of consolidation of organizations?

28 **MR. GURPREET SINGH:** Most of these media

1 outlets, I have dealt with run by private ownership, in most  
2 cases just by one person and maybe a few family members,  
3 extended family members. And that's the reason why it's very  
4 easy to control or influence them by business groups or even  
5 foreign entities.

6 **MR. HAMZA MOHAMADHOSSEN:** Right.

7 **MR. GURPREET SINGH:** So that makes our job  
8 challenging sometimes, yeah.

9 **MR. HAMZA MOHAMADHOSSEN:** And so, you said  
10 the -- it's owned by one person and then ---

11 **MR. GURPREET SINGH:** One family or ---

12 **MR. HAMZA MOHAMADHOSSEN:** --- it's also run  
13 by that person or their family members?

14 **MR. GURPREET SINGH:** Yeah.

15 **MR. MATTHEW FERGUSON:** And you mentioned  
16 through business groups. Can you speak a bit about that?

17 **MR. GURPREET SINGH:** Yeah. As I understand,  
18 we are not supposed to name anyone.

19 **MR. MATTHEW FERGUSON:** No.

20 **MR. GURPREET SINGH:** But I'm talking about  
21 the businesspeople who are very close to, say Indian  
22 diplomats, or the CGI and through them they can influence  
23 your business, they can affect your sponsorship if you don't  
24 tow their line.

25 **MR. MATTHEW FERGUSON:** So can you just speak,  
26 without again as you pointed out, not naming or divulging  
27 name, to how that works, how those business groups could  
28 influence, particularly where media is often dependent on

1      advertising?

2                    **MR. GURPREET SINGH:** I can give you one  
3      personal example. A very prominent business owner in  
4      Vancouver who advertises with almost all the media channels,  
5      he has a lot of money. So during the time when Modi  
6      government brought this controversial law called CAA,  
7      *Citizenship Amendment Act*, which was basically discriminating  
8      against the Muslims coming from Pakistan, Bangladesh, and  
9      Afghanistan. So there were huge protests all over India and  
10     also in Vancouver and I wrote extensively about those  
11     protests.

12                    So this businessperson phones me and tells me  
13     that I got a call from somebody in New Delhi who worked for  
14     the foreign government -- Foreign Affairs department, and was  
15     wondering if I can talk to you and this is a request that you  
16     stop writing about it because there is not point. That law  
17     has already been passed, why are you wasting your time? So I  
18     told him if the law is passed than why are you concerned  
19     about it? Why are you wasting my time in the first place?  
20     I'm just given my opinion, whether you buy it or you don't  
21     buy it is your problem.

22                    But that businessperson is very influential.  
23     I mean, that never happened in our case because he wasn't  
24     advertising with us anyway. But you can imagine how they can  
25     affect you if they are sponsors. They can easily pull back  
26     the sponsorship, they can stop paying you the money, then you  
27     will obviously be frustrated. That's how they try to exert  
28     some kind of pressure and influence on you through these

1 business groups which have strong ties with the Indian  
2 Consulate or Indian diplomats.

3 **MR. RONALD LEUNG:** Oh, Mr. Ferguson, could I  
4 give just two solid examples of how we are not doing our job  
5 to get the Canadian narrative out in the public? I'll just  
6 give two very simple examples. Recently Canada and our  
7 allies sent our warship to sail past Taiwan Strait. Because  
8 we wanted to show the world Taiwan Strait is an international  
9 waterway to be free for the world to have our normal  
10 transport by sea. But China look at Taiwan Strait as their  
11 sovereign waterway.

12 If we listen to the Chinese media, the China  
13 side has a very strong argument why they think Taiwan Strait  
14 is their waterway and Canada is infringing on their  
15 sovereignty. That is their narrative.

16 Canada thinks this is an international  
17 waterway. We have to show the world, we have to keep it open  
18 for the rest of the world to use it.

19 If our community -- Chinese community can  
20 only listen to the stories from the China narrative and not  
21 the Canadian narrative, we are losing the war.

22 An example, the two Michaels detained by  
23 China. China says they are spies. We think they are  
24 arbitrarily detained as revenge of Canada following through  
25 with our treaty with the U.S. to detain this waterway.

26 It's two narratives. If Canadian Chinese  
27 only listen to one side and not really on the other side,  
28 we're losing the war, so we really need to do something just

1 to counterbalance this fight on information.

2 **MR. MATTHEW FERGUSON:** Thank you.

3 **MR. HAMZA MOHAMADHOSSEN:** So Mr. Singh, the  
4 Commission has also heard and received evidence that the  
5 Government of India is an increasingly active foreign  
6 interference actor in Canada targeting the Indo-Canadian  
7 diaspora community, including through ethnic media and  
8 Canadians politicians.

9 Apparently the Government of India's intent  
10 is twofold. One, it's to promote the positive image of  
11 India, and two is to counter perceived threats to India from  
12 within Canada.

13 First, do you agree with that assessment?

14 **MR. GURPREET SINGH:** Yes, and no. The reason  
15 is part of it is true, but it's still an incomplete statement  
16 because it's more than that. They're trying to create a  
17 counter-narrative.

18 A case in point is the killing of Hardeep  
19 Singh Nijjar and the Prime Minister, Justin Trudeau, made a  
20 statement in the House. The way his statement was twisted by  
21 the Indian media outlets and was being promoted with no  
22 objectivity at all. Who gives you a licence to call Hardeep  
23 Singh Nijjar a terrorist and he was not even convicted in any  
24 court of law?

25 Just because the Indian government labeled  
26 him as a terrorist, the Indian media is describing as such  
27 through those headlines and banners, and that narrative is  
28 being accepted as it is.

1 If you compare it with the Canadian media,  
2 the way they'd handled the whole issue, they put in the whole  
3 story. They never used those kind of offensive headlines  
4 describing Najjir as a terrorist because he was never  
5 convicted in Canada, for example, so they were being very  
6 objective.

7 They even tried to approach the Indian  
8 officials for their version of the story. They didn't speak  
9 with them. That's a different story altogether.

10 But the story in CBC, for example, was very  
11 objective as against what we have been following on the  
12 Indian media outlets.

13 You are describing somebody who has already  
14 been killed and you're describing him as a terrorist just  
15 because the Government of India is saying it, and nobody has  
16 any licence to say that if you are working for a credible  
17 media organization.

18 **MR. HAMZA MOHAMADHOSSEN:** How do those --  
19 those narratives from Modi aligned or Indian media outlets in  
20 India, how does that trickle down or affect English -- Indian  
21 language media outlets in Canada.

22 **MR. GURPREET SINGH:** Definitely there is a  
23 spillover effect a number of ways.

24 One is the Indian media channels are being  
25 followed here through those service providers. Secondly,  
26 there are some media groups here in lower mainland or B.C. or  
27 in -- even in Toronto who actually towed the line of the  
28 Indian government. Through their blue-eyed boys in the media

1 industry, the media commentators, they made those loud  
2 statements. They parrot the line of Mr. Modi. And it's  
3 happening every day.

4 I think the Canadian government needs to do  
5 some kind of monitoring, but this is the burning issue right  
6 now. Everybody has an eye on the trial, which is already in  
7 progress. Even today there's a -- I read in the morning that  
8 the suspects in Nijjar's case are being presented in the  
9 court today.

10 So everyone should pay attention to how the  
11 media industry in India and their what we say mirror images  
12 in Vancouver, they are behaving on this.

13 **MR. HAMZA MOHAMADHOSSEN:** And I think earlier  
14 when you were discussing taboo issues, you mentioned there  
15 was this pushback and you referenced the Consulate of India  
16 here in Canada.

17 What role does that -- do they play?

18 **MR. GURPREET SINGH:** I can give you another  
19 example about casters, as I mentioned, outside.

20 So what happened was Kshama Sawant is city  
21 councillor in Seattle, so she brought a motion which  
22 criminalized -- criminalizes caste-based discrimination as  
23 racism. So similar kind of Bill is being presented here in  
24 Canada by Don Davies, who is a member of Parliament from  
25 Vancouver. So there's a pushback coming back from some Hindu  
26 groups who are backed by the Indian Consulate that we won't  
27 let it happen.

28 And even in the past when the self-same



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1        groups were trying to make a prediction of the 1984 massacre  
2        as genocide, similar pushback was seen even then.

3                    So that is happening again and again.    So  
4        they will try to influence the media to give a counter  
5        narrative or to stay on the middle of the road.

6                    Even in the Air India case, from their  
7        perspective it's a foregone conclusion.    They have already  
8        decided that this was done by Pakistanis, period, whereas  
9        there are people within the community who strongly believe  
10       that this could be the handiwork of the Indian intelligence  
11       and there needs to be another inquiry.

12                   But if you -- if you say that, if you talk  
13       about those issues in those very terms on media, you will  
14       definitely get a pushback.

15                   I can give you my own example of 2014 when I  
16       interviewed Gurpatwant Singh Pannun.    There was a plot on his  
17       life which was exposed.    So I interviewed him because they  
18       were organizing a demonstration against Mr. Modi, who was  
19       visiting U.S. for the first time after becoming the prime  
20       minister.

21                   So my radio station objected to that.    They  
22       said, "We cannot allow you to have Pannun on here".    And that  
23       was the reason I quit that job.

24                   The challenge is still there.    I mean, Sikhs  
25       for Justice, Nijjar, Pannun, Khalistan, these are all hot  
26       potatoes.

27                   **MR. HAMZA MOHAMADHOSSEN:**    Okay.    Thank you.

28                   If I turn now the question to Mr. Leung and

1 Mr. Ho, the Commission has heard and received evidence based  
2 on intelligence assessments that Community Party of China  
3 narratives inundate Chinese language media in Canada. We've  
4 heard that -- and read that censorship is pervasive in  
5 Chinese language media in Canada and alternative media voices  
6 are few or marginalized in mainstream Chinese language media  
7 here in Canada. This includes traditional media, new media  
8 and provided by online platforms and applications such as  
9 WeChat. And in some cases, it's been described as a PRC  
10 takeover of Chinese language media that has transpired over  
11 decades.

12 I think, Mr. Leung, you spoke about that.

13 Do you agree with that assessment?

14 Mr. Leung?

15 **MR. RONALD LEUNG:** The way they work is very  
16 simple. They just saturate with information from one side,  
17 and it doesn't matter which media.

18 If you take all those information just from  
19 one side, it's biased. And for Canadians, the newspaper is  
20 more or less owned by people outside Canada and, as Victor  
21 explained, they take their major source of news from their  
22 headquarters either in Hong Kong or in their North American  
23 headquarters in the U.S. So all those news are already  
24 packaged with one side story, and it's not a balanced view of  
25 what is happening.

26 So this is a danger that we are facing and,  
27 also, the ownership, as I explained, is -- usually it's one  
28 person. And only one person is easy to be influenced, to

1 have one voice. That is the danger we have.

2 And on the internet, people from the Chinese  
3 community came from China, they're so used to using WeChat or  
4 they go onto the internet to have Weixin or Weibo as two  
5 major Chinese news source, so they consume almost all their  
6 information from those sources.

7 They don't look at our Canadian television or  
8 newspaper. We only have a few newspapers compared with other  
9 countries, so we are not doing a good enough job to counter  
10 all those information from outside of Canada.

11 And then I think Victor has a personal story  
12 because he was the chief editor of a Chinese newspaper and he  
13 experienced the change from his work.

14 **MR. MATTHEW FERGUSON:** Can you speak to that,  
15 Mr. Ho?

16 **MR. VICTOR HO:** Yeah. When I was editor-in-  
17 chief of the Sing Tao Vancouver office, yeah, my boss  
18 sometimes would ask me -- my boss in Toronto, ask me, "How  
19 come you chose this for tomorrow's headline?" Because he can  
20 also trace all the menu to be published on the evening the  
21 same time as me in Vancouver. And I will argue with my boss  
22 that, "Because this is editorial judgement, this is for the  
23 audience -- public interest or the news worthiness."  
24 Something. I tried to argue, not one case, several cases, as  
25 editor-in-chief for 13 years in Vancouver.

26 You know, my boss also came from Hong Kong,  
27 but he is one of the directors of the Hong Kong Sing Tao  
28 Holding Company, the listed company, and that means it's kind

1 of a proxy from CCP to control or to influence the content.

2           However, Sing Tao is largely owned by Toronto  
3 Star, so I will sometimes argue with my boss, "I am sticking  
4 with the editorial guidelines from Toronto Star," and try to  
5 resist his, you know, intervention.

6           In a few cases, I succeeded, but most of the  
7 cases, my boss had his way, because the tactics controlling  
8 media ownership, my boss is kind of a proxy for CCP, and then  
9 liberating economic interests because Hong Kong Sing Tao, the  
10 chairman has a lot of commercial interests in Mainland.

11           And then embedding Beijing personnel. That  
12 is not the case in ---

13           **MR. MATTHEW FERGUSON:** Sorry, embedding? You  
14 said embedding?

15           **MR. VICTOR HO:** Embedding.

16           **MR. MATTHEW FERGUSON:** Yeah.

17           **MR. VICTOR HO:** I mean place some pro-Beijing  
18 people in your company. But not in my case, because I have  
19 the full right to hire or not to hire my editorial people.

20           **MR. MATTHEW FERGUSON:** M'hm.

21           **MR. VICTOR HO:** But I know in some newspapers  
22 or some media organizations here, they have to accept -- the  
23 supervisor has to accept because the potential employee is  
24 appointed by your boss. You cannot, you know, refuse to hire  
25 him or her.

26           The number four. Self-censorship while  
27 financial pressured. Advertisement is the most important  
28 weapon. Advertisement.

1 MR. MATTHEW FERGUSON: Can you speak about  
2 that? So why is -- why does -- can you speak about why  
3 advertisement is a way of -- or advertising is a way of -- or  
4 a tactic used as a way of control?

5 MR. VICTOR HO: Well the sales people will  
6 come to your office, I mean editorial office, to say, "Yes,  
7 that you publish the article aroused -- a lot of this content  
8 aroused a lot of criticism from the commercial circle in the  
9 society, in the community." And he'll try to persuade you  
10 not to publish this stuff again.

11 COMMISSIONER HOGUE: So it means that if --  
12 in your view, if a media outlet has no interest, no economic  
13 interest, for example, or no ties to the country abroad, to  
14 China, let's say, they can nevertheless control the content  
15 of what is said here in Canada through pressure put on the  
16 advertiser, the potential advertiser?

17 MR. VICTOR HO: Sure, because the  
18 advertisers, most of them have strong connections with  
19 Mainland or communist partners.

20 COMMISSIONER HOGUE: Okay. So what you're  
21 saying is when they cannot do that directly, they are going  
22 through the advertisers?

23 MR. VICTOR HO: Yeah.

24 COMMISSIONER HOGUE: And then for the media,  
25 you know, lacking a good source of revenue is ---

26 MR. VICTOR HO: Yeah, you cannot ---

27 COMMISSIONER HOGUE: --- is very painful.

28 MR. VICTOR HO: You cannot -- your editorial

1 people cannot make your pay at the end of the week.

2 The number five tactic is establishing pro-  
3 Beijing media outlets. The CCP simply creates the company,  
4 media company, here, no matter it's a free paper on weekends  
5 or online media company with Chinese language content, and  
6 they fill in a lot of the official, you know, propaganda in  
7 this local, so-called local Chinese media.

8 In reality, it is the proxy media from CCP.  
9 A lot of.

10 Now, this makes the media content or the CCP  
11 has a good opportunity to weaponize some, you know, the media  
12 involvement and like the people submit to their pressure.  
13 They -- usually they don't use the Consul General to call  
14 your people, because it's too obvious. They use the  
15 community, the advertisers, they use the people, especially  
16 the traditional Chinese organizations, the leaders. Somebody  
17 that will come to your office, or give you a ring, have a  
18 coffee chat, and then try to explain the reason why this --  
19 these points or this kind of article is very important. They  
20 will use many ways to lobby the editorial people, especially  
21 at the management level, to get their message out to your  
22 paper.

23 **MR. MATTHEW FERGUSON:** And if -- just before  
24 we break for -- take the morning break, maybe just one last  
25 question. Are there voices critical of the PRC or the CCP or  
26 its policies? Are they present here in Canadian -- in  
27 Chinese-Canadian media?

28 **MR. RONALD LEUNG:** There are, of course,

1 dissenting voices in our community, but do they have an  
2 avenue to voice out? If our regulated media will not give  
3 them those chances, they cannot do it. And if our  
4 regulations are not mandating those regulated media outlets  
5 to do it, they would not do it.

6 **MR. MATTHEW FERGUSON:** Okay. Thank you. So  
7 I think at this point, ---

8 **COMMISSIONER HOGUE:** Time for break. So it  
9 will be a 30-minute break.

10 **MR. MATTHEW FERGUSON:** Thirty (30) minute  
11 break. Yes.

12 **COMMISSIONER HOGUE:** So we'll come back at  
13 11:10.

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

16 This sitting of the Commission is now in  
17 recess until 11:10 a.m. Cette séance de la Commission est  
18 maintenant suspendue jusqu'à 11 h 10.

19 --- Upon recessing at 10:40 a.m./

20 --- L'audience est suspendue à 10 h 40

21 --- Upon resuming at 11:13 a.m./

22 --- La séance est reprise à 11h13

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

25 This sitting of the Foreign Interference  
26 Commission is now back in session. Cette séance de la  
27 Commission sur l'ingérence étrangère est de retour en  
28 session.

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1 The time is 11:13 a.m. Il est 11h13.

2 **MR. MATTHEW FERGUSON:** So Commissioner, we  
3 did receive some questions from participants over the break  
4 and a bit earlier today. We're probably going to be  
5 inserting some of those questions after a section or two that  
6 we will cover first in the outline that we've prepared for  
7 the panel.

8 So without further ado.

9 **--- EXAMINATION OF THE PANEL BY/INTERROGATOIRE DU PANEL PAR**

10 **MR. HAMZA MOHAMADHOSSEN (cont'd/suite):**

11 **MR. HAMZA MOHAMADHOSSEN:** So earlier in  
12 today's discussion, Mr. Singh, you alluded to backlash and  
13 pressures that journalists may be on the -- may receive to  
14 follow certain narratives, to stay away from certain issues.  
15 Can you speak a little bit about the consequences of not  
16 following those -- of not following the pressure tactics, for  
17 example, whether there's a fear of intimidation or anything  
18 along those lines?

19 **MR. GURPREET SINGH:** Yeah, a number of  
20 things. One is the Indian Government can deny you a visa,  
21 simple as that. If you have oversea citizen of India card,  
22 they can even revoke it. Because I recently interviewed this  
23 young journalist from U.S., his name is Angad Singh. So he -  
24 - it was a story by another reporter. I also happened to  
25 interview him though.

26 So he made some documentaries, one of them  
27 was obviously very critical of Modi, about farmers' struggle.  
28 So he was returned from the Indian Airport and his OCI was



1 revoked.

2 MR. HAMZA MOHAMADHOSSEN: Can you just  
3 describe what that is?

4 MR. GURPREET SINGH: Yeah. It's Overseas  
5 Citizen of India. It's a one-time card, if you get it then  
6 you don't have to apply for a visa again and again. You can  
7 travel on that document whenever you want to.

8 COMMISSIONER HOGUE: For how long?

9 MR. GURPREET SINGH: Yeah, for a very long  
10 time. I think for life I would say, but I'm not expert on  
11 that. This much I can tell you, that if you have OCI then  
12 you don't have to go again and again to the Indian Consulate  
13 for visa.

14 MR. HAMZA MOHAMADHOSSEN: So am I right in  
15 understanding that even if someone -- so if somebody  
16 immigrates from India and comes to Canada, they will require  
17 a sort of visa to be able to go back to India?

18 MR. GURPREET SINGH: No, if you are new  
19 immigrant in Canada, you are still a PR, not a citizen.

20 MR. HAMZA MOHAMADHOSSEN: Right.

21 MR. GURPREET SINGH: Your Indian passport is  
22 good.

23 MR. HAMZA MOHAMADHOSSEN: Okay.

24 MR. GURPREET SINGH: Still good to go back.  
25 Once you become citizen, then you have to apply for a visa to  
26 go back to India.

27 MR. HAMZA MOHAMADHOSSEN: Right.

28 MR. GURPREET SINGH: If you get OCI, then you

1 don't have to apply for a visa at all. So now what is  
2 happening, they have been starting revoking OCI ever since  
3 the farmers' protests took place. They started revoking it.  
4 Another thing was, not an exception, there were other  
5 prominent names whose OCI was revoked.

6 **COMMISSIONER HOGUE:** So they are revoking OCI  
7 and then ---

8 **MR. GURPREET SINGH:** Yeah, OCI.

9 **COMMISSIONER HOGUE:** --- they can refuse to  
10 issue a visa ---

11 **MR. GURPREET SINGH:** Yes.

12 **COMMISSIONER HOGUE:** --- if the person wants  
13 to go back?

14 **MR. GURPREET SINGH:** Definitely. So that is  
15 one challenge. If you apply for visa, pretty good chances  
16 you won't get it if you are critical of the Indian  
17 Government. And if your name is on the blacklist, then  
18 certainly you won't get through because you have been  
19 flagged.

20 In my case they have a dossier on me, and  
21 it's based on a lot of disinformation, which is also  
22 disturbing. They have described me as anti-India, anti-  
23 national.

24 **MR. HAMZA MOHAMADHOSSEN:** When you say they?

25 **MR. GURPREET SINGH:** The Indian Government.

26 **MR. HAMZA MOHAMADHOSSEN:** Okay.

27 **MR. GURPREET SINGH:** It could be Minister of  
28 Home Affairs, it could be National Investigation Agency, it

1 could be the Foreign Department. Because this dossier was  
2 used by so many outlets to trash me in the light of the  
3 murder of Ripudaman Singh Malik, the former Air India  
4 suspect. They branded me as someone who incited the public  
5 against Malik, which makes no sense.

6 Other than that because Malik was given visa  
7 by the Indian Government despite his baggage of Air India,  
8 Malik was also allowed to meet the head of the RA&W, which  
9 was really objectionable. So I had been raising those  
10 objections, based on that, they made this perception that I  
11 have tried to incite people to go after Malik.

12 So some media outlets reported it that way,  
13 and I did my own investigation through my own contacts in  
14 India that what is the basis of these reports? So they were  
15 telling me there's a dossier on you. So I obtained it from  
16 my own sources. So I cannot attribute it to one department  
17 or the other. I'm just using my common sense that if there's  
18 a dossier out there, whether its in the file of Ministry of  
19 Home Affairs or National Investigation Agency, probably I  
20 won't get a visa to go to India. If I go there, they might  
21 even arrest me, who knows.

22 **MR. MATTHEW FERGUSON:** Okay. And this is  
23 something -- this is a fear that has an impact on you? Or is  
24 there -- do you wish to travel back to India in the future?

25 **MR. GURPREET SINGH:** Of course, I would like  
26 to because it's my home country. I would like to go back. I  
27 would like to meet my family. My mother is still there, my  
28 brother is still there, my friends are there. I started my

1 life there. But these kind of conditions will not allow me  
2 to go back at all.

3 So if you have -- there's a dossier on you,  
4 it means you can be arrested, you can be denied visa.  
5 Anything can happen. Because last time I went to India was  
6 2017 when my father was battling with cancer. After that, I  
7 never got an opportunity to go back.

8 And this development of dossier happened in  
9 2022 after the assassination of Ripudaman Singh Malik. So  
10 this is all very recent.

11 So that is one thing.

12 Apart from that, of course, some right-wing  
13 groups also set on me when I was speaking at an event hosted  
14 by University of British Columbia about CAA, the law I  
15 mentioned earlier, *Citizenship Amendment Act*.

16 So they were really riled up. They said we  
17 are going to fix you. You won't be able to -- I don't know  
18 what they meant, actually, but this is what they said  
19 literally in Punjabi, that "You won't be able to save  
20 yourself".

21 Now, this could mean anything. Could be  
22 physical harm, could be the fact that we will see that you  
23 don't get a visa to go to India. It can mean anything,  
24 right.

25 And apart from that, they have been coming  
26 after my wife because she's an elected official, so ---

27 **MR. HAMZA MOHAMADHOSSEN:** She's an elected  
28 official?

1 MR. GURPREET SINGH: Yes, she's an elected  
2 official. So she's been told that, "Your husband is doing  
3 this and that and we are going to oppose you".

4 So they are coming after your family as well  
5 if you are not toeing to the line.

6 So these are some of the challenges. Also,  
7 I'm getting a lot of backlash on the social media every time,  
8 and I have stopped paying attention to that anyway because it  
9 really affects your sanity.

10 You have to really focus on your work. You  
11 cannot handle the trolls all the time and you cannot waste  
12 your time on them. But these are some hard realities.

13 MR. MATTHEW FERGUSON: And how does this  
14 affect your independence as a journalist?

15 MR. GURPREET SINGH: Well, I -- sometimes I  
16 do indulge in self-censorship and that is partly because I  
17 don't want to get involved in any kind of conflict.

18 For instance, if my wife is at a public event  
19 where she's been confronted by these right-wing groups, I  
20 won't go on the media to report it because that would be  
21 conflict. I'll be seen as someone who's trying to be kind to  
22 my wife and taking a side so I will rather keep quiet, sort  
23 of saying anything or even mentioning about it.

24 So that's a sort of self-censorship because  
25 of the thing that I don't want to involve myself into any  
26 kind of conflict. I want to avoid a conflict. That is the  
27 only reason.

28 Other than that, I'm an independent person.

1 If I want to criticize anyone, I will. Nobody can stop me.  
2 But when there's a conflict, then I have to draw a line.

3 **MR. MATTHEW FERGUSON:** When there's a  
4 conflict of interest.

5 **MR. GURPREET SINGH:** Yes.

6 **MR. MATTHEW FERGUSON:** Right. Okay.

7 And this tactic, Mr. Leung, Mr. Ho, of  
8 denying visa, is this something that you've seen or  
9 experienced in your work as journalists in the Chinese  
10 language media, this tactic that Mr. Singh described of  
11 denying visas, for example?

12 **MR. VICTOR HO:** You mean the consequences?

13 **MR. MATTHEW FERGUSON:** Yes.

14 **MR. VICTOR HO:** For me, I have no chance to  
15 go back to Hong Kong because I have a ban from Hong Kong  
16 government.

17 This is not in a direct connection with  
18 Canadian elections, but with my civil liberty because I am  
19 promoting a Hong Kong parliament event or action for the  
20 offices Hong Kong has, and then the security bureau of Hong  
21 Kong government issue a ban before me in August 2022 because  
22 they said I am -- I'm violating the national security law in  
23 Hong Kong.

24 **COMMISSIONER HOGUE:** So you cannot go back at  
25 all.

26 **MR. VICTOR HO:** I can go back and get  
27 arrested.

28 **COMMISSIONER HOGUE:** Okay.

1 MR. MATTHEW FERGUSON: But I understand, Mr.  
2 Ho, that that's not in connection with your work as a  
3 journalist. That was something more on -- in terms of  
4 advocacy that you were involved in.

5 MR. VICTOR HO: You can say in this way, but  
6 more or less, it will -- it is relating to my previous  
7 comments to the Hong Kong government and the Communist regime  
8 because I was a strong commentator for CCP since my college  
9 years.

10 MR. MATTHEW FERGUSON: Okay.

11 MR. VICTOR HO: I think they have my track  
12 record for over 40 years because I was confronting the CCP  
13 pro students in campus in my college years.

14 COMMISSIONER HOGUE: So it's the accumulation  
15 of everything you have said throughout the years that you  
16 think at one point ---

17 MR. VICTOR HO: I'm so-called dissident of  
18 the CCP offices, one of.

19 COMMISSIONER HOGUE: And it was in 2020, you  
20 said?

21 MR. VICTOR HO: Pardon?

22 COMMISSIONER HOGUE: It's in August 2022?

23 MR. VICTOR HO: It was 2022, yeah. Two years  
24 ago when I just attend a Toronto international press  
25 conference to launch the organization committee of the Hong  
26 Kong parliament. Just one month after the announcement.

27 MR. RONALD LEUNG: And I can also share my  
28 personal experience as a journalist.

1 I still travel to Hong Kong. I didn't have  
2 big problem when I enter Hong Kong. And the last time I went  
3 to Hong Kong using a Canadian passport, which I have been  
4 using for the last 30 years. Every time I use the Canadian  
5 passport to enter Hong Kong.

6 But since the implementation of the national  
7 security law, I show my passport at the airport and the  
8 Customs officer will say, "You are wanted in Hong Kong. You  
9 have Hong Kong identity card. You should come back to Hong  
10 Kong using your Hong Kong identity card", and they let me in  
11 without doing anything regarding my passport or even have to  
12 show my Hong Kong ID card. I enter Hong Kong.

13 And my colleague that work in the same radio  
14 station ---

15 **MR. MATTHEW FERGUSON:** Without stamping your  
16 passport?

17 **MR. RONALD LEUNG:** Without doing anything.  
18 Just ignore. My passport.

19 **MR. VICTOR HO:** They ignore your Canadian  
20 passport.

21 **MR. RONALD LEUNG:** Yeah. And when I exit  
22 Hong Kong, they say, "You never entered Hong Kong using your  
23 passport. You have to leave Hong Kong just using your Hong  
24 Kong ID card".

25 So that's my personal experience.

26 And when I went to Hong Kong, my colleague,  
27 who works at the same radio station, said that openly on air  
28 and -- said since I was called an anti-China commentator on



1 the -- at the radio station in the open line shows, anti-  
2 China, so my colleague said that openly. For those people  
3 who are afraid to go to Hong Kong because they criticized  
4 China, they deserve it. They should be afraid.

5 I don't know what that means. I wasn't  
6 afraid to go back to Hong Kong. That's the message given out  
7 to the community by a lot of commentators in the community.  
8 So that is the fear that's spread out. That is the result  
9 because you criticized a government that don't like to hear  
10 dissent.

11 **MR. MATTHEW FERGUSON:** And if I continue in  
12 that vein, given the -- that -- those comments made by other  
13 commentators, do you practise any form of self-censorship  
14 when you're speaking on the air?

15 **MR. RONALD LEUNG:** I exercise care, and I'm  
16 very careful every time I talk on the radio. I know the red  
17 line, where they draw it. If I cross those red lines, I  
18 don't think I can continue to do my job to present a Canadian  
19 perspective on international issues. That's how I am still  
20 working in the Chinese media.

21 **MR. VICTOR HO:** In my case, I try not to  
22 exercise self-censorship by diluting the story with different  
23 ideas and then try to cultivate more issues to make the news  
24 story more, you know, acceptable in terms of my boss'  
25 judgment.

26 I try to use my editorial power to run those  
27 so-called dissident -- overseas Chinese dissident stories  
28 like Liu Xiaobo, the death in -- Liu Xiaobo in the year 2017

1 and ---

2 MR. MATTHEW FERGUSON: Liu Xiaobo was the  
3 Nobel prize ---

4 MR. VICTOR HO: Yeah, the peace Nobel Prize,  
5 yeah, recipient. And use the framework this is update story.

6 Liu's wife was granted to move outside China.  
7 I tried use the news judgment that is an updated story. This  
8 is a local paper. So publish this story and put it on the  
9 front page," and try to avoid so-called red line to make the  
10 story more sensible, and even my boss can, you know, can deny  
11 it because this is for the interests of the audience.

12 MR. MATTHEW FERGUSON: M'hm. Okay. Thank  
13 you.

14 MR. HAMZA MOHAMADHOSSEN: And so earlier in  
15 today's discussion, we heard about the financial consequences  
16 of not following certain narratives. I -- the withholding of  
17 advertising dollars and business opportunities.

18 A question from the participant is on the  
19 inverse of that. So is there any financial incentives  
20 provided by the Government of India, the PRC, for those who  
21 cooperate with those governments? So do they receive, for  
22 example, paid sponsorships, sponsored trips to those  
23 countries, for example, or any other kinds of political  
24 favours if journalists follow the narratives that are  
25 friendly to the foreign states?

26 MR. VICTOR HO: Your answer is yes. If you  
27 follow the CCP's narrative to follow their story, following  
28 their topics, even topics, they will treat you very well,

1 have a very good trip to China, or some rewards. The most  
2 direct reward is advertisements with their influence. Say  
3 Consul General, they will hint the local advertiser to put  
4 more advertisement on your paper. Otherwise, you will lose a  
5 lot of money.

6 **MR. HAMZA MOHAMADHOSSEN:** A lot of revenue;  
7 right?

8 **MR. VICTOR HO:** Yeah.

9 **MR. HAMZA MOHAMADHOSSEN:** Mr. Singh, from the  
10 ---

11 **MR. GURPREET SINGH:** No, I totally agree.  
12 You just nailed it, because in 2010, I had an opportunity to  
13 travel to India on a gratis visa given by the Indian  
14 Government to cover their diaspora event. They do it every  
15 year in the month of Jan. So I was able to travel to India  
16 to cover it in 2010 and the Indian Government covered  
17 everything, your travel, your stay, and they gave you the  
18 gratis visa. It's simply not possible under the current  
19 regime, and if this was happening then, it's happening even  
20 today. People who are in India's good books, they will  
21 definitely get hospitality. There is no question about it.  
22 And who aren't, they won't.

23 **MR. HAMZA MOHAMADHOSSEN:** What about at the  
24 domestic level? So what about access to consular events, for  
25 example? What's the significance of being invited to these  
26 events, to the banquets, the dinners that they hold?

27 **MR. GURPREET SINGH:** Because all those events  
28 on the national days in different hotels, or even in the

1 consulate, and they certainly invite people who are  
2 favourable to them. Those who are critical, they won't get  
3 those invitations, neither by them directly or nor by their  
4 proxies.

5 **MR. HAMZA MOHAMADHOSSEN:** And so why do those  
6 invitations matter?

7 **MR. GURPREET SINGH:** From media perspective,  
8 it matters because the people who are listening to the radio,  
9 they need to know what is happening in the community. If  
10 there is a national day, you have to mention it, that "Today  
11 is a national day. Today, this is what has happened."

12 Even if you go there, there's a protest  
13 outside, as a journalist, you are supposed to cover that as  
14 well. Not just what is happening inside. But the problem is  
15 that they don't want anything to be reported from outside the  
16 building, outside their office, especially in terms of those  
17 demonstrations.

18 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

19 **MR. GURPREET SINGH:** So that's a huge  
20 pressure. But if I had my way, I would have suggested we  
21 should be covering both what is happening inside, what is  
22 happening outside, but that will happen only if they send you  
23 an invitation to come and cover their event.

24 **MR. MATTHEW FERGUSON:** Okay. Earlier we  
25 discussed -- you mentioned that there's -- media outlets  
26 routinely do not cover what are referred to as the five  
27 poisons. For example, Uyghurs, Hong Kongers, Tibetans, and  
28 among others, Falun Gong as well. Can you speak a bit to the

1 -- and this is a question from the participants, to what  
2 impact does this have on Chinese-Canadians awareness of the  
3 repression of these topics in the media?

4 **MR. VICTOR HO:** First of all, the audience  
5 were believing in a biased information info. And then the  
6 second thing, the CCP tries to weaponize the advertisements  
7 to expand their influence by asking the organizations and  
8 associations here to publish full page advertisement to  
9 spread that the support of CCP government, especially after  
10 2020, the National Security Law launched in Hong Kong, ---

11 **MR. MATTHEW FERGUSON:** M'hm.

12 **MR. VICTOR HO:** --- they put money, asked the  
13 organization to publish full-page advertisement to support  
14 Hong Kong Government and Hong Kong police, and then entertain  
15 the newspaper, you got the revenue, and then make a general  
16 perception that the Chinese community is supporting CCP.

17 **MR. MATTHEW FERGUSON:** And so that has an  
18 effect on the awareness of the -- does that have an affect on  
19 the awareness of the issues?

20 **MR. VICTOR HO:** Yeah.

21 **MR. RONALD LEUNG:** Yeah, I think Victor is a  
22 very good example, as he's explained earlier, since 2019 or  
23 2020, he disappeared from the Chinese media because the  
24 Chinese media won't invite him to any program for commentary  
25 on political issues, whether it's in Canada or in China. So  
26 he's just not existing anymore. It's the same.

27 **MR. MATTHEW FERGUSON:** And this is a former  
28 editor of Sing Tao.

1 MR. RONALD LEUNG: Yeah.

2 MR. MATTHEW FERGUSON: Right.

3 MR. RONALD LEUNG: Which he used to ---

4 MR. VICTOR HO: Non-existent.

5 MR. MATTHEW FERGUSON: Right. Right.

6 MR. RONALD LEUNG: Which he used to be very  
7 popular as a commentator in the Chinese community. So  
8 something changed since that time.

9 It's the same with all those dissenting  
10 groups to the present Chinese Government. They are here.  
11 They are present. But their voice won't be heard in the  
12 Chinese community. So the way they want to present this  
13 forced reality is those voices are not here.

14 MR. MATTHEW FERGUSON: M'hm.

15 MR. RONALD LEUNG: "The Chinese diaspora in  
16 Canada, they all support the present Chinese government,"  
17 which is not the case. And so if we can't hear it, we can't  
18 see it, it's not there.

19 MR. MATTHEW FERGUSON: And by extension, does  
20 that have an impact, this is again a question from the  
21 participants, on Canadian elected officials' level of  
22 awareness of the repression of these topics by these media  
23 outlets? Does this have -- if the Canadian -- Chinese-  
24 Canadian communities, in speaking about this, does that have  
25 an impact about how elected officials are approaching some of  
26 these topics?

27 MR. VICTOR HO: This is the -- another aspect  
28 of the political infiltration through the elected officials.

1 Not only through the media, but through the personal contact.

2 **MR. MATTHEW FERGUSON:** Right. But if we just  
3 focus on the media, if the media isn't discussing the topics,  
4 ---

5 **MR. VICTOR HO:** M'hm.

6 **MR. MATTHEW FERGUSON:** --- and then how does  
7 that impact -- if you notice any, does it have any impact,  
8 from your perspective, on how MPs, members of Parliament, are  
9 discussing these issues in relation to the Chinese community?

10 **MR. RONALD LEUNG:** Yeah, I think it will be  
11 up to the representative of the people ---

12 **MR. MATTHEW FERGUSON:** M'hm.

13 **MR. RONALD LEUNG:** --- how sensitive they are  
14 to community issues. For some of those who have a large  
15 proportion of Chinese in their constituency, I think they  
16 must have heard many different voices, a diverse opinion on  
17 different issues. But if our MPs are influenced by one side  
18 to ignore those other issues, the MP won't raise the issue --  
19 -

20 **MR. MATTHEW FERGUSON:** M'hm.

21 **MR. RONALD LEUNG:** --- in the Parliament, in  
22 the Canada public. But we also noticed some MPs, a small  
23 number of MPs, they are aware of the issues and they raise  
24 the issues in the House of Commons. But how about the other  
25 MPs? We have so many MPs from the Indo-Canadian community  
26 and from the Chinese community. They should be the ones who  
27 know more about what's happening in their community. But why  
28 are they kept silent? When an issue comes out in the House

1 of Commons related to the Canada-China relation or a conflict  
2 between these two countries, why are our MPs from those  
3 ethnic backgrounds keeping silent?

4 **MR. MATTHEW FERGUSON:** M'hm.

5 **MR. RONALD LEUNG:** That is something we have  
6 to ask them.

7 **MR. MATTHEW FERGUSON:** Okay. M'hm.

8 **MR. HAMZA MOHAMADHOSSEN:** And ---

9 **MR. GURPREET SINGH:** Yeah, ---

10 **MR. HAMZA MOHAMADHOSSEN:** You want to add  
11 something?

12 **MR. GURPREET SINGH:** Even MPs face the  
13 challenges which a journalist can face. I'm talking from  
14 Indian perspective, because Jagmeet Singh, for example, was  
15 denied a visa by the India Government. Sukh Dhaliwal was  
16 denied visa once for bringing the genocide issue. So MPs are  
17 also under the similar set.

18 **MR. MATTHEW FERGUSON:** M'hm.

19 **MR. GURPREET SINGH:** The Indian government  
20 can actually deny you a visa for raising some inconvenient  
21 issues in the Canadian Parliament. There is no question  
22 about it. Some people succumb to the pressure, some don't,  
23 it depends. Secondly, if there is a complete silence about  
24 any issue within the community, a radio silence or whatever.

25 **MR. HAMZA MOHAMADHOSSEN:** M'hm.

26 **MR. GURPREET SINGH:** They have a right to  
27 say, you know what, nobody is talking about it, so why should  
28 I waste my time?



1 MR. HAMZA MOHAMADHOSSEN: Right.

2 MR. GURPREET SINGH: So it's working two  
3 ways. If the Indian side is trying to pressure the media to  
4 remain silent on these taboos, or these issues, then the MPs  
5 have a good reason not to even talk about it in the  
6 Parliament.

7 MR. HAMZA MOHAMADHOSSEN: Right.

8 MR. GURPREET SINGH: But if everybody is  
9 talking then they will be forced to make a statement one way  
10 or the other. But then they will also face the same  
11 consequences.

12 MR. HAMZA MOHAMADHOSSEN: Thank you.

13 MR. GURPREET SINGH: You're welcome.

14 MR. VICTOR HO: Let me tell you more --  
15 another story. My friend told me last year that there was a  
16 municipal election. He was knocked at the door by a  
17 candidate in Richmond, and my friend asked that candidate,  
18 "Are you taking anti-communist stance?" The candidate is  
19 silent. Yeah. You are a legislator here in Canada and your  
20 voter asks your political stance, you just keep silent.

21 MR. MATTHEW FERGUSON: Thank you for that.

22 Mr. Leung, and Mr. Ho, can you share your  
23 concerns about the current media landscape in the Chinese  
24 Canadian community?

25 MR. VICTOR HO: My experience is Canadian  
26 Chinese media landscape is something like a subordinate of  
27 China. Media subordinate of China.

28 MR. MATTHEW FERGUSON: It's become a

1 subordinate of ---

2 MR. VICTOR HO: We don't have independent  
3 editorial content. I think 99 percent we are fed by the  
4 communist narrative on a daily basis.

5 MR. MATTHEW FERGUSON: On a daily basis?

6 MR. VICTOR HO: Yeah.

7 MR. MATTHEW FERGUSON: Okay. Mr. Leung ---

8 MR. VICTOR HO: On a -- they have a daily  
9 radio program.

10 MR. RONALD LEUNG: I'll share my personal  
11 experiences, how they work. All our regulators, definitely  
12 media, operate in a shoestring budget and ---

13 MR. MATTHEW FERGUSON: On a shoestring  
14 budget?

15 MR. RONALD LEUNG: Yes.

16 MR. MATTHEW FERGUSON: Yeah.

17 MR. RONALD LEUNG: And they depend on  
18 advertising, and CRTC require them to file the financial  
19 statement at the end of the year, and hopefully they will  
20 show a balanced budget, at least not a big loss. And all the  
21 owner of those media look at the business -- the radio  
22 business or TV business, as just a side business. They have  
23 other main businesses that make money, so they can afford to  
24 lose a lot -- a little bit of money in their radio  
25 operations.

26 And because they are operating in a really  
27 tight budget, they cannot spend a lot of money to have  
28 professional commentator or independent commentator. Most of

1 those commentators work as volunteers. Just think about how  
2 -- why do you spend time and effort to warranty your time to  
3 say something about politics? Either I'm one of them trying  
4 to present the position of Canadian people, Canadian value,  
5 but other people may have other motives. I don't know, but  
6 mostly I think it's for personal interest or benefit.

7 Now, that's how they operate. And where are  
8 they getting all the news? Usually in the Chinese community  
9 they get it from WeChat and from groups. The Chinese  
10 community are divided into different groups to receive  
11 information, because WeChat is very powerful and effective to  
12 have the group. If you are the group leader, you can  
13 distribute your news to your group members.

14 Sometime ago when I was not branded as anti-  
15 China, I still received some of those information in groups.  
16 Give you one example, still during Covid, there is a video  
17 showing -- I think it's the New York Governor Cuomo.

18 **MR. VICTOR HO:** Yeah, Andrew Cuomo.

19 **MR. RONALD LEUNG:** Andrew Cuomo, said  
20 something about China and the Covid. I saw it in the English  
21 news, but the Chinese news video coming from WeChat it's got  
22 splice added and inserted something into it. So it's a  
23 manipulated video of what Andrew Cuomo said in reality. And  
24 I pointed out to the one who sent me that information with  
25 the comparison, with the actual video. My friend kept silent  
26 and stopped sending me anymore.

27 And then I think it's about two years ago,  
28 another video came in from a group that showed test tubes

1 with fruit flies, and the video said the U.S. Secret Service  
2 sent those DNA modified fruit flies to China to kill the  
3 crops in China. It's a manipulated video, but it's in  
4 professional quality. And I told my friend, it's not true,  
5 that I have not seen that kind of information from anywhere  
6 else except from your video. It's not true. And then I  
7 stopped receiving information from that friend again.

8 So now it's all stopped, so I'm not receiving  
9 any of those videos through WeChat, and that's how the  
10 community receives the information. It's the saturation of  
11 manipulated information in a connective level to shape the  
12 thinking of Chinese Canadians, how they look at the world and  
13 issues related to China.

14 **MR. MATTHEW FERGUSON:** Thank you.

15 **MR. VICTOR HO:** But we are now facing the  
16 cognitive warfare for over 20 years. Cognitive warfare.  
17 Basically, it's the same case the entire web.

18 **MR. MATTHEW FERGUSON:** With relation to the  
19 recent election, is that what you're referring to?

20 **MR. VICTOR HO:** The CCP manipulates.

21 **MR. MATTHEW FERGUSON:** Right.

22 **MR. VICTOR HO:** They use the social media,  
23 use a lot of fake news, and also AI stories.

24 **MR. MATTHEW FERGUSON:** Mr. Singh, can you  
25 speak to your concerns if any, as they relate to the Indian  
26 Canadian media here in Canada?

27 **MR. GURPREET SINGH:** Well, there are a number  
28 of them. We have already covered, I think, a lot. But maybe

1 I can try to cover some of the territory even we were asked  
2 to talk about the recommendations.

3 **MR. MATTHEW FERGUSON:** Sure.

4 **MR. GURPREET SINGH:** But I can do it even  
5 now. The Canadian authorities need to be -- to come out of  
6 their selectivity and denial. What is happening in terms of  
7 China, with due respect, they actually restricted the use of  
8 TikTok, especially for the public officials. I mean, I also  
9 didn't kind of use it.

10 But we don't see that kind of aggressive  
11 behaviour when it comes to India, and let's face it, the  
12 Government of Canada gave enough long rope to the Modi  
13 government until the time Hardeep Singh Nijjar was murdered.  
14 Nothing of that sort was happening, nobody was talking about  
15 it. Mr. Trudeau never stood up for the people of people of  
16 Kashmir, never stood up for the Muslim community facing  
17 persecution every day. He just made one symbolic statement  
18 during the farmers' protests and there was a huge backlash.

19 So why we are letting the right-wing India  
20 media outlets spreading the hatred in this country? We need  
21 to keep a balance of course, between the freedom of speech  
22 and the hate speech. That is only they can do, not my cup of  
23 tea. I can't do anything about it. I can only recommend  
24 that you find a way how to handle the situation.

25 **MR. MATTHEW FERGUSON:** Okay. Thank you.

26 Have any of you raised concerns as it relates  
27 to freedom of the press, or for any matter, any of the  
28 concerns that we spoke about today, have you raised them to

1 any regulatory body in Canada? You know, issues that related  
2 to, for example, ownership, or what you've described as  
3 propaganda on -- in Chinese Canadian regulated media?

4 **MR. VICTOR HO:** You mean regular meetings  
5 with the officers?

6 **MR. MATTHEW FERGUSON:** Yeah, regular -- yes.

7 **MR. VICTOR HO:** We don't have any chance to  
8 meet or to discuss with federal government with regulating  
9 the media. We don't have any chance. But I did participate  
10 several times to joint -- to sign the joint letter. To have  
11 a petition to CRTC regarding the content bias or the CCP  
12 control media problem after 2019. The joint signature to  
13 CRTC and of course to the station, radio station. Most cases  
14 were regarding the radio station, especially here -- not -- I  
15 mean in Vancouver, because our radio station ---

16 **MR. MATTHEW FERGUSON:** And what were those  
17 complaints that you were raising with regard to the radio  
18 stations?

19 **MR. VICTOR HO:** About the one-sided story  
20 about the CCP (indiscernible) of that who violate our general  
21 perception and normal knowledge about Hong Kong and China.  
22 Because to most of the audience this is propaganda, not news.  
23 It is using the broadcasting organization to disseminating  
24 the CCP official line. We don't like it. And we don't think  
25 the radio should do this in the wrong way.

26 **MR. RONALD LEUNG:** Now, personally, I have  
27 not complained to the CRTC of any direct contact with CRTC in  
28 the last 40 years, since I start working in the media.

1           There are some reason why I'm not doing it.  
2       First, I am not aware there's a way to do it, or if there's a  
3       way it's not communicated clearly on the CRTC website, so I  
4       can't find anything.

5           And on the other hand, I receive a lot of  
6       complaints from listeners of the buyers of the media. I  
7       encourage them to complain. And then they said, "How do we  
8       complain?" "Oh, you cannot complain to CRTC; you complain to  
9       CBSA, the Canadian Broadcast Standard Association, which is a  
10      volunteer organization. The media can join or not join it.  
11      If the media join it, it is regulated by the regulation of  
12      the CBSA; they have a system how to handle complaints from  
13      the audience. But the complaint procedure is quite  
14      complicated and time consuming.

15           It's a radio broadcast; if you heard  
16      something that's not right, you want to complain. The CBSA  
17      require you need a record of that program. It's already  
18      gone, I have no record. And then you have to translate to  
19      English; we only work in English and French. If it's in  
20      Punjabi, in Chinese, how do I have the program translated,  
21      send it to CBSA?

22           It's a very complicated and long process.  
23      Not many people can do it. So that is a hindrance to people  
24      making complaint to the government official or those  
25      professional organizations.

26           And when CRTC want to update or enhance their  
27      policy on different issue, they invite the owners to talk to  
28      them. Of course the owner will think about their own

1 benefit. Have they proactively asked people in the community  
2 or people working in the media to have a dialogue; to find  
3 out what's really happening and how we can improve our system  
4 to achieve the objective of our media policy? It's not  
5 there.

6 **MR. HAMZA MOHAMADHOSSEN:** So earlier today  
7 you shared a couple of personal experiences, incidents, have  
8 you ever contacted any Government of Canada agency, Mr.  
9 Singh, in relation to any concerns, any incidents that may  
10 have involved foreign interference?

11 **MR. GURPREET SINGH:** I've been trying to find  
12 this out through my writings, through my articles, first of  
13 all, which were addressed to the Prime Minister, to the MPs,  
14 elected officials. And personally to -- I've been trying to  
15 tell our local MPs that, "This is what is happening, you  
16 should do something about it." Besides that, some security  
17 officials also had an opportunity to meet me in person, and I  
18 told them everything.

19 And lastly, there was a demonstration we  
20 organized in the year 2014 outside the Indian Consulate. So  
21 one of the prominent media channels in our community, they  
22 sent in their crew. The crew came there, they took the  
23 footage, but they didn't show anything on TV. So I filed a  
24 complaint with CRTC but all I received from them was, "You  
25 should take it up with channel concern. We can't do anything  
26 about it." I mean, why would that channel do something about  
27 it? You know? I filed a complaint with them as well, but  
28 nothing came out of it. Yeah.



1                   **MR. MATTHEW FERGUSON:** If I turn now to the  
2 recommendations, and -- that you may have for the Commission  
3 and the Commissioner and in the work of the Commission. And  
4 keeping in mind the values enshrined in the *Charter of Rights*  
5 *and Freedoms*, namely freedom of thought, opinion, expression,  
6 and freedom of the press, do you have any ideas or proposals  
7 on ways to counter CCP influence in Chinese-language media in  
8 Canada? What are some of the steps we can take to -- other  
9 than banning media, which would be inappropriate in a free  
10 and democratic society?

11                   **MR. VICTOR HO:** Yeah. I have nine  
12 recommendations to present.

13                   **MR. MATTHEW FERGUSON:** Nine recommendations?  
14 So please note we only have the morning session, so...

15                   **MR. VICTOR HO:** Well, I can ---

16                   **MR. MATTHEW FERGUSON:** Yeah. No, go ahead.  
17 Please, yeah. Yeah.

18                   **MR. VICTOR HO:** To address the challenge  
19 posed by CCP interference. Number one, foreign interference  
20 transparency. I think this regularly is now going on.

21                   Number two, CRTC licence regulations. So,  
22 you know, so improve and also to change a lot.

23                   **MR. MATTHEW FERGUSON:** What would you  
24 recommend in that particular area, the CRTC licence  
25 regulations?

26                   **MR. VICTOR HO:** The CRTC should increase  
27 criteria in its licence renewal process to assess whether  
28 radio or television stations are knowingly spreading

1 propaganda or misinformation from hostile foreign states like  
2 the CCP. Stations proven to serve as propaganda tools should  
3 not have their licence renewed.

4 The second point, to effectively monitor and  
5 assess Chinese language media, the CRTC will require staff  
6 who have a strong understanding of traditional Chinese  
7 characters, simplified Chinese characters, Mandarin, and  
8 Cantonese. Building linguistic expertise is essential for  
9 accurately evaluating the content and ensuring that the  
10 stations are not used to disseminate foreign propaganda.  
11 That is my CRTC point.

12 **MR. MATTHEW FERGUSON:** Great, thank you.

13 **MR. VICTOR HO:** Number three, tax deductions  
14 for advertising.

15 **MR. MATTHEW FERGUSON:** Tax deductions for  
16 advertising?

17 **MR. VICTOR HO:** Yeah. And the details, one,  
18 enforce section 19 of the *Canadian Income Tax Act*, which  
19 prohibit tax deductions for advertising in foreign-owned  
20 media. This provision is currently underenforced,  
21 particularly in Chinese-language media outlets like *Ming Pao*,  
22 which are foreign-owned but primarily target Canadian  
23 audiences. Clear identification of foreign-owned media  
24 should be made accessible to advertisers.

25 Point two, as recommended by Friends of  
26 Canadian broadcasting, the deductibility of advertising  
27 expenses in foreign media, including digital media platforms,  
28 like WeChat, should be eliminated. This would reduce the

1 financial incentives for businesses to advertise on foreign  
2 platforms and help redirect funds to Canadian media. This is  
3 point number three.

4 Point number four, support for Canadian-  
5 Chinese language media. Very simple; to increase support for  
6 Radio-Canada International that is OCI Chinese.

7 **MR. MATTHEW FERGUSON:** Yeah.

8 **MR. VICTOR HO:** Point number five ---

9 **MR. MATTHEW FERGUSON:** How would you do that?

10 **MR. VICTOR HO:** Strengthen OCI capacity to  
11 provide reliable, independent news and analysis to counter  
12 the CCP's forced narratives, especially on issues such as  
13 Hong Kong, Sin Chung, Taiwan, and Canada-China relations.  
14 Regarding the money that is the burden of the financial  
15 secretary, not me.

16 **MR. MATTHEW FERGUSON:** Okay.

17 **MR. VICTOR HO:** Number five, designation of  
18 PRC state media as foreign nations. The details: Canada  
19 should follow the US lead and designate PRC state media  
20 outlets as foreign nations, requiring them to register as  
21 foreign agents under the *Foreign Agents Registration Act*,  
22 FARA. This would increase transparency regarding their  
23 operations and restrict their influence on Canadian soil.  
24 Consider banning PRC's say in media for violating CRTC  
25 regulations similar to how Russia's state-run RT was banned  
26 earlier from Canadian airways.

27 Recommendation number six. Regulating PRC's  
28 social media platforms. Canada's top ministries to regulate

1 WeChat, TikTok, and other PRC social media platforms. This  
2 could be requiring these platforms to be owned and operated  
3 by Canadian entities and enabling better regulation,  
4 complaint handling, and oversight. Canada should follow the  
5 U.S. examples in exploring a potential ban on Tik Tok if  
6 these previously and better security concerns remain  
7 unaddressed.

8 Recommendation number seven. New regulations  
9 for social media disinformation. Create new regulations  
10 requiring social media companies to detect, identify, and  
11 deter disinformation on their platforms. This regulation  
12 should apply to platforms above a certain user threshold in  
13 Canada.

14 Establish an independent NGO funded by the  
15 Canadian Government to work with social media companies in  
16 identifying disinformation, particularly around elections.

17 The NGO should consist of trusted experts,  
18 such as former judges and information professionals.

19 This kind of NGO should have the authority to  
20 require social media platforms to a, ban posts containing  
21 clear misinformation or posing an immediate threat to the  
22 electoral process. B, attach warning labels to posts  
23 spreading disinformation similar to Covid-19 warnings. C,  
24 ban accounts engaging in repeated disinformation.

25 The other part, social media platforms that  
26 fail to comply with these regulations should face potential  
27 bans in Canada.

28 Recommendation number eight. Ban non-

1 compliant social media platforms. Platforms posing  
2 cybersecurity and privacy risks or those consistently  
3 ignoring Canadian regulations should be banned from app  
4 distribution platforms -- that is Apple's App Store and  
5 Google Play -- for Canadian users especially within  
6 government-funded institutions.

7           Number nine, recommendation number nine.  
8 Expand Public Safety reporting and resources. Public safety  
9 Canada should expand its webpage on foreign interference to  
10 input comprehensive information on the topic in various  
11 languages, including Chinese language. This will ensure that  
12 Canadians of all linguistic backgrounds are equipped with the  
13 tools to identify and report foreign interference  
14 effectively.

15           Thank you.

16           **MR. MATTHEW FERGUSON:** Thank you. And Mr.  
17 Leung, apart from those recommendations, do you have any of  
18 your own?

19           **MR. RONALD LEUNG:** I just have two remarks  
20 regarding this issue.

21           **MR. MATTHEW FERGUSON:** M'hm.

22           **MR. RONALD LEUNG:** As I mentioned earlier, if  
23 we look at this issue as an information war, it's a war, so  
24 we have to upgrade our defence and also if not a big offence,  
25 at least a general offence to make sure we'll still be a  
26 sovereign country.

27           So the first one is regarding our regulation.  
28 CRTC's under Heritage Canada, and if you look at the

1 Government budget, Heritage Canada only is a small budget  
2 ministry. And CRTC's under Heritage, and the regulation  
3 regarding ethnic media is about diversity and equal  
4 opportunity for all the ethnic groups in Canada. So that is  
5 their mandate. Their mandate is not to present a Canadian  
6 story to the rest of the world or make use of our large  
7 ethnic diaspora to help Canada to promote ourselves to all  
8 the countries. This is not their mandate.

9 So maybe we have to upgrade CRTC to include  
10 those in the regulations to make Canada stronger and to have  
11 our story heard around the world. And we don't have to  
12 invent anything new. We can just take examples from our  
13 allies. In the U.S. they have Voice of America. In France,  
14 they have Radio France International. In Germany, they have  
15 Deutsche Wala, the DW.com on the internet. And in Australia,  
16 they have SBS, Special Broadcasting Service. And our CBC is  
17 modeling the British BBC.

18 **MR. MATTHEW FERGUSON:** M'hm.

19 **MR. RONALD LEUNG:** And BBC is renowned around  
20 the world for their ethnic broadcasting in different  
21 languages.

22 So we have a small operation under CBC, the  
23 RCI, as mentioned by Victor, but when compared with all our  
24 allies, what they are doing, it's completely not enough.

25 But those operations by other allies of  
26 Canada, they are not operated by the government. They are  
27 usually arm's length foundations set up by the government and  
28 controlled by the parliament, not at the whim of the

1 governing party, to continue telling the world the story of  
2 the country. This is something we have to do to be  
3 proactive. And we have such a diaspora from so many  
4 countries in the world. We have to make good use of them to  
5 tell our Canadian story to the world, instead of helping them  
6 to maintain their culture, to maintain their tie to their  
7 original country. This is something that we have to be less  
8 concentrated, because we are doing all the settlement  
9 services from other departments. We should not put that as  
10 our priority under Heritage and CRTC. This is one way to  
11 make sure Canada's voice is heard around the world.

12 And also we have to change our mindset, is  
13 don't think about the foreign interference, foreign influence  
14 is only affecting a few ridings in our election. If we allow  
15 one country to affect a few ridings, another country affect a  
16 few ridings, we're turning into United Nations, not a  
17 sovereign country. That's something we have to keep in mind.

18 **MR. MATTHEW FERGUSON:** Thank you.

19 And Mr. Singh, you touched earlier on  
20 recommendations be more decisive by the Government of Canada.  
21 Are there any other recommendations that you think would be  
22 helpful? Any other areas that the government should focus  
23 on?

24 **MR. GURPREET SINGH:** Sure. I won't be  
25 repeating what has already been said. So just a few of them.

26 One is the -- we need -- Canada needs to  
27 intensify monitoring of the proxies, especially during the  
28 election times, because that's the time when they really

1 become active. All these proxies really try to influence  
2 candidates, political parties. They try to prop up their own  
3 favourable candidates. They try to interfere in the campaign  
4 of other people.

5 **MR. HAMZA MOHAMADHOSSEN:** Do you see the work  
6 of these proxies within the media organizations also?

7 **MR. GURPREET SINGH:** Yes, definitely, because  
8 these two issues cannot be delineated. Election time, media  
9 outlets are busy doing the stories. So definitely they will  
10 try to influence the voters through the media outlets. So  
11 you cannot delineate the two.

12 **MR. HAMZA MOHAMADHOSSEN:** Right.

13 **MR. GURPREET SINGH:** So very important, the  
14 monitoring should be intensified on these proxies, especially  
15 during election time. They can affect the voters. They can  
16 influence them through whatever means, including the media  
17 outlets.

18 **MR. HAMZA MOHAMADHOSSEN:** Okay.

19 **MR. GURPREET SINGH:** And secondly, as I  
20 mentioned before, we need to keep the balance between free  
21 speech and hate speech and protection of those who report  
22 interference, which is very, very important. So people who  
23 have any kind of clues, they should not be feeling scared.  
24 They should come to even elected official with this kind of  
25 information which can be passed on to people on top of the  
26 hierarchy so that somebody can take care of this.

27 I'll give you one example. It might amuse a  
28 lot of you here. So I was at B.C. Punjabi Press Club, and we



1 have a member from a different radio station. So we organize  
2 once a rally in support of the journalists back home who are  
3 being threatened and intimidated by the police. So we  
4 organized a demonstration outside the Indian Consulate. And  
5 this gentleman didn't show up. So he was doing his online  
6 show and a caller asked him, "Why you weren't there?" So he  
7 said that, "I have to go to India. How can I go take this  
8 risk?" This was an honest acknowledgement. It sounds very  
9 funny, but it's a serious matter. It shows that side of --  
10 of these are really works in the community. The people  
11 really need that kind of protection.

12 When they are coming to the Government of  
13 Canada, that kind of report, that should be taken seriously  
14 and the person should be given some kind of personal  
15 assurance that your privacy will be -- we'll respect your  
16 privacy and you will get all the protection from the Canadian  
17 state.

18 **MR. MATTHEW FERGUSON:** Okay. Thank you very  
19 much for this discussion today. It's been very helpful.

20 I'm not sure if Madam Commissioner has any  
21 questions that she'd like to put to ---

22 **COMMISSIONER HOGUE:** No, it's fine. I've  
23 asked the questions I wanted to ask, so thank you very much.  
24 It was very interesting to hear from all of you. And now  
25 we'll have to turn our mind to -- at one point to  
26 recommendations, so thank you.

27 **MR. GURPREET SINGH:** Thank you, Madam  
28 Commissioner.

1 MR. MATTHEW FERGUSON: Thank you very much.

2 COMMISSIONER HOGUE: So we'll come back at  
3 1:30.

4 THE REGISTRAR: Order, please. À l'ordre,  
5 s'il vous plaît.

6 The sitting of the Commission is now in  
7 recess until 1:30 p.m. Cette séance de la commission est  
8 maintenant suspendue jusqu'à 13 h 30.

9 --- Upon recessing at 12:10 p.m./

10 --- La séance est suspendue à 12 h 10

11 --- Upon resuming at 1:31 p.m./

12 --- La séance est reprise à 13 h 31

13 THE REGISTRAR: Order, please. À l'ordre,  
14 s'il vous plaît.

15 This sitting of the Foreign Interference  
16 Commission is now back in session. Cette séance de la  
17 Commission sur l'ingérence étrangère est de retour en  
18 session.

19 The time is 1:31 p.m. Il est 13 h 31.

20 COMMISSIONER HOGUE: Good afternoon.

21 MS. NATALIA RODRIGUEZ: We just have some  
22 documents that we need to enter into the record as exhibits.

23 So there were several French translations of  
24 interview summaries that were entered into evidence and that  
25 have now become available, so the Commission will enter the  
26 following documents as exhibits.

27 And there's no need for the Court Operator to  
28 pull them up, but for the record there are WIT111.FR. And

1 this is an addendum to the CSIS HQ Stage 1 interview summary.

2 **--- EXHIBIT No./PIÈCE No. WIT0000111.FR:**

3 Addendum au résumé d'entrevue :

4 administration centrale du SCRS

5 **MS. NATALIA RODRIGUEZ:** The second one is  
6 WIT112.FR. And this is the addendum to the CSIS Region's  
7 Stage 1 interview summary.

8 **--- EXHIBIT No./PIÈCE No. WIT0000112.FR:**

9 Addendum au résumé d'entrevue :

10 représentants de bureaux régionaux du

11 SCRS

12 **MS. NATALIA RODRIGUEZ:** The next one is  
13 WIT121.FR. And this is the addendum to the CSIS HQ Stage 1  
14 *in camera* examination.

15 **--- EXHIBIT No./PIÈCE No. WIT0000121.FR:**

16 Addendum au résumé d'interrogatoire à

17 huis clos : M. David Vigneault, Mme

18 Michelle Tessier et Mme Cherie

19 Henderson

20 **MS. NATALIA RODRIGUEZ:** The next one is  
21 WIT123.FR. And this is the interview summary of Allen  
22 Sutherland.

23 **--- EXHIBIT No./PIÈCE No. WIT0000123.FR:**

24 Résumé de l'interrogatoire à huis

25 clos : Allen Sutherland, secrétaire

26 adjoint du Cabinet, Institutions

27 démocratiques et appareil

28 gouvernemental

1                   **MS. NATALIA RODRIGUEZ:** The next one is  
2 WIT125.FR. And this is the CSIS Stage 2 interview summary.

3 **--- EXHIBIT No./PIÈCE No. WIT0000125.FR:**

4                   Résumé d'entrevue : Service canadien  
5                   du renseignement de sécurité

6                   **MS. NATALIA RODRIGUEZ:** And finally,  
7 WIT132.FR. And this is the *in camera* technical briefing on  
8 Bill C-70.

9 **--- EXHIBIT No./PIÈCE No. WIT0000132.FR:**

10                   Brefpage technique à huis clos sur le  
11                   projet de loi C-70, Loi concernant la  
12                   lutte contre l'ingérence étrangère

13                   **MS. NATALIA RODRIGUEZ:** And with that,  
14 Commissioner, we can proceed. The witness before you is  
15 Scott Shortliffe from the CRTC, and I would ask that the  
16 witness be affirmed, please.

17                   **THE REGISTRAR:** So Mr. Shortliffe, could you  
18 please state your full name and then spell your last name for  
19 the record?

20                   **MR. SCOTT SHORTLIFFE:** My full name is Scott  
21 Lewellyn Shortliffe. S-h-o-r-t-l-i-f-f-e.

22                   **THE REGISTRAR:** Thank you.

23 **--- MR. SCOTT SHORTLIFFE, Sworn/Assermenté:**

24                   **THE REGISTRAR:** Counsel, you may proceed.

25 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR**

26 **MS. NATALIA RODRIGUEZ:**

27                   **MS. NATALIA RODRIGUEZ:** Good afternoon, Mr.  
28 Shortliffe.

1 Do you recall being interviewed by Commission  
2 counsel on August 28, 2024?

3 **MR. SCOTT SHORTLIFFE:** I do so recall, yes.

4 **MS. NATALIA RODRIGUEZ:** Great.

5 So we will ask the Court Operator to please  
6 call up WIT130.EN.

7 Thank you.

8 And is this the witness summary that was  
9 generated from your interview with Commission counsel?

10 **MR. SCOTT SHORTLIFFE:** It is.

11 **MS. NATALIA RODRIGUEZ:** And do you have any  
12 corrections, additions or deletions to make to this summary?

13 **MR. SCOTT SHORTLIFFE:** I do not.

14 **MS. NATALIA RODRIGUEZ:** And do you adopt the  
15 contents of this summary as part of your evidence before the  
16 Commission today?

17 **MR. SCOTT SHORTLIFFE:** I do.

18 **MS. NATALIA RODRIGUEZ:** Great.

19 So we'll have that entered in as the next  
20 exhibit and, for the record, the French translation is at  
21 WIT130.FR. And there's no need to call that up, but it will  
22 go in as the next exhibit as well.

23 **--- EXHIBIT No./PIÈCE No. WIT0000130.EN:**

24 Interview Summary: Canadian Radio-  
25 television and Telecommunications  
26 Commission (Scott Shortliffe and  
27 Daniel Pye)

28 **--- EXHIBIT No./PIÈCE No. WIT0000130.FR:**

1                   Résumé de l'entrevue : Conseil de la  
2                   radiodiffusion et des  
3                   télécommunications canadiennes (Scott  
4                   Shortliffe et Daniel Pye)

5                   **MS. NATALIA RODRIGUEZ:** So Mr. Shortliffe, I  
6                   just want to start with your background.

7                   I understand you're currently the Director of  
8                   Broadcasting at the CRTC and that you have held that role  
9                   since 2019. Is that right?

10                  **MR. SCOTT SHORTLIFFE:** That is correct.

11                  **MS. NATALIA RODRIGUEZ:** And you first joined  
12                  the CRTC in 2017 as the Chief Consumer Officer?

13                  **MR. SCOTT SHORTLIFFE:** Yes, that's correct.

14                  **MS. NATALIA RODRIGUEZ:** And you've been with  
15                  the public service for about 30 years, 23 of which you spent  
16                  at Heritage Canada. Is that right?

17                  **MR. SCOTT SHORTLIFFE:** Yes, that's right, 30  
18                  years as of this August.

19                  **MS. NATALIA RODRIGUEZ:** Congratulations.

20                  And at the Department of Heritage and  
21                  starting in about 2010, you were also looking after the  
22                  broadcasting portfolio within Heritage. Is that right?

23                  **MR. SCOTT SHORTLIFFE:** Yes, I was Deputy  
24                  Director-General of broadcasting, so I was not in charge of  
25                  the broadcasting portfolio but I was a senior official of the  
26                  broadcasting portfolio.

27                  **MS. NATALIA RODRIGUEZ:** Okay. And I  
28                  understand now in your current role you are focused on the

1 implementation of the new *Broadcasting Act*, which regulates  
2 broadcasting activities -- some broadcasting activities on  
3 the internet as well, and the *Online News Act*, which  
4 regulates the distribution of monies relating to news  
5 broadcasts. Is that about accurate?

6 **MR. SCOTT SHORTLIFFE:** That's about accurate.  
7 Those are my two primary focuses right now.

8 **MS. NATALIA RODRIGUEZ:** And can you briefly  
9 explain the changes to the *Broadcasting Act* that have been  
10 brought in by this new *Broadcasting Act*? What do the changes  
11 generally entail at a high level?

12 **MR. SCOTT SHORTLIFFE:** So the *Online*  
13 *Streaming Act's* a very complex piece of legislation, but in  
14 brief, it expands the CRTC's ambit to take in those  
15 broadcasting entities that operate on the internet. So if  
16 you think of Netflix, Amazon Prime or the musical sphere,  
17 Spotify, Apple Music, we now have explicit regulatory  
18 authority over them.

19 The Act directs us to regulate them in a way  
20 that will be somewhat equivalent to how we regulate  
21 conventional broadcasting, not exactly the same regulation,  
22 but trying to bring them into the broader Canadian  
23 broadcasting system to support the objectives of the  
24 *Broadcasting Act*. So it's redefining broadcasting to include  
25 those services that are mostly foreign owned and delivered  
26 online.

27 **MS. NATALIA RODRIGUEZ:** Okay, great. Thank  
28 you.

1           Now, in terms of the CRTC mandate, you  
2 touched on it a little bit, that the new *Online Streaming Act*  
3 will expand a little bit the scope of the CRTC's mandate, but  
4 generally, I understand that the statutory authority for the  
5 CRTC comes broadly from the *Canadian Radio-television and*  
6 *Telecommunications Commission Act*. Is that right?

7           **MR. SCOTT SHORTLIFFE:** Yes, and no. It sets  
8 up how the Commission operates, then there's specific pieces  
9 of legislation for broadcasting, telecommunications, do not  
10 call and anti-spam and the *Online News Act*, and they give us  
11 our specific powers in regards to those fields. But the *CRTC*  
12 *Act* sets out the overall operation of the Commission as a  
13 quasi-judicial Tribunal.

14           **MS. NATALIA RODRIGUEZ:** Right. And it  
15 references within it the specific areas of regulatory  
16 authority that the CRTC has with, for example, the  
17 *Telecommunications Act*, the *Broadcasting Act*, et cetera, as  
18 you mentioned.

19           **MR. SCOTT SHORTLIFFE:** Yes.

20           **MS. NATALIA RODRIGUEZ:** And can you tell us,  
21 then, what types of activities or entities fall within the  
22 *Broadcasting Act*?

23           **MR. SCOTT SHORTLIFFE:** So the *Broadcasting*  
24 *Act* refers to broadcasting as a single system, so anyone who  
25 is transmitting through a broadcast and receiving apparatus  
26 in Canada, which would be radio or television, is subject to  
27 our Act. So if you think about licensed broadcasting, that  
28 would be over-the-air radio. It would now include digital



1 radio. If you look at television, it would be individual  
2 television providers and what we call BDUs -- I'm sorry, we  
3 have a lot of acronyms -- the CRTC Broadcast Distribution  
4 Undertakings, which is cable and television and internet  
5 protocol systems.

6 So we regulate the distributors and we  
7 regulate the individual licensed entities.

8 **MS. NATALIA RODRIGUEZ:** And I'm just going to  
9 remind you to please speak slowly for the interpreters. We  
10 have English and French interpretation as well as sign  
11 language interpretation, so just a reminder. I do it as  
12 well, so I have to remind myself.

13 And so you said digital radio. And is that  
14 something that is now within the ambit of the CRTC as a  
15 result of the new *Online Streaming Act*?

16 **MR. SCOTT SHORTLIFFE:** Yes, and no.

17 So digital radio when we refer to it, there's  
18 different ways of transmitting radio. There's analog radio  
19 systems, there are digital radio systems that exist in  
20 Canada. You're still essentially talking about having a  
21 radio transmitter or source within Canada, and we also have  
22 satellite radio, and we do regulate satellite radio in  
23 Canada.

24 Basically, though, in the radio sphere, it's  
25 within the confines of Canada. There's some slight fuzziness  
26 at the border. And we regulate individual stations.

27 What has been added to us now are digital  
28 music services or audio services that come in through the

1 open internet, which would include, as I mentioned before,  
2 Spotify, Apple and other services like that.

3 The Act tries to restrict our ambit to make  
4 it very clear that they should be analogous to broadcasting  
5 entities. We don't have control over the entire internet or  
6 over social media, but if you're coming into Canada in a  
7 manner that will be receivable through a broadcasting  
8 apparatus like a radio or an audio service, we will be able  
9 to regulate you on that basis.

10 **MS. NATALIA RODRIGUEZ:** Okay. Thank you.

11 So you gave us some examples of online  
12 content that now falls within the CRTC's ambit, for example,  
13 Spotify, Apple Music, that type of thing. Are there online  
14 activities that don't fall -- what are some examples of  
15 online activities that the public may assume potentially is  
16 captured, but is actually not captured by the new *Online*  
17 *Streaming Act*?

18 **MR. SCOTT SHORTLIFFE:** Well, for example,  
19 explicitly social media services. Anyone who has a social  
20 media service, we do not regulate them at all. There's a  
21 very slight asterisk related to the *Online News Act* which I  
22 probably won't go into because that would take up our time,  
23 but if you're thinking of broadcasting, we don't regulate  
24 services such as Facebook or Twitter or WeChat. We have a  
25 small regulatory responsibility for YouTube when it operates  
26 as a broadcaster, having channels that are professionally  
27 produced, but if you're an individual YouTube creator, we do  
28 not regulate you. So our entry into the internet is very

1 limited to people who are operating in a manner very  
2 analogous to a typical broadcast.

3 **MS. NATALIA RODRIGUEZ:** And I imagine this is  
4 all relatively new to the CRTC since this Act, the *Online*  
5 *Streaming Act* is relatively new as well, and the CRTC's still  
6 kind of working out the contours of what that new authority  
7 might entail; is that right?

8 **MR. SCOTT SHORTLIFFE:** Very much so. And  
9 because we're a tribunal, we operate on the basis of public  
10 hearings. We actually have a regulatory plan where we are  
11 looking at these issues. We've had a few major decisions in  
12 terms of who is subject to our Act and must register with us  
13 in terms of who must make base contributions to the Canadian  
14 broadcasting system, but we have announced that we have  
15 another very lengthy series of proceedings to finish defining  
16 that work and just for defining our roles for the future.

17 **MS. NATALIA RODRIGUEZ:** Now this morning --  
18 I'm not sure if you heard the panel this morning, but we had  
19 a panel of Cultural Community Media members, who talked about  
20 -- and one of them specifically spoke about Chinese Canadians  
21 setting up radio stations on the internet from within Canada,  
22 and he described that as unregulated radio. Would an online  
23 radio station like the one that he described fall within the  
24 ambit of the CRTC's regulation?

25 **MR. SCOTT SHORTLIFFE:** Generally speaking,  
26 no. Of course, I would have to see a specific case. But if  
27 you set up an audio service on the open internet, as many  
28 people do, that would not fall under our current regulatory

1 ambit. Again, a specific case I would have to look at, to  
2 see if it could be applicable to our roles, and we will be  
3 consulting on audio policy going forward.

4 **MS. NATALIA RODRIGUEZ:** So I want to turn now  
5 to Canada's broadcasting policy, which is where the CRTC  
6 derives its direction from. Can I please, Court Operator,  
7 have CRT-26 brought up?

8 **--- EXHIBIT No./PIÈCE No. CRT0000026:**

9 Broadcasting Act, S.C. 1991, c. 11

10 **MS. NATALIA RODRIGUEZ:** And this is just a  
11 copy of the *Broadcasting Act*. I understand that the  
12 broadcasting policy for Canada is set out in Section 3 of  
13 this Act; is that correct?

14 **MR. SCOTT SHORTLIFFE:** That is correct.

15 **MS. NATALIA RODRIGUEZ:** And if we can go to  
16 page 12? Broadcasting Policy for Canada. There it is. And  
17 so 3(1) (a) there kind of sets out the broad scope of what  
18 broadcasting should entail and what it should accomplish.

19 "the Canadian broadcasting system  
20 shall be effectively owned and  
21 controlled by Canadians, and it is  
22 recognized that it includes foreign  
23 broadcasting undertakings that  
24 provide programming to Canadians"

25 And then (a.1) says,

26 "each broadcasting undertaking shall  
27 contribute to the implementation of  
28 the objectives of the broadcasting

1 policy set out in this subsection in  
2 a manner that is appropriate in  
3 consideration of the nature of the  
4 services provided by the undertaking"

5 And if we just go to (d), it's explaining  
6 there that the policy should,

7 "serve to safeguard, enrich and  
8 strengthen the cultural, political,  
9 social and economic fabric of Canada"

10 It also talks about "providing a wide range  
11 of programming". And if we go to page 13, it talks about  
12 reflecting

13 "the linguistic duality and  
14 multicultural and multiracial nature  
15 of Canadian society and the special  
16 place of Indigenous peoples and  
17 languages within that society"

18 And if we go to page 14, (vi) there, it says  
19 that broadcasting policy should "ensure freedom of expression  
20 and journalistic independence". And this broadcasting policy  
21 goes on until page 18, so it's quite a broad set of  
22 principles ---

23 **MR. SCOTT SHORTLIFFE:** Yeah.

24 **MS. NATALIA RODRIGUEZ:** --- if you will, to  
25 apply. And so my understanding then is that the CRTC is  
26 tasked with implementing and interpreting this broad policy  
27 and then making more specific regulatory policy that accords  
28 with this broad policy; is that generally correct?

1           **MR. SCOTT SHORTLIFFE:** Yes, that is.

2           **MS. NATALIA RODRIGUEZ:** Okay. And then in  
3 doing so, the CRTC issues regulatory policies and public  
4 notices regarding these regulatory policies; is that right?

5           **MR. SCOTT SHORTLIFFE:** That is correct, yes.

6           **MS. NATALIA RODRIGUEZ:** Okay. And so the  
7 CRTC then is engaged in different activities. You mentioned  
8 some decision making and adjudication. So aside from policy  
9 setting, it does a range of things, including issuing  
10 licenses to broadcasters ---

11           **MR. SCOTT SHORTLIFFE:** M'hm.

12           **MS. NATALIA RODRIGUEZ:** --- is that right?

13           **MR. SCOTT SHORTLIFFE:** That is correct, yes.

14           **MS. NATALIA RODRIGUEZ:** Ensuring regulatory  
15 compliance?

16           **MR. SCOTT SHORTLIFFE:** Yes.

17           **MS. NATALIA RODRIGUEZ:** Receiving complaints  
18 from the public and from other stakeholders?

19           **MR. SCOTT SHORTLIFFE:** Yes.

20           **MS. NATALIA RODRIGUEZ:** Investigating  
21 complaints?

22           **MR. SCOTT SHORTLIFFE:** Yes.

23           **MS. NATALIA RODRIGUEZ:** And issuing  
24 decisions?

25           **MR. SCOTT SHORTLIFFE:** That is correct, yes.

26           **MS. NATALIA RODRIGUEZ:** Is there anything  
27 else that the CRTC, anything I missed there, any broad  
28 categories of activities that the CRTC undertakes?

1                   **MR. SCOTT SHORTLIFFE:** I don't think in the  
2 broad categories, no.

3                   **MS. NATALIA RODRIGUEZ:** Okay. Now my  
4 understanding is that broadcasting generally falls under the  
5 Minister of Canadian Heritage. Can you maybe explain a  
6 little bit the CRTC's relationship with the Department of  
7 Canadian Heritage?

8                   **MR. SCOTT SHORTLIFFE:** Yes, we're an arm's  
9 length quasi-judicial tribunal, so we are independent from  
10 the Minister of Canadian Heritage. We report to Parliament  
11 through the Minister, but we do not take direction from the  
12 Minister. Under the *Broadcasting Act*, the government has  
13 very limited ways in which it can issue direction to us. It  
14 can issue policy direction of a general nature under Section  
15 7. Under Section 15 it can ask us to make a report to -- on  
16 any subject within our ambit. And it can refer back for  
17 reconsideration decisions to issue, amend or issues -- sorry,  
18 to issue or amend a license. It cannot, however, refer back  
19 to us any of our regulatory policies.

20                   So the design of Parliament is that we are  
21 supposed to be very independent from the government, and that  
22 while we have a reporting relationship as any portfolio  
23 agency does through the Minister of Canadian Heritage, we do  
24 not take direction from the Minister, and for the government  
25 to issue us a direction, there has to be a process, which  
26 includes posting in the Canada Gazette, and it is very  
27 limited in terms of the potential direction they can give us.

28                   **MS. NATALIA RODRIGUEZ:** Right. So you've

1 kind of described how the Department of Heritage would  
2 communicate to ---

3 **MR. SCOTT SHORTLIFFE:** Yeah.

4 **MS. NATALIA RODRIGUEZ:** --- CRTC. Is there a  
5 process by which the CRTC can communicate to the Department  
6 of Heritage maybe gaps in its authority, or potential  
7 additional tools that it would need to carry out its mandate?  
8 Is there -- is it a back and forth, or is it more direction  
9 coming?

10 **MR. SCOTT SHORTLIFFE:** It's more direction  
11 from the government. The CRTC does -- sees its role as  
12 implementing the legislation passed by Parliament. We don't  
13 see our role as advocating for what legislation Parliament  
14 should give us. We could have informal contacts on minor  
15 issues. For example, because we report up, there's a  
16 departmental report that has to be submitted through  
17 Heritage. We can inform each other of things that are in the  
18 public domain, but we do not lobby Canadian Heritage to adopt  
19 particular policies or a particular approach in terms of  
20 legislation.

21 **MS. NATALIA RODRIGUEZ:** Okay. Thank you. So  
22 at a high level, I just want to understand the CRTC's  
23 understanding of its concern with foreign interference  
24 generally. Is this, at a high level, foreign interference,  
25 something that the CRTC is aware of and -- and/or is  
26 concerned with?

27 **MR. SCOTT SHORTLIFFE:** So I'm going to take a  
28 moment, and I won't do this too often, just to point out



1       there's a difference between me as senior staff and the  
2       Governor-in-Council appointees. I can speak to the  
3       perspective of senior staff, but for the Chairperson of the  
4       Commission and her colleagues or Governor-in-Council  
5       appointees, I cannot speak for them. Having made that  
6       caveat, from the perspective of senior staff, I think we  
7       don't see ourselves necessarily as an office of primary  
8       responsibility, but as a government agency with oversight of  
9       part of -- with oversight of the broadcasting system in  
10      Canada, we are concerned about the questions of foreign  
11      interference, and we are certainly open to playing a useful  
12      role. We don't see ourselves as necessarily a lead agency,  
13      but we would be very open to any discussions of how we can  
14      assist in this matter, while respecting our legislation and  
15      our primary responsibilities and our overall approach to  
16      support diversity of content and not be involved in making  
17      decisions of a journalistic nature.

18                   **MS. NATALIA RODRIGUEZ:** And so, currently,  
19      does the CRTC play -- in senior staff's view, and I take your  
20      point that you can't speak for the Commissioner of the CRTC,  
21      but in senior staff's view, does the CRTC now play a role, is  
22      it, in fact, playing a role in detecting, deterring or  
23      countering foreign interference?

24                   **MR. SCOTT SHORTLIFFE:** I would say, at the  
25      moment, we see ourselves as playing a relatively minor role.  
26      To my knowledge, the number of complaints that we have  
27      received specifically about foreign interference have been  
28      relatively small. We have not -- we are not integrated into

1 the national security architecture, so we have, at least to  
2 date, not played a major role.

3 **MS. NATALIA RODRIGUEZ:** Okay. And we'll come  
4 back to those contacts with the security intelligence  
5 agencies in a minute. So moving now to the licensing kind of  
6 regulatory framework, I understand that generally, as you  
7 mentioned, television and radio broadcasters in Canada need  
8 to be regulated and issued a license by the CRTC. Is that  
9 right?

10 **MR. SCOTT SHORTLIFFE:** That is correct. Yes.

11 **MS. NATALIA RODRIGUEZ:** And unless they're  
12 operating online, as you mentioned, broadcasters and  
13 distributors operating in Canada require a license and -- but  
14 in some cases, they can be eligible for exemptions? Is that  
15 right?

16 **MR. SCOTT SHORTLIFFE:** Yes.

17 **MS. NATALIA RODRIGUEZ:** Okay. And generally,  
18 what are some categories of exemptions? Who is eligible for  
19 an exemption?

20 **MR. SCOTT SHORTLIFFE:** We have a wide number  
21 of exemption orders, but for example, we exempt when the  
22 regulatory burden would not be commensurate with the public  
23 good of going through a process. I'll give you a concrete  
24 example. There are what are called Category A Indigenous  
25 radio stations. These are very small stations that probably  
26 broadcast to an immediate community within a few kilometres.  
27 We think there are roughly 500 in Canada. Making them go  
28 through a regulatory process every few years would be very

1 burdensome for those communities with very little reward.

2 So we issue exemption orders when we do not  
3 see that there would be a public policy reason to have a more  
4 defiant license process.

5 **MS. NATALIA RODRIGUEZ:** And is that generally  
6 related to the reach or the viewership or listenership of  
7 that station?

8 **MR. SCOTT SHORTLIFFE:** Yes, it's typically --  
9 and again, there's many different exemption orders for  
10 different reasons, but it's typically related to small  
11 numbers of people, limited reach.

12 **MS. NATALIA RODRIGUEZ:** Okay. And those who  
13 have exemptions, are they still bound by the content  
14 regulations from the CRTC? Like, understanding they don't  
15 hold a license, but are they still required to uphold certain  
16 standards?

17 **MR. SCOTT SHORTLIFFE:** Yeah, exemption from a  
18 license registration process, you are still governed by CRTC  
19 rules. So if we say that you are operating under an  
20 exemption order and the exemption order typically lists the  
21 conditions under which you must operate, you must abide by  
22 it. We are not increasing the regulatory burden on you by  
23 saying you have to come in, but you still must abide by our  
24 rules.

25 **MS. NATALIA RODRIGUEZ:** Okay. So all  
26 broadcasters have either a license or an exemption order? Is  
27 that generally accurate?

28 **MR. SCOTT SHORTLIFFE:** All broadcasters

1 within Canada, yes. There are people who can access the  
2 broadcasting system from outside Canada who are not licensed.

3 **MS. NATALIA RODRIGUEZ:** Right. And my  
4 understanding is that licenses typically come with conditions  
5 of service.

6 **MR. SCOTT SHORTLIFFE:** That is correct.

7 **MS. NATALIA RODRIGUEZ:** Can you maybe explain  
8 a little bit about generally what those are?

9 **MR. SCOTT SHORTLIFFE:** Yes, and I'll again  
10 just do a caveat that we are in the middle of implementing  
11 new law and this is changing things.

12 Prior to conditions of service, we had  
13 conditions of license. In order to hold your license, you  
14 must abide by certain rules, we would set them out. For  
15 example, for a radio station, we would say you must broadcast  
16 a certain percentage of Canadian content, it must be during  
17 these hours. If you are a television station, you must  
18 broadcast a certain amount of Canadian content. If you are a  
19 cable or satellite company, you must devote a certain amount  
20 of your spending, expenditures, on Canadian programming.

21 Those were conditions of license. Under the  
22 new act, we're transferring them to what are now called  
23 conditions of service. It's highly technical to get into.  
24 We have a little more flexibility as a regulator. Conditions  
25 of license automatically have an endpoint of three, five, or  
26 seven years. Conditions of service, we can have longer  
27 lasting.

28 So think of conditions of service as being

1 very analogous to conditions of license for the purpose of  
2 this discussion.

3 **MS. NATALIA RODRIGUEZ:** Sure. And do some of  
4 those conditions include compliance with regulations that  
5 relate to content?

6 **MR. SCOTT SHORTLIFFE:** Yes.

7 **MS. NATALIA RODRIGUEZ:** Okay. So I want to  
8 take you now to some of those regulations.

9 Court Operator, if we can go to COM603?

10 **--- EXHIBIT No./PIÈCE No. COM0000603:**

11 Television Broadcasting Regulations,  
12 1987

13 **MS. NATALIA RODRIGUEZ:** And this is the  
14 *Television Broadcasting Regulations, 1987*. And if we can go  
15 to section 5, which is on page 11, at the bottom of page 11?  
16 Yeah, programming content. Thank you.

17 So it indicates there that:

18 "A licensee shall not broadcast  
19 (a) anything in contravention of the  
20 law;  
21 (b) any abusive comment or abusive  
22 pictorial representation that, when  
23 taken in context, tends to or is likely  
24 to expose an individual or a group or  
25 class of individuals to hatred or  
26 contempt on the basis of race, national  
27 or ethnic origin, colour, religion,  
28 sex, sexual orientation, age or mental

1 or physical disability;

2 (c) any obscene or profane language or  
3 pictorial representation; or

4 (d) any false or misleading news.”

5 And my understanding is that these  
6 requirements are replicated for cable and satellite operators  
7 under the *Broadcasting Distribution Regulations*. I believe  
8 that’s correct?

9 **MR. SCOTT SHORTLIFFE:** Yes.

10 **MS. NATALIA RODRIGUEZ:** And then likewise,  
11 the *Radio Regulations* have very similar content requirements  
12 or prohibitions as well?

13 **MR. SCOTT SHORTLIFFE:** Yes.

14 **MS. NATALIA RODRIGUEZ:** So I want to focus on  
15 the requirement not to broadcast any false or misleading  
16 news, which is D there. Could this include false or  
17 misleading information more generally? Because it says news,  
18 but could it include just information?

19 **MR. SCOTT SHORTLIFFE:** I have to say, I’m not  
20 comfortable making a legal interpretation of what the  
21 statement is. I think the plain meaning is false or  
22 misleading news. If a case were brought to the Commission to  
23 expand it, it would be considered *de novo*.

24 **MS. NATALIA RODRIGUEZ:** Right. And has that  
25 come up? Have you had complaints related to false or  
26 misleading news? Broadcasters broadcasting false or  
27 misleading news?

28 **MR. SCOTT SHORTLIFFE:** We receive, you know,

1 on average, several hundred complaints a year. Some of them  
2 are related to this. Our issue when we look at this is we  
3 need to balance these rules with also the instruction in the  
4 *Broadcasting Act* to support freedom of expression and  
5 journalistic independence, which means that the Commission  
6 generally puts a very high burden of proof on any complaint  
7 about any of these sections.

8 That then raises an issue for us of  
9 interpretation. So we're -- typically we do receive  
10 complaints, but then they're assessed one by one. You can  
11 receive a complaint that would say, and I'm giving you a  
12 hypothetical, not a real complaint, but similar to a  
13 complaint we've seen, "I saw the Prime Minister on the news  
14 last night. He's lying. Therefore you're broadcasting false  
15 news and you should pull the license."

16 When something like that arrives, it's a non-  
17 specific complaint and it's difficult for us to action.

18 If someone comes in, on the other hand, and  
19 says, "I can present to you examples where a broadcaster  
20 knowingly presented false or misleading news," that would  
21 probably be actioned at a much higher level.

22 So it's hard to give a single answer. Every  
23 complaint needs to be assessed on its own merits.

24 **MS. NATALIA RODRIGUEZ:** And has the CRTC  
25 grappled with whether or not mis- or disinformation could  
26 fall under that section?

27 **MR. SCOTT SHORTLIFFE:** I would say that less  
28 grappling with it under that section and more that as we're

1 implementing the new *Broadcasting Act*, and I need to be  
2 cautious because there are things that we will be producing  
3 public records on, we are grappling with the changes to the  
4 broadcasting environment as a whole. I think as a matter of  
5 public discourse, false and misleading news is certainly part  
6 of that discourse. We're concerned with questions, for  
7 example, around artificial intelligence, how that will change  
8 news.

9 I think that is part of the broad context in  
10 which we are going to be looking at our changes to the  
11 broadcasting system. I would not say that we have  
12 specifically targeted that in the past, but it is part of the  
13 context we're examining for the future.

14 **MS. NATALIA RODRIGUEZ:** Okay. And if a  
15 complaint came in about, for example, a radio station  
16 broadcasting propaganda, specifically in this case because  
17 we're looking at foreign interference, foreign state  
18 propaganda, is that something that could potentially fall  
19 under false or misleading news?

20 **MR. SCOTT SHORTLIFFE:** It could, absolutely.

21 **MS. NATALIA RODRIGUEZ:** Okay. And has the  
22 CRTC encountered that situation with respect to propaganda  
23 specifically?

24 **MR. SCOTT SHORTLIFFE:** We've received  
25 complaints about propaganda, and without entering too much  
26 into specific cases, our issue is always that because the  
27 Government's direction is that we should lean on the side of  
28 freedom of expression, we are extremely reluctant to become



1 the arbiter of what is true and what is propaganda. And over  
2 time, the Commission has taken the point of view of that is a  
3 greater danger. We should not, as government officials, be  
4 determining what is truth. We've instead leaned in the  
5 direction of saying we should have pluralistic sources of  
6 information so that Canadians can make up their own minds.

7 That's not to say that we could never act in  
8 a case, but to say that we've taken that barrier as being  
9 extraordinarily high because we are very concerned that our  
10 role is not to be arbiters of truth or censors and to reflect  
11 through the broadcasting system.

12 **MS. NATALIA RODRIGUEZ:** Right. But -- oh, go  
13 ahead, Commissioner.

14 **COMMISSIONER HOGUE:** Is there any specific  
15 sources that you are relying on, or -- for doing it, or you  
16 are referring to all the potential sources within the civil  
17 society?

18 **MR. SCOTT SHORTLIFFE:** I think all the  
19 potential sources within civil society.

20 **COMMISSIONER HOGUE:** Okay. There's no  
21 specific sources in particular.

22 **MR. SCOTT SHORTLIFFE:** No. I mean, we --  
23 again, the way -- and again, I'm speaking for senior staff,  
24 and government appointees may or may not agree with me, but  
25 the viewpoint of senior staff has been we should not be put  
26 in the place of being arbiters of truth if there's something,  
27 for example, where there is a legal decision or a government  
28 decision, we would -- we would respect that. If there are

1 matters of opinion, we are very reluctant to weigh in to  
2 whether this matter of opinion is propaganda or not and  
3 whether or not it reflects truth because there's an inherent  
4 danger to us doing that.

5 **MS. NATALIA RODRIGUEZ:** But the regulation  
6 does prohibit false or misleading news, does prohibit  
7 broadcasting false or ---

8 **MR. SCOTT SHORTLIFFE:** Yeah.

9 **MS. NATALIA RODRIGUEZ:** --- misleading news.  
10 So in theory, if a broadcaster did that and  
11 the complaint met that threshold that you say is a high  
12 threshold, and rightly so, in theory that broadcaster could  
13 face some consequence or sanctions.

14 **MR. SCOTT SHORTLIFFE:** Yes. They could face  
15 -- and the reason amendments to the Act have increased our  
16 options here, they could face a number of consequences from a  
17 mandatory hearing to explain why they broadcast what they did  
18 to the possibility of an Administrative Monetary Penalty --  
19 think of it as a fine -- to the ultimate sanction is us  
20 removing a licence to broadcast from someone.

21 **MS. NATALIA RODRIGUEZ:** And has that ever  
22 happened? Has the CRTC ever revoked a licence on the basis  
23 of airing false or misleading news?

24 **MR. SCOTT SHORTLIFFE:** Not to my knowledge on  
25 false or misleading news. I believe we have withdrawn a  
26 licence in terms of abusive comment related to a radio  
27 station in the Quebec City market. I don't have the details  
28 of that in front of me, but we have withdrawn at least one

1 licence on the basis of abusive comment.

2 I do not recall any case where we're removed  
3 a licence on the basis of false or misleading news.

4 **MS. NATALIA RODRIGUEZ:** And how does the CRTC  
5 determine, then, whether something is false or misleading  
6 news?

7 **MR. SCOTT SHORTLIFFE:** To the greatest  
8 possible extent, if there is a matter put in front of us and  
9 it is a matter of fact, we can determine whether it is false  
10 or misleading. So if someone were -- and I'm going to use  
11 ridiculous examples, and forgive me for this.

12 If someone were to say "A killer tornado was  
13 bearing down in Ottawa and you must evacuate", creating panic  
14 on a beautiful sunny day, that is false and misleading. It  
15 is clearly false and misleading and that would be mischief-  
16 making and there is a sanction to it.

17 That is different from someone saying, "I  
18 have an opinion strongly for or against something", whether  
19 it is political opinion or worldwide opinion, a view on  
20 social cohesion. And I think that is where we are more  
21 cautious.

22 There are things that individuals in good  
23 faith would say this is news and I believe it is misleading  
24 that the Commission might decide this is a matter of opinion.  
25 It may or may not be a well-supported opinion, but that is  
26 different from a fact. A fact would be something that I  
27 believe the Commission would likely take more action on.

28 **MS. NATALIA RODRIGUEZ:** And if something came

1 to the CRTC and it wasn't apparent on its face whether it was  
2 false or misleading, what is the CRTC's capacity to  
3 investigate whether something is false or misleading?

4 **MR. SCOTT SHORTLIFFE:** It depends on the  
5 allegation, it depends on what we could do on the public  
6 record. Typically -- and I'm going to go to the extreme  
7 where we would talk about revoking a licence.

8 Any action like that or, for that matter, an  
9 Administrative Monetary Penalty, we would create a public  
10 record, there would probably be a hearing. We would invite  
11 people to bring forward evidence to us and put it in front of  
12 us. And so we can carry on in that nature.

13 We have broad information-seeking powers. We  
14 can go to any of our licensees and seek information about  
15 their operations. We can ask to listen to recordings of  
16 their broadcasts. So we have fairly broad ambit there.

17 Where we start to have more issues is  
18 anything that's overseas that is not subject to Canadian law  
19 and we do not have staff overseas. And within Canada, there  
20 are sometimes capacity questions where a relatively small  
21 government organization, so it then becomes a matter of the  
22 Commission in this would be a Commission decision, not a  
23 staff decision, are we going to proceed on with an  
24 investigation that would involve, for example, a public  
25 hearing.

26 **MS. NATALIA RODRIGUEZ:** Right. Now, we heard  
27 this morning from the panel that propaganda, foreign  
28 propaganda, is commonplace in Indian language and Chinese

1 language media in Canada. Is this something that the CRTC is  
2 aware of?

3 **MR. SCOTT SHORTLIFFE:** I'm aware that there  
4 have been allegations of that. I, again -- and I can't speak  
5 for what Commissioners are aware of. I can say that staff is  
6 aware of this.

7 I would say it is an area of general concern  
8 within the broader question of, is it opinion, is it  
9 something that we can see as fact, and that generally  
10 determine licences and licence renewals on the basis of a  
11 public record. So I could say that it is something that we  
12 are aware of that there are complaints.

13 **MS. NATALIA RODRIGUEZ:** And so is the CRTC  
14 able on its own initiative to commence proceedings or to open  
15 an investigation to somehow address allegations that have  
16 been made now publicly about widespread propaganda on  
17 Canadian airwaves?

18 **MR. SCOTT SHORTLIFFE:** I have to be very  
19 careful here. The CRTC has wide powers to decide what its  
20 priorities are as an administrative tribunal, so it could,  
21 but I cannot speak to what the priorities and choices of the  
22 Commission may be in the future.

23 **MS. NATALIA RODRIGUEZ:** I'm asking about  
24 whether it has the authority to initiate a proceeding on its  
25 own accord ---

26 **MR. SCOTT SHORTLIFFE:** Yes.

27 **MS. NATALIA RODRIGUEZ:** --- without --  
28 without a formal ---

1                   **MR. SCOTT SHORTLIFFE:** We do have -- we have  
2 -- we absolutely have that authority.

3                   **MS. NATALIA RODRIGUEZ:** Okay, perfect. Thank  
4 you.

5                   I want to go back to the regulations we were  
6 just looking at. If we can put COM603 back up.

7                   If we can go up to the -- page 11, I want to  
8 look at abusive comment B. Yes, thank you.

9                   So I read it already. What can you tell me  
10 about the CRTC's experience with complaints relating to B,  
11 abusive comment?

12                   **MR. SCOTT SHORTLIFFE:** As I've mentioned, I  
13 can think of one case where I believe we did address this  
14 following a public hearing to revoke a licence. My  
15 recollection is -- and it was before I was at the CRTC, so I  
16 cannot comment as someone who was at the Commission at that  
17 time. It was a case where there was more than one public  
18 process, there was repeated contravening of our regulations  
19 and the Commission took action.

20                   On a more daily basis, when we receive a  
21 complaint like this, we look at it, we may refer it to the  
22 Canadian Broadcast Standards Council, which is an industry-  
23 led regulatory body. The way it works is we refer complaints  
24 to them. If the complainant is not happy with how they  
25 adjudicate it, they can still bring it back to the  
26 Commission, but we find that most complaints are dealt with  
27 that way.

28                   When we're looking at abusive comment or a

1 pictorial representation, one of the things we look at is, is  
2 this repeated, is this something that shows a pattern.

3 If you look, for example, if you are  
4 interviewing someone who may have hateful viewpoints and they  
5 express something that is abusive, you could come back and  
6 argue we are illustrating that these views are out there and  
7 we are presenting this as a matter of news. We are not  
8 endorsing the hateful or abusive comment.

9 If this is repeated, that is something that  
10 then starts to show a pattern, and that typically becomes of  
11 greater concern to the Commission.

12 So it is something that we are certainly --  
13 we are alive to complaints. Depending on the complaints and  
14 the severity, we investigate as needed. And it is part of  
15 our regulatory framework to try to ensure that these do not  
16 occur.

17 **MS. NATALIA RODRIGUEZ:** And in terms of the  
18 CRTC's response to these complaints, its ability to  
19 investigate, is it similar -- similarly placed, I guess, this  
20 -- a contravention of this subsection -- is it similarly  
21 placed to the false or misleading news, or do you find that  
22 those two are kind of similarly investigated, similar  
23 capacity to deal with them or is there a difference between  
24 the two?

25 **MR. SCOTT SHORTLIFFE:** I would say that they  
26 are very similar, yes.

27 **MS. NATALIA RODRIGUEZ:** And again, the tools  
28 and authority to respond is the same with respect to this one

1 as with the false and misleading news.

2 **MR. SCOTT SHORTLIFFE:** Yes, that's correct.

3 **MS. NATALIA RODRIGUEZ:** And you said that the  
4 one licence has been revoked based on this section?

5 **MR. SCOTT SHORTLIFFE:** Yes, to my memory, and  
6 I could confirm that after this. As I said, I was not at the  
7 Commission at that time, but that is my memory.

8 **MS. NATALIA RODRIGUEZ:** Thank you. Okay. We  
9 can take that one down. I want to move on to -- and we'll  
10 talk a little bit more about complaints later and we'll get  
11 into maybe some more specifics, but I want to turn now to  
12 Canadian ownership. As we saw in the broadcasting policy in  
13 Section 3, broadcasters need to be Canadian owned. And I  
14 want to also now turn to CRT-27, which is the direction that  
15 lays that out at page 9. If we go to under direction, keep  
16 going down. There we go. Yes. So number two says,  
17 essentially, that no licence or renewal shall be given to a  
18 non-Canadian.

19 **--- EXHIBIT No./PIÈCE No. CRT0000027:**

20 Direction to the CRTC (Ineligibility  
21 of Non-Canadians) SOR/97-192

22 **MR. SCOTT SHORTLIFFE:** M'hm.

23 **MS. NATALIA RODRIGUEZ:** And I'm paraphrasing  
24 there. Now at page 5 under interpretation, there's a  
25 definition for what Canadian means, and it's not as  
26 straightforward as one would think. There's a lot of  
27 conditions there as to what Canadian is. And if we keep  
28 going down, we'll just see how far it goes. Keep going down.



1 Yes, so that is the definition of Canadian. It's quite  
2 extensive. And if we go to page 9, Section 3 -- keep going  
3 down. Yes, and I'm just going to read Section 3 because it  
4 seems to add a bit of gloss to Section 2, where,

5 "Where the Canadian Radio-television  
6 and Telecommunications Commission  
7 determines that an applicant is  
8 controlled by a non-Canadian, whether  
9 on the basis of personal, financial,  
10 contractual or business relations or  
11 any other considerations relevant to  
12 determining control, other than the  
13 beneficial ownership and control of  
14 the..."

15 Keep scrolling down, please.

16 "...voting shares of a qualified  
17 successor by a Canadian carrier or  
18 its acquiring corporation, the  
19 applicant is deemed to be a non-  
20 Canadian."

21 Can you just explain in layman's terms what  
22 this is saying?

23 **MR. SCOTT SHORTLIFFE:** So probably the best  
24 way to put it is that we need to look at two things. We need  
25 to look at legal control and we need to look at actual *de*  
26 *facto* control, and they're both elements in our decision. So  
27 legal control is usually related to share, the number of  
28 shares a company has. Someone could turn up and

1       theoretically say, "I own this company. I am a Canadian. I  
2       have 51 per cent of the voting shares." And as you saw in  
3       that long list, there's many different variations to that,  
4       but this is the simplest example. It's Canadian because I  
5       own 51 per cent.

6                     The separate question though is control in  
7       fact. I could own 51 per cent of the shares, but if I am,  
8       for example, in debt to millions of dollars to a foreign  
9       entity who has a contract with me saying that I can't do  
10      anything in my various businesses without their permission,  
11      they, in fact, would then control the company through me,  
12      even though I control the shares because I have to answer to  
13      them. So when we get an ownership application, we need to  
14      look at both. We need to look at what the shares are, and we  
15      need to look at control in fact. Control in fact is not a  
16      single test. It is a question of looking at different  
17      factors to determine is the body actually independent.

18                    **MS. NATALIA RODRIGUEZ:** And what -- how do  
19      you do that? How do you determine whether someone -- an  
20      entity is actually controlled by a Canadian?

21                    **MR. SCOTT SHORTLIFFE:** So I must say, this is  
22      -- this reports through different sections of the CRTC than I  
23      -- than the one I'm responsible for, so I am going to be very  
24      high level here because I don't want to speak for my  
25      colleagues. I'm sure they will let me know later if I say  
26      anything that is incorrect. We typically then try to look at  
27      anything we can find. We start with financial factors, where  
28      the money flows, who might control the money going into a

1 system. We look at who their suppliers are because if your  
2 supply is controlled by a non-Canadian entity, you may not  
3 actually have choices in what you put on the air. We look at  
4 any licensing arrangements they may have. But one of the  
5 issues around control in fact, it is usually different for  
6 any applicant. There's no single rulebook for control in  
7 fact. And when control in fact is determined, it's usually  
8 on the basis of a preponderance of evidence, and then it  
9 becomes a Commission decision. It's not a staff decision.  
10 Staff needs to present that preponderance of evidence to the  
11 Commission for a decision.

12 **MS. NATALIA RODRIGUEZ:** And ownership is  
13 looked at at the time that the licensee or the prospective  
14 licensee applies for the license?

15 **MR. SCOTT SHORTLIFFE:** Yes, or if there is a  
16 transaction. If there's a change of ownership, they are  
17 required to inform us of the change of ownership, and if  
18 there -- during their licence, if there is change, for  
19 example, to the shares they own, they are required to inform  
20 us. So at any point when they are making a change to their  
21 structure, we can investigate it.

22 **MS. NATALIA RODRIGUEZ:** And what about when  
23 there's a renewal of a licence, does the ownership get looked  
24 at again?

25 **MR. SCOTT SHORTLIFFE:** It usually depends on  
26 the status of the licence. I mean, I'm going to be very sort  
27 of -- I don't want to say flippant because that would not  
28 respect the importance of this proceeding, but, for example,

1 if Bell Canada came to us and said, "We are renewing  
2 licensees," unless there has been a major change, we're  
3 pretty much going to assume that Bell Canada remains  
4 Canadian, and that if there is a major change, that it's  
5 probably front page news. So we would look at it, but we  
6 probably wouldn't look in great depth. If on the other hand,  
7 someone comes to us who we've had concerns about in the past,  
8 or questions have been raised about their ownership and  
9 control, we would take a much deeper look at them at the time  
10 of licence renewal.

11 **MS. NATALIA RODRIGUEZ:** Now we heard this  
12 morning from the Cultural Community Media Panel that most  
13 Chinese language radio stations in Canada are individually  
14 owned, and that the CCP, which is the Chinese Communist  
15 Party, exerts control over that owner by leveraging that  
16 person's business interests in China, and then the owner then  
17 as a result of that kind of financial pressure or incentive  
18 ensures that the radio content is consistent with CCP or pro-  
19 PRC messaging. So if what I've described is accurate, could  
20 this be an example of a non-Canadian control of a Canadian  
21 owned broadcaster?

22 **MR. SCOTT SHORTLIFFE:** I think it is  
23 absolutely a factor that the Commission would want to look  
24 at, at the time of any licence issuing or renewal. I think  
25 it would certainly be a factor that would enter into  
26 Commission decision making.

27 **MS. NATALIA RODRIGUEZ:** So it could  
28 potentially engage Section 3, which is the *no de facto*

1 control by a non-Canadian of a Canadian broadcaster ---

2 **MR. SCOTT SHORTLIFFE:** Yes, absolutely.

3 **MS. NATALIA RODRIGUEZ:** Okay. We can take  
4 this one down. I want to talk a little bit about  
5 broadcasting distribution undertakings, which you referenced  
6 earlier as BDUs, and what is known as the list. So as we saw  
7 earlier, broadcasting licensees must be Canadian owned. Is  
8 it possible for a non-Canadian radio station to broadcast in  
9 Canada?

10 **MR. SCOTT SHORTLIFFE:** It should -- well, no,  
11 except that if you're on the border, you can pick up a  
12 transmissions from the United States, so you could have  
13 someone who is over the border, who is broadcasting, whose  
14 radio station you are receiving in Canada, but generally  
15 speaking, a -- that is the only case where there should be  
16 foreign signals coming into Canada through the radio system.

17 **MS. NATALIA RODRIGUEZ:** Okay. So only kind  
18 of limited to the border ---

19 **MR. SCOTT SHORTLIFFE:** Yeah.

20 **MS. NATALIA RODRIGUEZ:** --- area. Okay. So  
21 moving to television then, can you maybe give us a sense for  
22 how can -- non-Canadian television services are broadcast or  
23 enter Canadian homes.

24 **MR. SCOTT SHORTLIFFE:** Yes, this is going to  
25 be a little bit complicated, and I'll beg your indulgence  
26 while I lay it out. I'm going to try and do it in the  
27 clearest possible way. Imagine for a moment you're looking  
28 at your cable or satellite TV package at home. You have

1 channels that are Canadian. We are in the national capital  
2 region. CJOH is the local Bell affiliate. It broadcasts  
3 over the air and then it is carried on cable and satellite  
4 systems and available in Ottawa. That is a licenced  
5 broadcaster. You have what are called specialty channels.  
6 Because you are Canadian, you love curling, the great sport  
7 of curling, you watch it on the Sports Network, which is a  
8 Canadian licenced specialty channel. So you have on your  
9 cable and satellite list a large number of channels that are  
10 licenced and issued conditions of service by the CRTC.  
11 However, you also have channels like CNN, BBC News, and we'll  
12 get into I'm sure some of the others as we go along. These  
13 are foreign channels. They are not licenced in Canada. What  
14 they are is authorized for distribution.

15 What authorized for distribution means, at  
16 some time in the past, a BDU, or a law firm representing  
17 them, has approached the Commission and said, "We want to add  
18 them to the authorized for distribution list." They will not  
19 commercially compete with Canadian stations. Canadian  
20 stations typically make their money through either direct  
21 subscriptions, or through advertisers. They are not  
22 competing with them. But they will offer views that you will  
23 not receive just from watching Canadian channels.

24 Over time, and this dates back to -- the  
25 first authorized channels of this nature were I believe in  
26 1984. The Commission has more and more taken the point of  
27 view of pluralism, especially when it comes to third language  
28 broadcasting, and has authorized a large number of them. I

1 believe there are 300 foreign channels authorized for  
2 distribution in Canada.

3 Most of them are selected by individual  
4 Canadians as they make up their cable package. So if you are  
5 having a cable or satellite package, you can say, "I want the  
6 basic package," which everyone must have, "And then I want  
7 Lifestyle, and I want Sports," and, if you are part of a  
8 diaspora, "I want content in this language, and therefore I  
9 will buy either individual channels that are authorized for  
10 distribution or perhaps a package of those channels," because  
11 every Canadian should have the ability, to a great extent,  
12 tailor what their choices in terms of Canadian television.

13 So when you look at what is on Canadian  
14 television, some of it, and I would say the majority of what  
15 you see, has gone through a licensing process. Some of it  
16 has been added for distribution in Canada, but when it's  
17 added for distribution, they're not licensed, they're not  
18 changing their programming for Canada, we're just bringing in  
19 the feed from another country.

20 So I'll go back to if you're interested in  
21 United States politics, and in election season many people  
22 are, you may wish to have CNN, MSNBC, Fox News so that you  
23 get the complete gambit of different views, those are three  
24 channels that are authorized for distribution currently in  
25 Canada, but not licensed.

26 I hope that makes it somewhat clear.

27 **MS. NATALIA RODRIGUEZ:** Yes, thank you. It  
28 does. So when a broadcasting distribution undertaking, which

1 I understand to be, like, Bell, or Rogers, the kind of big --  
2 -

3 **MR. SCOTT SHORTLIFFE:** Yeah.

4 **MS. NATALIA RODRIGUEZ:** --- companies that  
5 offer all of the small channels, or smaller channels, when  
6 they approach the CRTC wanting to add a non-Canadian  
7 broadcaster to the list, ---

8 **MR. SCOTT SHORTLIFFE:** M'hm.

9 **MS. NATALIA RODRIGUEZ:** --- what is the --  
10 what criteria do they have to meet in order for that non-  
11 Canadian broadcaster to be added?

12 **MR. SCOTT SHORTLIFFE:** So there's -- there is  
13 a mixture, because, again, we proceed through -- go through  
14 public proceedings. Many of them are very non-controversial.  
15 There are cases where there is public dissent about whether  
16 they should be added to the list. Our most basic test was  
17 the competitive test. Will this unfairly compete with a  
18 Canadian channel? There are Canadian ethnocultural channels,  
19 and the question was would this take business away from them  
20 and thus make them less viable? That's our starting point.

21 We do have cases in the CRTC's history though  
22 where there has been enormous public discussion about should  
23 we add this channel? Al Jazeera English was a case where in  
24 fact the Commission ultimately authorized them, but put  
25 conditions on and further down the road had another public  
26 process to reduce those conditions.

27 When we look at it, the default is we're  
28 going to add channels, because the basic approach has been



1 plurality, have as many voices as possible authorized for  
2 distribution in Canada. The next step is look at whether  
3 it's competitive. And then we look at whether there are  
4 issues of public controversy around them.

5 **MS. NATALIA RODRIGUEZ:** Okay. And these are  
6 public processes? Every time a new prospective non-Canadian  
7 broadcaster is going to be added or is being considered, it's  
8 publicly available for people to respond and to intervene?

9 **MR. SCOTT SHORTLIFFE:** Yes.

10 **MS. NATALIA RODRIGUEZ:** Is that -- okay. And  
11 so a BDU who wants to quote unquote sponsor a non-Canadian  
12 broadcaster on the list, what do they -- what do they -- do  
13 they have to show anything? Do they have to -- do they  
14 assume any risk with that? Are they certifying or agreeing  
15 to anything with respect to that non-Canadian broadcaster?

16 **MR. SCOTT SHORTLIFFE:** If I could just ask  
17 for a clarification? What sort of certification are you  
18 thinking of?

19 **MS. NATALIA RODRIGUEZ:** Well in the sense  
20 that, you know, declare that this non-Canadian broadcaster  
21 meets these requirements, for example. Do they have to  
22 attest to anything? Do they have to vouch for that non-  
23 Canadian broadcaster in any way? Do they take on any risk in  
24 sponsoring this non-Canadian broadcaster on the list?

25 **MR. SCOTT SHORTLIFFE:** Generally speaking,  
26 no. They are still -- because they are licensed BDUs, they  
27 are responsible for the content that is broadcast in Canada.

28 So for example, if they took on and then

1 broadcast a foreign entity, they would, in a large sense, be  
2 responsible for that content.

3 But it's important to remember that those  
4 foreign entities are not directly licensed by Canada. So  
5 they're taking on, I would say, a low level of assumed risk.  
6 They do present to us information saying that they will abide  
7 by copyright restrictions. So for example, if you have a  
8 foreign broadcaster and they happen to be showing something  
9 that someone else in Canada owns the rights to, it would have  
10 to be blocked because that would be interfering with  
11 copyright in Canada. And there is the competitiveness test.

12 But again, over the decades the ambit of the  
13 Commission has been to add more and more voices, and not to  
14 place large numbers of barriers in front of them.

15 **MS. NATALIA RODRIGUEZ:** And if we can go to  
16 CRT25? I just want to scroll through the list, because it is  
17 quite a long list, but just to show -- give a sense as to  
18 what the list entails. CRT25. Thank you.

19 **--- EXHIBIT No./PIÈCE No. CRT0000025:**

20 Broadcasting Regulatory Policy CRTC  
21 2024-1

22 **MS. NATALIA RODRIGUEZ:** Yeah, and so it's  
23 Broadcast Regulatory Policy 2024-1. It's dated January 8,  
24 2024. And it looks like -- if we go down? Yeah, the list  
25 starts there. And we can just scroll through it as I'm  
26 talking just to kind of get a sense for some of the non-  
27 Canadian broadcasters that are authorized on the list.

28 And so as you mentioned, this list has been

1 growing over the years. And from what I understand, it has  
2 not decreased very much, in the sense that non-Canadian  
3 broadcasters are rarely removed from this list, aside from  
4 perhaps administrative reasons, if one of them stops  
5 operating or something like that.

6 My understanding, and correct me if I'm  
7 wrong, is that there has been one instance in which a non-  
8 Canadian broadcaster has been removed from this list for non-  
9 administrative reasons, so for substantive reasons. Is that  
10 right?

11 **MR. SCOTT SHORTLIFFE:** Yes.

12 **MS. NATALIA RODRIGUEZ:** Okay. And so --  
13 yeah. And now we've got to the end. There we go.

14 It's, again, a pretty long list. Can you  
15 tell us about the process that the CRTC undertook to arrive  
16 at the decision that it did to remove the non-Canadian  
17 broadcaster, which I understand was RT and RT France? Is  
18 that right?

19 **MR. SCOTT SHORTLIFFE:** Yes, that's correct.  
20 And if I may, I'm going to add two pieces of context in  
21 answering ---

22 **MS. NATALIA RODRIGUEZ:** Yes, please.

23 **MR. SCOTT SHORTLIFFE:** --- your question.

24 I had said before the Government has very  
25 limited ways of interacting with the Commission. One of them  
26 is by asking us to make a report. In the case of Russia  
27 Today, the Government asked us to make a report as to whether  
28 Russia Today still met the objectives of the *Broadcasting*

1 Act. This was after the invasion of Ukraine.

2 The Commission did have a public process.  
3 The Government gave us a very tight timeline, two weeks, but  
4 we did have a public process, collected quite a bit of public  
5 evidence, and the Commission in the end decided that RT  
6 should be removed from the list.

7 In the time since then, we have received  
8 other complaints. Notably we had one about Fox News,  
9 specifically asking whether it was exposing LGBTQ+  
10 individuals to disparagement and hatred. I'm paraphrasing  
11 here and I apologize for that. And we received more than  
12 7,000 interventions on that record.

13 Since then, the Commission has said that in  
14 our regulatory work that is forthcoming, we see that we need  
15 to relook at how we do this list and how we either add or  
16 detract people to it, because we've seen both in the RT case  
17 and then in the complaint which is still before us, it is not  
18 a closed complaint, about Fox TV, and a number of other  
19 complaints, that this is an issue that is becoming of greater  
20 importance to the Commission and we will be revising our  
21 process for how we both add and subtract persons from the  
22 list in the future. We've not announced the exact way in  
23 which we'll be doing that or the timeline on that.

24 **MS. NATALIA RODRIGUEZ:** Okay. Thank you. So  
25 there's a lot in there. I'm going to unpack a little of  
26 that.

27 If I can take you to COM602?

28 **--- EXHIBIT No./PIÈCE No. COM0000602:**

1 PC Number: 2022-0183

2 **MS. NATALIA RODRIGUEZ:** And I understand that  
3 this will be the Order in Council that you were mentioning  
4 that -- there we go -- that directed the CRTC to consider and  
5 review the inclusion of RT and RT France on the authorized  
6 for distribution list. If you can go to page 2, there's a  
7 lot of preambles on the first page. The third paragraph on  
8 page 2 -- so it says,

9 "Whereas the Government of Canada has  
10 concerns as to whether programs  
11 broadcast by RT and RT France would  
12 violate regulations made by the  
13 Commission under the Act, if those  
14 programs had been broadcast by a  
15 licensed Canadian programming  
16 undertaking."

17 And if we can go to the fifth paragraph,  
18 where it says "therefore"?

19 "Therefore, her Excellency, the  
20 Governor General in Council on the  
21 recommendation of the Minister of  
22 Canadian Heritage, pursuant to  
23 section 15 of the *Broadcasting Act*,  
24 requests that the Canadian Radio-  
25 television and Telecommunications  
26 Commission hold a hearing, which is  
27 to be initiated no later than one day  
28 after the effective date of this

1 Order, to determine whether RT and RT  
2 France should be removed from the  
3 List of non-Canadian programming  
4 services and stations authorized for  
5 distribution and make a report as  
6 soon as feasible, but no later than  
7 two weeks after the effective date of  
8 this Order."

9 So this is what you were referring to, the  
10 tight timelines that you were given ---

11 **MR. SCOTT SHORTLIFFE:** Yes.

12 **MS. NATALIA RODRIGUEZ:** --- by the Order in  
13 Council. And so this process to evaluate RT's inclusion on  
14 the list was not initiated as a result of a complaint or the  
15 CRTC's own initiative. It was this Order in Council that  
16 initiated the process; is that right?

17 **MR. SCOTT SHORTLIFFE:** Yes, that's correct.

18 **MS. NATALIA RODRIGUEZ:** And is this something  
19 the CRTC could have initiated on its own in terms of its  
20 authority to do that?

21 **MR. SCOTT SHORTLIFFE:** Yes, we could have.

22 **MS. NATALIA RODRIGUEZ:** Okay. And so I just  
23 want to go to the decision very briefly. It's at CRT51.

24 **--- EXHIBIT No./PIÈCE No. CRT0000051:**

25 Review of the authorization to  
26 distribute Russia Today (RT) and RT  
27 France pursuant to the List of non-  
28 Canadian programming services and

1 stations authorized for distribution

2 **MS. NATALIA RODRIGUEZ:** And it's Broadcasting  
3 Decision CRTC 2022-68 and it's dated March 16<sup>th</sup>, 2022. And I  
4 just want to go to the first paragraph of the summary. I  
5 think it kind of summarizes it quite well there.

6 "The Commission finds that the  
7 continued authorization for  
8 broadcasting distribution  
9 undertakings {BDUs} to distribute RT  
10 (formerly known as Russia Today) and  
11 RT France is not in the public  
12 interest as their content appears to  
13 constitute abusive comment since it  
14 tends [to]..."

15 Sorry,

16 "...it tends or is likely to expose  
17 the Ukrainian people to hatred or  
18 contempt on the basis of their race,  
19 national or ethnic origin, and that  
20 their programming is antithetical to  
21 the achievement of the policy  
22 objectives of the *Broadcasting Act*."

23 So my understanding from that is that the  
24 conclusion was that RT and RT France were removed because it  
25 wasn't in the public interest to continue allowing its  
26 distribution; is that right?

27 **MR. SCOTT SHORTLIFFE:** That is correct, yes.

28 **MS. NATALIA RODRIGUEZ:** And so it wasn't in

1 the public interest because it was determined that its  
2 content was abusive comment, as it's understood under Section  
3 5(b) that we looked at earlier in those regulations.

4 **MR. SCOTT SHORTLIFFE:** Yes and no. In the  
5 actual decision, and I believe it's a page or 2 down, we talk  
6 about Section 5(b). We then explicitly say that that refers  
7 to licensed entities, not to unlicensed entities. However,  
8 in this case, we are using that as a proxy for the public  
9 interest, and the Commission had concluded that were we to  
10 apply the same test, that it wouldn't be -- it would be  
11 antithetical to really achieving a policy objectives. I know  
12 it seems like a very fussy point, but I want to be clear that  
13 we said that those rules don't necessarily apply. We are  
14 choosing to apply them in this case because we find there's a  
15 parallel. I think this also points out why we need to have a  
16 more defined policy cadre for what is added and removed to  
17 the list, which is something that we're committed to doing.

18 **MS. NATALIA RODRIGUEZ:** Okay. So as you say,  
19 a non-licensed entity is not bound by the regulations;  
20 however, the conclusion was if this were aired by a licensee,  
21 it would violate those regulations that they -- that that  
22 licensee would be subject to ---

23 **MR. SCOTT SHORTLIFFE:** Yes, that's correct.

24 **MS. NATALIA RODRIGUEZ:** Okay. And so you  
25 haven't gone through this process to determine how and why a  
26 non-Canadian broadcaster could be removed from the list, but  
27 presumably, there could be other ways in which a broadcast --  
28 a non-Canadian broadcaster is not in the public interest to



1 continue being on the list ---

2 **MR. SCOTT SHORTLIFFE:** Yes.

3 **MS. NATALIA RODRIGUEZ:** --- presumably.

4 Okay. And so do you have any more specificity with respect  
5 to the scope of that future process or the timeline that the  
6 CRTC's considering? Is it in the next 5 years, in the next  
7 12 months? Can you give us a better sense?

8 **MR. SCOTT SHORTLIFFE:** I could say it  
9 certainly wouldn't be in the next five years. I'd say it is  
10 something that is very much on our radar screen. I have to  
11 be cautious because what we'll be doing in the future, and we  
12 have an enormous workload around the two Acts we were  
13 assigned, is involving some juggling of what priorities are.  
14 I would say that speaking for staff, this is something that  
15 we are certainly actively engaged in and considering, but I  
16 cannot give you an exact date where we'll be going forward  
17 with the public consideration of it.

18 **MS. NATALIA RODRIGUEZ:** And what about in  
19 terms of the scope, is the CRTC going to be looking at  
20 reconsidering admission to the list, or are we only talking  
21 about removal from -- criteria for removal from the list?

22 **MR. SCOTT SHORTLIFFE:** I can't fetter the  
23 discretion of the Commission in the future and what it will  
24 because we haven't given them a firm recommendation. I could  
25 say that I think what we have said publicly is that it would  
26 be both, but I cannot get more precise than that because I  
27 can't fetter the discretion of the Commission in the future.

28 **MS. NATALIA RODRIGUEZ:** Fair enough. And so

1 I want to talk now a little bit -- we can take that down --  
2 about the CRTC's complaint process. And in your interview  
3 summary, you described a no wrong doors approach ---

4 **MR. SCOTT SHORTLIFFE:** Yeah.

5 **MS. NATALIA RODRIGUEZ:** --- when it comes to  
6 complaints. Can you maybe just explain what that means and a  
7 little bit of the process when a complaint comes in the door?

8 **MR. SCOTT SHORTLIFFE:** So I'll back up a bit.  
9 The CRTC, and I think we have publicly acknowledged this,  
10 we're very good at certain things in public hearings. We  
11 have said, and our Chairperson has said numerous times in  
12 speeches, we need to get better at outreach to, for lack of a  
13 better term, ordinary Canadians. We're very easy for  
14 regulatory lawyers to find us. We're -- we need to do a  
15 better job in reaching out.

16 One of the things we're trying to do is  
17 encourage people to come to us with complaints. If you go to  
18 the website for the CRTC and there's a button that says  
19 contact us, when you click on it, there is a big thing,  
20 submit a complaint, and that's, you know, one of the things  
21 we're trying to do to bring more people in. However, I think  
22 both staff, and as I said, there've been public speeches  
23 about this, Commissioners would say, "We need to do a better  
24 job of reaching out to encourage people to reach out, reach  
25 out to us." So I'll just put that down as a first thing.

26 That said, if someone needs to reach us with  
27 a complaint, they can click that button, submit a complaint.  
28 They can write a letter to us. If they're a regulatory

1 lawyer, they know there's a process called a Part 1  
2 Application. But what we're trying to apply now is the no  
3 wrong door policy. A Part 1 Application, which is very  
4 technical to the CRTC is an application where you come in and  
5 you say, "I want you to consider an issue with a licence."  
6 Technically, if you're coming in to make a complaint about I  
7 think someone should not be considered Canadian owned and  
8 control, you would submit a Part 1 request.

9 We've had cases though where someone writes  
10 in, has a valid complaint. They obviously don't know that we  
11 have this highly technical process, and so we contact them  
12 and say we are going to deem it a Part 1. We're going to  
13 publish it for comment. We're going to build a public record  
14 on it. And that's the kind of thing we're trying to do  
15 increasingly, which is to say there's no wrong door. If you  
16 come to us with a complaint, we will try to send it to the  
17 right place.

18 Now the right place could be us internally.  
19 I was looking at radio complaints this morning. I think last  
20 year staff dealt with 350 to 360, so at least 1 a day. That  
21 doesn't count complaints that we send to the Canadian  
22 Broadcast Standards Council. It doesn't count complaints  
23 that are maybe unaddressable because they -- you know,  
24 someone writes in and says, "I hate so-and-so's face. You  
25 should not permit them on TV." It's a complaint but it's not  
26 actionable. So we get a wide variety of complaints in.

27 I will say that I think we can do a better  
28 job in communicating how people can reach out to us. That is

1 something we're very much concerned with as a Commission and  
2 trying to improve our methods for that. That said, if anyone  
3 watching this has a complaint to make to us, please, approach  
4 us. We will try to apply the no wrong door principle and  
5 send it to the right place. If it is a complaint about a  
6 particular licensee and their licence is not up yet, we will  
7 sometimes then keep that for the next time the licence is  
8 under consideration and make sure that we consider the  
9 complaints in that ambit. If it is a complaint about an  
10 individual broadcast, we will often contact the broadcaster,  
11 try and get a response from them.

12 Again, every complaint is individual, so it  
13 needs to be dealt with on an individual basis because there's  
14 no sort of standard complaint that we get.

15 That was a bit meandering, I apologize for  
16 not having a more on-point response.

17 **MS. NATALIA RODRIGUEZ:** No, it was perfect,  
18 thank you.

19 Can you give us a sense for how many  
20 actionable complaints the broadcasting office gets each year?  
21 Is it in the hundreds; is it ---

22 **MR. SCOTT SHORTLIFFE:** It's definitely in the  
23 hundreds. Between radio and television -- I would have to  
24 confirm this with staff -- I'd say perhaps five to 600 that  
25 we're dealing with per year. We tend to get more on radio  
26 than we do on television. And this does not count people who  
27 go directly to CBSE who does make a report to us.

28 So we do have -- I mean, we receive a lot of

1 complaints during the course of the year.

2 **MS. NATALIA RODRIGUEZ:** And typically are  
3 these related to content?

4 **MR. SCOTT SHORTLIFFE:** Yes, they're usually  
5 related to content. Again, a complaint can be all over the  
6 map. It could be someone writing in saying, "I don't think  
7 that you're properly regulating the Canadian Broadcasting  
8 System because I don't see enough different points of view,"  
9 which is ultimately related to content. I think content is  
10 at the root of most of the complaints we receive.

11 **MS. NATALIA RODRIGUEZ:** Now, one of our  
12 panellists this morning mentioned the complaint process under  
13 the Canadian Broadcasting Standards Council, which you  
14 mentioned as well. Can you explain what this is and when a  
15 complaint would go to them versus you? What's the  
16 relationship between the CRTC and this other Standards  
17 Council?

18 **MR. SCOTT SHORTLIFFE:** So ultimately the  
19 authority for regulating the system is the CRTC's, and it  
20 rests with us. That said, we've have a pro-regulatory system  
21 where we've encouraged the private sector to set up bodies  
22 like the CBSC; on the telecom side there's the Commission for  
23 Complaints on Telecom Services.

24 We do this for two reasons; first of all,  
25 volume. Secondly, because there are certain complaints that  
26 we don't want, necessarily, a public servant adjudicating,  
27 but you could make a complaint to the CBSC, which is  
28 supported by a wide range of broadcasters, so it would be

1 looked at, you know, by broadcasters to determine whether the  
2 complaint is valid.

3 A lot of the complaints they receive are, for  
4 example, broadcasting offensive language outside the hours it  
5 is permitted. They also receive complaints about the nature  
6 of particular content, but is something that is then -- they  
7 will adjudicate, they'll issue a report on. If the complaint  
8 is founded, they will request that the broadcaster who  
9 overstepped the bounds issue a public -- in some cases a  
10 public notification.

11 So for example, if a broadcaster -- and this  
12 happens relatively frequently -- permitted foul language at a  
13 time when children are usually watching television, they may  
14 need to broadcast several times, "This happened, we  
15 apologize, and this is what we're doing to correct the  
16 situation."

17 Having said that, the ultimate authority  
18 rests with us. If an individual goes to the CBSE, the CBSE  
19 adjudicates it and they're not happy with it, they can still  
20 bring it to the CRTC. I mean, the ultimate responsibility  
21 rests with us. This doesn't happen that frequently, but it  
22 has happened that someone has had a case in front of the  
23 CBSE, and it's come to us.

24 I should also mention, by the way, the CBSE  
25 does not cover the CBC. The CBC has an English and French  
26 Ombudsperson who looks at CBC issues. Most other private  
27 broadcasters belong to the CBSE, and we usually make that a  
28 condition of service, saying, "You must belong to it," so

1 there's a place for complaints to go.

2 **MS. NATALIA RODRIGUEZ:** And so are you made  
3 aware of all broadcasting complaints that require some sort  
4 of decision or adjudication?

5 **MR. SCOTT SHORTLIFFE:** Not the ones that go  
6 to the CBSE. The CBSE has annual report, which they share  
7 with us. Typically if they have a finding they let us know  
8 as a courtesy.

9 As Executive Director of Broadcasting, my  
10 staff informs me when there are frequent complaints or  
11 complaints about an individual issue, but given volume, I  
12 don't see all the complaints that come in.

13 **MS. NATALIA RODRIGUEZ:** And to your  
14 knowledge, has the CRTC ever received a complaint relating to  
15 foreign interference, in the context of broadcasting?

16 **MR. SCOTT SHORTLIFFE:** I haven't seen one  
17 that is specifically about foreign interference. I have seen  
18 many complaints that there are broadcast where they consider  
19 it is supportive of foreign government's point of view, not  
20 necessarily interference in an election.

21 And I have to be precise here, I don't recall  
22 seeing that; I would have to go through all the complaints in  
23 the CRTC, so I'm not saying that has never happened. I am  
24 certainly aware that we have received complaints about  
25 particular broadcasters, raising concerns that they are  
26 representing points of view supported by foreign government.

27 **MS. NATALIA RODRIGUEZ:** Thank you. And I  
28 just want to enter it for the record, you mentioned the

1 complaint from Egale Canada against Fox News on the list.  
2 And I just wanted to pull up the complaint, just to enter it  
3 into the record, CRT47.

4 --- EXHIBIT NO./PIÈCE No. CRT0000047:

5 Open Letter: Egale Canada calls on  
6 the CRTC to Hold a Public  
7 Consultation on the Broadcasting of  
8 the American Fox News Channel in  
9 Canada

10 **MS. NATALIA RODRIGUEZ:** If we can go to the  
11 other view; this is native view, the image view. Yeah, I  
12 think we can see it in -- there we go. So if you can just  
13 scroll down a little bit.

14 Is this the complaint that was filed?

15 **MR. SCOTT SHORTLIFFE:** Yes.

16 **MS. NATALIA RODRIGUEZ:** Okay, perfect. And  
17 so you mentioned earlier that no decision has been made as of  
18 yet, but there will be one forthcoming, or there's some  
19 adjudications still to be done with respect to this  
20 complaint.

21 **MR. SCOTT SHORTLIFFE:** It is still open in  
22 front of us. This is the one where specifically -- two  
23 things I can mention about this; we considered this no wrong  
24 door and posted as a part 1 application, received 7,000  
25 responses. And in our correspondence back to them, I believe  
26 in September of 2023, we said that would hold a forthcoming  
27 process on how things are dealt with on the list.

28 **MS. NATALIA RODRIGUEZ:** Okay. And the other



1 complaint that you mentioned in your interview with  
2 Commission counsel was the complaint by Safeguard Defenders.

3 **MR. SCOTT SHORTLIFFE:** M'hm.

4 **MS. NATALIA RODRIGUEZ:** And I just want to  
5 pull that one up as well. CRT40.3.

6 **--- EXHIBIT NO./PIECE No. CRT0000040.003:**

7 Complaint to the Canadian Radio-  
8 television and Telecommunications  
9 Commission (CRTC) Against China  
10 Global Television Network (CGTN) and  
11 China Central Television (CCTV)  
12 Channel 4

13 **MS. NATALIA RODRIGUEZ:** And if we can scroll  
14 down a little bit?

15 Is this the complaint that you mentioned in  
16 your interview with Commission counsel?

17 **MR. SCOTT SHORTLIFFE:** Yes, it is.

18 **MS. NATALIA RODRIGUEZ:** And can you explain  
19 the basis for the complaint, and generally your understanding  
20 of what the complaint it is about and how it's being handled  
21 or how it has been handled by the CRTC?

22 **MR. SCOTT SHORTLIFFE:** I can certainly do so.  
23 I will say it's also an open complaint and no decision has  
24 been issued on it yet.

25 Safeguard Defenders wrote the CRTC  
26 specifically about a number of Chinese language channels, the  
27 CCTV channels that are authorized for distribution in Canada,  
28 so they're authorized for distribution to uphold the licence.

1 And presented evidence that they were broadcasting forced  
2 confessions and confessions that had been generated by  
3 torture. And therefore they brought this to our attention  
4 and said that we should remove them from the list.

5 The record then has a long back and forth  
6 where we have shared this complaint with CCTV. They came  
7 back with a point-by-point rebuttal where they basically  
8 denied the allegations.

9 One of the reasons why the Commission has not  
10 yet issued a decision in this matter -- and this relates back  
11 to us looking at the overall context of how we add and  
12 subtract things from the list -- as it relates to our ability  
13 to investigate questions of fact. Safeguard Defenders poses  
14 a question of fact, which is people have been tortured and  
15 these are forced confessions. The broadcaster has said this  
16 is not true.

17 Now, any reasonable person might have an  
18 opinion one way or the other reading the document, but we  
19 don't have an independent ability to investigate this, to  
20 see, especially in a foreign country, has someone in fact  
21 been tortured.

22 This poses an important question to the  
23 Commission, where we have facts that are dispute, facts that  
24 are clearly of a serious nature; an allegation of torture is  
25 very serious, and therefore what is the basis on which we  
26 will remove this channel, if that were the decision, or keep  
27 this channel, bearing in mind that we're setting a precedent  
28 that would apply to all the other hundreds of channels that

1 we have on that list.

2 **MS. NATALIA RODRIGUEZ:** Thank you. And I'll  
3 take that down and we'll go to CRT59, which I believe is the  
4 response from CCTV-4 that you were mentioning.

5 **--- EXHIBIT NO./PIECE No. CRT0000059:**

6 CCTV/CGTN Response to CRTC Complaint

7 **MS. NATALIA RODRIGUEZ:** And as it comes up,  
8 are you aware that these two stations are state-run media;  
9 this is not, you know, an independent Chinese-language  
10 broadcaster, these are -- is that your understanding as well,  
11 that this is state-run media?

12 **MR. SCOTT SHORTLIFFE:** Yes.

13 **MS. NATALIA RODRIGUEZ:** Okay. And so this is  
14 the response that you received, is that right?

15 **MR. SCOTT SHORTLIFFE:** Yes.

16 **MS. NATALIA RODRIGUEZ:** Okay, perfect. Thank  
17 you.

18 And are you aware that the UK broadcasting  
19 regulator also received a similar complaint from Safeguard  
20 Defenders related also to these two channels, and they  
21 subsequently took them off the air, essentially? Were you  
22 aware of that?

23 **MR. SCOTT SHORTLIFFE:** Yes, I am, and I've  
24 spoken to my UK colleagues about it.

25 **MS. NATALIA RODRIGUEZ:** Okay. And so this is  
26 an open complaint, a decision has not been rendered at this  
27 time, as you mentioned; right?

28 **MR. SCOTT SHORTLIFFE:** That is correct. Yes.

1                   **MS. NATALIA RODRIGUEZ:** Thank you. I want to  
2 go now to CEF302\_R.

3                   **--- EXHIBIT No./PIÈCE No. CEF0000302 R:**

4   Memo for CCE\_Summary 2022-0925

5                   **MS. NATALIA RODRIGUEZ:** This is a memorandum  
6 by the Office of the Commissioner of Canada Elections, OCCE,  
7 and it's dated August 19<sup>th</sup>, 2024.

8   Have you seen this document before?

9                   **MR. SCOTT SHORTLIFFE:** No, I received it in  
10 the document package yesterday. I have not seen it before  
11 then.

12                   **MS. NATALIA RODRIGUEZ:** Okay. Have you had a  
13 chance to review it?

14                   **MR. SCOTT SHORTLIFFE:** I've had a chance to  
15 review it in a very cursory manner.

16                   **MS. NATALIA RODRIGUEZ:** Okay. Perfect. So I  
17 just want to take you to page 4, the first paragraph, just to  
18 give some context as to what this is. And essentially it's  
19 saying that the memo is:

20   "...in response to complaints made to  
21 the [OCCE] respecting matters of  
22 foreign interference [...] arising from  
23 the 44th Federal General Election..."

24   Now ultimately, the memo concludes that:

25   "The review [undertaken] did not  
26 identify sufficient evidence to reach  
27 the threshold to initiate an  
28 investigation..."

1           But I do want to take you to some portions of  
2 the memo, as some of it may relate to the CRTC's mandate.

3           So if we go to page 60, at the bottom,  
4 paragraph 143, if we keep -- so that we can see -- there we  
5 go.

6           Essentially it says there that the OCCE  
7 conducted several interviews with Chinese Canadians and on  
8 the next page we see that the OCCE concluded the following  
9 matters were particularly relevant.

10           And if we go down, we're going to see a  
11 bulleted -- or indented list.

12           I want to take you to subparagraph nine,  
13 roman numeral nine. Yeah.

14           And so the last sentence there says,  
15 "Further, that..." and it's redacted. It says:

16                   "...(named interviewed subjects)  
17                   reported that both print media and  
18                   radio stations were primarily owned  
19                   by China or Chinese entities..."

20           And then page 66. Right. So findings and  
21 conclusions. If we go down a little bit? Keep going? Yeah,  
22 148. Perfect.

23                   "Information gathered indicates that  
24                   impetus and direction was given by  
25                   PRC officials for the anti-CPC  
26                   campaign..."

27           And this is the Conservative Party of Canada,  
28 which it explains earlier. And then it lists some examples.

1                   Then if we go to page -- sorry, paragraph  
2                   149, it says:

3                   "The overall campaign [-- which is  
4                   the direction and impetus --] was  
5                   carried out and amplified via a  
6                   multi-pronged and layered approach  
7                   using Chinese Canadian association  
8                   individuals, Chinese-Canadian  
9                   business interests as well as the  
10                  pervasive social media and printed,  
11                  digital and broadcast media  
12                  messaging."

13                  And then at paragraph 156 on 68:

14                  "Foreign ownership or control of  
15                  Canadian broadcasting media may be in  
16                  contravention of applicable Canadian  
17                  statutory and regulatory  
18                  requirements. Consideration will be  
19                  made for a recommendation to disclose  
20                  to the CRTC as appropriate."

21                  So I have a few questions on this point. If  
22                  the PRC gave impetus and direction to regulated broadcasters  
23                  in Canada to amplify anti- you know, any political party  
24                  messaging, could that be a breach of a regulation or a  
25                  condition of service?

26                  **MR. SCOTT SHORTLIFFE:** It could be. We would  
27                  need to look at specific cases through a public process, but  
28                  it could be.

1                   **MS. NATALIA RODRIGUEZ:** And would this --  
2 would there be any difference -- would it be more or less  
3 serious if this direction and messaging was done during a  
4 write period, during an election?

5                   **MR. SCOTT SHORTLIFFE:** In terms of the  
6 seriousness, I cannot offer an opinion. That would be up to  
7 the CRTC Commissioners as they're contemplating the issues.  
8 So I cannot actually give you an answer to that.

9                   **MS. NATALIA RODRIGUEZ:** Okay. And if the PRC  
10 gave impetus and direction to regulated broadcasters to  
11 amplify misleading or false information, could that be a  
12 breach of a regulation or a condition of service?

13                   **MR. SCOTT SHORTLIFFE:** It could be, yes.

14                   **MS. NATALIA RODRIGUEZ:** Okay. Now, the OCCE  
15 on that last paragraph indicated that it may consider making  
16 a disclosure to the CRTC about this issue, and this issue  
17 being foreign ownership or control of Canadian broadcasting  
18 media. Can you confirm whether the OCCE has made such a  
19 disclosure?

20                   **MR. SCOTT SHORTLIFFE:** We received a  
21 disclosure of that nature last week.

22                   **MS. NATALIA RODRIGUEZ:** Last week?

23                   **MR. SCOTT SHORTLIFFE:** Last week.

24                   **MS. NATALIA RODRIGUEZ:** Okay. And was this a  
25 Part I application?

26                   **MR. SCOTT SHORTLIFFE:** It was a direct email  
27 to the Commission, which was then brought to my attention.  
28 It was not brought in as a Part I application. So it's now

1 before us as the Commission to determine what the next  
2 appropriate steps are.

3 **MS. NATALIA RODRIGUEZ:** And is this something  
4 that would be made public, such as the Egale complaint or the  
5 other complaints that you've received?

6 **MR. SCOTT SHORTLIFFE:** Very honestly, I  
7 haven't had the time to confer with legal staff whether it is  
8 something we have the authority to make public and whether we  
9 should. So I must give you a possibly answer, but honestly,  
10 we have not finished our internal treatment of it because we  
11 only received it a few days ago.

12 **MS. NATALIA RODRIGUEZ:** Fair enough. And  
13 given that caveat, and the fact that it's ongoing matter, is  
14 there anything more you can tell us about the information  
15 that you received from the OCCE?

16 **MR. SCOTT SHORTLIFFE:** I think it's very  
17 commensurate with the information which is in here. It  
18 refers specifically to radio stations in the Greater  
19 Vancouver Area, I believe it's Richmond specifically, and  
20 concerns about slant in terms of the coverage. I'm going by  
21 memory, having read the disclosure here.

22 I'll say as a broader issue that while each  
23 individual case must be looked at specifically, and I can  
24 certainly not promise any outcome from anything brought in  
25 front of us, the Commission is happy to receive material  
26 which will contextualize us looking at any license in the  
27 future or license renewal.

28 **MS. NATALIA RODRIGUEZ:** Okay. Thank you. I



1 want to take you to CAN1080\_R1.

2 --- EXHIBIT No./PIÈCE No. CAN001080 R01:

3 PRC Foreign Interference in Canada: A  
4 Critical National Security Threat -  
5 CSIS IA 2021-22/31A

6 **MS. NATALIA RODRIGUEZ:** Now, this is a CSIS  
7 intelligence assessment and on page 2 we see that it's dated  
8 September 8, 2021. It's entitled "PRC Foreign Interference  
9 in Canada: A Critical National Security Threat". And I just  
10 want to take you to page 6 of this assessment, where it says:

11 "Media Interference, 'Managing the  
12 Message' and positively Portraying  
13 the Party"

14 And it says:

15 "Chinese-language media outlets  
16 operating in Canada, along with  
17 members of the Chinese-Canadian  
18 community, are primary targets for  
19 PRC-directed foreign-influenced  
20 activities in the media realm."

21 And if we see the last sentence there, it  
22 says:

23 "In Canada, PRC FI [-- so foreign  
24 interference --] actors have sought  
25 to promote voices that portray the  
26 PRC positively and 'tell the China  
27 story well' in an effort to bolster  
28 the Party's reputation and counter

1                   what the CCP views as 'anti-PRC' or  
2                   'anti-Party' narratives in the west."

3                   Now, we heard some of the panelists this  
4 morning describing this in their own personal experiences.  
5 And if we look at the first bullet point it says:

6                   "PRC government influence over  
7 Chinese-language media has become  
8 increasingly problematic."

9                   And in the second bullet point, it says:

10                  "PRC FI actors have sought to use  
11 Canada-based media outlets to shape  
12 Canadian opinions."

13                  And then the rest is redacted.

14                  So focusing on the parts that I read, does  
15 any of this engage any of the CRTC's rules or regulations,  
16 which could potentially be the basis of a complaint or some  
17 sort of response from the CRTC if such a complaint were made?

18                  **MR. SCOTT SHORTLIFFE:** I would have to say  
19 potentially. I'd say it's certainly an issue of interest.

20                  To my knowledge, this report was not shared  
21 with CRTC at the time. I certainly do not recall ever seeing  
22 it. I have to be very cautious because we deal with things  
23 on the public record as they go forward. We do proceed, you  
24 know, in a deliberate manner.

25                  I would say that the Commission would have  
26 great interest in having more of this context.

27                  **MS. NATALIA RODRIGUEZ:** Okay. So that was  
28 going to be my next question. Before your involvement as a

1 witness in these proceedings, were you aware of the substance  
2 of what this is saying? Maybe not the assessment itself, but  
3 the substance of what I read out.

4 **MR. SCOTT SHORTLIFFE:** Not in any great  
5 depth, no, and not in any official capacity. I certainly,  
6 following press coverage of these proceedings this spring,  
7 had seem similar issues were raised and were intrigued by  
8 them, but you know, I have not seen any of these reports from  
9 -- because we are not part of the national intelligence  
10 spectrum in Ottawa.

11 **MS. NATALIA RODRIGUEZ:** Fair enough.

12 And if we can go to CAN11293.

13 **--- EXHIBIT No./PIÈCE No. CAN011293:**

14 China: Domination of Chinese-Language  
15 Media in Canada Poses National  
16 Security Threats - IM 30/2023

17 **MS. NATALIA RODRIGUEZ:** Now, this is a joint  
18 PCO Intelligence Assessment Secretariat and CSIS assessment,  
19 and it's dated July 31st, 2023. We see that on the top  
20 right-hand corner there.

21 And its title is "China: Domination of  
22 Chinese Language Media in Canada Poses National Security  
23 Threats".

24 And just looking at the key  
25 judgments portion of this, it says:  
26 "Communist Party of China friendly  
27 narratives inundate Chinese language  
28 media in Canada. Censorship,

1 including self-censorship, is  
2 pervasive and alternative media  
3 voices are few or marginalized in  
4 mainstream Chinese language media.  
5 This includes traditional media such  
6 as newspapers and in new media  
7 provided by online platforms and  
8 applications such as WeChat."

9 And then the second bullet point says, "The  
10 CPC's strategy" -- and here, the CPC is the Communist Party  
11 of China:

12 "...to shape the media landscape  
13 relies on two main areas of effort;  
14 control over narratives and control  
15 over platforms [and then it's  
16 redacted] overt and clandestine."

17 And then the third bullet point says:

18 "The CPC controls narratives by  
19 limiting opportunities for dissenting  
20 voices [and it's redacted] by  
21 providing economic incentives  
22 [redacted] fostering self-censorship  
23 [redacted]."

24 And the last bullet, we can go down a little  
25 bit so we can see it:

26 "The CPC's ability to influence  
27 Chinese language media and therefore  
28 shape overseas public opinion also

1 plays a critical enabling role in its  
2 other activities, including  
3 transnational repression efforts, and  
4 attempts to influence electoral  
5 outcomes."

6 So again, just focusing on these key  
7 judgments, the parts that I've read, does any of it raise  
8 possible breach of a CRTC regulation or rule? Does it engage  
9 the CRTC's regulatory authority?

10 **MR. SCOTT SHORTLIFFE:** I wouldn't put it that  
11 it engaged our authority. It would certainly raise questions  
12 that the CRTC would wish to look further into, specifically  
13 whether this raises questions of control and fact. Again,  
14 this was not an intelligence assessment that we were party  
15 to, but I think would be of great interest to us.

16 I think that -- and again, I have to be  
17 cautious here. I'm speaking from staff perspective, not from  
18 the perspective of the Commission. We would be very  
19 interested in learning more about the economic incentives and  
20 fostering self-censorship because those do seem to raise  
21 questions that are troubling if they are in a licensed party.

22 So I would say that it raises questions that  
23 the Commission would certainly be interested in. Whether or  
24 not it engages our regulatory authority would be a judgment  
25 that the Commission would have to make looking at that  
26 evidence, but it certainly would raise issues that we would  
27 be interested in.

28 **MS. NATALIA RODRIGUEZ:** And before your

1 involvement as a witness in these proceedings, were you aware  
2 of the substance of what's in these key judgments section of  
3 this assessment?

4 **MR. SCOTT SHORTLIFFE:** No, I was not.

5 **MS. NATALIA RODRIGUEZ:** Okay. And so moving  
6 now to what you touched on, which is your involvement or lack  
7 of involvement with the security and intelligence community,  
8 first of all, does the CRTC have security cleared personnel?

9 **MR. SCOTT SHORTLIFFE:** Many of the staff are  
10 security cleared. The actual Commission members are not  
11 required to hold a security clearance with the exception of  
12 the Chairperson. The Chairperson is also the deputy head  
13 and, for government reasons, has to have a security  
14 clearance. The others do not. By happenstance, several of  
15 them do currently because they are former public servants,  
16 but they're not required to.

17 Senior staff generally has to have a secret  
18 clearance. To my knowledge, no one in the Commission holds a  
19 top secret clearance.

20 **MS. NATALIA RODRIGUEZ:** Okay. And that was  
21 going to be my next question, so thank you.

22 Now, has the CRTC ever been briefed on issues  
23 of foreign interference by any government department or  
24 agency, anyone within the security intelligence community?

25 **MR. SCOTT SHORTLIFFE:** Not in -- not in a  
26 direct sense. I can remember one case in the past where  
27 there was a complaint which we had received from the Indian  
28 High Commission. It wasn't about foreign interference. It

1 was -- because it was from the Indian High Commission, we did  
2 meet with foreign counter -- sorry, with government  
3 counterparts about that.

4 More recently at the request of our  
5 Chairperson, I and our secretary general have had preliminary  
6 meetings with Public Safety Canada to explore whether there  
7 is information from the intelligence community that can be  
8 appropriately shared with us.

9 This is very new for the CRTC. It does  
10 engage questions about our independence, about our ability to  
11 deal with secret material or material that would not be on  
12 the public record because we make our decisions based on a  
13 public record.

14 So it is something that we have not  
15 traditionally done in the past, and we are in sort of very  
16 nascent discussions about that.

17 **MS. NATALIA RODRIGUEZ:** So in your view,  
18 would it be helpful for the CRTC to further engage with these  
19 agencies given -- I understand your concern about potentially  
20 the CRTC's independence, but in terms of receiving  
21 information that might be helpful to its mandate, especially  
22 as it relates to foreign interference.

23 **MR. SCOTT SHORTLIFFE:** I would say that we  
24 would very much like to engage and explore how this can be  
25 appropriately done without pre-determining that the outcome  
26 is that it can be appropriately done and they should share  
27 information with us. That said, within those boundaries we  
28 want to explore this very much with other agencies within the

1 government.

2 **MS. NATALIA RODRIGUEZ:** Okay. So the CRTC  
3 would be open to receiving briefings on foreign interference  
4 from members of the security and intelligence community.

5 **MR. SCOTT SHORTLIFFE:** Within the caveats of  
6 whether we could set up a protocol which respects or  
7 independence and our decision-making, yes.

8 **MS. NATALIA RODRIGUEZ:** Fair enough.

9 Now, very briefly, you mentioned in your  
10 interview summary at paragraph 58 that you considered the  
11 CRTC's greatest vulnerability to be its inability to react  
12 quickly. And I just wondered if you could expand briefly on  
13 that, especially as it relates to allegations of potential  
14 foreign interference.

15 **MR. SCOTT SHORTLIFFE:** Yes. I think that  
16 what I was trying to get across is, we make our decisions  
17 based on public processes and public records. If we received  
18 an allegation that said a broadcaster is misbehaving right  
19 now, that they have been instructed by a foreign body to  
20 broadcast something that is untrue that could affect an  
21 election that is potentially happening that day, our ability  
22 to do anything within the space of ours on no public record  
23 is essentially zero. That's not how we're constituted as a  
24 quasi-judicial tribunal.

25 We're not -- we're not, generally speaking, a  
26 law enforcement body. And I'm sorry I have to say "generally  
27 speaking" because our anti-spam and do not call is  
28 technically law enforcement. But we're no constituted on the



1 broadcasting or telecom side as law enforcement agency. We  
2 don't have sort of arbitrary powers and, in fact, everything  
3 is tilted towards us building a public record exactly so that  
4 as a government body, we will not take people off the air or  
5 have the power to take people off the air, which could easily  
6 become a tool for repression in the wrong hands.

7 Now, I would argue that that is, for many  
8 public policy outcomes, a very good thing for the Commission.  
9 I would say that if there is a concern about election  
10 misinformation being broadcast on an election day or just  
11 before an election day, it limits the Commission's ability to  
12 take instant action.

13 The Commission's ability to take action after  
14 the fact, conduct an investigation, lobby -- have an  
15 Administrative Monetary Penalty, remove a licence, we have  
16 all of that, but that is something that takes time to apply.  
17 It's not something we can apply instantly on the day.

18 **MS. NATALIA RODRIGUEZ:** Thank you.

19 And before we conclude, is there anything  
20 else you would like to tell the Commissioner about anything  
21 that we haven't touched on that relates to your mandate?

22 **MR. SCOTT SHORTLIFFE:** I think just one thing  
23 I would like to mention is around news.

24 As we're bringing in the foreign entities,  
25 the streaming services, one of our initial decisions for what  
26 we call base contributions included setting up a news fund  
27 for radio which is new, bring in more news for independent  
28 television stations. Partly this is because we're trying to

1 build up democratic institutions, journalism news because we  
2 see this as a way of countering disinformation. It's not a  
3 direct way of countering it, but we do see it structurally on  
4 the system as something very important that we can do. We  
5 can devote more funds to news and try to direct it towards  
6 independent news voices which we see as very important in  
7 Canada.

8 I'd also say that while, as I said earlier,  
9 we don't see ourselves as an office of primary responsibility  
10 for foreign interference, this does not mean we are an office  
11 of no responsibility for foreign interference. We recognize  
12 that this is a challenge that affects all Canadians and while  
13 we try to figure out what an appropriate role is, I certainly  
14 would say that we wish to play an appropriate role in that  
15 nature.

16 Thank you.

17 **MS. NATALIA RODRIGUEZ:** Thank you very much.

18 Those are my questions, Commissioner.

19 **COMMISSIONER HOGUE:** Thank you.

20 So we'll break for 20 minutes. We'll come  
21 back at 3:30.

22 **THE REGISTRAR:** Order, please. À l'ordre,  
23 s'il vous plaît.

24 This sitting of the Commission is now in  
25 recess until 3:30 p.m. Cette séance de la Commission est  
26 maintenant suspendue jusqu'à 15 h 30.

27 --- Upon recessing at 3:11 p.m./

28 --- L'audience est suspendue à 15 h 11

1 --- Upon resuming at 3:33 p.m./

2 --- La séance est reprise à 15 h 33

3 **THE REGISTRAR:** Order please. À l'ordre,  
4 s'il vous plaît.

5 This sitting of the Foreign Interference  
6 Commission is now back in session. Cette séance de la  
7 Commission sur l'ingérence étrangère est de retour en  
8 session.

9 The time is 3:33 p.m. Il est 15 h 33.

10 **COMMISSIONER HOGUE:** So we'll begin the  
11 cross-examinations. It's Maître Sirois for the RCDA that  
12 will begin.

13 **--- MR. SCOTT SHORTLIFFE, Resumed/Sous la même affirmation:**

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

15 **MR. GUILLAUME SIROIS:**

16 **MR. GUILLAUME SIROIS:** Good afternoon.  
17 Guillaume Sirois for the RCDA.

18 In your testimony, you provided the example  
19 of a broadcast about a tornado in Ottawa on a bright sunny  
20 day as a potential example of false information that could be  
21 sanctioned by the CRTC. Do you remember that?

22 **MR. SCOTT SHORTLIFFE:** Yes, I do.

23 **MR. GUILLAUME SIROIS:** I would like to  
24 present you some known narratives that are more directly  
25 relevant to the focus of this Commission of Inquiry. I would  
26 appreciate your opinion on these narratives and whether they  
27 are false statements or not, or how we can determine whether  
28 they are.

1           One of the examples that have been floating  
2 by Russia is that financial aid sent to Ukraine is being  
3 pocketed by corrupt officials within the Ukrainian  
4 government.

5           **MR. SCOTT SHORTLIFFE:** I have to be very  
6 cautious here. I have individual opinions as a Canadian of  
7 Ukrainian descent, in fact, but I'm speaking here as an  
8 official of the CRTC.

9           As an official of the CRTC, I don't believe I  
10 should be making rulings on whether something is true or not.  
11 The reason why I used the tornado example was it was  
12 theoretical and patently ridiculous exactly because I don't  
13 believe that as a public official I should be offering my  
14 opinion on whether a public issue is true or not.

15           **MR. GUILLAUME SIROIS:** Well, that's kind of  
16 where I'm going. You've seen exactly where I'm going, is  
17 that there are some narratives that are promoted by the  
18 Kremlin that are as ridiculous as the example you gave about  
19 the tornado in Ottawa. For instance, as you may be aware,  
20 that they are -- Russia is in Ukraine to remove a pro-Nazi  
21 government or that NATO, in fact, started the war in Ukraine,  
22 are those narratives ridiculous enough to be regulated by the  
23 CRTC?

24           **MR. SCOTT SHORTLIFFE:** Again, and  
25 respectfully, I'm not going to answer a question about a  
26 specific narrative. I have personal opinions about them as  
27 an individual Canadian, but I'm testifying as an official of  
28 the CRTC.

1           It would have to be brought to a complaint  
2 before the CRTC and adjudicated by -- through an adjudicative  
3 process. I can't do that as a witness appearing here today.

4           **MR. GUILLAUME SIROIS:** Okay. And I  
5 understood from your testimony earlier today that the CRTC  
6 can undertake some investigations on its own initiatives  
7 before a complaint is brought before the CRTC. Is this an  
8 offence of where the CRTC could investigate on its own?

9           **MR. SCOTT SHORTLIFFE:** I would say that  
10 anyone who wants to bring information to the attention of the  
11 CRTC should and that the CRTC, as an adjudicative body, will  
12 then make decisions on what it will investigate. And I would  
13 encourage people to bring forward the material that they wish  
14 the CRTC to look at.

15           **MR. GUILLAUME SIROIS:** Okay. I have a few  
16 other narratives from the Kremlin, but I understand it's  
17 perhaps pointless at this point.

18           I would like to ask the court reporter to  
19 pull CRT51, please. This is the decision about RT and RT  
20 France. I suppose you're aware of that decision.

21           **MR. SCOTT SHORTLIFFE:** Yes.

22           **MR. GUILLAUME SIROIS:** It was presented  
23 earlier to you today.

24           Can you -- for the record, can you please  
25 explain in one or two sentences what this decision is about?

26           **MR. SCOTT SHORTLIFFE:** So following the  
27 reference from the government to look at the distribution of  
28 RT and RT France, the Commission had a public process,

1 assembled information and took a decision that RT and RT  
2 France should be removed from the list authorized for  
3 distribution in Canada, which means that Canadian cable and  
4 satellite and internet protocol television can no longer  
5 offer RT in Canada.

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

7 I would like to go to paragraph 48, please.  
8 I'm not sure what's the page number. I'm sorry.

9 Yes, 48.

10 So here we learn that, as far as the  
11 Commission is aware:

12 "...all of the BDUs that distributed  
13 RT or RT France have ceased  
14 distribution of the services.  
15 Accordingly, the removal of the  
16 services from the List would not  
17 change the current distribution  
18 reality."

19 I'm wondering why the CRTC acted after the  
20 BDUs and not before?

21 **MR. SCOTT SHORTLIFFE:** Again, I have to be  
22 very cautious here. CRTC decisions speak for themselves and  
23 I can't breach any considerations or discussions behind the  
24 scenes.

25 What I can say is this is a public instance  
26 where following the invasion of Ukraine, I believe most BDUs  
27 voluntarily dropped RT or RT France. That does not mean that  
28 the Commission decision had no weight. It means that they

1 could not re-add it. They couldn't wait a month and say,  
2 "Oh, this has calmed down and now we're going to put them  
3 back on the list." If at any hypothetical point in the  
4 future they wanted to distribute RT again, they would have to  
5 apply to the Commission to do so and then it would have the  
6 history that the Commission had intentionally removed them  
7 from the list.

8 So this is something that happened. BDUs  
9 made a voluntary decision to no longer offer them. That's  
10 entirely within their purview. There's no one on the list  
11 who you have to broadcast. That does not mean that the  
12 decision of the Commission and the reference from the  
13 Government had no force.

14 **MR. GUILLAUME SIROIS:** It was still necessary  
15 to issue that decision ---

16 **MR. SCOTT SHORTLIFFE:** Yes.

17 **MR. GUILLAUME SIROIS:** --- in the context?  
18 Okay. And was it easier to ban RT considering that it was  
19 not being distributed anyway?

20 **MR. SCOTT SHORTLIFFE:** Again, I can't get  
21 into what the internal deliberations of the Commission were,  
22 so I can't give a characterization on whether it was easier  
23 or not. What I can say is the Commission's clear decision  
24 following the process was that RT and RT France could not be  
25 distributed on the system in Canada.

26 **MR. GUILLAUME SIROIS:** And not -- I don't  
27 want to invite you to comment on the thought process behind  
28 that decision, but generally, if a service is already blocked

1 by -- or dropped by BDUs, is it easier to ban that service  
2 afterwards, considering that it's not airing anymore?

3 **MR. SCOTT SHORTLIFFE:** I would say that it is  
4 difficult to characterize whether it's easier or not because  
5 the ultimate result is still a decision having legal force  
6 saying you can't show it. If it is on the list, even if no  
7 one is showing it in Canada, it could be shown. They don't  
8 need to alert us ahead of time. They could just say, "Okay.  
9 Today it's on the list. I'm going to offer it tomorrow  
10 morning at 9:00 a.m." When things are removed from the list,  
11 that actually has the force of our regulation behind it  
12 saying, "You cannot offer it. it is no longer discretionary  
13 to."

14 **MR. GUILLAUME SIROIS:** Okay. Thank you. I  
15 would like to go to paragraph 21 now. It's higher up in the  
16 document.

17 There's a suggestion from the ECGL, which is  
18 the Ethnic Channels Group, they suggest that the framework to  
19 decide whether or not to ban certain channels should be the  
20 Special Economic Measures Regulations, which means that if an  
21 entity, such as RT, is already sanctioned by these measures,  
22 these regulations, it should not be allowed to distribute its  
23 services in Canada. Is this a framework that the CRTC could  
24 apply?

25 **MR. SCOTT SHORTLIFFE:** So part of CRTC's  
26 decisions, because they are public processes, is we encourage  
27 public participation. In our decisions, we try to indicate  
28 what the positions of parties were. This is a paragraph



1 doing that. If you get to the actual reasons behind the  
2 decision, we're -- we were not adopting that measure.

3 What we have said though is that we do need  
4 to revisit our entire framework for how things are either  
5 added or removed from the list and at such a time we will be  
6 addressing the question of what should be in that framework  
7 and addressing it in more detail.

8 **MR. GUILLAUME SIROIS:** Could that include  
9 giving more thought about which entities are sanctioned under  
10 the Special Economic Measures Regulations?

11 **MR. SCOTT SHORTLIFFE:** I have to be cautious  
12 because we haven't launched that process, other than to say  
13 that when we do launch it, we would like as much public input  
14 as possible. I would encourage you to make the points you're  
15 making here during that part of the public process.

16 **MR. GUILLAUME SIROIS:** Okay. Thank you, I  
17 appreciate the invitation. We'll certainly jump on it.

18 At paragraph 22, the same organization  
19 explained -- or submitted the process was perhaps not broad  
20 enough to prevent distribution of Russian-state-controlled  
21 information and news content within Canada because it applied  
22 only to BDUs and the regulated environment. We have some  
23 examples of how it can -- content can be distributed in  
24 unregulated environments, and also that it does not cover  
25 online services.

26 I'm wondering if you have any thoughts of  
27 whether or not the action taken here is broad enough?

28 **MR. SCOTT SHORTLIFFE:** I would say that the

1 action that was taken by the Commission was under the ambit  
2 of the powers of the Commission. The Commission does not  
3 have authority over the open internet. I mean, I could say  
4 as an official I'm certainly aware that you can still access  
5 RT websites over the open internet, but we don't have  
6 authority over that. We don't have authority over the open  
7 internet or for people accessing content over the internet.  
8 That is not authority that Parliament has given us and is not  
9 authority that we can therefore take on.

10 **MR. GUILLAUME SIROIS:** Okay. And what about  
11 their unregulated environment? Is this something that the  
12 CRTC is aware of and that -- are there any measures taken to  
13 address this environment?

14 **MR. SCOTT SHORTLIFFE:** I'd say that again, I  
15 mean, we obviously are concerned about the regulated  
16 environment, because that is the environment we regulate.  
17 Questions about the unregulated environment, including  
18 piracy, raise questions that also relate to law enforcement,  
19 so I have to be cautious in our answer. We're certainly very  
20 much concerned with the regulated environment and what is  
21 under our ambit. Knowing what happens in the unregulated  
22 environment can be useful context for us, but in the end, our  
23 decisions have to apply to the environment that we regulate.

24 **MR. GUILLAUME SIROIS:** Okay. Thank you. I  
25 appreciate your answer. At the end of that paragraph, we see  
26 that there's some submissions about other Russian services,  
27 such as Channel One Russia. I want to go down further in the  
28 document at paragraph 28, where we also -- the CEEC, which is

1 the Canadian ---

2 **MR. SCOTT SHORTLIFFE:** M'hm.

3 **MR. GUILLAUME SIROIS:** --- Eastern European  
4 Council, talks also about the Channel One and also RTR  
5 Planeta channels. I'll read the quote just to give a bit  
6 more context. Yeah. I'll start in the middle of the  
7 paragraph:

8 "According to the CEEC, 'channels  
9 like RT [...], RTR Planeta and Russia  
10 [Channel] 1 are used by the Putin  
11 regime to promote toxic narratives,  
12 propaganda, lies and conspiracy  
13 theories, to spread hate against its  
14 critics and enemies, and undermine  
15 western democracies eroding the  
16 cohesion within them. They are not  
17 news channels: they are instruments  
18 of Vladimir Putin's information  
19 warfare and influence operations  
20 through which he seeks to manipulate  
21 the understanding of geopolitical and  
22 domestic political issues and impair  
23 decision making about them.'"

24 I'm wondering if the CRTC took any actions  
25 against Channel One Russia and RTR Planeta after these  
26 submissions and the decision that was issued after that?

27 **MR. SCOTT SHORTLIFFE:** Not to my memory.

28 **MR. GUILLAUME SIROIS:** And Channel One Russia

1 and RTR Planeta are still on the authorized list; right?

2 **MR. SCOTT SHORTLIFFE:** I would have to review  
3 the authorized list, which I don't have in front of me right  
4 now, but I don't recall them being removed.

5 **MR. GUILLAUME SIROIS:** Oh, well we can go to  
6 it, but I can tell you that it is. That's CRT25. Would it  
7 be helpful to pull the list to show you?

8 **MR. SCOTT SHORTLIFFE:** No, I will accept your  
9 word for it.

10 **MR. GUILLAUME SIROIS:** Okay.

11 **MR. SCOTT SHORTLIFFE:** As I said, there's 300

12 ---

13 **MR. GUILLAUME SIROIS:** No problem.

14 **MR. SCOTT SHORTLIFFE:** --- entities on the  
15 list, so I don't remember them all. I apologize for that.

16 **MR. GUILLAUME SIROIS:** No problem. I  
17 understand. But what I'm wondering, if -- whether these --  
18 these submissions -- if these submissions were not enough to  
19 take actions against RTR Planeta or Channel One, which seem  
20 to be promoting the same kind of content that RT is, I'm  
21 wondering what it takes to take actions against other  
22 channels from the Russian Government?

23 **MR. GUILLAUME SIROIS:** I can't answer that  
24 because that would be getting into the deliberations of the  
25 Commission itself and what evidence they take into  
26 consideration and what decisions they make. I will say that  
27 in this specific case, we had a Cabinet reference that looked  
28 specifically at RT and RT French and there was a decision

1 issued by that.

2 Part of why this is in the decision is we do  
3 build a public record. These are comments we received on the  
4 public record. When we review our overall framework in the  
5 future, we can refer to material on the public record, such  
6 as the material that is contained in here.

7 In terms of why the Commission did or did not  
8 make other decisions specific to channels is something that I  
9 cannot get into.

10 **MR. GUILLAUME SIROIS:** Okay. I'm just  
11 wondering, because you stated that CRTC can undertake some  
12 investigation on its own initiatives.

13 **MR. SCOTT SHORTLIFFE:** M'hm.

14 **MR. GUILLAUME SIROIS:** And I'm wondering, it  
15 takes a formal complaint for you to investigate these issues,  
16 even when they've been clearly outlined in submissions in a  
17 previous proceeding?

18 **MR. SCOTT SHORTLIFFE:** The CRTC can undertake  
19 investigations if it receives a formal complaint or under its  
20 own initiative. That is as a general statement. With the  
21 size and complexity of the broadcasting industry, which the  
22 CRTC regulates, it makes choices about what and when it  
23 investigates and how. Again, I can't get into particular  
24 deliberations of the Commission because it's a quasi-judicial  
25 Tribunal.

26 **MR. GUILLAUME SIROIS:** Okay. Thank you.

27 So I understand -- we can go to paragraph 71.  
28 I want to talk a little bit more. I understand you don't

1 have the powers or authority to regulate the online content,  
2 but I found a comment interesting. I don't want you to get  
3 into the thought process of that decision, but I want to ask  
4 the question more broadly, is the fact that certain content  
5 also available online, paragraph 71 talks about the  
6 availability of this content online. The fact that this  
7 content is available online as well, does it help in deciding  
8 that some content should be banned from broadcasting on  
9 Canada TVs?

10 **MR. SCOTT SHORTLIFFE:** What I will say is --  
11 and it's always the intent of the Commission to speak through  
12 its decisions and say the decisions speak for themselves.  
13 However, I am going to go a bit farther than that in respect  
14 to your question.

15 The Commission thought it was worth noting  
16 because whenever we are presented with a question of removing  
17 content from the regulated broadcasting system, there is a  
18 question about, are we stifling voices, are we stifling  
19 voices that the government of the day doesn't agree with?  
20 And could that then become a practice by which we become de  
21 facto censors, which is an important question for Canadian  
22 democracy.

23 In this case, the Commission thought it was  
24 worth noting, saying for anyone who would raise that concern,  
25 who would say that by removing RT and RT French, you are  
26 acting as censors because the Canadian government does not  
27 agree with the editorial content of these. We presented our  
28 other reasons and then the Commission specifically chose to

1 note that they are still available on the internet. How much  
2 weight the Commission gave to that is not something I can  
3 talk about. I can say that the Commission did wish to note  
4 that. And that is in the context that the Commission is very  
5 cautious that it does not wish to act as a censor.

6 **MR. GUILLAUME SIROIS:** What I'm having  
7 trouble to understand is that we've seen some examples of the  
8 kind of messaging that is being promoted by RT, Channel 1,  
9 and others. Such as the fact that they are trying remove  
10 Nazis from the Ukrainian government. I'm wondering, if you  
11 conclude -- if the CRTC concludes that this content is  
12 harmful towards Ukrainians in Canada, such as the decision  
13 did, I'm wondering why it's a positive that it's -- the exact  
14 same content is also available online on deciding to -- when  
15 issuing this kind of decision.

16 **MR. SCOTT SHORTLIFFE:** Again, I don't want to  
17 get too much into this specific decision. I will say that  
18 the Commission, as a matter of practice, has said that it  
19 does not wish to discourage points of view or put itself in  
20 the place where it is determining what the -- what a correct  
21 opinion is, and it noted this in this case.

22 While the Commission has noted this, it did  
23 not say in paragraph 71 that in the absence of this it would  
24 have made a different decision. It simply noted that for  
25 anyone who raised questions about access to this content,  
26 there is still another way of doing it. It did not comment  
27 either way on whether the decision would have gone another  
28 way if the internet did not offer this material.

1                   **MR. GUILLAUME SIROIS:** So do I understand  
2 correctly that these messages, even though they are harmful  
3 to Canadians, they can foster freedom of expression for  
4 Canadians? Is that how we can understand that?

5                   **MR. SCOTT SHORTLIFFE:** No. What I'm saying  
6 is the Commission does not have authority over the internet.  
7 The Commission has authority over regulated broadcasters.  
8 And the Commission tries to regulate respecting both freedom  
9 of expression and journalistic independence.

10                   In this case, it was looking at the regulated  
11 parts of the system. It issued the decision it issued. It  
12 had a note for people who would have raised concerns about  
13 freedom of expression going another way. It did not rule on  
14 that. It is neither endorsing nor condemning this content on  
15 the internet, because we do you have an ambit over the  
16 internet.

17                   **MR. GUILLAUME SIROIS:** Thank you. And we can  
18 close the document. I have perhaps one last question.

19                   It still relates to freedom of expression.  
20 I'm wondering more broadly, like when you're regulating  
21 content, does -- is foreign interference, foreign  
22 disinformation a good way to help Canadians exert their  
23 freedom of expression and democratic rights? Is it something  
24 that's positive for Canadians to see this kind of -- and be  
25 influenced by this kind of content?

26                   **MR. SCOTT SHORTLIFFE:** I'd say the  
27 government's point of view through -- or pardon me, not the  
28 government. The CRTC's point of view over time has been



1 Canadians should be exposed to many different points of view.  
2 Canadians can then decide which points of view they wish to  
3 accept information from.

4 I think that the materials that are being  
5 raised in this public inquiry are extremely serious. And as  
6 I indicted earlier, I think will be of great interest to the  
7 Commission going forward. But I will also say that the  
8 Commission's ambit over decades has been we want to encourage  
9 different points of view, including points of view that many  
10 people on the Commission would personally strongly disagree  
11 with, in the hope that individuals in a democracy can sort  
12 them out. As opposed to repressive regimes who do not allow  
13 different points of view into their countries.

14 Whether or not we have that right balance  
15 will be certainly something we'll be looking into when we  
16 look into how we add or remove -- add and remove parties to  
17 the list in the future.

18 **MR. GUILLAUME SIROIS:** So it's a balancing  
19 exercise, it's not a -- there's no absolutes here?

20 **MR. SCOTT SHORTLIFFE:** I'm saying that we  
21 have a public responsibility that involves a balancing act.  
22 I don't want to say there's no absolutes, because that in  
23 itself is an absolute statement. I think what I want to say  
24 is that the Commission needs to be very careful. We see that  
25 in repressive countries governments determine what their  
26 citizens can hear and that -- and I believe it's come up in  
27 these cases -- in this inquiry, there are foreign countries  
28 who will not allow their citizens to hear points of view that

1 are critical of their government, or of their government's  
2 policy.

3 The point of view of the Commission over time  
4 has been we will let in as many different voices as possible,  
5 trusting that Canadians can sort out what is true or not for  
6 themselves. I think what has been raised at this inquiry,  
7 which is are there influences that are, for lack of a better  
8 terms, corrupt, is certainly something that the Commission  
9 needs to consider in its decision making going forward. But  
10 that does not change that the Commission's orientation is  
11 towards plurality.

12 The last thing I would say on that is -- it  
13 those are my last comments before the break, I think there is  
14 an important role for Canadian news here and for making sure  
15 that Canadians have access to Canadian news sources and not  
16 just foreign news sources. And that is something that we are  
17 actively working to try to improve for the future.

18 **MR. GUILLAUME SIROIS:** Thank you. Those are  
19 all my questions.

20 **COMMISSIONER HOGUE:** Thank you.

21 Mr. Chantler for the Concern Group.

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

23 **MR. NEIL CHANTLER:**

24 **MR. NEIL CHANTLER:** Good afternoon, Mr.  
25 Shortliffe. My name is Neil Chantler and I'm counsel for the  
26 Chinese Canadian Concern Group.

27 We heard from representatives from foreign  
28 language media outfits earlier today in a panel format. And

1 among other compelling and frankly terrifying narratives that  
2 they shared with us, was their view that Chinese language  
3 radio and television broadcasters are effectively under the  
4 control of the CCP. My colleague, Ms. Rodriguez took you to  
5 CSIS intelligence summaries that suggested that the PRC aims  
6 to control Canadian broadcast media content and platforms.

7 Now, the CRTC has the responsibility of  
8 regulating Canada's broadcast media landscape, and I've heard  
9 you today very candidly share with us your evidence, and  
10 you've taken the position that the CRTC's role in combatting  
11 foreign interference is "fairly small", were the words that  
12 you used.

13 I'm struggling with that conclusion and  
14 perhaps you can elaborate a bit on that view. If you accept  
15 that foreign countries should not be controlling our  
16 broadcast radio and television, who is better positioned than  
17 the CRTC to defend the country against this growing threat?

18 **MR. SCOTT SHORTLIFFE:** If I can answer that  
19 in a couple of different parts? First of all, thank you for  
20 the question.

21 I think when I said that it is fairly small,  
22 I believe, and I and I have not watched all the testimony in  
23 front of this public inquiry. I have seen a lot of concerns  
24 about direct interference in electoral campaigns in specific  
25 ridings. I think that is an issue of great concern. I've  
26 seen issues that raise questions of legality. We're not a  
27 law enforcement body.

28 In terms of what is available on broadcast

1 platforms and to the extent of the importance of that, I  
2 believe we do have a role to play. I don't think we are  
3 necessarily the front line for dealing with foreign  
4 intelligence issues, foreign interference in the broadest  
5 sense because we're neither a national security or a law  
6 enforcement body, but that does not mean that we don't have a  
7 role to play.

8           You referenced the testimony this morning. I  
9 will admit that I was only able to watch a few minutes of it.  
10 I regret that. It seemed like fascinating testimony and I  
11 will be watching the rest of it as soon as I have a chance.  
12 But I think that the issues that were raised are going to be  
13 issues that are of great interest to the Commissioners who,  
14 in the end, are the decision-makers rather than staff such as  
15 myself.

16           So while I think that we have a limited role  
17 in that, I don't want to say that we have an unimportant  
18 role.

19           **MR. NEIL CHANTLER:** All right. You were  
20 taken to a section of the *CRTC Television Broadcasting*  
21 *Regulations*, which -- section 5(1).

22           **MR. SCOTT SHORTLIFFE:** Yeah.

23           **MR. NEIL CHANTLER:** You're probably familiar  
24 with it. It's a fairly significant section.

25           It requires that a licensee shall not  
26 broadcast any false or misleading news. You recall that. I  
27 don't ---

28           **MR. SCOTT SHORTLIFFE:** Yeah.

1                   **MR. NEIL CHANTLER:** --- need to pull that up.  
2                   You've acknowledged today that the CRTC is  
3 very reluctant to become a censor. You've mentioned that a  
4 couple of times.

5                   But I point to you, is that not exactly what  
6 the legislation is asking you to be? The legislation is  
7 asking you to regulate false or misleading news, and that  
8 requires you to take a dive into the content of material and  
9 determine what is suitable or not.

10                  **MR. SCOTT SHORTLIFFE:** Respectfully, I'd also  
11 say that the legislation and -- as Ms. Rodriguez explained  
12 this morning, the *Broadcasting Act* has many objectives in it.

13                  At the very beginning, it says that nothing  
14 that we should be construed to interfere with freedom of  
15 expression or journalistic independence.

16                  Now, I think there is a public policy debate  
17 in terms of whether the Commission has that balance correct,  
18 but I think that the history of the Commission is that while  
19 we have responsibilities regarding false and misleading use  
20 and abusive comment, we are also very much aware that  
21 Parliament has instructed us that we should take no action  
22 that will damage freedom of expression in Canada, which can  
23 include unpopular expression and unpopular viewpoints.

24                  To the rest of your question, whether or not  
25 it is the right balance, that is a matter of opinion.

26                  **MR. NEIL CHANTLER:** I appreciate that answer  
27 very much.

28                  You'd accept that we don't have unbridled

1 freedom of expression in this country. We already place  
2 limits on freedom of expression with respect to hate speech.  
3 And perhaps putting limits on freedom of expression with  
4 respect to foreign interference is an appropriate boundary as  
5 well. Would you agree with that?

6 **MR. SCOTT SHORTLIFFE:** I'd say that the  
7 boundaries Parliament wants to put on us is a question for  
8 Parliament.

9 I will say that when you look at the section,  
10 the first thing it says is nothing illegal, and that refers  
11 to hate speech, it refers to terrible things such as child  
12 pornography.

13 The CRTC will be and I hope is responsive to  
14 the will of Parliament. Should Parliament in its wisdom in  
15 the future give us a changed ambit in that regard, obviously  
16 we will be responsive to it.

17 **MR. NEIL CHANTLER:** It's circling back to my  
18 earlier question, though. It's already baked into the  
19 legislation that you are to monitor for false and misleading  
20 news. You have these other priorities as well, but this is  
21 one of your priorities. Correct?

22 **MR. SCOTT SHORTLIFFE:** I would say that if  
23 you break down the objectives of the broadcasting policy in  
24 section 3.1, and we have an internal debate at the  
25 Commission, it is between 60 to 80 objectives. And  
26 therefore, the Commission is always in an internal debate of  
27 which objectives are paramount over others.

28 I would say that absolutely broadcasting

1 false and misleading news is something that we have concern  
2 about. It's one of the reasons why we're trying to increase  
3 funding to journalism. And I would also say that we need to  
4 balance that against Parliament's direction to us to not  
5 curtail freedom of expression or journalistic independence.

6 And when you look at some of the specific  
7 cases that are being cited, I have great concern when you see  
8 something and you say that it is directed by a foreign  
9 government and that they're using economic forces to impose  
10 this point of view. If that point of view were reached by a  
11 commentator in Canada and it is just their point of view,  
12 then that is completely legal and within the ambit of the  
13 broadcasting system.

14 The point is not that we're trying to shape  
15 what people see or hear, but we are trying to regulate within  
16 the ambit of the many objectives of the Act and build a  
17 system that will allow Canadians to get diverse points of  
18 view and that will strengthen news production in Canada.

19 **MR. NEIL CHANTLER:** And recognizing that  
20 determining false information is very difficult and you don't  
21 have an investigative mandate, the example was given to you  
22 of the *Safeguard Defenders* complaint and whether you had to  
23 determine whether information had been determined by torture,  
24 and that's impossible for your -- for your office to do. But  
25 what is the standard of proof that you consider when  
26 considering questions of fact?

27 Your office has this mandate to do this. Do  
28 you -- how do you -- what do you consider to be the standard?

1                   **MR. SCOTT SHORTLIFFE:** I think it's different  
2 in every case because every case is specific. What we as  
3 staff try to do is assemble whatever information we can. If  
4 it is a broadcaster in Canada, to use our information-  
5 gathering powers so that we can present options to  
6 Commissioners so that they can make an informed choice.

7                   In the case of *Safeguard Defenders*, the  
8 reason why I wanted to address earlier, it, to me, points out  
9 exactly why we need to relook at our framework because when  
10 you have two conflicting points of view, you need to make a  
11 decision on the basis of imperfect information.

12                   We've not closed that complaint. We've not  
13 adjudicated it. We have not said, "Well, therefore, we can't  
14 do anything about it". What we've said is there's a serious  
15 issue here.

16                   But whatever precedent we set for it, we must  
17 be ready the next day when someone comes in and says, "Based  
18 on that, I believe that something I saw on BBC News  
19 contravenes that rule". In no way, by the way, am I  
20 comparing CCTV-1 to BBC News in terms of editorial  
21 independence. But our rules can't be made for a single  
22 recipient, generally. They need to be made bearing in mind  
23 that we'll apply them across the system, and it's difficult  
24 for us. It is difficult to reach that balance where we  
25 support freedom of expression, but we can also enforce rules  
26 and, frankly, it is still a work in progress.

27                   **MR. NEIL CHANTLER:** On the subject of  
28 complaints, you were quite candid when you said that you



1 could be doing a better job, your office, in how you manage  
2 complaints.

3 Do you agree the CRTC has an obligation to  
4 ensure Canadians are aware of the complaint process and that  
5 it's accessible to Canadians?

6 **MR. SCOTT SHORTLIFFE:** Yes, I do agree with  
7 that. And I'd go farther and say that I think we all in the  
8 CRTC feel that we can and should do better, and we're working  
9 on plans to do better on that.

10 **MR. NEIL CHANTLER:** And do you accept  
11 complaints in any of the more commonly spoken languages?

12 **MR. SCOTT SHORTLIFFE:** We have received  
13 complaints in different languages. There's -- sometimes  
14 there are delays because we need to ask for translation, but  
15 yes, we will accept complaints in different languages.

16 **MR. NEIL CHANTLER:** Madam Commissioner, if I  
17 may have an indulgence of about a minute to cover one final  
18 issue.

19 **COMMISSIONER HOGUE:** Yes, go ahead.

20 **MR. NEIL CHANTLER:** Could the court reporter  
21 please pull up CCC23?

22 **--- EXHIBIT No./PIÈCE No. CCC000023:**

23 Designation of Additional Chinese  
24 Media Entities as Foreign Missions

25 **MR. NEIL CHANTLER:** Now, sir, I'm not sure if  
26 you will have had a chance to review this. It may have been  
27 in the package of material you received before your  
28 testimony. But this is a press release, a press statement

1 from the United States Department of State. And what it  
2 draws our attention to -- if the court reporter could scroll  
3 down, please.

4 It's a little difficult to read, but leave it  
5 on the heading for a moment there.

6 Is the fact that in June 2020, the U.S.  
7 Department of State designated a number of Chinese media  
8 outlets operating in the United States to be foreign missions  
9 under the *Foreign Missions Act*. Now, we don't have such an  
10 Act, but this designation allows government more oversight  
11 and control over these entities that I understand are media  
12 entities acting in the United States, and it recognizes that  
13 these media outlets were effectively agents of the Chinese  
14 government.

15 My question for you, sir, is simply, do you  
16 see some value in Canada, in us taking similar steps with  
17 respect to media entities that are declared to be or found to  
18 be presently under Chinese control, the Government of China's  
19 control?

20 **MR. SCOTT SHORTLIFFE:** I'm going to give you  
21 what I'm sure you will find a not entirely satisfactory, but  
22 I believe honest, answer.

23 The Commission typically doesn't advise the  
24 government what rules it should impose. This is something  
25 that, if it were in place in Canada, would probably be under  
26 the authority of Global Affairs Canada, so we would not  
27 express an opinion on whether there should be such rules.

28 Having said that, when we were considering

1 licences in Canada, the more information we can get, we  
2 always say, the better. So without saying that we would  
3 encourage this specific actor any specific action to be taken  
4 by a different part of the Canadian Government, I could say  
5 that we certainly see value in receiving more information  
6 about media in Canada, and specifically media that may be  
7 arguably under control of foreign entities.

8 **MR. NEIL CHANTLER:** Thank you. I intended to  
9 go through that in a bit more detail, but I will -- I note  
10 the time. Those are my questions. Thank you.

11 **MR. SCOTT SHORTLIFFE:** Thank you.

12 **COMMISSIONER HOGUE:** Thank you.

13 Ms. Teich for the Human Rights Coalition.

14 And I must apologize, because I realized that  
15 I mispronounced your name since the beginning, so ---

16 **MS. SARAH TEICH:** That's all right. You and  
17 everyone else. Thank you.

18 **COMMISSIONER HOGUE:** Okay.

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

20 **MS. SARAH TEICH:**

21 **MS. SARAH TEICH:** Good afternoon. We've  
22 already covered at some length the CRTC's removal of RT,  
23 previously known as Russia Today, and RT France. So I'm  
24 going to jump over the question I had about that.

25 And if we can please pull up HRC125? Thank  
26 you.

27 **--- EXHIBIT No./PIÈCE No. HRC0000125:**

28 Revised list of non-Canadian

1 programming services and stations  
2 authorized for distribution

3 **MS. SARAH TEICH:** This is the list of non-  
4 Canadian programming services and stations authorized for  
5 distribution in Canada.

6 And if we can please scroll down to the  
7 listings under letter C?

8 And I just want to draw your attention to the  
9 last station listed under C.

10 So if we can please scroll down a little bit  
11 farther?

12 And that is Cubavisión Internacional. And  
13 just to clarify, this means that Cubavisión Internacional is  
14 authorized for distribution in Canada? Is that right?

15 **MR. SCOTT SHORTLIFFE:** That's correct. Yes.

16 **MS. SARAH TEICH:** Can we please now pull up  
17 HRC129? Thank you.

18 **--- EXHIBIT No./PIÈCE No. HRC0000129:**

19 Entrevista Especial De Russia Today

20 **MS. SARAH TEICH:** This is a clip from *Mesa*  
21 *Redonda*, one of Cubavisión's regular programs. And I'd like  
22 to play the first couple of minutes and get your thoughts on  
23 it.

24 So if I can please have the Court Operator  
25 play from the beginning of this clip up until the two minute  
26 and 35 second mark?

27 **[VIDEO PLAYBACK]**

28 **MS. SARAH TEICH:** Thank you.

1                   What are your thoughts on what we just  
2 watched?

3                   **MR. SCOTT SHORTLIFFE:** May I ask you in what  
4 context?

5                   **MS. SARAH TEICH:** Well would you agree that  
6 the authorization of this sort of programming, which as we  
7 saw, literally plays RT programming, presents a loophole in  
8 the removal of RT?

9                   **MR. SCOTT SHORTLIFFE:** I'd say that, again,  
10 you've shown me a video clip which I don't have a lot of  
11 context around. Were a complaint to be brought to us about  
12 this program -- sorry, this authorized for distribution  
13 channel, we would have to look at it, we would have to look  
14 at it in the context of the framework we're presenting.

15                   Presenting me with an individual clip of an  
16 individual broadcast does not give me a lot of information  
17 and I could not issue a ruling on it. I'm not a decision  
18 maker for the CRTC. I'm a member of staff who gives advice  
19 to the decision maker. So I understand and respect why you  
20 want to bring it to our attention. I will admit I am not a  
21 regular viewer of Cubavisión Internacional, so it is not  
22 something that I'm aware of. Whether or not it would  
23 constitute a loophole under our rules is not something that I  
24 can directly address.

25                   **MS. SARAH TEICH:** Okay. Thank you. No  
26 further questions.

27                   **MR. SCOTT SHORTLIFFE:** Thank you.

28                   **COMMISSIONER HOGUE:** Thank you.

1 Counsel for Jenny Kwan. Ah, here she is.

2 **MS. MANI KAKKAR:** Good afternoon,  
3 Commissioner.

4 **COMMISSIONER HOGUE:** Good afternoon.

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

6 **MS. MANI KAKKAR:**

7 **MS. MANI KAKKAR:** Good afternoon to the  
8 panelist as well, Mr. Shortliffe. I hope that everyone can  
9 hear me. Mr. Shortliffe in particular, are you able to hear  
10 me?

11 **MR. SCOTT SHORTLIFFE:** Yes, I am. Thank you.

12 **MS. MANI KAKKAR:** Thank you. This afternoon  
13 I have some questions for you around three central themes.  
14 The first is whether CRTC rules and regulations capture  
15 certain forms of what I'm going to refer to as FI or foreign  
16 interference activity, as Ms. Rodriguez brought you to in her  
17 questions to you, as well as information we received from  
18 panelists, who I understand you didn't have an opportunity to  
19 hear in full today, but I will provide you with sort of the  
20 key information so you're able to, for this exercise, answer  
21 those questions. So that's the first theme.

22 The second is a theme around how the CRTC  
23 scrutinizes ownership and can detect changes to a licensee's  
24 situation more broadly.

25 And then the final theme I'd like to address  
26 today is confidentiality in the complaints processes.

27 **MR. SCOTT SHORTLIFFE:** M'hm.

28 **MS. MANI KAKKAR:** So starting with the first

1 one, Ms. Rodriguez brought you to a particular situation  
2 where she mentioned that the panelist had described Chinese  
3 language radio stations as being owned by individuals and  
4 that the PRC is able to exert influence on their business  
5 interests in the PRC, the business interests of the  
6 individuals that own the radio stations.

7 I wanted to ask whether this sort of  
8 influence can be detected or falls afoul of the rules and  
9 regulations of the CRTC?

10 **MR. SCOTT SHORTLIFFE:** What I would say is  
11 that it's of great interest to the CRTC because of our  
12 regulation saying that you not only have to be -- that you  
13 have to be controlled in fact by Canadians.

14 What I understood from the material being  
15 brought forward today is raising questions saying are you in  
16 fact controlled by Canadians are you in fact being controlled  
17 by the PRC, without, you know, ruling either way on that,  
18 because I'm not a position to do so, I would say that would  
19 be in the interest -- of great interest to the Commission and  
20 something that we would probably wish to pursue further and  
21 gather more information about.

22 **MS. MANI KAKKAR:** And if you were able to  
23 pursue it further and gather that information, in your view,  
24 do you or the Commission have the tools to be able to  
25 scrutinize that and to take steps?

26 **MR. SCOTT SHORTLIFFE:** I think that we  
27 certainly have the ability to take steps. In terms of  
28 scrutiny, it would depend on what information is being

1 brought forward in what manner. The default of the  
2 Commission is that we operate in the public, we operate on  
3 the basis of the public record, that people submit material  
4 under their own name so there could be a response to that.

5 One of the things that I understood from the  
6 limited amount I heard this morning, and I do apologize,  
7 because it is very limited, but I did understand that people  
8 are raising questions of retribution. I have to say this is  
9 something that I don't believe the Commission has needed to  
10 grapple with in the past. It raises, therefore, a series of  
11 questions where we have conflicting values. The first one is  
12 we want our testimony to be public and on the record, but  
13 that we had material raised today that opened questions about  
14 would individuals doing that be subject to retribution? I  
15 cannot speak to how the decision would adjudicate that, but I  
16 do think it is a different question for the Commission than  
17 one it regularly faces when it is issuing licences.

18 **MS. MANI KAKKAR:** I appreciate your answer.

19 I think the two other situations that I  
20 wanted to discuss with you in the same way, I'll describe,  
21 and I'd appreciate your thoughts on them. One that was  
22 described by panellists this morning was a situation in which  
23 an editorial board was influenced by their publisher and  
24 provided pushback to a journalist on how they were reporting  
25 certain PRC events and the narrative.

26 The other that came up was that specific  
27 journalists were either incentivized by foreign governments,  
28 whether it was trips or invitations to exclusive events, or



1 disincentivized by additional scrutiny on perhaps visa  
2 applications to visit those foreign countries where they may  
3 have family, that is Canadian nationals now require a visa,  
4 if they reported in a certain way.

5 So whether it's the editorial board that's  
6 influenced or journalists directly through these kinds of  
7 economic incentives or disincentives, would these be captured  
8 by the CRT's current rules and regulations?

9 **MR. SCOTT SHORTLIFFE:** Again, I'd have to say  
10 it'd be something that would be of interest to the CRTC. We  
11 would have to look at what evidence there is, because a bare  
12 allegation would be difficult for us to take action on,  
13 unless there was supporting evidence.

14 I will say that we support free and  
15 independent journalism in Canada, which includes journalistic  
16 code of ethics. A journalistic code of ethics certainly is  
17 against taking inducements from anyone that you are covering  
18 in a story; that would be very troubling to us.

19 We would have to look at it on a case-by-case  
20 basis. And I apologize; I'm not trying to seem evasive here.  
21 But I would say that these allegations would be of interest  
22 to us.

23 The extent to which we could pursue them,  
24 would -- under our own authority is something we would have  
25 to explore, and I'm unaware of what we would be able to do if  
26 the allegations touch on actions that are happening outside  
27 of Canadian borders; it is something that we would have to  
28 explore as a Commission.

1           **MS. MANI KAKKAR:** I appreciate your answer.  
2           And you don't need to apologize, I understand that this is a  
3           high level exercise in some ways, so details would matter.  
4           But would you agree with me that it's fair to say that the  
5           CRTC scrutinizes entities' ownerships but does not scrutinize  
6           some of these harms that we've talked about that arise out of  
7           foreign interference influence to journalists and editors,  
8           and maybe it should consider expanding the current roles to  
9           capture this kind of activity because there are similar harms  
10          that are trying to be prevented?

11          **MR. SCOTT SHORTLIFFE:** What I would say --  
12          and, again, I'm being cautious; speaking as staff and not as  
13          the Commission members.

14          **MS. MANI KAKKAR:** Right.

15          **MR. SCOTT SHORTLIFFE:** I would say that  
16          there's evidence being brought forward in this proceeding  
17          that I think is of great interest to the Commission and is  
18          probably raising issues that we are going to wish to follow-  
19          up on as a Commission. And then I have to be, I'm afraid,  
20          very vague about what they specifically may be.

21                 But I will say that the evidence that we're  
22          hearing presented at this Commission raises questions about  
23          not knowing what we don't know. And I think that there may  
24          be issues around foreign interference where the Commission  
25          has not pursued them because we're not aware of them, either  
26          for national security reasons or because we did not have  
27          people bringing forth complaints or evidence to us, or that  
28          if we adjudicated them we considered there wasn't enough

1 evidence.

2 But I think that there are issues being  
3 raised here that, again, without presupposing what our  
4 answers might be, which may be that they don't rise to a  
5 level of evidence we can action on, that are certainly of  
6 interest to us, and I will say that is certainly something  
7 that the Commission will be contemplating coming out of these  
8 proceedings.

9 **MS. MANI KAKKAR:** I appreciate that. And  
10 your part about knowledge in your answer actually makes me  
11 want to switch my -- the order of the questions that I'm  
12 going to ask. So I'll actually ask you about confidentiality  
13 in the complaints first because you talked about not knowing  
14 what you don't know.

15 One way in which the CRTC can get information  
16 is through the complaints process by individual complaints.  
17 And I appreciate you mentioned that confidentiality is not  
18 possible if you can't make an anonymous complaint.

19 There's also the tension, though, that those  
20 that are affected by FI are worried about retaliation or  
21 retribution from those state actors and may find comfort in  
22 confidentiality or anonymity, and that may promote the CRTC's  
23 ability to get more information.

24 Do you have thoughts on the confidentiality  
25 requirement?

26 **MR. SCOTT SHORTLIFFE:** Yes, and I thank you  
27 for the question because I think it is something the  
28 Commission needs to grapple with.

1           When we've looked at issues of  
2           confidentiality in the past, often we're dealing with  
3           commercial confidentiality so not the -- not who a party is  
4           but saying that we have material we wish to submit that is  
5           subject to commercial confidence because it could change our  
6           market position or something like this, and we have a record  
7           of protecting that, and a very good record of protecting  
8           that.

9           I think there have been cases where  
10          individuals have come forward with a complaint and we have  
11          asked them, "Do you wish us to pursue this publicly?" And  
12          they've said, "No, no, no. I just want to be able to tell  
13          you." But they haven't typically been about election  
14          interference, it's just, you know, "I want to vent about  
15          somebody, and I don't want you to use my name."

16          I think what you're posing to us is a  
17          question of someone who has a fear of retaliation. We would  
18          have to have to balance that with saying that if we are going  
19          forward and saying to someone, "There is an allegation  
20          against you. In order for you to reply in a way that we can  
21          use, do you need to know where this allegation's coming from  
22          and the individual?" I think that is a question that we need  
23          to deal with as the Commission. I can't give you a firm  
24          answer today, other than to say that I think it is a fair  
25          question to pose us.

26                   **MS. MANI KAKKAR:** I appreciate that, and I  
27          see that my time is up.

28                   Commissioner, may I please ask for an

1 indulgence to ask my last two questions?

2 **COMMISSIONER HOGUE:** Yes, if they are short.

3 **MS. MANI KAKKAR:** I will keep them short.

4 Mr. Shortliffe, I just wanted to ask; the  
5 CRTC scrutinizes ownership. If there's a corporate owner of  
6 a private company, how far can you dig? Can you figure out  
7 who the shareholders of that corporate owner are? Are they  
8 foreign or Canadian nationals if it's a Canadian corp, or is  
9 there a degree of fog, or, like, a lack of visibility?

10 **MR. SCOTT SHORTLIFFE:** We can keep digging  
11 till we're satisfied.

12 **MS. MANI KAKKAR:** Okay.

13 **MR. SCOTT SHORTLIFFE:** And if we're  
14 unsatisfied, then that could play into us refusing a  
15 transaction.

16 **MS. MANI KAKKAR:** That's helpful.

17 And the last thing I wanted to ask was you  
18 had mentioned that licensees have to notify you of a change  
19 of ownership. But let's say, because you look at control  
20 more broadly, they -- after getting their licence, they get a  
21 loan from a foreign bank or related to a foreign actor, do  
22 they have to disclose that kind of information to you so that  
23 you can reevaluate control?

24 **MR. SCOTT SHORTLIFFE:** I've got to be very  
25 cautious here because I'm not in charge of the ownership  
26 group right now. My understanding is I don't believe so  
27 because, you know, if you look -- I'll take a Canadian  
28 corporation. I mean, they have deals with banks all the time

1 and they're not telling us what they are because those are  
2 investment decisions.

3 What I would say is that if someone brought  
4 something to our attention that was specific and a matter of  
5 concern, we always have the ability to investigate under  
6 our ---

7 **MS. MANI KAKKAR:** Thank you so much for your  
8 testimony. And thank you, Commissioner, for the indulgence.

9 **COMMISSIONER HOGUE:** Thank you. Attorney  
10 General, do you have any questions?

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

12 **MS. MARIA BARRETT-MORRIS:**

13 **MS. MARIA BARRETT-MORRIS:** Hi, Maria Barrett-  
14 Morris for the Attorney General of Canada.

15 I just have two topics I'd like to address  
16 with you. The first one, I think I heard near the end of  
17 Commission counsel's questioning that CRTC is devoting funds  
18 to independent news as a way of countering disinformation.  
19 Did I hear that correctly?

20 **MR. SCOTT SHORTLIFFE:** Yes.

21 **MS. MARIA BARRETT-MORRIS:** Okay. Can you  
22 explain how independent news counters misinformation and  
23 disinformation?

24 **MR. SCOTT SHORTLIFFE:** Yes. I mean, the CRTC  
25 believes, as a matter of policy, that independent news voices  
26 are vital for democratic institutions in Canada. The more  
27 that a, for example, I'll take that we're creating a fund for  
28 radio news. The more that a radio station are able to hire

1 fulltime journalists or employ more fulltime journalists, the  
2 more they are able to cover stories, the more they're able to  
3 go into issues of community concern. And, specific, we're  
4 trying to devote funds to areas that are local areas, not  
5 just national news because for Canadians to be informed of  
6 what's happening in their communities, they need to have  
7 local news.

8           These are funds that we are in the process of  
9 setting up. They are -- I keep on saying public processes;  
10 we currently have public processes open where we're actually  
11 setting up these funds. But we think that it is an important  
12 part of strengthening Canadian democracy to have more local  
13 news funds available, especially as local news has been  
14 particularly affected ever since the COVID-19 pandemic, and  
15 there are fewer voices available than there used to be.

16           **MS. MARIA BARRETT-MORRIS:** Is this related to  
17 your role with respect to the *Online News Act*?

18           **MR. SCOTT SHORTLIFFE:** It is, and it isn't.  
19 In this case, we are actually using the *Online Screening Act*,  
20 C-11, which is now part of the *Broadcasting Act*, to direct  
21 funds that we will be better coming into the system from  
22 foreign streaming services. We've said they needed about  
23 five percent of their gross revenues in Canada to a variety  
24 of areas, which includes news and in both audio and  
25 audiovisual streaming.

26           Our responsibilities for the *Online News Act*  
27 are a bit separate, but analogous. There we have a much more  
28 limited policy role, really. Government established the

1 policy framework and how it's going to work and that there's  
2 an avenue for Google to ask for an exemption that will then  
3 bring \$100 million into the system.

4 Our role's more to administer that, to ensure  
5 that it works. We have less of a policy role, whereas the  
6 money I was referring to earlier is where we've made a  
7 proactive policy decision to try to direct more funding  
8 towards news in the Canadian media ecosystem.

9 **MS. MARIA BARRETT-MORRIS:** Thank you.

10 Do you view CRTC's role with respect to the  
11 *Online News Act* as also contributing to countering  
12 misinformation and disinformation?

13 **MR. SCOTT SHORTLIFFE:** Absolutely.

14 **MS. MARIA BARRETT-MORRIS:** And how is that?

15 **MR. SCOTT SHORTLIFFE:** Under the *Online News*  
16 *Act* -- and again, the policy framework was set up by the  
17 government, so I can't take -- the Commission can't take too  
18 much credit for it. But the intention is that it will  
19 provide, if the Google exemption is ultimately approved, a  
20 minimum of \$100 million into the system. That will  
21 strengthen qualified journalistic organizations across  
22 Canada.

23 It will be administered by a separate body  
24 selected by Google. This is currently in front of us to make  
25 a decision. They have an exemption request for us. But the  
26 intent of the *Online News Act* is certainly to strengthen  
27 journalism across Canada in many different outlets,  
28 particularly in print outlets, which is a new group for the



1 CRTC to work with.

2 And we see our role as being very important  
3 to assure that the news system in Canada is strengthened  
4 through that.

5 There's also a public reporting part of it.  
6 We need to commission an independent auditor report every  
7 year to see where that money has gone. That will also enable  
8 us to ensure that the money is being used to strengthen news  
9 in Canada.

10 **MS. MARIA BARRETT-MORRIS:** Thank you.

11 And your role under the *Online News Act* is  
12 also to oversee the bargaining framework that ensures fair  
13 compensation of news businesses whose content is broadcast on  
14 internet platforms?

15 **MR. SCOTT SHORTLIFFE:** It is, although  
16 government regulation then offered two paths. The first is  
17 that we would oversee the bargaining framework. It would be  
18 bargain by bargain. That is still very much a possibility.  
19 The second is that we would issue an exemption in return to a  
20 monetary contribution in this case by Google.

21 That's before the Commission which way we  
22 would go, but either way, we would either be overseeing  
23 bargaining or we'd be approving one bargain deal. Either  
24 way, it's meant to assure the entry of money into the news  
25 system in Canada.

26 **MS. MARIA BARRETT-MORRIS:** Thank you. That's  
27 really helpful.

28 The second topic that I'd like to address

1 with you is also near the end of questions you received from  
2 Commission counsel, you mentioned CRTC's engagement with  
3 Public Safety to explore if and how information on foreign  
4 interference can appropriately be shared with the CRTC. Do  
5 you remember that?

6 **MR. SCOTT SHORTLIFFE:** Yes.

7 **MS. MARIA BARRETT-MORRIS:** And it sounds like  
8 CRTC and Public Safety is engaging and you're considering  
9 potentially a protocol for information sharing. Is that  
10 fair?

11 **MR. SCOTT SHORTLIFFE:** What I should say is  
12 we -- this is still very nascent. We've only had  
13 introductory meetings.

14 I think what came out of those meetings was a  
15 willingness on both sides to explore what information could  
16 be shared and how. I think we signalled from the perspective  
17 of the Commission a great interest, also noting that many of  
18 our Commissioners who are the decision-makers don't have  
19 security clearances and that we have to act on the basis of  
20 public records within that framework saying that we would be  
21 very interested in what information could be shared  
22 appropriately.

23 What I took from my colleagues at Public  
24 Safety is they were very interested in exploring it also from  
25 their end and that we left the meeting with the general  
26 agreement that this is something we should explore more  
27 together.

28 **MS. MARIA BARRETT-MORRIS:** And when you say

1 "appropriately", you mentioned that one factor that you're  
2 considering is the public nature of CRTC's processes. That  
3 factors into whether or not it's appropriate to share  
4 information?

5 **MR. SCOTT SHORTLIFFE:** I would say it does.  
6 And it doesn't mean that they can't share information, but  
7 for example -- and I am going to take a very theoretical  
8 here. I have a secret clearance. They could share  
9 information with me. If I could not brief the decision-  
10 makers on that information, that would obviously be an issue  
11 for the decision-makers pursuing that information, so there  
12 are questions around that. But within that ambit, I think  
13 there is much more that we could discuss.

14 **MS. MARIA BARRETT-MORRIS:** And another piece,  
15 I imagine, you indicated is the CRTC's independence.

16 **MR. SCOTT SHORTLIFFE:** Yes.

17 **MS. MARIA BARRETT-MORRIS:** So you'd want to  
18 ensure that, by virtue of that information sharing, your  
19 independence is not fettered.

20 **MR. SCOTT SHORTLIFFE:** Absolutely.

21 **MS. MARIA BARRETT-MORRIS:** So CRTC -- Public  
22 Safety have not yet made a decision on whether or not  
23 information can be shared to CRTC. Is that fair?

24 **MR. SCOTT SHORTLIFFE:** That is fair, yes.

25 **MS. MARIA BARRETT-MORRIS:** How were those  
26 engagements with Public Safety initiated?

27 **MR. SCOTT SHORTLIFFE:** To my knowledge, they  
28 were initiated at the Deputy Head level. It was then passed

1 down to my secretary general, myself and a meeting was set up  
2 sort of at the ADM level.

3 I must say I don't know -- I don't have full  
4 information on how it was generated. What I could say is  
5 that our Chairperson, who is also our Deputy Head, told me  
6 that she would like us to pursue this, arranged meetings for  
7 us, and we proceeded on that basis.

8 **MS. MARIA BARRETT-MORRIS:** Are you aware  
9 whether it was CRTC or Public Safety who reached out to the  
10 other first to engage?

11 **MR. SCOTT SHORTLIFFE:** I am not aware, no.

12 **MS. MARIA BARRETT-MORRIS:** Okay. Thank you  
13 so much.

14 **MR. SCOTT SHORTLIFFE:** Thank you.

15 **COMMISSIONER HOGUE:** Thank you.  
16 Counsel for the CRTC, do you have any  
17 questions?

18 **MR. JAMES WILSON:** No questions.

19 **COMMISSIONER HOGUE:** Thank you.  
20 Ms. Rodriguez, re-examination?

21 **MS. NATALIA RODRIGUEZ:** Not today. Thank  
22 you.

23 **COMMISSIONER HOGUE:** So we will thank you,  
24 Mr. Shortliffe. It's over for you, so you're free to go.  
25 Thank you very much for your time.

26 **MR. SCOTT SHORTLIFFE:** Thank you.

27 **COMMISSIONER HOGUE:** And we'll resume  
28 tomorrow morning at 9:30.

1                   **THE REGISTRAR:** Order, please. À l'ordre,  
2 s'il vous plaît.

3                   The sitting of the Foreign Interference  
4 Commission is adjourned until tomorrow, the 2nd of October,  
5 at 9:30 a.m. Cette séance de la Commission sur l'ingérence  
6 étrangère est suspendue jusqu'à demain le 2 octobre à 9h30.

7 --- Upon adjourning at 4:35 p.m./

8 --- L'audience est suspendue à 16 h 35

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

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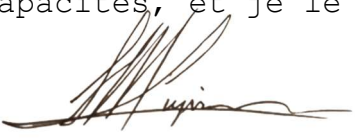
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