



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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Sikh Coalition	Balpreet Singh Prabjot Singh
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Iranian Canadian Congress	Dimitri Lascaris

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Ottawa, Ontario

--- The hearing begins Thursday, October 3, 2024 at 9:32 a.m.

THE REGISTRAR: Order, please.

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

The time is 9:32 a.m.

COMMISSIONER HOGUE: [No interpretation]

Ms. Morgan, you can go on.

MS. LYND A MORGAN: Good morning. Thank you.

So we have the RCMP panel this morning. If I can ask that the witnesses be sworn or affirmed, please.

THE REGISTRAR: All right. So I'll start with Mr. Flynn.

Would you please state your full name and then spell your last name for the record?

D/COMM MARK FLYNN: Mark Andrew Flynn, F-l-y-n-n.

--- D/COMM MARK ANDREW FLYNN, Sworn:

THE REGISTRAR: Now for Mr. Duheme.

Could you please state your full name and spell your last name for the record?

COMM MICHAEL DUHEME: Michael Robert Duheme, D-u-h-e-m-e.

--- COMM MICHAEL ROBERT DUHEME, Affirmed:

THE REGISTRAR: And finally, for Ms. Gauvin.

Could you please state your full name and spell your last name for the record?

1 **A/COMM BRIGITTE GAUVIN:** Brigitte Gauvin, G-
2 a-u-v-i-n.

3 **--- A/COMM BRIGITTE GAUVIN, Affirmed:**

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

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

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

7 So I'm going to start this morning with some
8 housekeeping before we move into the substantive questions,
9 so I'll start first with can we get WIT108 pulled up, please?

10 And Commissioner Duheme and Deputy
11 Commissioner Flynn, this is a summary of your June 18th, 2024
12 interview with Commission counsel. And have you had an
13 opportunity to review the document for accuracy?

14 **D/COMM MARK FLYNN:** Yes, I have.

15 **COMM MICHAEL DUHEME:** Yes, I have.

16 **MS. LYNDA MORGAN:** Any changes to make?

17 **D/COMM MARK FLYNN:** Not from my part.

18 **COMM MICHAEL DUHEME:** No as well.

19 **MS. LYNDA MORGAN:** Okay. And I'll ask both
20 of you, do you adopt the contents of the witness summary as
21 part of your evidence before the Commission?

22 **COMM MICHAEL DUHEME:** [No interpretation]

23 **D/COMM MARK FLYNN:** Yes.

24 **MS. LYNDA MORGAN:** So if I can ask that
25 WIT115 -- or sorry, there's also WIT108.FR. We don't need to
26 pull it up. That's the French version of that summary as
27 well.

28 **--- EXHIBIT No. WIT0000108:**

1 Interview Summary: Royal Canadian
2 Mounted Police (Commissioner Michael
3 Duheme and Deputy Commissioner,
4 Federal Policing, Mark Flynn)

5 **--- EXHIBIT No. WIT0000108.FR:**

6 Résumé d'entrevue : Gendarmerie
7 Royale du Canada (commissaire Michael
8 Duheme et sous-commissaire, Police
9 fédérale, Mark Flynn)

10 **MS. LYNDIA MORGAN:** If we can pull up WIT115,
11 please.

12 And I'll note as well there's WIT115.FR, also
13 do not need to pull that up at this time.

14 But Deputy Commissioner Flynn, this is an
15 addendum summary in relation to your February 15th, 2024
16 interview with Commission counsel. Have you reviewed the
17 document for accuracy?

18 **D/COMM MARK FLYNN:** Yes, I have.

19 **MS. LYNDIA MORGAN:** Any changes?

20 **D/COMM MARK FLYNN:** No changes.

21 **MS. LYNDIA MORGAN:** And are you prepared to
22 adopt the contents of that summary as part of your evidence
23 today?

24 **D/COMM MARK FLYNN:** Yes, I am.

25 **MS. LYNDIA MORGAN:** Thank you.

26 **--- EXHIBIT No. WIT0000115:**

27 Addendum to Interview Summary: Mark
28 Flynn Interview Summary

1 --- EXHIBIT No. WIT0000115.FR:

2 Addendum au résumé d'entrevue :

3 Résumé d'entrevue avec Mark Flynn

4 **MS. LYNDA MORGAN:** And if I can have WIT137
5 pulled up, please.

6 This is a publicly disclosable summary for
7 the panel of your *in camera* examination by Commission counsel
8 during the summer of 2024. And I'll ask the three of you
9 whether you've reviewed the document for accuracy and whether
10 you have any changes to make to it.

11 **D/COMM MARK FLYNN:** Yes, we have reviewed it,
12 and no changes.

13 **COMM MICHAEL DUHEME:** Yes, no change. It is
14 exact...

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

16 **A/COMM BRIGITTE GAUVIN:** I have revised (sic)
17 as well, and there's no changes.

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

19 And so collectively, do you adopt the
20 contents of that summary as your evidence today?

21 **D/COMM MARK FLYNN:** We do.

22 **COMM MICHAEL DUHEME:** Yes.

23 --- EXHIBIT No. WIT0000137:

24 In Camera Examination Summary: RCMP
25 Commissioner Michael Duheme, Deputy
26 Commissioner, Federal Policing, Mark
27 Flynn & Assistant Commissioner,
28 Federal Policing National Security,

1 Brigitte Gauvin

2 **MS. LYNDIA MORGAN:** And as our final piece of
3 housekeeping, I'll ask you, Commissioner Duheme, about the
4 institutional reports that were prepared in relation to Stage
5 2.

6 So if the reporter could pull up CAN.DOC43,
7 please? This is the Stage 2 Institutional Report. And
8 CAN.DOC43.001, please. And this is the Stage 2 Unclassified
9 Annex. CAN.DOC42 and CAN.DOC42.001 are the English versions.

10 And Commissioner Duheme, I understand that
11 you're able to adopt the institutional reports as part of the
12 RCMP's evidence before the Commission? Is that correct?

13 **COMM MICHAEL DUHEME:** Yes, I can. Yeah.

14 **--- EXHIBIT No. CAN.DOC.000043:**

15 Gendarmerie royale du Canada -
16 Rapport institutionnel, phase 2

17 **--- EXHIBIT No. CAN.DOC.000043.001:**

18 Gendarmerie royale du Canada - Phase
19 2 - Rapport Institutionnel - Annexe
20 non classifiée

21 **--- EXHIBIT No. CAN.DOC.000042:**

22 Royal Canadian Mounted Police - Stage
23 2 - Institutional Report

24 **--- EXHIBIT No. CAN.DOC.000042.001:**

25 Royal Canadian Mounted Police - Stage
26 2 - Institutional Report -
27 Unclassified Annex

28 **MS. LYNDIA MORGAN:** Thank you. So I'll start

1 briefly with your background and roles and then we'll move
2 into the substantive issues.

3 So Comm Duheme, I'll start with you. You are
4 the Commissioner of the RCMP and you have been since March of
5 2023. Is that correct?

6 **COMM MICHAEL DUHEME:** That's correct.

7 **MS. LYNDA MORGAN:** D/Comm Flynn, you are the
8 Deputy Commissioner for Federal Policing and you've been in
9 that position since March of 2023, is that correct?

10 **D/COMM MARK FLYNN:** That's correct.

11 **MS. LYNDA MORGAN:** And A/Comm Gauvin, you're
12 the Assistant Commissioner Federal Policing National
13 Security? Is that correct?

14 **A/COMM BRIGITTE GAUVIN:** That is correct.

15 **MS. LYNDA MORGAN:** Thank you. And before I
16 start my questions today, I do want to be clear at the outset
17 that none of my questions are intended to ask about ongoing
18 investigations and I understand that the RCMP is not able to
19 speak about ongoing investigations. So with that caveat in
20 mind, we'll move on.

21 And so we've covered extensively the FI
22 definition in Stage 1, but as a refresher, just to situate
23 today's examination, I understand that the RCMP refers to
24 foreign interference internally as foreign actor interference
25 or FAI. And further, I understand that there is, from the
26 RCMP view, no practical distinction between the term FI,
27 foreign interference, and the term FAI. Is that correct?

28 **D/COMM MARK FLYNN:** That's correct.

1 **MS. LYNDA MORGAN:** And how, if at all, does
2 the RCMP use -- or how does the RCMP use of the word HASA
3 differ from the use of FAI terminology?

4 **D/COMM MARK FLYNN:** When you're referring to
5 the hostile activity of state actors, which is what the
6 acronym HASA stands for, we're speaking about a level of
7 violence or harm that is different than the generic term of
8 foreign interference, but I would say hostile activity state
9 actors would be a subset of foreign interference.

10 **MS. LYNDA MORGAN:** Thank you. One of the
11 things the Commissioner is examining as part of Stage 2 is
12 the government's current capacity to counter, deter, and
13 detect foreign interference. So I want to start by
14 understanding how, structurally, the RCMP responds to and
15 addresses FAI.

16 So as I understand, at the most senior level,
17 FAI related investigations fall under the federal policing
18 mandate. Is that correct?

19 **D/COMM MARK FLYNN:** That's correct.

20 **MS. LYNDA MORGAN:** And there's a Foreign
21 Actor Interference Team which was created in 2020?

22 **D/COMM MARK FLYNN:** That's ---

23 **A/COMM BRIGITTE GAUVIN:** That is correct.

24 **COMM MICHAEL DUHEME:** If I can -- it started
25 in 2018, seeing the need because of the threat environment,
26 and it evolved to having a permanent team in 2020.

27 **MS. LYNDA MORGAN:** So permanent funding ---

28 **COMM MICHAEL DUHEME:** Yeah.

1 **MS. LYNDA MORGAN:** --- in 2020. Thank you.

2 And the role of that team is to oversee RCMP FI
3 investigations across Canada, but not to directly conduct
4 those investigations? Is that correct?

5 **A/COMM BRIGITTE GAUVIN:** That is correct.

6 **MS. LYNDA MORGAN:** Okay. And what did the
7 creation of this team add to the RCMP tool kit to combat FAI
8 that the RCMP previously did not have?

9 **A/COMM BRIGITTE GAUVIN:** So foreign
10 interference is not a new phenomenon in the RCMP. We've had
11 investigations in the past, but with the increase of the
12 foreign interference threat, there was a need to create a
13 more dedicated team, create some expertise within the RCMP,
14 and therefore, as mentioned by the Commissioner, in 2020 we
15 put together a dedicated team with our existing resources
16 from the Federal Policing National Security Program and
17 specifically the Oversight and Governance Unit at
18 Headquarters here in Ottawa, which is the unit that I work
19 for.

20 And therefore that unit is comprised of both
21 police officers and intelligence analysts and they are very
22 well placed to provide guidance to investigative teams
23 because they have an overall national perspective on the
24 foreign interference threats. They also deal with partners
25 at the domestic and international level. Therefore they
26 transmit that knowledge to our investigative teams across the
27 country through their daily roles and responsibilities, in
28 person meetings, providing them with documentation.

1 We also have a specific foreign interference
2 course that's part of the National Security mandatory course,
3 and therefore they continuously share that knowledge and
4 guide investigations across the country.

5 **COMM MICHAEL DUHEME:** ...expertise when there
6 are such phenomenon, and it is important for the organization
7 not only internally when we have to investigate, but also by
8 using our experts in order to educate other police forces
9 across the country in order to have those experts also take
10 part in international [audio failure] about these issues.

11 **COMMISSIONER HOGUE:** When you talk about
12 training other police officers, are these people internally
13 within the RCMP?

14 **COMM MICHAEL DUHEME:** No, no, the whole
15 police community across the country.

16 **MS. LYNDA MORGAN:** Thank you. And so within
17 the RCMP, police of jurisdiction, or kind of police on the
18 ground are also involved in a front-line response to FAI.

19 And I'd ask the Court Reporter to pull up
20 CAN19675, please.

21 **--- EXHIBIT No. CAN019675 0001:**

22 Federal Policing: Foreign Actor
23 Interference (FAI) Strategy

24 **MS. LYNDA MORGAN:** So the front page will
25 show you what this is, a slide deck, Federal Policing,
26 Foreign Actor Interference Strategy. It's dated May 26,
27 2023.

28 If we could scroll down to page 9, please?

1 And so if you look at the top of page 9 under
2 training awareness and operational policy, I'd like to ask
3 you about this paragraph, which states:

4 "While gaining subject matter
5 expertise on FAI is a priority for
6 personnel working on this file,
7 opportunities to gain this expertise
8 are available on more of an ad hoc
9 basis. Consequently, operational
10 personnel lack formalized awareness
11 of the tactics and modus operandi
12 leveraged by FAI actors, including an
13 in-depth understanding of the variety
14 of ways a foreign state conducts
15 intelligence operation and procures
16 protected and classified information
17 from government and [law enforcement]
18 agencies. This is compounded by the
19 lack of existing FAI policies and
20 standardized operating procedures
21 concerning FAI-related criminal
22 activities that meet the NS
23 threshold."

24 Do you agree that that statement was accurate
25 in 2023? And my follow up question, which can be answered at
26 the same time is, if so, does it remain true today?

27 **D/COMM MARK FLYNN:** So I'm happy to answer
28 that, Madam Commissaire. This strategy report was based on

1 studies that were done internally. So to put a date of 2023,
2 I would actually back it up to in the 2022 into '23
3 timeframe. This would be the findings that the team found.
4 It would have been accurate at that time in the broad sense
5 of the whole program, but as A/Comm Gauvin testified to
6 already, there was specialization in the discrete areas and
7 this is a representation across the organisation and in
8 federal policing.

9 At this time, there's been additional efforts
10 underway, different information, pamphlets, training
11 programs, addition of foreign actor interference materials
12 into our national security training, as well as numerous
13 conferences and other meetings, both internal to the RCMP,
14 but also with our policing partners, both the RCMP frontline
15 policing partners, as well as the police forces of
16 jurisdiction, where there's direct collaboration in this
17 space that has significantly increased the knowledge and
18 awareness of this topic.

19 **MS. LYNDIA MORGAN:** And when you spoke about
20 kind of adding, effectively, a module into the National
21 Security training, is there FAI specific training for members
22 who have just joined the RCMP and their initial training?

23 **D/COMM MARK FLYNN:** There is not, at this
24 time. Our frontline training into the RCMP is focused on the
25 core policing skills that go across all of our various
26 mandates. It is an area of focus for us though to look at.

27 **COMM MICHAEL DUHEME:** If I can add, the
28 organization requires a little bit of nimbleness every time

1 something new comes on board. When foreign actor
2 interference came and how we saw it spur up and get more
3 attention, yeah, we had to find different ways to train our
4 folks, and sometimes when we refer to ad hoc basis, it's
5 because we are looking at what kind of training we get.

6 This is no different than if you go back two
7 years ago with the -- on the IMVE, ideologically motivated
8 violent extremists, where the Director of CSIS, David
9 Vigneault said it was a threat. We had to educate our folks
10 as well on what IMVE was all about. Not only our folks but
11 law enforcement at large. So this is where the organization
12 has to be flexible and adjust to its operational environment,
13 and this is a good example.

14 **MS. LYNDIA MORGAN:** Thank you.

15 And I understand that RCMP senior management
16 has made efforts to make connection to ensure a cohesive and
17 effective police response. I just wanted to understand from
18 you what steps have been taken internally to kind of work on
19 this cohesive response to FAI threats?

20 **COMM MICHAEL DUHEME:** I'll start by saying at
21 the senior level of the organization everyone is part of -- I
22 shouldn't say everyone -- certain individuals on a need-to-
23 know basis are part of briefing sessions on what's going on
24 with foreign interference, but also what's going on in other
25 spheres of activities when it comes to organized crime. So
26 that's something we didn't have before.

27 So there's a general awareness to make sure
28 that everybody is onboard and everybody is aware of what's

1 going on. Because, as Mark can chime in, this -- although we
2 have the investigation portion, but there's all the technical
3 portion as well that doesn't fall Mark's program, that plays
4 a huge role when we're running these investigations.

5 **D/COMM MARK FLYNN:** So additional to that, as
6 you're aware, we've spoken about the creation of the foreign
7 interference team. Within the program, they are directly
8 engaging with units across the country, both at a frontline
9 level. Part of their research is to identify files across
10 the country that have a nexus and connection into it.

11 We've also created, for some specific threats
12 that are occurring across the country, we have created task
13 force type modules, or groups, to bring together a holistic
14 plan to tackle those problems and mitigate and reduce the
15 threat and the harm that's being caused. What that's done is
16 connected with everything from our municipal, our provincial,
17 and our federal mandate units across the country, including
18 those outside of the national security space. Because we do
19 see a nexus to serious organized crime and other front line
20 type crimes that are responded to by our frontline officers
21 in uniform.

22 **MS. LYNDIA MORGAN:** So if we can pull up
23 WIT137, please? And scroll down to paragraph 24, please?
24 And I'll ask you -- this is a question for you, Assistant
25 Commissioner Gauvin, the summary here indicates that you
26 expressed that the RCMP is increasing collaboration and
27 information sharing between the various units that have a
28 mandate touching on FAI. Are you able to expand more

1 specifically on what is being done specific to the
2 improvements to information sharing?

3 **A/COMM BRIGITTE GAUVIN:** Yes, I can. And
4 this touches upon what Deputy Commissioner Flynn was just
5 explaining, that internally we're sharing information more
6 within the different units that have a role in countering
7 foreign interference. We have our management teams and also
8 reviewers or investigators that will meet on a number of
9 different files or topics that are interrelated.

10 And therefore, we do have more of a flow of
11 information from within the RCMP, and specifically the
12 federal police and national security program, but also with
13 the federal policing program, but also with other units when
14 they're -- where there's interconnectivity. I can give an
15 example of, for example, on the IMVE front, we're looking
16 into a certain group that is involved in child sexual abuse
17 materials and targeting youth, and therefore we're working
18 with our child exploitation unit in that area.

19 So we're really expanding the information
20 flow from within the RCMP. And of course, all the while
21 maintaining or safeguarding the information on a need-to-know
22 basis when that information is sensitive or classified.

23 **COMM MICHAEL DUHEME:** And I would also like
24 to note that it's important to share this information with
25 the Canadian policing community because foreign interference
26 has many different forms, and so it can happen that it may be
27 Vancouver and Toronto where the first responders are the
28 police there and so then that can be foreign interference.

1 So what's important is to develop information but to share it
2 and to inform and educate the community.

3 **A/COMM BRIGITTE GAUVIN:** And if I could
4 continue, we have the investigative team in the main centres,
5 we have integrated teams and we have representatives of the
6 local and municipal police who are part of the investigative
7 team, so information is also shared in that fashion also.
8 And that's very important because we can often see with
9 foreign interference that there are incidents, and it may be
10 the police in the jurisdiction that will be the respondent,
11 so it's very important that they are aware of the different
12 types of activities and so that they will be able to share
13 the information with us. And that will help to move the
14 investigations forward.

15 **COMMISSIONER HOGUE:** And is there a mechanism
16 that means that you are quickly informed if there is any
17 foreign interference elements in any of the investigations
18 that may be happening either at a provincial or municipal
19 level by other police organizations?

20 **A/COMM BRIGITTE GAUVIN:** Yes, that's what I
21 was explaining. We do have teams where there are
22 representatives from the different -- and all levels that are
23 part of the groups that are being informed. So there's
24 constantly exchange of information with the different files,
25 and that's done on a routine basis.

26 And there's also training that's done
27 routinely, so yes, I would say that the sharing of
28 information is done fairly quickly.

1 **COMM MICHAEL DUHEME:** And it can happen --
2 there are places in Canada because, as Brigitte was saying,
3 we have integrated teams within the main cities in the
4 country, but there are more isolated locations where people
5 may not be able to recognize that there is a foreign
6 interference so sometimes information moves less quickly.
7 But information is shared.

8 **COMMISSIONER HOGUE:** And the mechanism, that
9 is really through integrated teams?

10 **A/COMM BRIGITTE GAUVIN:** Yes, or by
11 relationships that are established.

12 **COMM MICHAEL DUHEME:** And through training.
13 Through the teaching.

14 **A/COMM BRIGITTE GAUVIN:** Yes, it may be the
15 integrated teams or, in other regions, it's the relations
16 that the RCMP have with their partners. And so there's a
17 sharing of information that is being done a routine basis.
18 And we can see that it's important to concentrate our efforts
19 on the education of our partners.

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

21 **MS. LYNDIA MORGAN:** Thank you. I'm going to
22 move on to the threat landscape. We've talked about -- or
23 we've talked about the threat landscape as it existed in 2019
24 and 2021. Just want to situation what that looks like from
25 the RCMP perspective in 2024.

26 And the one thing I'll flag before I ask
27 these questions as well, before I get a note, is just to make
28 sure you speak a bit slower than you might normally. There

1 is a lot of translation going on and it will make us more
2 popular with the translators.

3 So from the RCMP perspective, I understand
4 that the threat environment has not changed significantly
5 since 2021. With -- and I'll move on to say, with the PRC,
6 Iran, Russian, and India as the most significant threat
7 actors in relation to FAI in Canada. Is that correct?

8 **A/COMM BRIGITTE GAUVIN:** That is correct.

9 **MS. LYNDA MORGAN:** And I understand the RCMP
10 also views North Korea and Russia as significant cyber crime
11 threat actors?

12 **COMM MARK DUHEME:** That's correct.

13 **MS. LYNDA MORGAN:** And looking at the PRC, as
14 I understand it, again from the RCMP perspective, the most
15 common types of PRC FI related conduct involve transnational
16 repression and theft of intellectual property. Is that
17 correct?

18 **D/COMM MARK FLYNN:** That's correct.

19 **MS. LYNDA MORGAN:** Can I pull up WIT108,
20 please? And scrolling down to paragraph 10, please? Deputy
21 Commissioner Flynn, I'd like to ask you about this paragraph
22 in which you confirmed that the most significant FAI threat
23 posed by Iran is transnational repression. And you explained
24 that if we look at the last sentence:

25 "This requires the RCMP to take a
26 layered approach in dealing with and
27 protecting PF752 victims and their
28 families." (As read)

1 And are you able to expand on what the RCMP's
2 layered approach looks like in relation to transnational
3 repression?

4 **D/COMM MARK FLYNN:** I can, and I assume you
5 would like that in the context of PS752?

6 **MS. LYNDA MORGAN:** Yes.

7 **D/COMM MARK FLYNN:** I will be cautious in
8 some of that because some of this is still ongoing. We are
9 still today seeing threats and intimidation that is targeting
10 the family members of the PS752 victims.

11 So we have -- obviously, the front end of our
12 approach is the criminal investigators. We have family
13 liaison officer program that is meant to engage with the
14 victims' families, keep them informed, hear their concerns,
15 identify any needs that they may have. And they act as a --
16 really, a frontline advocate at times for those family
17 members even beyond the police response to it to engage with
18 with other government departments to ensure those needs are
19 brought forward.

20 Again, we have the criminal investigators
21 that are doing their work directly on that. We have our
22 federal policing national security unit that is in charge of
23 the governance and their engagement with our security
24 intelligence partners both domestically and internationally
25 and with the police forces of jurisdiction in the area where
26 those victims' families reside. And then also we have our
27 international program that is deployed around the world and
28 working with any partners where there's a nexus to victims

1 because they are not all in Canada at all times, so there are
2 times when our international program is also engaged in
3 providing services and connecting with those family members.

4 **MS. LYNDA MORGAN:** And so you've answered the
5 question specific to the question I put to you, but in terms
6 of the more general response to transnational repression, is
7 it consistent to or similar with what you've just described?

8 **D/COMM MARK FLYNN:** It is consistent to that.

9 **MS. LYNDA MORGAN:** Okay. And yesterday the
10 Commission heard some concerns during a consultation panel
11 that those who have reported transnational repression often
12 don't feel any safer after reaching out to law enforcement
13 and the Commission heard some concerns that the perceived
14 absence of law enforcement follow-up, either by way of update
15 or increased security measures, left people at times feeling
16 as though the reporting process wasn't leading anywhere.

17 And I'll ask, are those concerns of which the
18 RCMP has been made aware and, if so, are there any specific
19 steps being taken to address or respond to those concerns?

20 **D/COMM MARK FLYNN:** So yes, we are aware of
21 that information and specifically the testimony yesterday as
22 well.

23 It is something that we care very much about,
24 and we are working to improve what we're doing there. And I
25 can give you some specifics of what we've done and speak to
26 what we will do in response to some of that.

27 So you'll have seen in some of our
28 investigations where we have ensured that we are visible, we

1 are present, that the community knows that we care about this
2 topic and that we're aware of it and that we're aware of it
3 and that we are doing something about it.

4 We've created additional products in our
5 prevention and engagement unit, in -- I believe right now we
6 are at 11 different languages for those products to ensure
7 that they are consumable in the various diaspora communities.

8 Across the country, we have our integrated
9 national security enforcement team and our national security
10 enforcement teams and our engagement with our policing
11 partners across Canada who have strong frontline engagement
12 with those communities and we're leveraging all of those
13 opportunities to ensure that there is a visible RCMP presence
14 there that we're connecting with the communities, we're
15 having our discussions.

16 Specific to PS752 as an example, we have had
17 meetings with the families. That has been all the way up to
18 the Commissioner level in the past to share where we are at
19 and what we are doing.

20 We're also working with our Government of
21 Canada partners and some engagement units out of Public
22 Safety Canada that are connecting with various community
23 groups that are -- have a concern in some of our national
24 security investigations to ensure that there's an open
25 dialogue in those areas.

26 Having said all of that, hearing the concerns
27 that had been raised is something that we are concerned about
28 as an organization and we will have follow-up discussions

1 with both the investigative units on some of the matters as
2 well as our prevention and engagement unit to ensure that we
3 continuously improve that performance and address those
4 concerns.

5 **COMMISSIONER HOGUE:** Mr. Flynn, do you think
6 that having a single point of contact as an interface with
7 the various members of diaspora will be something feasible
8 for the RCMP or it's just -- given the geographical reality,
9 it doesn't make sense?

10 I would just like to get your view on ---

11 **D/COMM MARK FLYNN:** It is challenging. We --
12 well, recently we have leveraged Public Safety and some of
13 their community engagement programs that they've created to
14 help us with that.

15 When it comes to the specific investigations,
16 it'd be very challenging because that single point wouldn't
17 have the knowledge. And the other challenge we have is that
18 there are varying views within the communities as well, and
19 there are opposing views in the communities and there's not
20 always agreement with the communities themselves. So it's
21 necessary that we take a more broad approach to it and ensure
22 that at all levels they are there.

23 It is certainly something we can consider and
24 we will take back and look at, Madam Commissioner.

25 **COMM MICHAEL DUHEME:** [No interpretation]
26 sometimes what we do is we piggyback on the relationships
27 that already exist from the police jurisdiction where, for
28 instance -- I'll use any big city. A lot of them have these

1 liaison groups with different diaspora and we will liaise
2 with them and introduce us to the company -- to the diaspora,
3 to the community so that we can discuss or educate or share
4 some information.

5 Some other places where we're the police of
6 jurisdiction, it facilitates it. It's the same organization.
7 But the mandate of federal policing is we're not present in
8 uniform in these communities, so sometimes we leverage the
9 existing relationships and then build from that.

10 **COMMISSIONER HOGUE:** Thank you.

11 **MS. LYNDA MORGAN:** I'm going to move to Bill
12 C-70, which received Royal Assent in June of 2024 and, as
13 you're aware, in part amends the *Security of Information Act*
14 and the *Criminal Code*.

15 I'll start by saying it's safe to say that,
16 institutionally, the RCMP would not have much experience yet
17 in enforcing the new provisions given they only came into
18 force in August. Has there been any specific training given
19 to RCMP members in relation to the new legislation, how to
20 enforce it, what evidence might be required to prove new
21 offences?

22 **A/COMM BRIGITTE GAUVIN:** Yes, there has been.

23 So federal policing, national security at
24 headquarters here in Ottawa have prepared some documentation
25 to share amongst the investigative teams across the country.
26 There is transmission of knowledge in regards to the new Acts
27 and the amendments that occur on a daily basis within the
28 foreign actor interference team, whether that's through

1 written or oral communications.

2 We are also educating our police of
3 jurisdiction partners. I'm aware of an upcoming session
4 where one of my DGs will be giving a presentation to various
5 Chiefs of Police on foreign interference and also Bill C-70
6 or the new Act.

7 So yes, there is an ongoing education.

8 We're going to also look at integrating that
9 as part of the national security criminal investigators
10 course, and therefore, it is something that we are currently
11 working on.

12 **MS. LYNDA MORGAN:** I'd like to have pulled up
13 CAN19675 again, please. This is the 2023 slide deck that we
14 looked at previously.

15 If you could scroll to page 12, please.

16 Scroll up a little bit, please. Thank you.

17 Under the heading of "Legislation", the
18 statement in this presentation indicates that the various
19 units experience difficulties with investigating and laying
20 charges under the *Security of Information Act*.

21 "Almost all divisions described this
22 legislation as difficult to work
23 with, whether citing the lack of SOIA
24 case law or the need to be able to
25 prove under SOIA that certain FAI
26 related activities actually benefit a
27 foreign state."

28 I'll start by asking, do you agree that that

1 is an issue which presents challenges in enforcing this
2 particular piece of legislation?

3 **D/COMM MARK FLYNN:** So I would agree at the
4 time that is the case. With respect to the new amendments,
5 time will tell on that.

6 **MS. LYNDIA MORGAN:** So I'll move on to
7 resource allocation and start with the premise that, before
8 the introduction of Bill C-70, you've told us in interviews
9 that the RCMP's federal policing budget resources were
10 consistently displaced to fund other priorities like contract
11 and Indigenous policing, and the RCMP has also told the
12 Commission that the need for dedicated FAI-related resources
13 exceeds capacity and that that need is growing; is that
14 correct?

15 **COMM MICHAEL DUHEME:** Yeah, I would add to
16 that that federal policing resources are also just placed
17 within the program to tackle the priority of the program.
18 And I think I mentioned last time I was here about shifting
19 resources. For example, in Montreal when Roxham Road was at
20 its peak, we had to shift 80 to 100 investigators from our
21 headquarters in Montreal to the border to assist because it
22 was a priority in the Province of Quebec at the time.

23 **MS. LYNDIA MORGAN:** And so if we can
24 contextualize FAI within the RCMP mandate, it's obviously not
25 the only issue with which the RCMP is grappling, are there
26 other areas within the RCMP mandate that are also expanding
27 and require the use of additional resources?

28 **D/COMM MARK FLYNN:** Yes, both in our

1 investigations into violent extremism as well as the need to
2 increase resources around our protected policing who are
3 providing protection to parliamentarians and other
4 individuals in Canada.

5 **MS. LYNDA MORGAN:** And with the introduction
6 of Bill C-70 and the new offences that were created, in
7 particular, some of the new offences such as political
8 interference for a foreign entity, has the RCMP received any
9 funding earmarked to that specific new piece of legislation?

10 **COMM MICHAEL DUHEME:** Well, the -- Mark
11 referred to the HASA earlier, we did receive some funding
12 through that initiative, which is shared with the
13 investigators support and additional resources, but as we see
14 this grow, obviously, there will be a need to revisit. With
15 this new legislation, we'll have to see what the impact is
16 and revisit the need for additional resources.

17 **MS. LYNDA MORGAN:** Thank you. So I'd like to
18 move now to ask you about an RCMP investigation that was
19 opened after MP Chong publicly reported that he and his
20 family were intimidated due to his position and opinions he
21 had expressed respecting the PRC. And as I understand it,
22 intimidation is a criminal offence under the *Criminal Code*,
23 section 423. And it requires proof of intent to kind of
24 force another person to do something or abstain from doing
25 something that he has a lawful right to do. Is that kind of
26 a correct description of the criminal offence of
27 intimidation?

28 **MS. BRIGITTE GAUVIN:** That is correct.

1 **MS. LYNDA MORGAN:** And in relation to the
2 investigation that was opened in relation to public reporting
3 of intimidation, I understand that file was closed on
4 December 13, 2023?

5 **MS. BRIGITTE GAUVIN:** That is correct.

6 **MS. LYNDA MORGAN:** And are you able to
7 provide any other information in this forum about that
8 particular investigation?

9 **MS. BRIGITTE GAUVIN:** I won't speak to
10 specific details of that investigation just in order to
11 respect the privacy of the individual that was involved, but
12 the investigative team did meet with MP Chong and discussed
13 the case, and it is through that investigation that it was
14 determined that, at the time, the activities that MP Chong
15 was subjected to did not meet the threshold of intimidation
16 under the *Criminal Code*.

17 **MS. LYNDA MORGAN:** Thank you. And so I'd
18 like to ask you about the RCMP approach and response to what
19 have been described as PRC oversees police stations. And I
20 understand that the RCMP focus in that particular context was
21 not limited to or necessarily focused on laying charges. Are
22 you able to describe the approach taken and the thinking or
23 justification for that approach?

24 **D/COMM MARK FLYNN:** Yes, I can, Madam
25 Commissaire. In that investigation and the response to that
26 threat, as you are aware, Safeguard Defenders had published a
27 report about this activity. Traditionally, we would have
28 taken a more low-profiled response where we would have had

1 investigators out in plain clothes, not in uniform. They
2 would have been in the community and not been visible.
3 Obviously, people that they would have engaged with would
4 have known who they were. It would not have been a covert
5 investigation. But in this case, we felt that it was
6 important to demonstrate to the community that we were aware
7 of the problem, that we were investigating it. We felt it
8 was important that they be seen in order to ensure that their
9 view of what the RCMP was doing or what they perceived us not
10 to be doing was not allowing activity to go on unimpacted and
11 unmitigated by our desire to just gather evidence without
12 alerting any adversary to the fact that we were
13 investigating.

14 So in this case, we measured the risk and the
15 fact that it could have a impact by alerting individuals that
16 we were investigating who were conducting activities that
17 were illegal against the need to ensure that the community
18 knew we were investigating, we cared about the problem, and
19 that we were interested in hearing from them what they were
20 seeing and what they were experiencing in order to determine
21 what was occurring.

22 **MS. LYNDA MORGAN:** And if we can pull up
23 CAN.SUM 15, please?

24 **--- EXHIBIT No. CAN.SUM.000015:**

25 People's Republic of China Police
26 Stations

27 **MS. LYNDA MORGAN:** So this is, as you may be
28 familiar with, a topical summary described as People's

1 Republic of China Police Stations. If we can scroll down to
2 paragraph 13, please? And so paragraph 13 states that,

3 "In March 2023, the RCMP informed the
4 House of Commons Standing Committee
5 on a Procedure and House Affairs
6 (PROC) that uniformed RCMP officers
7 had visited four PRC "stations" which
8 reportedly ceased their operations
9 afterwards. The Minister of Public
10 Safety informed PROC in April of 2023
11 that the RCMP had taken decisive
12 action to shut down the stations."

13 And are you able to explain, and I didn't
14 write this, but in terms of the reference to decisive action,
15 are you able to describe in any more detail what that is?

16 **D/COMM MARK FLYNN:** So that decisive action
17 is what I described, the decision to immediately respond,
18 deploy resources to the community, to the locations, conduct
19 the neighbourhood inquiries, interview individuals, and the
20 subsequent follow-up investigation that occurred.

21 **MS. LYNDIA MORGAN:** If we scroll up to
22 paragraph 5, so the summary describes, starting at the second
23 sentence of paragraph 5, that,

24 "CSIS assessed that these stations
25 were in part created to "collect
26 intelligence and monitor former PRC
27 residents living in Canada as part of
28 the PRC's broader transnational anti-

1 corruption, repression and
2 repatriation campaign"." (As read)

3 Was the RCMP made aware that at least some of
4 the organizations under investigation reportedly also were
5 providing social services to community members and recent
6 immigrants?

7 **D/COMM MARK FLYNN:** We were aware that the
8 locations did offer both legitimate as well as had been
9 reported to be conducting these illegal activities at the
10 same time.

11 **MS. LYNDA MORGAN:** And has the RCMP taken any
12 steps to solicit or encourage community feedback on the RCMP
13 strategy in relation to this particular issue?

14 **D/COMM MARK FLYNN:** So during the initial
15 investigative stage where our members were out in the public,
16 they received immediate feedback on that from the community
17 that they were interacting with. By and large, that feedback
18 was positive. We did not receive, or at least no information
19 was reported to me of a negative response by the community
20 that they were interfacing with. Subsequent to that, there
21 have been additional engagement campaigns and products
22 produced through a call strategy and our central region in
23 Quebec to engage with the community, and there has been
24 positive responses. We've also received unsolicited
25 responses from the community, some of them anonymous, some of
26 them attributable, signed by individuals that spoke
27 positively of that engagement.

28 At the same time, we are also aware of

1 feedback from some of the community associations and other
2 non-involved community associations that they felt there was
3 a negative impact on the operations of some of those
4 legitimate services at those locations. But it's important
5 to point out that we were not targeting those legitimate
6 services. Our investigation was into the illegal activities
7 that were reported to be occurring at those locations and the
8 fact that the legitimate services that were offered there is
9 the means -- or the impact to the ability to conduct those
10 other operations because they were locations where the
11 community members would go because of the services that were
12 offered there, therefore the opportunity presented for the
13 legal activity to take place at those locations.

14 **MS. LYNDIA MORGAN:** And when you speak about
15 some of the outreach kind of after 2023, and you may have
16 heard this as well, the Commission heard yesterday during a
17 consultation panel, some concerns that members of the Chinese
18 Canadian community felt intimidated by the presence of police
19 offering their cards and warning merchants of the
20 neighbourhood about foreign interference.

21 Has the RCMP taken any steps or does it
22 intend to take any steps to assess or to take into account
23 the experiences and perspectives of those who are potentially
24 affected by particular issues?

25 **D/COMM MARK FLYNN:** So community reaction to
26 our operations is something that we pay attention to on a
27 regular basis. That information goes to our Prevention and
28 Engagement Unit. Possibly A/Comm Gauvin can speak to what

1 occurred in the most recent engagement campaign in -- media
2 campaign in Quebec.

3 **A/COMM BRIGITTE GAUVIN:** So I wasn't aware
4 until yesterday's testimony about the negative impact felt by
5 certain community members. We are certainly listening to
6 that and because we want to make the community feel safe. We
7 want to understand how they feel and we want to be able to
8 protect them.

9 Feedback on our engagements is absolutely
10 important because community outreach and engagement is vital
11 to countering foreign interference.

12 What happened after that specific campaign,
13 where the members -- RCMP police officers, along with police
14 of jurisdiction, who already have ties in the community, went
15 out to meet a number of merchants, I believe it was
16 approximately 80 merchants that were met, and they met with
17 them, had discussions with them, and they provided them with
18 materials, such as business cards, as you mentioned, and
19 information about foreign interference generally, and also
20 giving them information about reporting mechanisms.

21 The feedback that was received at the time
22 and I obtained a report from the investigative team after
23 that because we wanted to make sure that we were meeting the
24 community members' needs, was positive. We understand that
25 it may not be perceived the same by every member of the
26 community, and we understand that there are gaps in building
27 relationships and that relationships take time to build.
28 We're very cognizant of that. But if there is a negative

1 impact on the community, we certainly want to hear that and
2 we will adjust our approach accordingly.

3 **MS. LYNDIA MORGAN:** And I understand, going
4 back to the overseas police stations, I understand that the
5 RCMP approach taken in relation to that broader issue is
6 emblematic of a broader cultural shift within the RCMP, which
7 you, D/Comm Flynn, have described as moving away from
8 criminal prosecutions as the gold standard.

9 And I appreciate that this is a topic you
10 could probably discuss for days, but in our -- the limited
11 time we have, if you could provide a high-level summary of
12 kind of the emerging importance or recognition of
13 alternatives to criminal prosecution?

14 **D/COMM MARK FLYNN:** Yes, I'll try and keep
15 that tight. So I will say that historically, not absolutely,
16 but as a pattern, we have put significant focus on gathering
17 evidence and prosecuting individuals. Our success measures
18 were tied to those prosecutions and the outcomes, number of
19 convictions, amount of charges, number of seizures, and so
20 on, where we are taking a more wholistic approach.

21 Our job, our responsibility, is public
22 safety. And when we're looking at executing our mandate, we
23 need to look at when opportunities present themselves that
24 allow us to impact the safety of Canadians and to mitigate
25 the threat or manage the threat in other ways.

26 Investigations that lead to prosecutions are
27 still very much desired. There needs to be consequences for
28 actions. But we are looking at a broader campaign style

1 approach to tackling the problems. We're not looking at each
2 incident as a discrete investigation. So you will hear us
3 say the investigation is closed. However, even though the
4 investigation into that individual act is concluded and may
5 not have resulted in charges, that is not put on a shelf and
6 forgotten because it did not lead to a prosecution. That
7 information forms part of a broader effort analysis and plans
8 that are developed to say how do we do something different or
9 in combination with charges or in combination with other
10 partners domestically, non-traditional partners that may have
11 authorities that can have an impact on the problem and reduce
12 the threat and harm that's being done in Canada and abroad
13 related to -- with a nexus to Canada.

14 **MS. LYNDIA MORGAN:** I also understand that
15 from the RCMP perspective, there's broader outreach to other
16 investigative bodies or agencies within the government. And
17 I think what's been described as not as a coordinated, but a
18 collaborative approach. Is that correct?

19 **D/COMM MARK FLYNN:** That's correct.

20 **MS. LYNDIA MORGAN:** And I'm going to ask you
21 about one more document before I turn the floor over to my
22 colleague, which is CAN44228, please.

23 **--- EXHIBIT No. CAN044228 R01 0001:**

24 Deputy Minister Committee for
25 Intelligence Response (DMCIR) Meeting
26 Minutes

27 **MS. LYNDIA MORGAN:** So these are meeting
28 minutes from a Deputy Minister Committee for Intelligence

1 Response, or DM CIR, meeting on October 12th, 2023. And
2 D/Comm Flynn, you're referenced as being in attendance at
3 that meeting. Did you attend?

4 **D/COMM MARK FLYNN:** That's correct. Yes, I
5 did.

6 **MS. LYNDA MORGAN:** And did you review the
7 minutes or were you involved in their preparation at all?

8 **D/COMM MARK FLYNN:** I was not and I did not
9 read the minutes.

10 **MS. LYNDA MORGAN:** Okay. So I want to ask
11 you about some of the comments that are attributed to the
12 RCMP to get a better understanding of your recollection of
13 the discussion that took place.

14 So if we scroll down to the bottom of page 1,
15 please?

16 The last paragraph states that:

17 "The RCMP acknowledged that at times,
18 the statement that there are 'ongoing
19 investigations' can be used as an
20 excuse to not pursue options, when in
21 reality other departments could look
22 into their own measures (i.e. GAC and
23 diplomatic options; IRCC and visa
24 options; CSIS and TRMs, etc.). RCMP
25 noted that when these efforts do get
26 off the ground, there is always
27 another chaotic priority which comes
28 up."

1 I'll ask you two questions. First, is that
2 an accurate summary of the discussion? And two, can you
3 expand on your recollection of what this is in reference to?

4 **D/COMM MARK FLYNN:** So that is not how I
5 would summarize and that does not speak to the intent or the
6 nature of the discussion that I had at that meeting. I think
7 it is fair to say that in the context of an overall summary
8 and the words of the individual who would have created this,
9 it is probably accurate in their context and their
10 understanding. So there's a balance there.

11 If I look at certain elements of it, I can
12 explain why I believe it was written this way, as well as
13 what I meant in that discussion.

14 So if we start at the beginning of that
15 paragraph, the fact that we have ongoing investigations has,
16 in the past, led others to say, "We can't interfere with that
17 investigation, we need to ensure we don't do anything that
18 impacts what the police are doing." The RCMP, at the same
19 time, going back many years, would often say, "You can't do
20 this," or, "You can't do that, because we have an
21 investigation. Stay out of our way."

22 That is not the approach that we have now.
23 And I believe that is what is being referenced there. So
24 there are times in the past where organisations would say,
25 "We can't do this because of the investigation."

26 The word I take most exception to there is
27 the word "excuse". I would replace that, if I was reviewing
28 this, I would have said, "had not pursued investigations or

1 taken other steps because of the reason that the RCMP is
2 conducting an investigation." "Excuse" provides a very
3 negative connotation to it, to say that they used this as a
4 means to get out of it, where that is not what the discussion
5 was. The discussion was that they would not because of the
6 concern about interfering with an investigation. Okay.

7 Then as we move through here, moving to the:
8 "RCMP noted [...] when these efforts do
9 get off the ground, there is always
10 another chaotic priority [that] comes
11 up."

12 As I've reflected on this after reviewing
13 this document, it has taken a fair bit of effort to bring
14 together the entirety of that conversation and this meeting
15 was talking about the work that was being conducted in
16 support of our efforts around the overseas police stations.

17 And we did have a series of those meetings
18 where we were collaborating and where we were discussing
19 options and there was, due to other priorities that we all
20 have in this community, there was a point in time where some
21 violent extremist threats came up and other things and the
22 number of meetings that were focused on that problem that
23 would have led to a more enduring campaign at that time
24 interfered with our ability to do that. So I believe that is
25 what that is in reference to.

26 And that is our reality today, that as
27 different types of threats emerge, some are more imminent
28 than others. We will transition away and then transition

1 back as the chaotic times, as is quoted in here, subside, and
2 the imminent public safety threats by those other types of
3 events are mitigated.

4 **MS. LYNDA MORGAN:** And one last question,
5 which is just moving to the next paragraph.

6 "The RCMP suggested that the word
7 'coordination' is wrong and what it
8 should mean is deconfliction, versus
9 trying to achieve combined effects."

10 I understand that effectively means you're
11 not engaged in coordinated investigations, but you want to
12 make sure that kind of everyone knows what the other is
13 doing. Is that a very basic way of describing what's meant
14 by that sentence?

15 **D/COMM MARK FLYNN:** That is.

16 **MS. LYNDA MORGAN:** Thank you. I will pass
17 the floor over to my colleague, Mr. Saint-Amour, who is going
18 to focus a bit more on some of the engagement with diaspora
19 communities. Thank you.

20 **--- EXAMINATION IN-CHIEF BY MR. NICOLAS SAINT-AMOUR:**

21 **MR. NICOLAS SAINT-AMOUR:** Thank you, Ms.
22 Morgan. Good morning, all.

23 I will ask my next questions in French, but
24 feel free to answer in English if you're more comfortable.

25 So my next questions will be about the
26 interactions that the RCMP has with the diaspora communities.
27 I know that the topic has been covered already, but I'd like
28 to go into some specific aspects.

1 I will start discussing the under-reporting
2 of violations linked to foreign interference.

3 Mr. Duheme, during your *in camera* testimony
4 and your classified testimony, you said that diaspora
5 communities could hesitate to report to the RCMP any actions
6 linked to foreign interference that they may be witness to.

7 You explained that this was for two reasons.
8 First of all, the members of these communities could fear any
9 reprisals against them or their families, and secondly, some
10 of the members of these communities could think that police
11 forces are repressive or are lacking independence.

12 Could you elaborate on these two points and
13 explain how this has an impact on the RCMP's activities?

14 **COMM MICHAEL DUHEME:** Thank you.

15 That's indeed what I said. And there are
16 some diaspora communities where, for some people, they come
17 from countries where the police forces operate in a different
18 way than the police does in Canada. And that, in itself,
19 becomes an obstacle when it comes to build this trust
20 relationship with the community.

21 Now, with respect to families, we know that
22 in some cases, for some files, people were, indeed,
23 approached here in Canada, but despite the fact that they
24 live here in Canada, they have relatives in their country of
25 origin. They've left that country, but it is known -- it is
26 well known that people in their country of origin could be
27 threatened or target of various government activities.

28 As you said before, the key issue is trust

1 with the diaspora communities, particularly with police
2 forces, of course.

3 **MR. NICOLAS SAINT-AMOUR:** Now, since these
4 events are not reported enough, are under-reported, do you
5 think that you might have trouble in assessing correctly the
6 importance of foreign interference?

7 **COMM MICHAEL DUHEME:** Yes, absolutely. If,
8 indeed, it is under-reported, our efforts in the Montreal
9 area were made in order to inform people in order to build up
10 this better relationship.

11 Earlier this morning, we referred to meeting
12 people in the community. We have to educate people, but as
13 is the case with any investigation, we rely on people. If
14 there's a crime on the sidewalk, we will knock on doors, ask
15 people, "What did you see?". So it is a collective effort.

16 So again, it is our strategy. We have to
17 meet people. We have to establish trust because it's not
18 when there's a crisis that you can get this trust. We have
19 to build up this relationship to know where are the people
20 with whom we have to discuss.

21 **MR. NICOLAS SAINT-AMOUR:** What about concrete
22 initiatives made by the RCMP in the institutional report that
23 you prepared for Phase 2, document CAN.DOC43?

24 Can we post it?

25 And I would like to go to page 19.

26 So here, we see that there's a series of
27 initiatives in order to have an awareness campaign about
28 foreign interference. I could summarize, but these campaigns

1 deal with two main groups, first of all, the police
2 community, as you said before, Mr. Duheme, and then the
3 second group would be civil society, and particularly the
4 diaspora communities.

5 So let's talk about these two groups. On
6 page 20, next page, at the very end.

7 Here, we see that there are advice and other
8 documents about foreign interference that are distributed by
9 the RCMP in order to improve relationships with the diaspora
10 by improving the methods used by foreign governments to have
11 an influence on members of these communities. So my
12 question, what information is being shared and for what
13 purpose?

14 **COMM MICHAEL DUHEME:** I would like to ask
15 Brigitte, who's in charge of all this file, in order to give
16 us more information.

17 **A/COMM BRIGITTE GAUVIN:** Thank you very much,
18 Madam Commissioner.

19 Our teams work in order to develop products
20 that can be used by the public and more specifically by the
21 communities of the diaspora. In terms of foreign
22 interference, I could point out two products recently
23 produced about general issues and intimidation, bullying,
24 more precisely, for the second product. And there's also
25 another one about interference in the political process, in
26 the electoral process.

27 So it is really to educate people that we do
28 this. We have seen signs of foreign interference, so how can

1 you recognize them and how can you report them. This is even
2 more important. So giving people information about how to
3 report any incident, obviously, if they feel immediately
4 threatened, they should use 911, local police forces. And
5 there are other means to report events of foreign
6 interference through the National Security Information
7 Network.

8 So they can give us a call or use the
9 website. And we recently developed a new form on the web.
10 It was done last June. It was amended in order to include
11 various categories of national security incidents, in
12 particular foreign interference, so if people want to remain
13 anonymous and feel more comfortable that way, they can use
14 that platform to report any incident. So there's a variety
15 of products that were used and we keep developing new ones.

16 About these particular tools, they are
17 developed in both French and English and we listened to the
18 communities. They want to have information in other
19 languages also, so now we are translating these tools in 11
20 different languages.

21 **COMMISSIONER HOGUE:** We can imagine that, for
22 some communities, people are rather fearful and they don't
23 trust police authorities because of their background and what
24 happened in their country of origin. Maybe in some countries
25 they have to deal with rather coercitive (sic) police forces.

26 So are there initiatives -- what I mean is
27 that as long as members in the communities don't trust the
28 police, it's very unlikely that they will call on the police

1 if there's a problem. So are there particular initiatives
2 implemented in order to try -- I don't dare use "educate",
3 but to inform members of the communities about our Canadian
4 reality and the role that police forces can play?

5 **A/COMM BRIGITTE GAUVIN:** Absolutely.

6 Absolutely. There are initiatives all across the country in
7 all the regions where the RCMP is providing services and we
8 are fully aware that there are meetings, there are weekly
9 meetings, in fact, with police officers who are policing at
10 street level and with other organizations that have contacts
11 with various organizations in the community. So yes, there
12 are efforts being made.

13 And it's not always very obvious. It's not
14 reported in the media, but these efforts are being made. And
15 as mentioned before, it is a concept -- community policing is
16 a concept that is fully integrated in the RCMP and in other
17 police authorities, police forces. And we use these tools in
18 order to build up trust in the community, and we'll keep
19 doing that.

20 **COMMISSIONER HOGUE:** But can you assess the
21 efficiency of these initiatives? Are people trusting you
22 more even though they were quite worried at the beginning?

23 **A/COMM BRIGITTE GAUVIN:** Yes, absolutely.

24 And there's also the feedback because we are there to listen
25 to what they have to say. We want to educate them, yes, but
26 we want to listen to what they have to say, mainly.

27 And I fully understand that in terms of
28 foreign interference, yes, there are fears. People don't

1 really trust police forces and they also fear reprisals
2 against them or against relatives in their country of origin,
3 so these fears are, well, if they report any incident or if
4 they have contact with police forces, so we need various
5 approaches.

6 **COMM MICHAEL DUHEME:** If I may add something,
7 there's another not initiative, but a change in our policies
8 and it will be quite useful in the future. Historically, our
9 organization had a policy with respect to a transfer so
10 people did not work immediately in their province of origin,
11 but now we've seen quite a few people who are interested so
12 it will allow our organization to be more strategic and to
13 bring our people back in their communities so they will
14 become our ambassador. They will be able to build up trust,
15 and I think that, over the years, the trust and relationship
16 of confidence will all improve.

17 **A/COMM BRIGITTE GAUVIN:** If I may add the
18 last point, we talk about various initiatives, but we have
19 also to say that, in the community, people see police
20 officers take part in various opportunities, occasions,
21 festivities and so on, so it's done regularly and there are
22 regular interactions within the community.

23 **COMMISSIONER HOGUE:** One last question. You
24 point out the fact that, of course, there are members in the
25 community -- in the various communities who still have
26 relatives in their country of origin and they are fearful of
27 any repercussions for these people. And you cannot have an
28 influence over what happens in these foreign countries, but

1 are there specific mechanisms in order to reassure these
2 people who would come to you to say, for instance, that the
3 information will remain confidential and that their relatives
4 will not be at risk?

5 **A/COMM BRIGITTE GAUVIN:** Yes. Each case is
6 assessed on a case-by-case basis, but if people prefer to
7 remain anonymous or if they want to cooperate with the police
8 but that there's a real fear for their family, there are
9 programs that can be used with the RCMP in order to reassure
10 these people and even to protect some people.

11 **COMMISSIONER HOGUE:** Thank you.

12 **MR. NICOLAS SAINT-AMOUR:** One last subject.
13 And Ms. Gauvin, you referred to that earlier. I would like
14 to have 44769 on the screen, please.

15 **--- EXHIBIT No. CAN044769 0001:**

16 Plan de communication - Dossier 2022-
17 2035

18 **COMMISSIONER HOGUE:** Well, you can take a few
19 more minutes because you have a few more issues to cover, so
20 go ahead.

21 **MR. NICOLAS SAINT-AMOUR:** Now, we have the
22 communication plan of the RCMP. It's a campaign about the
23 reported police stations of the Chinese community. So they
24 call upon witnesses who would like to share things about the
25 identification of various victims of these initiatives.

26 It was a short video in French, English and
27 Mandarin that it was posted on various social media, Facebook
28 and Instagram, among others. Is it a frequent tool? And

1 here it is in several languages.

2 **A/COMM BRIGITTE GAUVIN:** I would say that
3 here, it was a new approach because, typically, national
4 security files are surrounded with a bit of secrecy. In the
5 past, it was not our tendency to do that, but here, in that
6 particular case -- and I think that there was a demand in the
7 various communities of the diaspora to see more police
8 presence and to see a real commitment between the community
9 and the police forces, so we decided that it was a great
10 opportunity to visit the diaspora, particularly the Chinese
11 community in the Montreal area.

12 So it was a campaign. There was cooperation
13 between the RCMP and the Montreal police forces because they
14 already have links also with the community.

15 So yes, indeed, this was a new approach and
16 it was combined with a press release, a quite proactive press
17 release, to inform people that police officers would invite
18 them to have a conversation.

19 You referred to the investigation about
20 police stations, Chinese police stations. It was an element,
21 but it was not the main goal. It was part of it, but the
22 main goal was to educate people about foreign interference in
23 order to build up links with the community. We wanted to
24 listen to what they had to say, and it wasn't a question of
25 getting evidence for that particular investigation. The
26 focus was to build up links with the community.

27 **COMMISSIONER HOGUE:** And this is why it was
28 so important to be transparent.

1 **A/COMM BRIGITTE GAUVIN:** Yes. It was a
2 regional campaign, but we are considering repeating these
3 initiatives across the country, and not only with the Chinese
4 communities, but other communities of the diaspora.

5 **MR. NICOLAS SAINT-AMOUR:** And how did you
6 pick up the platforms? Because you're referring to some
7 platforms, but why not choosing some that are more popular in
8 some diaspora?

9 **A/COMM BRIGITTE GAUVIN:** What I would say
10 that the decision was made in cooperation with our
11 communication outfit at the national and regional level. So
12 it's probably because we are already using these platforms,
13 we are already part of these platforms, so we decided that we
14 would have more visibility.

15 **MR. NICOLAS SAINT-AMOUR:** Thank you very
16 much. That's all I have.

17 **COMMISSIONER HOGUE:** So we'll take the usual
18 20 minutes break, so we'll come back at 11:05.

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

20 This sitting of the Commission is now in
21 recess until 11:05 a.m.

22 --- Upon recessing at 10:45 a.m.

23 --- Upon resuming at 11:08 a.m.

24 **THE REGISTRAR:** Order please.

25 This sitting of the Foreign Interference
26 Commission is now back in session.

27 The time is 11:08 a.m.

28 **COMMISSIONER HOGUE:** So first one is counsel

1 for the Concern Group.

2 --- CROSS-EXAMINATION BY MR. NEIL CHANTLER:

3 **MR. NEIL CHANTLER:** Morning, Madam
4 Commissioner. Morning, panelists. My name is Neil Chantler,
5 I'm counsel for the Chinese Canadian Concern Group. And I'm
6 going to start with a document that you've seen already, WIT
7 108. This is one of your interview summaries. At paragraph
8 8, please.

9 Here, Deputy Commissioner, you describe how
10 two reasons incidents of transnational repression are under
11 reported are fear and trust. You were taken to this already.
12 And I won't read it, but that's just their fear reference. I
13 heard you suggest today that trust between the RCMP and the
14 Chinese diaspora is a major concern for the RCMP, and
15 something you're actively committed to building. Is that
16 correct?

17 **D/COMM MARK FLYNN:** That is correct.

18 **MR. NEIL CHANTLER:** I want to explore that
19 issue of trust between the RCMP and the Chinese diaspora some
20 more, focussing on the issue of Chinese police stations,
21 which again, is something that you've already touched on, but
22 I will go into it a little deeper.

23 Next document please, WIT 137? This is your
24 *in camera* examination summary. At paragraph 49, please.
25 Deputy Commissioner, here you describe how there has been a
26 shift in the RCMP's approach to foreign interference from
27 conducting a traditional investigation to efforts to disrupt
28 the foreign interference. And again, you touched on this

1 earlier in your evidence.

2 At paragraph 50 you go on to describe the
3 RCMP's response to the PRC's overseas police stations. And
4 you say at the second sentence:

5 "The RCMP wanted to: (1) shine light
6 on the problem to help investigative
7 efforts; (2) demonstrate to the
8 community that the RCMP was taking
9 the issue seriously; and (3) build
10 trust with the targeted communities.
11 The RCMP sent uniformed officers to
12 neighbourhoods in which suspected PRC
13 OPS were operating."

14 Is this an accurate summary of the RCMP's
15 approach to the overseas police stations?

16 **D/COMM MARK FLYNN:** Yes, it is.

17 **MR. NEIL CHANTLER:** I'm going to come back to
18 this approach with some questions, but I'll provide some
19 further context.

20 Next document, please, CAN.SUM.15. You've
21 seen this already, "People's Republic of China Police
22 Stations". This is an unclassified summary of intelligence.
23 You recognize this is information that comes to us with
24 certain caveats as set out at the beginning of the document.
25 You've seen it and you're familiar with it?

26 **D/COMM MARK FLYNN:** So I have seen it. I am
27 familiar with the broad nature of what is in the document.
28 But it is not a document that I could recollect each

1 individual element of. I would need to refer to it in any
2 future questions that you have.

3 **MR. NEIL CHANTLER:** Of course. Paragraph 1,
4 please? This identifies that the issue of the overseas
5 Chinese police stations was brought into the spotlight by a
6 Spanish NGO, Safeguard Defenders in September of 2022.
7 Paragraph 2 describes how various Canadian institutions,
8 Global Affairs, Public Safety, RCMP, and CSIS consulted on
9 the report and determined the allegations to be credible.

10 It's not entirely clear to me, were these
11 overseas police stations already on the RCMP's radar at that
12 time?

13 **D/COMM MARK FLYNN:** So I'm not going to get
14 into specifics of an ongoing investigation at this time.

15 **MR. NEIL CHANTLER:** All right. We now know
16 that these overseas police stations were indeed operating,
17 and they were operating as tools of transnational repression.
18 And at paragraph 9 you say -- or sorry, the intelligence
19 summary says, and you've been taken to this today, that:

20 "CSIS assessed that these stations
21 were in part created to collect
22 intelligence and monitor former PRC
23 residents living in Canada as part of
24 the PRC's broader transnational anti-
25 corruption, repression, and
26 repatriation campaign." (As read)

27 Are you able to tell me whether the force
28 agrees with this assessment based on the information the RCMP

1 has gathered?

2 **D/COMM MARK FLYNN:** So the reference material
3 in front of me is not what you just stated. So for
4 synchronization it would be better to see it. However, in
5 the broad sense, I'm aware of that material that you just
6 paraphrased. But again, we have an ongoing criminal
7 investigation into this matter, so I won't be speaking to the
8 details of that at this time.

9 **MR. NEIL CHANTLER:** I'm sorry, I must have
10 cited the wrong paragraph. But the information I provided to
11 you you're generally familiar with, and did I take you to
12 agree to that generation assessment of the harm caused by
13 these overseas stations?

14 **D/COMM MARK FLYNN:** My statement, my response
15 to your question was that I'm not going to the conclusions
16 that have been drawn in an ongoing criminal investigation at
17 this time.

18 **MR. NEIL CHANTLER:** Very well.

19 Should those -- should that intelligence that
20 I just read to you be accurate, you would agree these were
21 hubs for what would amount to systemic violations of Canadian
22 laws under Criminal Code, under the *Security Offences Act*,
23 etcetera?

24 **D/COMM MARK FLYNN:** I could say that that is
25 the reason why we were investigating and are investigating
26 this matter.

27 **MR. NEIL CHANTLER:** Right. And yet, I would
28 suggest to you that the RCMP's approach to these overseas

1 police stations was very diplomatic. It perhaps in no way
2 resembled what might be a typical response to crime.

3 Again, your evidence is that the approach
4 here was to shine a light on the problem, to demonstrate to
5 the community that the RCMP was taking the issue seriously,
6 and to build trust. And we've talked about how one of the
7 primary problems with underreporting foreign interference is
8 trust with the diaspora communities. My clients want to
9 know, why were these police stations apparently handled
10 differently than other types of organized crime, perhaps a
11 drug lab or a money-laundering operation or a Hell's Angels
12 clubhouse. Why were these overseas Chinese police stations
13 handled with such diplomacy?

14 **D/COMM MARK FLYNN:** So I disagree with the
15 context of your question in referencing this as being
16 diplomacy or diplomatic. That is not what it is. This is a
17 law enforcement investigation into a very serious matter that
18 is impacting the Chinese community in Canada.

19 We have to remember that the victims of these
20 crimes, the targets of this activity, the transnational
21 repression, is impacting the Chinese community in Canada. It
22 is not the Chinese community committing these acts against a
23 broad range of Canadians. The focus is on building the trust
24 with the victims of the criminal activity that we are
25 investigating.

26 In the context of your question, you
27 reference Hell's Angels and other types of investigations. I
28 can tell you that in those other investigations, we have

1 taken similar approaches where you will see, and I'm sure
2 that you have seen, in large media outlets coverage of police
3 officers in uniform, including federal policing
4 investigators, which we're talking about here in this
5 investigation, where they appear in uniform. They may be
6 wearing other plainclothes underneath, but there are high-
7 profile identifiers that they are wearing, and you will see a
8 very visible presence.

9 By reference to how this was done differently
10 is in the context of this type of investigation and in the
11 specific situation that we are looking at here in the foreign
12 interference space where frequently, in the past, the
13 approach would have been more of a secret, less visible
14 investigation, out of fear that tipping off the individuals
15 would somehow allow them to continue their activity and the
16 harm that they are causing to the Chinese community in Canada
17 to continue unabated.

18 So the approach that we took was to
19 demonstrate to the Chinese community, who had not been
20 approaching the RCMP prior to our action and reporting this
21 activity -- we did learn of this activity through different
22 means that, as I said before, I will not speak to. However,
23 post our action, in our attempts to build that trust and
24 confidence with the community, I can inform you without
25 compromising our ongoing investigation, that members of the
26 Chinese community absolutely did reach out to us both through
27 our NSIN tip line and also through the different community
28 engagement avenues that we have. And that is part of our

1 ongoing investigation.

2 So my measure of success in this operation
3 comes in part by the fact that we have had outreach, we have
4 received positive feedback from the community, and we have
5 had the engagement that we wanted as well as the additional
6 reporting that is in various documents. I believe it's in
7 the document that you're referencing here as well, that we
8 have received reporting that the activity -- the illegal
9 activity did cease after that action, and that has increased
10 public safety and I believe that it increases the broader
11 Canadian and the Chinese community in Canada's confidence in
12 the RCMP that we are actually tackling these complex
13 problems.

14 **MR. NEIL CHANTLER:** Thank you.

15 I have very limited time. I'd like to ask
16 you if a sensitive sector request was involved with respect
17 to these Chinese police stations and a follow-up question is,
18 in cases where there is a sensitive sector request made, is
19 the public interest in a criminal prosecution not being
20 pursued, taken into consideration?

21 I understand that the public interest in the
22 delicacy of certain investigations requires approval from
23 above. Do we consider whether or not the public interest
24 demands that a matter be seen to be dealt with forcefully and
25 in the normal criminal sense?

26 **D/COMM MARK FLYNN:** So with respect to this
27 specific investigation, I'm not going to discuss what was or
28 was not done in respect of a sensitive sector.

1 With respect to the broader question, public
2 interest and public impact is a consideration that we have in
3 every investigation that we undertake. It is the public
4 interest that drives what we're doing and the interest in
5 maintaining public safety in Canada.

6 **MR. NEIL CHANTLER:** Should Canadians, Chinese
7 Canadians in particular, rest assured that these police
8 stations are no longer operating in this country?

9 **D/COMM MARK FLYNN:** I'm not going to speak to
10 that. That would form part of what we are currently
11 investigating as part of our ongoing investigative effort.

12 **MR. NEIL CHANTLER:** Thank you for your
13 answers.

14 Thank you, Madam Commissioner.

15 **COMMISSIONER HOGUE:** Thank you.

16 Mr. Singh for the Sikh Coalition.

17 **--- CROSS-EXAMINATION BY MR. PRABJOT SINGH:**

18 **MR. PRABJOT SINGH:** Thank you, Commissioner,
19 and thank you to our panelists. My name is Prabjot Singh.
20 I'm legal counsel for the Sikh Coalition.

21 Mr. Flynn, I'm going to be directing most of
22 my questions to yourself, but if any of your colleagues want
23 to jump in, they can feel free.

24 And before I dive in, I do just want to
25 acknowledge that I understand that we're navigating some
26 really difficult terrain. We're talking about ongoing
27 investigations and sensitive information related to national
28 security that can't be shared in a public setting, so if I do

1 touch on any of those questions, if you can just indicate
2 that you're unable to answer for that reason, that'll flag
3 that for Madam Commissioner if any follow-up's required and
4 we can move on in a public setting.

5 Is that fair?

6 **D/COMM MARK FLYNN:** Yes, it is.

7 **MR. PRABJOT SINGH:** Thank you.

8 Mr. Operator, if we can pull up WIT108 and go
9 to page 4.

10 Thank you.

11 So Mr. Flynn, in your interview with
12 Commission counsel, you stated that India's foreign
13 interference activities range from mis and disinformation to
14 the types of activities that were discussed by Commissioner
15 Teboul in a May 3rd, 2024 RCMP conference.

16 Do you recall making that statement to
17 Commission counsel?

18 **D/COMM MARK FLYNN:** Yes, I do.

19 **MR. PRABJOT SINGH:** And that press conference
20 was the press conference where the RCMP made public the
21 arrest of three individuals in relation to the murder
22 investigation of Mr. Hardeep Singh Nijjar; correct?

23 **D/COMM MARK FLYNN:** That's correct.

24 **MR. PRABJOT SINGH:** So presumably, and I'm
25 paraphrasing, what you meant here is that Indian foreign
26 interference can range from psychological operations of
27 disinformation and range all the way up to potentially
28 murdering a political dissident. Is that correct?

1 **D/COMM MARK FLYNN:** So we have ongoing
2 investigations. Assistant Commissioner David Teboul was very
3 clear in his statements, and I agree with those statements
4 that we have ongoing separate and distinct investigations
5 that include information and investigation up to and
6 including the involvement of the Government of India in those
7 matters. And I have to limit it to that.

8 **MR. PRABJOT SINGH:** Yeah, that's totally
9 fair. I'm just trying to pin down that there's a broad range
10 of Indian foreign interference activity and transnational
11 repression within that spectrum that is being investigated;
12 fair?

13 **D/COMM MARK FLYNN:** That is fair.

14 **MR. PRABJOT SINGH:** Thank you.

15 If we can pull up CAN.SUM30, please, and go
16 to page 8.

17 So Mr. Flynn, this is a country summary
18 that's been developed by intelligence with input from the
19 RCMP as well. So in that last line of the second paragraph,
20 it talks about how India perceives anyone engaged in
21 Khalistani separatism as "a seditious threat to India's
22 domestic stability".

23 Does that correspond with your understanding
24 of India's point of view?

25 **D/COMM MARK FLYNN:** So my understanding and
26 my mandate in this space is with respect to their view on
27 what we refer to as Khalistani violent extremism. So there
28 are different definitions globally as to what people consider

1 national security threats and the focus of our efforts is
2 around any of the violent extremist activity and the nexus to
3 India's efforts.

4 India -- we do know or it is my opinion that
5 India does see Khalistani protests, protests in support of an
6 independent Khalistani state, as a concern, a national
7 security concern for India.

8 **MR. PRABJOT SINGH:** And so that's all I was
9 trying to kind of hone in on is that India understands lawful
10 advocacy for Khalistan as advocacy, as you described.
11 Protests, political advocacy, those are kind of seen as
12 extremism by India; correct?

13 **D/COMM MARK FLYNN:** I believe that is an
14 accurate statement.

15 I need to clarify, though, that is not or
16 does not fit the definition in Canada of violent extremism.

17 **MR. PRABJOT SINGH:** Correct. Thank you for
18 that clarification.

19 And so when we go to that May 3rd press
20 conference, Commissioner Teboul mentioned something about
21 cooperation with India being very challenging and difficult
22 over the past several years. Is that something that you're
23 able to expand on, what he meant by that?

24 **D/COMM MARK FLYNN:** I won't be able to expand
25 on that because that is part of those investigations that
26 we're undertaking.

27 **MR. PRABJOT SINGH:** Yeah. Would you agree or
28 is it fair to say that India attempts to pressure Canadian

1 agencies like the RCMP who prosecute the political expression
2 of members of the Sikh community in Canada?

3 **D/COMM MARK FLYNN:** I can't speak to whether
4 or not they're attempting to pressure us, but we do receive a
5 broad range of materials from India. As you can imagine, as
6 the Royal Canadian Mounted Police, we are not subjective to
7 pressure, we're not responsive to pressure. We maintain a
8 very professional high standard in all of the investigations
9 that we undertake and we are not motivated by any pressure,
10 whether it be political or from our peer law enforcement
11 agencies around the world.

12 **MR. PRABJOT SINGH:** Of course. I'm just
13 trying to understand kind of India's impetus, and their kind
14 of activities, and relations to Canadian agencies. So just
15 to clarify on that point, so Indian agencies will present
16 either evidence or information blown out of proportion of
17 present evidence to agencies that don't actually meet the
18 threshold of a criminal offence; correct?

19 **D/COMM MARK FLYNN:** You're making a rather
20 broad general statement. It's challenging ---

21 **MR. PRABJOT SINGH:** In some instances against
22 activists advocating for Khalistan, Indian agencies share
23 information with RCMP expecting a prosecution of activity
24 that does not meet the threshold of a criminal offence. Is
25 that fair?

26 **D/COMM MARK FLYNN:** In Canada, we have seen
27 where India has forwarded materials to us for things that
28 would meet the definition of an offence in India that do not

1 meet a requirement or there's not a corresponding criminal
2 offence in Canada. And that is one of the key elements in
3 international law enforcement, collaboration, as well as our
4 Department of Justice mandates around mutual legal
5 assistance, extradition, and so on, where the offences do not
6 have a corresponding offence in Canada, therefore there's not
7 a direct applicability to some of the authorities that they
8 would exercise.

9 **MR. PRABJOT SINGH:** Thank you.

10 Mr. Operator, if we could go back to WIT108,
11 please, and go to page 4?

12 So Mr. Flynn, in that last line, you mention
13 to Commission counsel that the RCMP is actively monitoring
14 the environment for potential threats to members of the Sikh
15 community. Is that correct?

16 **D/COMM MARK FLYNN:** That is correct.

17 **MR. PRABJOT SINGH:** Thank you. And so we've
18 heard from CSIS briefly on this point, and Madam Commissioner
19 heard from a member of the Sikh community in a consultation
20 panel yesterday who talked about the fact over the past two
21 years, members of the community, including himself, had
22 received duties to warn either from RCMP or from INSET. So
23 in general terms, a duty to warn essentially informs
24 individuals that their lives are risk for some reason. Is
25 that correct?

26 **D/COMM MARK FLYNN:** That is correct.

27 **MR. PRABJOT SINGH:** And so when somebody
28 receives a duty to warn, the RCMP normally recommends that

1 they avoid going out in public; correct?

2 **D/COMM MARK FLYNN:** It varies on a case-by-
3 case basis. We provide advice based on what we know and the
4 nature of the threat, and we also offer services or ask the
5 individual if they would like to receive any services or have
6 any questions for us that would help them understand the
7 situation that they're in.

8 **MR. PRABJOT SINGH:** In these scenarios,
9 however, the RCMP does not provide any kind of protective
10 detail or security; correct?

11 **D/COMM MARK FLYNN:** That is correct.

12 **MR. PRABJOT SINGH:** So activists are
13 encouraged and perhaps might be informed of ways that they
14 can change their lifestyle, avoid any kind of extraordinary
15 risk, disengage from public life, to try and avoid that risk
16 of harm; correct?

17 **D/COMM MARK FLYNN:** So I -- Madam
18 Commissaire, I have to be cautious here, but in order to --
19 if you'll allow me, in order to inform this part of the
20 discussion, to go to the point of what I believe you're
21 asking, I would like to provide some hypothetical situations
22 that are outside the context of anything that is an ongoing
23 investigation.

24 Okay. So we do not, as part of these duty to
25 warns, whether it be an organized crime threat or a foreign
26 state threat, we do not offer what we refer to as a close
27 protection service.

28 But what I can say in a general sense is that

1 our investigation and our mandate is focused on the threat
2 mitigation, the harm mitigation, and we do a lot of things
3 and expend a very large amount of resources to ensure that
4 the activities, the threat to individuals, which would
5 include a murder of an individual, does not occur.

6 There's a difference between that and
7 offering a close protection service, like we would for the
8 Prime Minister or the Governor General on a daily basis. But
9 there are activities that the RCMP does undertake to manage
10 the threat and the risk, but I won't speak to those.

11 **MR. PRABJOT SINGH:** Thank you. So in these
12 scenarios, when we're dealing with transnational repression,
13 and we can try to elevate the comments so that it's as
14 general as possible, not speaking to a specific individual,
15 if an individual is facing a threat potentially emanating
16 from a foreign state because of their political beliefs, this
17 scenario kind of forces them into a position where they're
18 forced to disengage from public life and their activism, or
19 continue with engaging with public community spaces,
20 religious spaces, or other political kind of activity, that
21 kind of forces a choice for them where either they choose to
22 retreat and disengage, or they expose themselves to harm. In
23 the current kind of legislative structure and RCMP's mandate,
24 that's kind of the situation that some of these individuals
25 may find themselves in; correct?

26 **COMM MICHAEL DUHEME:** So the individual has a
27 choice. Our responsibility is to bring the information to
28 the individual and share as much as we can, but ultimately

1 there is a choice by the individual.

2 **MR. PRABJOT SINGH:** Thank you. and if we can
3 go to CAN.DOC42, please, and go to page 27? Right there is
4 fine.

5 So Mr. Flynn, in the aftermath of Bhai
6 Hardeep Singh's assassination, the RCMP explored a range of
7 protective measures for a number of sitting members of
8 Parliament from Sikh backgrounds; correct?

9 **D/COMM MARK FLYNN:** Do you have a reference
10 on this document that you can take me to to assist?

11 **MR. PRABJOT SINGH:** That middle box under
12 "Federal Policing Protective Policing", that first row right
13 there:

14 "Outreach to members of Parliament of
15 Indian descent. In the aftermath of
16 Bhai Hardeep Singh Nijjar's homicide,
17 the RCMP increased its posture when
18 becoming aware of MPs attending
19 public events." (As read)

20 **D/COMM MARK FLYNN:** So what that is referring
21 to is that at many of those public events, there was a
22 significant level of protest, and at times there was a level
23 of violence. So under our mandate to protect members of
24 Parliament, we did do that.

25 However, that was not focused on members from
26 the Sikh community. That was focused on any parliamentarian
27 that was attending those events based on an assessment that
28 our Protective Operations Assessment Team and Protective

1 Operation Intelligence Team, as well as Brigitte's National
2 Security Team assessed as what the threat risk was at those
3 events. It was not specific based on ethnicity or any
4 religious belief of any individual that was attending the
5 events.

6 **MR. PRABJOT SINGH:** Understood. But so these
7 activities and assessments undertaken by the RCMP, as it
8 states in the document, was precipitated by a change in the
9 overall threat environment linked to alleged foreign
10 interference; correct?

11 **D/COMM MARK FLYNN:** That is correct.

12 **MR. PRABJOT SINGH:** Thank you. So just to
13 confirm, the RCMP conducted these security assessments with
14 sitting members of Parliament due to a potential security
15 risk because -- linked to allegations of Indian foreign
16 interference; correct?

17 **D/COMM MARK FLYNN:** So linked to a broad
18 range of things in the threat environment, which was not
19 necessarily linked to foreign interference. It could be
20 domestic unrest in relation to it, as well as the foreign
21 interference threat.

22 **MR. PRABJOT SINGH:** Thank you. And if we can
23 go WIT137, please? Paragraph 14.

24 So Mr. Flynn, again we're kind of in some
25 prickly territory, but you mentioned that foreign
26 interference also has a nexus with organized crime. That's
27 the case with India as well; correct? There is
28 investigations ongoing between the foreign interference

1 linked to the Government of India and organized crime
2 syndicates in Canada; correct?

3 **D/COMM MARK FLYNN:** So I will elevate my
4 comments to the broad topic of foreign interference, foreign
5 actor interference, and hostile activity state actors. We
6 are seeing a common theme of the use of organized crime
7 figures in that type of activity.

8 **COMM MICHAEL DUHEME:** And if I may, this is
9 not limited to Canada. I've participated in Five Eyes
10 meetings. Our colleagues see the same thing.

11 **MR. PRABJOT SINGH:** Correct. We've seen
12 incidents in the U.S. as well where Indian foreign
13 interference was linked to organize crime; correct?

14 Again, so this is also relevant and something
15 that the RCMP is investigating in relation to concerns that
16 Indian nationals are engaging in extortion rings across
17 Canada; correct?

18 **D/COMM MARK FLYNN:** We are not going to speak
19 to ongoing investigations today.

20 **MR. PRABJOT SINGH:** There is an investigation
21 about an Indian national in custody in an Indian prison that
22 is orchestrating these extortion rings; correct?

23 **UNIDENTIFIED SPEAKER:** I apologize for
24 interjecting, Madam Commissioner, but the RCMP is not at
25 liberty to speak to ongoing investigations and I would ask my
26 friend to move to a different topic.

27 **MR. PRABJOT SINGH:** Thank you. Those are all
28 my questions, Madam Commissioner. Thank you.

1 **COMMISSIONER HOGUE:** Thank you.

2 The Human Rights Coalition.

3 **--- CROSS-EXAMINATION BY MS. BEDRIYE HILAL ÇELEĞEN:**

4 **MS. BEDRIYE HILAL ÇELEĞEN:** Good morning.

5 Can you hear me?

6 **COMMISSIONER HOGUE:** Yes.

7 **MS. BEDRIYE HILAL ÇELEĞEN:** For the record,
8 my name is Bedriye Hilal Çeleğen for the Human Rights
9 Coalition. Can we please pull up page HRC113?

10 **--- EXHIBIT No. HRC0000113:**

11 Bomb Threat to Falun Gong Community
12 in BC hosting Shen Yun March 2024

13 **MS. BEDRIYE HILAL ÇELEĞEN:** So this document
14 is about a bomb threat threatening Shen Yun performing arts,
15 which shows performances about China's persecution of Falon
16 Gong spiritual practice. This event happened in Vancouver in
17 March 2024 and was reported to RCMP by the theatre staff.
18 What happened with this report? Did anyone get charged in
19 relation to this event?

20 **A/COMM BRIGITTE GAUVIN:** So we are aware of
21 this incident, and to my knowledge, this was investigated by
22 Vancouver Police Department, so therefore, I will not speak
23 or give details on their investigation.

24 **MS. BEDRIYE HILAL ÇELEĞEN:** Okay. RC -- did
25 RCMP conduct the investigation?

26 **A/COMM BRIGITTE GAUVIN:** No, to my knowledge,
27 it was Vancouver Police Department.

28 **MS. BEDRIYE HILAL ÇELEĞEN:** Okay. I'm

1 passing that then.

2 In your examination-in-Chief this morning,
3 you described taking various steps in response to concerns
4 raised by members of diaspora communities and you described
5 making product and tools available in 11 different languages.
6 I have some follow-up questions about that. What products
7 were you referring to?

8 **A/COMM BRIGITTE GAUVIN:** I was referring to
9 the two specific foreign interference products, one that
10 pertains to foreign interference in general and intimidation,
11 and the other one is in relation to foreign interference in
12 the electoral process, in federal elections.

13 **MS. BEDRIYE HILAL ÇELEĞEN:** Okay. And what
14 are those 11 languages?

15 **A/COMM BRIGITTE GAUVIN:** I won't be able to
16 state them by memory, but there's a variety of languages. I
17 know there's Mandarin. I know there's Arabic, Urdu, Russian,
18 the list goes on but ---

19 **MS. BEDRIYE HILAL ÇELEĞEN:** Okay.

20 **A/COMM BRIGITTE GAUVIN:** If I may, I mean, we
21 try to tailor them to the diaspora communities that are
22 present in Canada.

23 **MS. BEDRIYE HILAL ÇELEĞEN:** I understand
24 that. Do you remember if Uyghur is one of the languages?

25 **A/COMM BRIGITTE GAUVIN:** I believe so.

26 **MS. BEDRIYE HILAL ÇELEĞEN:** Is Tigrinya one
27 of the languages?

28 **A/COMM BRIGITTE GAUVIN:** I can't recall.

1 **MS. BEDRIYE HILAL ÇELEĞEN:** Is Tamil one of
2 the languages?

3 **A/COMM BRIGITTE GAUVIN:** I can't recall.

4 **MS. BEDRIYE HILAL ÇELEĞEN:** Okay. Thank you.
5 You mentioned a new form of -- on the web that has been
6 amended to include various categories of national security
7 incidents, including foreign interference. Is this web form
8 also available in languages other than English and French?

9 **A/COMM BRIGITTE GAUVIN:** At this time, it is
10 in English and French, but we are looking at -- internally at
11 the capacity that we would have in translating the web form.
12 I mean, individuals that do reporting are at liberty to
13 report in the language of their choice, and we'll look at
14 internally at our own capacity to translate that information.
15 And if I may, I am very willing to commit to providing you
16 exactly with the 11 languages, a translation of what those
17 documents are.

18 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you so
19 much. And one last question about the languages. In
20 response to our question in stage one hearings in the spring,
21 you indicated that tip line and Network was available in
22 English and French. Is this still the case? Did you add any
23 languages since then?

24 **A/COMM BRIGITTE GAUVIN:** Are you speaking
25 about the operators that ---

26 **MS. BEDRIYE HILAL ÇELEĞEN:** Yes, there was a
27 tip line ---

28 **A/COMM BRIGITTE GAUVIN:** --- manage the ---

1 **MS. BEDRIYE HILAL ÇELEĞEN:** --- and Network.

2 **A/COMM BRIGITTE GAUVIN:** I would say they are
3 predominantly in French and English operators, but if we do
4 get information from an individual that doesn't speak the --
5 either of the two official languages, we will make efforts to
6 try to find a resource that is able to interact and engage
7 with that individual.

8 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you so
9 much. Can we now please pull up CAN 019675_001? And scroll
10 to page 9. And in their blue box it says,

11 "Inconsistent investigative practices
12 are being used across the Divisions,
13 which has resulted in *ad hoc*
14 approaches to conducting FAI
15 investigations. This approach is
16 further exasperated by the lack of
17 FAI-specific policy and standardized
18 operating procedures."

19 The Commission counsel asked about you --
20 asked about this already, but just so I am clear, does the
21 RCMP now have standardized operating procedures on FI or FAI?

22 **A/COMM BRIGITTE GAUVIN:** So I can say that,
23 at the time that this report was written, it was an accurate
24 picture and I think we were fairly early on in our efforts on
25 the foreign interference front, and especially with the
26 foreign interference team. Since then, there's been a lot of
27 progress that's been made, and specifically, coordinated by
28 the Federal Policing National Security Unit here at NHU in

1 Ottawa, in educating the various investigative teams and
2 providing them with documentation and guidelines in order to
3 create that consistency between investigative teams.

4 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you so
5 much. And are these procedures publicly available?

6 **A/COMM BRIGITTE GAUVIN:** I would have to
7 verify and confirm that with you.

8 **MS. BEDRIYE HILAL ÇELEĞEN:** Perfect. And
9 does the RCMP have standardized procedures concerning when
10 they will inform or when they will not inform the members of
11 diaspora communities about threats against them?

12 **A/COMM BRIGITTE GAUVIN:** If we have specific
13 SOPs in regards to that?

14 **MS. BEDRIYE HILAL ÇELEĞEN:** Yes, standardized
15 procedures concerning this topic. If you receive an
16 intelligence regarding safety of a diaspora member, is there
17 any policy governing or procedures governing that you are
18 going to inform or not the individual?

19 **A/COMM BRIGITTE GAUVIN:** This, Madam
20 Commissaire, touches on a couple of policies. One is the
21 duty to warn that we just spoke to ---

22 **MS. BEDRIYE HILAL ÇELEĞEN:** M'hm.

23 **A/COMM BRIGITTE GAUVIN:** --- when we receive
24 credible information about an imminent threat to life. There
25 are standard operating procedures in regards to duty to warn.
26 In regards to intelligence, there -- we do have a robust
27 framework to share intelligence. For example, the one that
28 we have, the one vision framework that we have with the

1 Service, but we have to keep in mind that sometimes that
2 intelligence is not always usable, and there's caveats
3 attached to it. And there -- in some instances, we're able
4 to use that intelligence, and in some instances we're not.

5 **MS. BEDRIYE HILAL ÇELEĞEN:** Okay. So just to
6 be clear, there has been an instance where you received an
7 intelligence and a warned member of the diaspora communities;
8 is that correct ---

9 **A/COMM BRIGITTE GAUVIN:** That is correct.

10 **MS. BEDRIYE HILAL ÇELEĞEN:** Perfect.

11 **COMM MICHAEL DUHEME:** And which I'll add, but
12 we do have a duty to warn, be an individual or a community
13 itself, and our organization has been through this several
14 times, and we take actions. Sometimes we combine where we
15 work with the police of jurisdiction when we do the work, but
16 we do have a duty of care not just to individuals but
17 communities as well.

18 **D/COMM MARK FLYNN:** Madam Commissaire, if I
19 may, I would add that it's important to understand, as
20 Assistant Commissioner Gauvin said, we work with those other
21 security intelligence partners. The warning, the alerts to
22 the diaspora community or individual specifically is
23 something that we take care of as a community. So even if we
24 receive intelligence wherever than that and inform some of
25 what we do ---

26 **MS. BEDRIYE HILAL ÇELEĞEN:** M'hm.

27 **D/COMM MARK FLYNN:** --- the fact that we
28 can't action it in a criminal investigative way does not mean

1 it should never be interpreted to mean that there is not
2 another mechanism amongst the community, because I have great
3 confidence in the community's ability to ensure that somebody
4 is not physically harmed, and as an example under the duty to
5 warn, and those other organizations will exercise their
6 mandate in doing that as well. We will talk about it. We
7 will get together. We will discuss who is best positioned to
8 do that, to both guard the intelligence, but at the same
9 time, ensure that the appropriate action is taken.

10 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you so
11 much. And the policy or duty to warn that you just
12 mentioned, policy regard to that, is that publicly available?

13 **COMM MICHAEL DUHEME:** More than happy to
14 follow up with the availability of the policy to be released
15 in general public.

16 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you. And
17 does the RCMP have standardized procedures concerning when
18 they will or will not engage with the members of diaspora
19 communities as part of investigations concerning their
20 communities? I can give an example. For example, the bomb
21 threat case I referenced as a part of my first question, this
22 was a threat against a Falon Gong group. My point is that
23 the Falon Gong community, and not just the individual,
24 specific individuals there could have useful information for
25 the RCMP if they have been informed or consulted. Is there a
26 standardized policy to govern when RCMP will or will not
27 engage with the relevant community in response to a threat or
28 incident?

1 **A/COMM BRIGITTE GAUVIN:** I wouldn't say,
2 Madame la commissaire, that there's a standard operating
3 procedure or policy in writing, but in our day-to-day
4 operations we work closely with police of jurisdiction and if
5 we take this example specifically, in that case we were
6 talking about a bomb threat. Therefore, in a case such as
7 that, the local police would be dispatched to the location to
8 ensure there's not an immediate threat to public safety. And
9 therefore, my understanding is what -- this could have
10 occurred here when Vancouver police went to investigate.

11 Now, what happens after, and I don't want to
12 get into specific details of this investigation, but there
13 would be an instance such as this where there's a potential
14 for foreign interference activity where our NSIT, our
15 National Security Investigative Team, would be engaged with
16 the police of jurisdiction to determine if it is, in fact, a
17 foreign interference matter or not.

18 This is routine procedure. Specifically in
19 writing, I'm not aware that there is. In fact, I don't think
20 there is. But it is part of our operations.

21 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you so
22 much.

23 **COMM MICHAEL DUHEME:** Madame la commissaire,
24 if I just may add one thing, is every investigations that we
25 do, there's a strategy that goes into the investigation, who
26 do we interview, when we interview them and whatnot, so it's
27 not -- it's not automatic that we have to go to the members
28 of the community, but sometimes investigation will lead us.

1 And you heard us earlier about building that
2 relationship with communities. That's exactly what we want
3 to do so that people do come forward and talk to us.

4 **MS. BEDRIYE HILAL ÇELEĞEN:** Perfect. Thank
5 you so much.

6 I have no further questions.

7 **COMMISSIONER HOGUE:** Thank you.

8 The RCDA?

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

10 **MR. GUILLAUME SIROIS:** Guillaume Sirois for
11 the Russian-Canadian Democratic Alliance.

12 I'd like the Court Operator to pull WIT108,
13 please, at paragraph 5.

14 This is your witness summary.

15 At paragraph 5, you name the main threat
16 actors conducting foreign interference activities in Canada.
17 Deputy Commissioner Flynn, you indicate that the PRC, Iran,
18 Russia and India are currently the most significant threat
19 actors of FIA in Canada. Why Russia?

20 **D/COMM MARK FLYNN:** So these names come from
21 what we see in our criminal investigations and the activity
22 that we're involved in. I'm not going to speak specifically
23 about what investigations and details about each, but this
24 statement is informed by the number of investigations of a
25 broad range, including, as we spoke earlier, about cyber
26 activity that has led to these names being put in this place.

27 **MR. GUILLAUME SIROIS:** Okay. Also, you state
28 that from a cyber security perspective, North Korea, Russia

1 and the PRC have been and continue to be major threat actors.
2 For the same reasons?

3 D/COMM MARK FLYNN: That's correct.

4 MR. GUILLAUME SIROIS: Okay. Thank you.

5 D/COMM MARK FLYNN: As well as what we
6 receive in our collaborative efforts with the community. The
7 security intelligence community informs our position on these
8 matters.

9 MR. GUILLAUME SIROIS: Okay. And there's
10 nothing else you can add to the Russian threat because it's
11 highly protected by investigative privilege or because of
12 national security confidentiality. Is that right?

13 D/COMM MARK FLYNN: That's correct.

14 MR. GUILLAUME SIROIS: Okay. Thank you.

15 I'd like to go to RCD79 now, please.

16 Thank you.

17 **--- EXHIBIT No. RCD0000079:**

18 Yukon RCMP is monitoring potential
19 foreign interference. What does that
20 look like

21 MR. GUILLAUME SIROIS: And I don't want to
22 ask any questions about ongoing investigations or operations.
23 I'll try to -- as much as possible, to stay on the strategic
24 level.

25 So this is a CBC News article published on
26 January 13, 2024 by Julien Greene. The title is pretty self-
27 explanatory, "Yukon RCMP is monitoring potential foreign
28 interference. What does it look like?".

1 We can scroll down a little bit just to see
2 the first two paragraphs. Thank you.

3 We -- I'll just read it for the record:

4 "Yukon RCMP say the territory is
5 vulnerable to foreign interference,
6 and that police are closely
7 monitoring for any signs of threat
8 from abroad.

9 Supt. Lindsay Ellis told CBC News the
10 RCMP's monitoring of foreign
11 interests are manifold, including
12 investments in major infrastructure,
13 road and bridge projects, the
14 dissemination of information, and
15 intellectual property (copyright,
16 trade secrets, etc.)."

17 [No interpretation] or can you comment on the
18 foreign interference threat in Yukon specifically?

19 **D/COMM MARK FLYNN:** So the Yukon is part of
20 the north, so when we're looking at things such as what
21 Superintendent Lindsay Ellis is speaking to here in the main
22 title, if you scroll back to it, I believe it was in the
23 context of mining. However, I can say that the RCMP and our
24 partners in Canada, so the security intelligence community as
25 well as other partners, are looking at a broad range of
26 threats there.

27 So you have sovereignty -- we have
28 sovereignty concerns for the north, we have critical

1 minerals. We have intellectual property threat or theft
2 concerns. We have concerns around ensuring critical minerals
3 are protected and available to Canada as well as others. So
4 there's a very broad range of threats that impact Canada
5 nationally, and specifically the north, because of the
6 presence of those mines.

7 However, I want to also state that although
8 mines are located in the north, the ownership of those mines
9 and other influencing factors may not be in the north.

10 So yes, we speak about the north, Arctic
11 sovereignty and so on from a physical sense. You will see
12 patrols that we make, partnerships and patrols, with the
13 military as well as with Coast Guard from a sovereignty
14 perspective, counter-intelligence perspective in the
15 intelligence activities that are conducted in the north as
16 well as other clandestine, surreptitious activities that are
17 conducted by foreign states to gather information related to
18 minerals and mining rights and ownership.

19 We also in Canada have the *Investment Canada*
20 *Act*, so I believe that was referenced somewhere. There's
21 economic integrity of Canada is referenced in this document.

22 So the RCMP works collaboratively again with
23 the different Government of Canada departments to ensuring
24 that the economic integrity of Canada is protected, and one
25 of those mechanisms is the *Investment Canada Act* that ensures
26 that identified critical businesses are protected from
27 foreign ownership that would subject Canada to harm, or
28 potential harm in the future.

1 Canada has sanctions against Russia,
2 shell companies can – and will –
3 circumvent them.”

4 Can you please comment on the effectiveness
5 of sanctions to deter this kind of activity in the north?

6 **D/COMM MARK FLYNN:** So as I stated earlier,
7 with the *Investment Canada Act* as well as other activities
8 conducted by our partners, I believe that we are definitely
9 impacting the ability of Russia and other states to have
10 those impacts. At the same time, we do know that states will
11 adapt to changes in legislation, changes in our efforts. And
12 we continue to monitor that and we work with the legislators
13 in Canada and the various government departments to amend
14 those laws, and some of which you’ve seen in Bill C-70, that
15 give us the authorities to, in some cases, take action
16 earlier.

17 You mentioned political interference. You’ll
18 see amendments in the Act that allow us to engage in a
19 broader range of political interference activities or
20 interference in government or political processes or systems.
21 It will always be shifting, and changing, and adapting to
22 different adversarial actions as they change to us, and we
23 need to be agile and responsive to the changes that we’re
24 seeing. I can assure you that these discussions occur at the
25 strategic and tactical levels in the national security space,
26 so that we are aware of any change in behaviour, and we’re
27 adapting our approaches to it.

28 **MR. GUILLAUME SIROIS:** And so, just in one

1 sentence, sanctions are not sufficient -- or a perfect
2 solution to the problem. We need to adapt and continue to
3 find other ways to counteract this trend, right?

4 **D/COMM MARK FLYNN:** I would characterise it
5 as they are a component of the solution, along with many
6 other pieces. No single piece, no single act, no single
7 technique will solve any problem, and that is definitely the
8 case. It is a very complex area, and we need to bring a
9 broad range of tools to the problem.

10 **MR. GUILLAUME SIROIS:** Thank you. We can
11 pull this document down. I'll move for my last minute or so,
12 I'll move to a different topic.

13 Still talking about Russian interference, but
14 more specifically about the Tenet Media operation that we
15 learned from an unsealed indictment from the United States on
16 September 5th. It's been close to a month, and we haven't
17 had that much more information coming from the federal
18 government about this indictment.

19 I'm wondering if you can provide us with
20 anything more that was already said in the public, for
21 instance about when we -- when the government learned about
22 this indictment, what actions have been taken in response,
23 and is there any action being undertaken now against the
24 actors involved, especially Canadian actors?

25 **A/COMM BRIGITTE GAUVIN:** I can take that
26 question. We are aware of the U.S. indictment and the
27 various reporting. While I won't speak to -- or on behalf of
28 the Government of Canada, I can give you some information

1 from an RCMP perspective. But won't speak to specific
2 details as to potential investigations or investigations
3 conducted by a foreign partner. But what I can say is that
4 we are currently engaged with our domestic and international
5 partners on this matter.

6 **MR. GUILLAUME SIROIS:** Okay. You have no
7 further comments about the Tenet Media operation?

8 **A/COMM BRIGITTE GAUVIN:** I can't speak to
9 specific details as it touches upon potential investigations.

10 **MR. GUILLAUME SIROIS:** But would you agree
11 that economic sanctions or Criminal Code were not enough to
12 deter these sort of operations from taking place in Canada?

13 **A/COMM BRIGITTE GAUVIN:** Again, I can't speak
14 to specifics of investigations, but if we look at the
15 allegations, I mean there's a number of Acts within Canada
16 that could be applicable if in fact they are applicable, and
17 that's all part of the assessment process while we discuss
18 and collect information from our partners.

19 **MR. GUILLAUME SIROIS:** Thank you.

20 I am out of time, unfortunately, but I thank
21 you for your time. Merci.

22 **COMMISSIONER HOGUE:** Thank you.

23 Counsel for Jenny Kwan, Ms. Kakkar.

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

25 **MS. MANI KAKKAR:** Good afternoon,
26 Commissioner. Good afternoon, panelists. I have got some
27 questions that are more general, so you won't have to tell me
28 that you can't tell me because of an ongoing investigation,

1 which is fair enough. And also, I don't think I'll take the
2 full 15 minutes, but my questions are really to do with
3 nomination processes and leadership contests.

4 What is the RCMP's understanding of FAI with
5 respect to nomination processes and leadership contests?

6 **D/COMM MARK FLYNN:** So I'll speak to it
7 broadly, and I'll start by talking about the changes in Bill
8 C-70. I will say that I welcome those changes very much,
9 because as we have spoken about and as many others in the
10 security and intelligence community have spoken about the
11 techniques, we know that there is interest in foreign states
12 to engage with people early and to use such processes that
13 were not captured by other acts, such as the *Elections Canada*
14 *Act*, to engage and create relationships with people.

15 The amendments in Bill C-70 allow us from an
16 investigative perspective, to engage in investigative
17 activities in relation to those nomination processes and
18 leaderships. It goes all the way, Madam Commissioner, to
19 school boards and other situations like that, where we are
20 able to use investigative authorities to determine what's
21 happening there and pursue criminal investigative efforts in
22 those spaces.

23 So obviously, that signals that we are aware
24 this is a problem and a space that we will be putting
25 additional attention to from a law enforcement perspective,
26 in the sense that there is now criminal offences where there
27 were not criminal offences in the past.

28 **MS. MANI KAKKAR:** I appreciate your answer.

1 And you focused on criminal offences, but at paragraph 36 of
2 your interview summary, you also mention that the RCMP has
3 taken a step toward not focusing on criminal prosecution as
4 being the gold standard, but you describe it as disrupting,
5 dismantling, and holding accountable as being other primary
6 goals of the RCMP's mandate.

7 So with that in mind, how does this new
8 broader view of the RCMP's role impact what you can do with
9 respect to FAI in nomination processes and leadership
10 contests?

11 **D/COMM MARK FLYNN:** So in that other material
12 you referenced it spoke about prosecutions. We're still
13 guided by criminal offences, criminal activity, threats to
14 Canada's public safety. So there will always be some nexus
15 to criminal offences and criminality in what we're doing.
16 We're not the opinion police, we're not policing elements of
17 Canadian society that aren't related to illegal behaviour,
18 okay?

19 So when we look at those amendments in Bill
20 C-70, it is increasing the landscape of activity that has
21 been determined in law to be illegal, and from that, in many
22 of our investigative techniques, whether there's a
23 prosecution at the end or some sort of disruptive activity in
24 the middle, it applies and we're able to gain authorities and
25 seek permission of the Courts, and exercise authorities that
26 don't require permission of the Court in those
27 investigations, in that activity that is now legal in Canada.

28 **MS. MANI KAKKAR:** Okay. So if I understand

1 your testimony correctly, prior to these amendments, you
2 wouldn't have been able to necessarily act, or investigate,
3 or really find that it was within your jurisdiction to look
4 at any FAI with respect to nomination processes and
5 leadership contests?

6 **D/COMM MARK FLYNN:** So I would not use those
7 exact words, so I'm going to ---

8 **MS. MANI KAKKAR:** Please.

9 **D/COMM MARK FLYNN:** --- do a slight amendment
10 to that. We would be interested in it. We would care about
11 it. But we would be limited in some of the tools that we
12 would have in -- able to use in those investigations.
13 However, when we're looking at a pattern of behaviour and how
14 individuals may be targeted for these types of activities,
15 and then progress into other areas, it would be part of our
16 investigation.

17 But the fact that those discrete acts that we
18 may have known about and had they been illegal at the time,
19 we would have been able to take additional steps, seek
20 additional authorities, or to lay a charge. Because it's not
21 the gold standard, but it is an option and had it been
22 illegal -- and I can tell you that there are times when we
23 are aware that these things have occurred at those lower
24 levels, but there was no criminal offence that took place,
25 therefore that option to intervene at that time through those
26 types of activities, was not there.

27 So it's not that we don't care about it,
28 we're not looking at it. We are. It's a pattern of

1 behaviour and it moves, but our options are limited up until
2 the point that it has become an offence.

3 **MS. MANI KAKKAR:** I appreciate that. And in
4 terms of having a more wide toolkit, let's say, because you
5 can now to more than just prosecute, potentially take actions
6 that wouldn't require Court intervention or approval, would
7 you agree that allows you to be more timely in a response to,
8 let's say activity of interest that you notice?

9 **COMM MICHAEL DUHEME:** It could have an effect
10 that we have more time. But there's so many different
11 factors when you're dealing with this, that if you're looking
12 at disruption, maybe it's not the RCMP doing the disruption,
13 maybe its another organization. So there's -- it'd be hard
14 pressed to say. Ideally, yes, but there's so many
15 circumstances sometimes that it's hard to predict.

16 **MS. MANI KAKKAR:** That's fair enough. And do
17 you have a protocol or a procedure as to how you work with
18 other agencies, I imagine agencies like CSIS, when it comes
19 to disruption, or dismantling, or holding accountable?

20 **COMM MICHAEL DUHEME:** Yes, we do.

21 **MS. MANI KAKKAR:** Do you mind naming the
22 protocol? Or is it not that you can ---

23 **D/COMM MARK FLYNN:** Yes. I can speak to it a
24 little bit, and if I don't cover it properly, Assistant
25 Commissioner Gauvin will step in and assist.

26 We have a one vision process that allows us
27 to work with the service from the federal policing and
28 national security section. We've testified to that in the

1 past. Where we sit down and we discuss what are the various
2 options, what are they doing, what are we doing, to ensure
3 that we're deconflicting our options and we're aware of what
4 they are independently doing or we're independently doing
5 under our own authorities so that we are ensuring that
6 there's a proper response and there's not a duplicated
7 response, or that there's not a response that's going to
8 degrade the effectiveness of the other.

9 As you're aware through other testimony, CSIS
10 has a threat reduction mandate, and in doing that, there is
11 always a consultation with our federal policing national
12 security when there's a nexus to us, or potential nexus to
13 us, to ensure that that coordination or deconfliction effort
14 is done, depending on which is appropriate.

15 **MS. MANI KAKKAR:** I appreciate that. And do
16 you have similar processes with other agencies, like GAC,
17 RRM, or OCCE?

18 **D/COMM MARK FLYNN:** So there's a wide variety
19 of things and some of them are triggered by those other
20 organizations. There's different laws in Canada that allow
21 sharing of information. I think what is critical and what
22 should give Canadians the highest degree of confidence is
23 that there are weekly meetings, and I will say several weekly
24 meetings, at the Deputy Minister level, the ADM level, and
25 at, in our speak, the Director and Director General levels
26 across the various government departments. They are
27 strategic in nature and they are tactical.

28 For example, Brigitte takes part in both

1 strategic Associate Deputy Minister level discussions, as
2 well as a tactical meeting that is separate. The
3 Commissioner and I, and sometimes I take part in those
4 meetings with Brigitte, and other times I take part in
5 meetings at the Deputy Minister level with the Commissioner,
6 where these issues are discussed and where the appropriate
7 priority is assigned to them across the various government
8 departments.

9 **MS. MANI KAKKAR:** And I appreciate you
10 clarifying all of that. At these meetings that you've had,
11 have you discussed your new tools that you have with respect
12 to nomination processes and leadership contests, what that
13 means for your partners, what that means for all of you
14 collectively, looking at FAI?

15 **D/COMM MARK FLYNN:** So I missed part of the
16 first of that question. I couldn't hear it.

17 **MS. MANI KAKKAR:** Oh.

18 **D/COMM MARK FLYNN:** If you're asking did we
19 discuss these new authorities under Bill C-70?

20 **MS. MANI KAKKAR:** Yes.

21 **D/COMM MARK FLYNN:** Yes.

22 **MS. MANI KAKKAR:** Okay. And have you come to
23 a consensus of what it means for you to be able to use that
24 toolkit with respect to nomination processes and contests --
25 leadership contests? Or is that a work in progress?

26 **D/COMM MARK FLYNN:** I think it's fair to say
27 that there's a consistent view that each additional tool that
28 we obtain to combat this problem benefits the entire

1 community, and more importantly, the Canadian public.

2 **MS. MANI KAKKAR:** And my very last question
3 is just about sensitive sector requests. Would you agree
4 that those are likely to come into play when you're dealing
5 with FAI in the context of nomination processes and
6 leadership contests?

7 **A/COMM BRIGITTE GAUVIN:** Yes, I can answer
8 that. So we're guided by our Ministerial Directive that
9 clearly states that special care has to be undertaken, or
10 special care is required when national security
11 investigations have an impact on or appear to have an impact
12 on certain sensitive sectors which are considered fundamental
13 institutions in Canadian society. And those are media,
14 academia, religion, trade unions, and politics.

15 **MS. MANI KAKKAR:** And have you thought about
16 how the delay that might be caused by the sensitive sector
17 request process and perhaps a toolkit that you're now given
18 with your broader mandate that allows you to act in a more
19 timely fashion might conflict?

20 **D/COMM MARK FLYNN:** I wouldn't say it would
21 conflict. I wouldn't say it causes a delay. The sensitive
22 sector request is part of the investigation process. We
23 apply it on a regular basis when our investigations touch
24 upon those sensitive sectors.

25 **MS. MANI KAKKAR:** Thank you so much for your
26 testimony.

27 **COMMISSIONER HOGUE:** Thank you.

28 Attorney General, do you have questions?

1 --- CROSS-EXAMINATION BY MS. HEIDI COLLICUT:

2 **MS. HEIDI COLLICUT:** Thank you, Madam
3 Commissioner. My name is Heidi Collicut and I'm counsel on
4 behalf of the Attorney General of Canada.

5 We had heard in your in-camera hearing, and
6 it's included in your summary of that, about the move to a
7 regional model within federal policing as of April of this
8 year.

9 From your in-camera hearing summary, I
10 understand that that shift has enhanced things like
11 information sharing between units and with federal policing
12 resource allocations.

13 For the panel, how does this organizational
14 restructuring of federal policing further augment the RCMP's
15 capacity to address foreign actor interference?

16 **D/COMM MARK FLYNN:** Madam Commissaire, I can
17 answer that. So the switch to the regional model is creating
18 within the RCMP a focus on the federal policing mandate that
19 is absolutely connected to our contract policing mandate and
20 our specialized policing service and national police service
21 mandate.

22 However, it is creating a focus where every
23 single federal policing employee is reporting up through a
24 command chain that reports to me, as the person who is
25 responsible for federal policing and obviously reporting to
26 the Commissioner, but it creates a singular focus in the
27 mandate that they're looking at, ensures that the resources
28 are utilized for the federal mandate, and obviously we

1 collaborate back and forth between the rest of the
2 organization as well, but it creates a much tighter focus on
3 the federal policing mandate.

4 It also ensures that a regional level, and
5 there's four regions in Canada, that there is more direct
6 communications between all of the investigative units and the
7 various levels in the command structure on the topics that
8 are federal policing mandate.

9 **COMM MICHAEL DUHEME:** If I can add, put
10 things in perspective, prior to going to this
11 regionalization, you had 13 people across the country, every
12 province, every territory, that had a role to play in federal
13 policing, and the shift into these four regions has
14 streamlined the process where now you have four individuals
15 that report directly into Mark and that streamlines the
16 inflow of information and also the governance.

17 **MS. HEIDI COLLICUT:** Thank you. Similarly,
18 from a forward-looking perspective, Commissioner, what steps
19 is the RCMP taking in anticipation of the evolving FAI threat
20 and threat activities, thereby further strengthening its
21 capacities in countering the FAI threat?

22 **COMM MICHAEL DUHEME:** This question of
23 foreign interference is evolving quickly, and we continually
24 need to build and maintain relations at all levels,
25 federally, provincially, municipally, because the question of
26 foreign interference is not only in Canada, it's everywhere.
27 And the way -- the reaction is very similar, so we need to
28 work with local partners as well as international partners to

1 have a better understanding of what is happening in terms of
2 foreign interference.

3 Sorry, Heidi, you didn't have your things on.

4 **MS. HEIDI COLLICUT:** No -- thank you.

5 For you, A/Comm Gauvin, can you clarify what
6 you meant this morning in the context of not being aware of
7 concerns raised by diaspora yesterday? Was this in relation
8 to the social media campaign launched by the RCMP in Quebec
9 this summer or were these concerns more generally?

10 **A/COMM BRIGITTE GAUVIN:** I was referring to
11 specifically the campaign -- the awareness and engagement
12 campaign that occurred this past August in the Montreal area
13 with the Chinese community.

14 **MS. HEIDI COLLICUT:** Thank you. Continuing
15 with diaspora, Commissioner, you noted that the RCMP is
16 working to address the trust gap between diaspora and law
17 enforcement, recognizing that trust is an important factor
18 when it comes to reporting incidents like FAI. Can you
19 provide a specific example of the outreach work the RCMP is
20 doing with diaspora and how this is fostering trust with law
21 enforcement?

22 **COMM MICHAEL DUHEME:** I'll let Brigitte chime
23 in on specifics, but when we look at the Regional Commander
24 for the Central Region, which is Ontario, A/Comm Matt Peggs
25 has done some fantastic work of reaching out to different
26 diaspora. And I go back to the foundational piece, is that
27 building that trust and the relationship with the people from
28 the diaspora so they can trust the police, they can come

1 forward, and they know that, to a certain extent, we can
2 protect the information they provide to us, which, again, a
3 big task, because you've got to build that trust, and not
4 build it when an incident happens.

5 So -- and I invite maybe Brigitte to provide
6 more pointed examples of what's going on across the country.

7 **A/COMM BRIGITTE GAUVIN:** Yes. So as I
8 testified previously, we have a number of initiatives that
9 we've undertaken and that are continuing, whether that's
10 specific engagements with organizations, or community members
11 directly, or at certain events. The important thing, or what
12 I want to highlight is that we want to hear what the
13 community needs and what they need from us. That is the most
14 important thing. And we have to listen to what will make
15 them feel safe in our communities and we will adjust our
16 approaches accordingly. So it is a work in progress.
17 Relationships and trust take time to build and we are
18 definitely working towards that.

19 **D/COMM MARK FLYNN:** Madam Commissaire, if I
20 may, in the subject of one of your earlier questions about
21 the perception of the diaspora to a uniformed police officer
22 in Canada versus the other, and our approach to the overseas
23 police stations, in the situation that the Commissioner
24 described with A/Comm Matt Peggs and others, when he's
25 attending many of these events, he is attending in uniform.
26 He is ensuring that he is visible at those events and that
27 people know he's there. That's a conscious decision that he
28 and we are taking to ensure that we're connecting as

1 individuals in those communities, that we're seen to be
2 present, and that we are different than maybe some of their
3 negative experiences that they've seen in the past and some
4 of the associations they have with a uniform presence,
5 because we are very much aware that sometimes the uniform
6 does create a negative reaction based on past experience and
7 we are endeavouring to change that. And part of that is not
8 going in a suit, not blending in, and being present and being
9 part of the community, not just attending an event as some
10 attendee.

11 **MS. HEIDI COLLICUT:** Thank you. So is it
12 fair then to say that this approach is tailored to the
13 community and their specific needs?

14 **A/COMM BRIGITTE GAUVIN:** I think that when it
15 comes to community outreach and engagement, I don't think
16 that we could use ---

17 **COMMISSIONER HOGUE:** One size fits all.

18 **A/COMM BRIGITTE GAUVIN:** --- what we'll call
19 a cookie cutter approach. Exactly that. We have to tailor
20 it to the needs of each community across the country.

21 **MS. HEIDI COLLICUT:** And then turning to
22 another topic that was covered in direct examination this
23 morning, what does the RCMP offer, be it through tools, or
24 training, or other things, to frontline members to further
25 enhance their understanding of foreign actor interference?

26 **A/COMM BRIGITTE GAUVIN:** So we offer a number
27 of -- and you're talking about training specifically;
28 correct?

1 **MS. HEIDI COLLICUT:** Or other tools.

2 **A/COMM BRIGITTE GAUVIN:** Okay. Other tools.

3 So through our engagements with the police of jurisdiction,
4 whether that's within the investigative units, the integrated
5 investigative units, where some of the police of jurisdiction
6 sit, I mean, there is sharing of information, sharing of
7 knowledge and expertise that occurs there on a daily basis,
8 but we also educate through our various products. As
9 mentioned previously, we have foreign interference products
10 that we not only distribute to the public, but are also there
11 for law enforcement purposes as well, in order to give them
12 some information on what to look for, and how to respond, and
13 where to respond, who to contact when they become aware or
14 they think there's a potential foreign interference activity.

15 If we want to talk about training
16 specifically, I mean, there are some jurisdiction
17 representatives that do attend our various training courses.
18 For example, the National Security Criminal Investigators
19 Course will have members of different police of jurisdiction.
20 And in fact, even some international police forces that
21 participate in that training as well.

22 **COMM MICHAEL DUHEME:** If I may add one thing,
23 within the RCMP, we have close to 19,000 police officers and
24 that makes a difference between awareness in the formal in-
25 depth training. We have many people that do their frontline
26 work in all the provinces, but as Brigitte said earlier, our
27 INSET teams, that's where you really want to focus the
28 training, develop that expertise, develop the subject matter

1 experts, and from there flows in the information for
2 awareness for the frontline police officers, for the other
3 law enforcements across the country, and even our
4 international partners.

5 **MS. HEIDI COLLICUT:** Thank you. And those
6 are our questions.

7 **COMMISSIONER HOGUE:** Thank you.

8 Ms. Morgan, do you have any additional
9 questions in re-examination?

10 **MS. LYNDA MORGAN:** No, thank you.

11 **COMMISSIONER HOGUE:** So thank you. we'll
12 break for lunch. Let me -- we'll come back at 10 to 2:00.
13 Am I -- yes. Ten (10) to 2:00. No, 20 to 2:00. I'm
14 calculating. I'm sorry.

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

16 This sitting of the Commission is now in
17 recess until 1:40 p.m.

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

19 --- Upon resuming at 1:41 p.m.

20 **THE REGISTRAR:** Order please.

21 This sitting of the Foreign Interference
22 Commission is now back in session.

23 The time is 1:41 p.m.

24 **COMMISSIONER HOGUE:** Good afternoon.

25 **MS. ERIN DANN:** One of our witnesses today
26 may be using some devices to assist with his -- and ensuring
27 that he can hear everyone. I think if we turn down the -- I
28 was just given these instructions myself.

1 If you turn the -- on the left-hand side of
2 that device, there's a volume button. And if you turn it
3 down when you're not using it, that should reduce that
4 feedback.

5 Thank you.

6 Sorry, Commissioner.

7 **COMMISSIONER HOGUE:** So you can proceed.

8 **MS. ERIN DANN:** Thank you so much.

9 It's Erin Dann. We're proceeding with the
10 SITE Task Force panel this afternoon. And two of our
11 participants in this panel are testifying remotely in order
12 to protect their identity.

13 I would ask that the lawyer who is attending
14 off site with those witnesses, if they could confirm that
15 they have identified the -- they have confirmed the
16 identities of the witnesses and have administered the oath or
17 affirmation.

18 **MS. EMILY PRICE:** Good afternoon. I am Emily
19 Price, called to the bar of Ontario in 2019, and I am a
20 Commissioner of Oaths. I confirm that I have verified the
21 identity of both witnesses and have administered the
22 affirmations.

23 The witnesses have affirmed and are now
24 prepared to testify before you. I will confirm the identity
25 of both witnesses in confidence in due course.

26 **--- CSIS REPRESENTATIVE NO. 1, Affirmed:**

27 **--- CSIS REPRESENTATIVE NO. 2, Affirmed:**

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

1 And those will be -- we will refer to those
2 witnesses today as "CSIS Representative No. 1" and "CSIS
3 Representative No. 2".

4 **COMMISSIONER HOGUE:** That's fine.

5 **MS. ERIN DANN:** Could I ask that the
6 witnesses who are here with us in the room be sworn or
7 affirmed?

8 **THE REGISTRAR:** All right. I'll start with
9 Mr. Macdonald.

10 So could you please state your full name and
11 spell your last name for the record?

12 **MR. RYAN MACDONALD:** Ryan Macdonald, M-a-c-d-
13 o-n-a-l-d.

14 **--- MR. RYAN MACDONALD, Affirmed:**

15 **THE REGISTRAR:** Now I'll affirm Ms.
16 Wettlaufer.

17 Could you please state your full name and
18 spell your last name for the record?

19 **MS. ROBIN WETTLAUFER:** Robin Wettlaufer, last
20 name is spelled W-e-t-t-l-a-u-f-e-r.

21 **--- MS. ROBIN WETTLAUFER, Affirmed:**

22 **THE REGISTRAR:** And finally, Mr. O'Hayon.

23 Could you please state your full name and
24 spell your last name for the record?

25 **MR. GREGORY O'HAYON:** It's Gregory Laurent
26 O'Hayon, O-apostrophe-H-a-y-o-n.

27 **--- MR. GREGORY LAURENT O'HAYON, Affirmed:**

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

1 --- EXAMINATION IN-CHIEF BY MS. ERIN DANN:

2 MS. ERIN DANN: Thank you.

3 If I could just ask, Mr. Registrar, if you
4 could start the timer, I would be grateful. Thank you.

5 I'll direct my first questions to some
6 housekeeping matters. The panel was interviewed by
7 Commission counsel in June of 2024.

8 I'll ask the Court Operator to pull up
9 WIT109. And for the record, there's a French translation
10 available at WIT109.FR.

11 --- EXHIBIT No. WIT0000109

12 Interview Summary: Security and
13 Intelligence Threats to Elections
14 Task Force (CSE Representative, Three
15 CSIS SITE Representatives, Robin
16 Wettlaufer, Greg O'Hayon)

17 --- EXHIBIT No. WIT0000109.FR:

18 Résumé d'entrevue - Groupe de travail
19 sur les menaces en matière de
20 sécurité et de renseignements visant
21 les élections (représentant du CST,
22 trois représentants du SCRS au sein
23 du Groupe de travail, Robin
24 Wettlaufer, Greg O'Hayon)

25 MS. ERIN DANN: Next I'll ask that the Court
26 Operator bring up WIT139, and this is a summary of the
27 publicly disclosable portions of the evidence that was given
28 during *in camera* proceedings. A French translation will be

1 provided when it is available.

2 --- EXHIBIT No. WIT0000139

3 In Camera Examination Summary: CSIS
4 SITE Representative #1, CSIS SITE
5 Representative #2, Ryan Macdonald,
6 Robin Wettlaufer, Greg O'Hayon

7 **MS. ERIN DANN:** I'm going to ask each of the
8 witnesses if you can confirm in turn that you have had an
9 opportunity to review those two summaries, advise whether you
10 have any additions, modifications or changes that you wish to
11 make, and if you do not have any changes, advise that you
12 will -- whether you will adopt those summaries as part of
13 your evidence before the Commission today.

14 So we will start with Mr. O'Hayon.

15 **MR. GREGORY O'HAYON:** I have reviewed and I
16 do -- I have no additions or subtractions.

17 **MS. ERIN DANN:** And you adopt that as your
18 witness ---

19 **MR. GREGORY O'HAYON:** I adopt it, yes.

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

21 And Ms. Wettlaufer?

22 **MS. ROBIN WETTLAUFER:** I have reviewed both
23 summaries and I adopt them.

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

25 Mr. Macdonald?

26 **MR. RYAN MACDONALD:** Yes, I've also reviewed
27 and I'm prepared to adopt those.

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

1 And Mr. Macdonald, just for clarity's sake,
2 in WIT109, which is the interview summary, the interviewees
3 are listed, as we'll see at the top, as a CSE representative.
4 Can you confirm that you are the CSE representative referred
5 to in that summary?

6 **MR. RYAN MACDONALD:** Yes, that's correct.

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

8 And now I'll ask CSIS Representative No. 1.

9 **CSIS REPRESENTATIVE NO. 1:** I have reviewed
10 both summaries and I'm comfortable with that.

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

12 And CSIS Rep No. 2?

13 **CSIS REPRESENTATIVE NO. 2:** This is CSIS
14 Representative No. 2. I have reviewed both summaries and I'm
15 comfortable adopting them.

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

17 By way of brief introduction, Mr. O'Hayon, I
18 understand that you are the RCMP representative on the SITE
19 Task Force and you have held that position since March of
20 2023. Beyond your role on SITE, you serve as the RCMP's
21 Director-General Federal Policing, Security Intelligence
22 within the Federal Policing and International Policing. Is
23 that right?

24 **MR. GREGORY O'HAYON:** Correct.

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

26 And Ms. Wettlaufer, I understand that you
27 were the GAC representative on the SITE Task Force from
28 September of 2022 until quite recently in August of 2024.

1 **MS. ROBIN WETTLAUFER:** That's correct.

2 **MS. ERIN DANN:** And you also serve as the
3 Director of the Centre for International Digital Policy,
4 which houses the Rapid Response Mechanism Canada, RRM Canada,
5 and RRM Canada, we understand, is the Chair of the G7 RRM and
6 serves as its permanent secretariat.

7 **MS. ROBIN WETTLAUFER:** Correct.

8 **MS. ERIN DANN:** Mr. Macdonald, you were the
9 CSE representative on the SITE Task Force from May of 2022
10 until May of 2024 and your role during that time was Director
11 within an operational branch at CSE. Is that right?

12 **MR. RYAN MACDONALD:** Correct.

13 **MS. ERIN DANN:** CSIS Rep No. 1, I understand
14 you're the current CSIS representative on the SITE Task Force
15 as well as the Chair of the SITE Task Force, and that you
16 have been in that position since August of 2023. You
17 currently serve as Deputy-General of CSIS's Policy and
18 Strategic Partnerships Branch. Is that right?

19 **CSIS REPRESENTATIVE NO. 1:** That's correct.

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

21 And finally, CSIS Representative No. 2, I
22 understand that you were the CSIS representative and Chair of
23 the SITE Task Force from November of 2022 to August of 2023
24 and, during that time, you held various portfolios or you had
25 responsibilities in various portfolios in CSIS's Intelligence
26 Assessment Branch. Is that right?

27 **CSIS REPRESENTATIVE NO. 2:** Yes, that's
28 accurate.

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

2 We've heard a lot of evidence thus far at the
3 Commission and in your interview and examination summaries
4 you provided a lot of information about the threat landscape
5 and how it relates to foreign interference. I want to begin
6 our examination today by highlighting several key points in
7 SITE's Threat Assessment of Foreign Interference dated
8 February 2024.

9 Court Operator, that's CAN37690.

10 **--- EXHIBIT No. CAN037690 0001:**

11 SITE Threat Assessment of Foreign
12 Interference Threats to Canadian
13 Democratic Institutions - 2024

14 **MS. ERIN DANN:** And if we could go to page 2.
15 CSIS Rep No. 1, perhaps I'll just ask begin
16 by asking if you can describe what this product is, how it
17 was -- and how it was produced.

18 **CSIS REPRESENTATIVE NO. 1:** Thank you very
19 much. We just have a technical issue. We don't see
20 documents from our end. We can't actually see ---

21 **MS. ERIN DANN:** Ah.

22 **CSIS REPRESENTATIVE NO. 1:** With tech support
23 we have on site, we could fix it up.

24 **MS. ERIN DANN:** All right. Commissioner, I
25 wonder if we could just take a brief ---

26 **COMMISSIONER HOGUE:** Yeah ---

27 **MS. ERIN DANN:** --- pause to address that
28 technical issue, so the witnesses can see the ---

1 **COMMISSIONER HOGUE:** Yes, and the sound is
2 not very good either, so maybe you can ask someone to take a
3 look at the sound? It's a bit difficult to hear.

4 **MS. ERIN DANN:** All right. We'll
5 investigate.

6 **CSIS REPRESENTATIVE NO. 1:** Thank you very
7 much.

8 **THE REGISTRAR:** Order, please. This sitting
9 of the Commission is now in recess until 2:00 p.m.

10 --- Upon recessing at 1:51 p.m.

11 --- Upon resuming at 2:01 p.m.

12 **THE REGISTRAR:** Order please.

13 This sitting of the Foreign Interference
14 Commission is now back in session.

15 The time is 2:01 p.m.

16 **COMMISSIONER HOGUE:** So sorry for the
17 interruption, but we are quite good, because it's the first
18 time we had a technical issue, I think.

19 **--- EXAMINATION IN-CHIEF BY MS. ERIN DANN, (CONT'D):**

20 **MS. ERIN DANN:** Thank you, Commissioner. And
21 perhaps we'll see if we've ironed out those problems.

22 Court Operator, could I ask you to pull up
23 37690 and go to page 2, please?

24 And could I ask CSIS SITE Rep number 1, can
25 you confirm whether you can now see the document?

26 **CSIS REPRESENTATIVE NO. 1:** [No
27 interpretation]

28 **MS. ERIN DANN:** Excellent. Thank you very

1 much. And I should note on that point, I will be asking my
2 questions in English today, but please respond -- for all of
3 the witnesses, please respond in the language of your
4 choosing.

5 And I note on that point we have a number of
6 interpretation going today, and so if we can all try to
7 remember to speak slowly, we'll do a service to our
8 interpreters.

9 CSIS Rep Number 1, I'd ask you to describe
10 what this product is and how it was produced?

11 **CSIS REPRESENTATIVE NO. 1:** Thank you.

12 This product is an update of the threat in
13 terms of the electoral interference in 2024. This is the
14 collective effort of all the agents working on the file and
15 those are the three agents also in person here.

16 **MS. ERIN DANN:** Thank you. And Ms.
17 Wettlaufer, just to confirm, or to clarify, RRM Canada's
18 contribution to this threat assessment would be drawn from
19 what RRM learns from its international partners or RRM
20 Canada's work monitoring foreign online environments, as
21 opposed to the domestic environment? Is that right?

22 **MS. ROBIN WETTLAUFER:** Yes, that's right.

23 **MS. ERIN DANN:** And that's because, and this
24 is a topic we'll return to later, but RRM Canada does not do
25 baseline monitoring of the domestic online environment,
26 except during general elections and since 2023, by-elections?

27 **MS. ROBIN WETTLAUFER:** That's right.

28 **MS. ERIN DANN:** CSIS Rep Number 1 or Number

1 2, is there a regular schedule for producing these threat
2 updates?

3 **CSIS REPRESENTATIVE NO. 1:** I am the
4 Representative Number 1.

5 To respond to your question, we don't have a
6 pre-established schedule to update broader threat assessments
7 as the one we have in front of us. However, this one was
8 produced in the context of by-elections, so the cadence would
9 be anytime between, like, I would say, every six months, six
10 to nine months would be prudent for SITE to make sure we do
11 prepare a product as the one we have in front of us.

12 **MS. ERIN DANN:** How broadly are these types
13 of updates disseminated? Who is the intended audience?

14 **CSIS REPRESENTATIVE NO. 1:** I'll let CSIS Rep
15 Number 2 comment on the dissemination aspect.

16 **CSIS REPRESENTATIVE NO. 2:** So from my time
17 as the Chair of the SITE Task Force, we disseminated the
18 initial product like this, which we had developed from kind
19 of the end of the last general election until March of 2023.
20 And that dissemination list was, generally speaking, the
21 departments that formed SITE, as well as Director Generals
22 and ADMs who were involved in the Election Security
23 Coordination Committee, and a DM CIR representative.

24 **MS. ERIN DANN:** That's helpful. Thank you.
25 I'll start by reviewing, just briefly, the threat actors who
26 are identified in this threat update.

27 Court Operator, could you go to page 3,
28 please? Paragraph 10. I apologize, page 7 of this document.

1 CSIS Rep Number 1, in the in-camera hearing
2 summary, you describe PRC as the most active state actor
3 engaging in traditional election interference. What do you
4 mean by "traditional election interference"?

5 **CSIS REPRESENTATIVE NO. 1:** Thank you for the
6 question. Absolutely.

7 [No interpretation] and Pakistan, for
8 instance, could be the same.

9 **MS. ERIN DANN:** Thank you. And I understand
10 you also mentioned in your in-camera summary, in addition to
11 --or in terms of the networks that may be relied upon, that
12 the PRC relies on networks of embassies, consulates, members
13 of diaspora communities, and others in terms of coordinating
14 or engaging in foreign interference activities. Is that
15 right?

16 **CSIS REPRESENTATIVE NO. 1:** Yes, absolutely
17 right. So it is in that specific context, which we see some
18 networks being built out of those community networks, but
19 also with the complicity of the officials of embassies and
20 consulates, and as well, to some extent, the deputies of
21 intelligence services.

22 **MS. ERIN DANN:** Thank you. In the page
23 that's before us, we see in the text box summaries,
24 descriptions of examples of PRC foreign interference
25 activities in municipal and provincial democratic processes.
26 What can you tell us about any trends SITE has observed
27 relating to PRC intention and capabilities in respect of sub-
28 national governments or electoral processes?

1 **CSIS REPRESENTATIVE NO. 1:** Yeah, this is
2 something important for SITE to actually think through when
3 we do threat updates. Despite the fact that the SITE Task
4 Force is mandated to actually monitor electoral interference
5 as it relates to the federal general elections and by-
6 elections, to have an informed vision of the threat we are
7 taking into consideration foreign interference that actually
8 applies to sub-national entities. And this is something that
9 SITE is aware of, that foreign interference is obviously not
10 only limited to the federal institutions and processes. It
11 also is known to us that we do have threats that are located
12 at provincial, municipal, and also Indigenous community
13 levels. So for us, SITE will actually take that into
14 informing the government of the trends we see and where
15 resources should be moved.

16 **MS. ERIN DANN:** Court Operator, could you
17 scroll to the next page?

18 At paragraph 18 we see a reference to India.
19 CSIS Site Rep No. 1, and I promise I will ask
20 others questions, but you mentioned in your previous
21 testimony that certain threat actors, in addition to the PRC,
22 engage in using sort of the traditional foreign interference
23 techniques and methods. Is it fair to say that India is a
24 threat actor who also engages in attempts to covertly
25 influence Canadian officials, again based on using Canada-
26 based proxies and engaging in covert funding of candidates?

27 **CSIS REPRESENTATIVE NO. 1:** This is correct.
28 Obviously from a SITE standpoint, India is the second most

1 active state actor engaging in electoral FI. And we've seen,
2 obviously, foreign interference from India located at a
3 community level, as we described earlier, the regime proxies,
4 and intending to influence at different level when it comes
5 obviously to the nomination of the political party members,
6 but also, when it comes to impact or kind of impact on
7 decisions that will be made at the parliament on statements
8 that actually would impact the Government of India, for
9 instance. So we are actively monitoring foreign interference
10 that actually emanates from India.

11 **MS. ERIN DANN:** If we scroll to the next
12 page, Court Operator, at paragraph -- it doesn't have a
13 paragraph, so we'll just scroll up just a little bit.
14 There's -- Mr. Macdonald, I'll direct this question to you,
15 there's one line unredacted in the middle text there that
16 "India continues to develop its cyber capabilities." Can you
17 address at all what SITE has observed in relation to India's
18 cyber capabilities and foreign interference?

19 **MR. RYAN MACDONALD:** Which I can't -- yeah,
20 sure I can't add much more than what's there and what we have
21 in the summary for India, but we definitely see that they're
22 a country that is investing more in advancing their cyber
23 capabilities.

24 **MS. ERIN DANN:** If we scroll to the next
25 page, we see a reference to Russia at the bottom of page 10.
26 CSIS Rep No. 1, turning back to you for a moment, in the in-
27 camera hearing summary, you describe or said that Russia does
28 not work within the system, and instead, works against it

1 with the aim to break it. Can you expand on what you meant
2 by this and how SITE has observed Russia engaging in foreign
3 interference activities?

4 **CSIS REPRESENTATIVE NO. 1:** Thank you. And
5 this is quite important as a inane difference from a tactics
6 standpoint. So as we spoke already about the foreign
7 interference that actually would come from China, pretty much
8 driven into what we describe as the old tactic, despite the
9 fact that we can also speak to current new trends we see, for
10 instance, the formalization of FI from China, which she
11 offers. Russia has never worked within such capability and
12 is not relying on diaspora communities or proxy network to
13 actually support their strategy. Instead, their approach to
14 foreign interference is to discredit, it's to actually put a
15 question on democracy. It's to use disinformation and modern
16 information techniques to discredit democracies and also our
17 mechanism and our institutions. We haven't seen the
18 traditional methods that apply -- would apply to electoral
19 interference for Russia.

20 **MS. ERIN DANN:** Ms. Wettlaufer, is there
21 anything you can add from -- based on RM Canada's
22 observations of Russia and, for example, misinformation or
23 disinformation or influence online, influence campaigns in
24 the international online space?

25 **MS. ROBIN WETTLAUFER:** What I would say is
26 Russia has demonstrated a clear commitment to interfere with
27 elections elsewhere, as well as to undermine that social
28 fibre element of western societies and western and democratic

1 societies.

2 **CSIS REPRESENTATIVE NO. 1:** If I may add with
3 what was just said, there are also situations that we are
4 following closely internationally, elections in Europe,
5 especially in France, Slovakia, who are moderate countries.
6 And this -- we have been very vigilant of such efforts to
7 what Russia could try to implement in Canada on our next
8 federal election.

9 **MS. ERIN DANN:** That's helpful. Thank you.
10 I want to turn now to looking at some specific methodologies
11 and tools that are addressed in this threat update. We go to
12 page 3 of this document. If you scroll down to paragraph 5,
13 we see methodologies and tools. Under paragraph 6, there's a
14 reference to political party nomination processes. I'll
15 address this to the panel. Why does SITE assess nomination
16 processes as a potential vector for foreign interference or
17 as vulnerable to foreign interference?

18 **CSIS REPRESENTATIVE NO. 1:** Number 1
19 Representative. I can comment on this question.

20 We really need to think of vulnerability in
21 terms of designation of candidates to political Parties who
22 will be running in federal ridings, so these are very
23 pragmatic efforts which are also not based on political
24 Parties. They are just using -- during the process of
25 appointment or nomination, and it can translate into
26 financial contributions done without the knowledge of the
27 people concerned, all this to help certain candidates who
28 support the strategic agenda of hostile countries or even to

1 discredit candidates who could harm their strategic
2 interests.

3 **MS. ERIN DANN:** Thank you. Does SITE have a
4 view as to whether those concerns or vulnerabilities exist in
5 respect of Party leadership contests?

6 **CSIS REPRESENTATIVE NO. 1:** I think it speaks
7 to the importance for SITE to communicate and educate more
8 and more on those threats that we're discussing with
9 Canadians today. So, for instance, when we speak about the
10 nomination processes, this is not an area within which we
11 have any control from a legal standpoint. So our duty at
12 SITE is to inform political parties of those vulnerabilities.
13 From there, they can actually determine what's the best steps
14 to take.

15 **MS. ERIN DANN:** Thank you very much. Can we
16 go to page 5? The top of the page we see the heading "Cyber
17 Threat Activity". At paragraph 12, the report indicates that
18 there is no evidence that state actors pose a specific cyber
19 threat to Canadian electoral infrastructure. Do I have that
20 right, Mr. Macdonald?

21 **MR. RYAN MACDONALD:** We have not seen that in
22 the past. Correct.

23 **MS. ERIN DANN:** And as technology becomes
24 more prominent in future elections, potentially in places
25 where it has already become more prominent in, you know,
26 municipal and other types of elections, that could result in
27 further opportunities for cyber threat activity, but not
28 something you've observed thus far; is that a fair summary?

1 **MR. RYAN MACDONALD:** That's fair to say. I
2 mean, the use of technology will change the threat surface
3 that will exist, so if we increase the amount of technology
4 that's being used in future elections, it may provide other
5 avenues for foreign interference to occur. I would note it's
6 one of the reasons why we work very closely with Elections
7 Canada as they consider those technology changes, to ensure
8 that there's a balance of the right cyber defence mechanisms
9 if they do go in that direction.

10 **MS. ERIN DANN:** And in terms of other sort of
11 malicious cyber-based activity, we see reference in paragraph
12 12 and 13 to -- excuse me -- to cyber espionage,
13 disinformation and deep fake. So I just want to ask about
14 each sort of, of those categories. Starting with cyber
15 espionage, at paragraph 13 the report speaks of email
16 operations targeting parliamentarians, Ministers, Government
17 of Canada employees. And the Commission has heard some
18 evidence about one such incident that targeted
19 parliamentarians who were part of IPAC. At paragraph 13,
20 there's a comment that SITE cannot discount the possibility
21 that similar tactics could be used during an election cycle.
22 Mr. Macdonald, can you help us understand how these sort of
23 cyber espionage techniques might be leveraged to engage in
24 foreign interference during an election?

25 **MR RYAN MACDONALD:** Absolutely, sure. So
26 just -- I mean, just to reiterate the point, as obviously the
27 Commission has heard, Canada and certainly member of
28 Parliament and government officials are regularly targets of

1 in particular cyber espionage. Generally, that's actors
2 looking to acquire sensitive information that they can use
3 for a variety of purposes. In the case of how that might
4 apply in an election cycle, then understanding what might be
5 sensitive information, what might be information that is not
6 public, it may include candidate plans and intentions, Party
7 processes and strategies in terms of how they are to approach
8 an election, state actors and others acquiring that
9 information may use that to inform other foreign -- or
10 interference activities they would undertake. There's also
11 been examples where, through espionage, we've seen in other
12 electoral processes, they'll often refer to as the hack-and-
13 leak operation where they'll find something that is
14 embarrassing or perhaps that individuals wouldn't have wanted
15 to become public, and then they will disclose that after
16 having gained access to that information.

17 **MS. ERIN DANN:** And if we move up, Mr. Court
18 Operator, to page 4 -- we see -- oh, just at the bottom of
19 that page "conducting information operations". At paragraph
20 11 the report states that:

21 "SITE assesses that influence
22 campaigns that leverage generative-AI
23 have the potential to be highly
24 effective and can be a major tool of
25 F[oreign] I[nterference] in upcoming
26 elections..."

27 And that's just at the bottom of paragraph
28 11. Perhaps I'll start with you, Mr. MacDonald, but I'll let

1 others on the panel address this as well. Can you explain
2 how and why SITE has made this assessment and the impact of
3 the advancements, ongoing advancements in generative AI?

4 **MR. RYAN MACDONALD:** Absolutely, and it'd be
5 important to note that this is one of the sections, certainly
6 in the amount of detail being provided that was newer from
7 what we had observed in both General Election 43 and 44, or
8 that the past panels had observed.

9 As captured there, technological
10 advancements, and in particular in and around AI, has made it
11 possible for what we refer to as synthetic content, to be
12 more rapidly and effectively created. This is something I
13 would note, and part of the information sources of what fed
14 into this further assessment we did through the SITE task
15 force, was a product produced by our Canadian Centre for
16 Cyber Security. I know the Commission has a copy of that,
17 "Cyber Threats to Canada's Democratic Process", there's a lot
18 more detail there.

19 But in short, what it highlights is that
20 there's been an increased use of generative AI because of
21 those technology advancements, and as a result of that we're
22 seeing more media, video clips and audio clips that are
23 either fake or altered. And if done well, we'll often hear
24 these referred to as deepfakes, and that makes it very
25 difficult for the average person to ascertain what is
26 truthful, what is in fact a fake, or has been altered.

27 This section of the assessment in particular,
28 I think, speaks to why, as both the CSIS representatives

1 mentioned, it's important for us as a task force to stay
2 connected and to continue to update the assessment, because
3 we want to make sure that as we're thinking through what
4 threats we might face in future general elections, they're
5 informed not only by what we've seen in the past Canadian
6 elections, but what trends we're seeing happening around the
7 world as well.

8 **MS. ERIN DANN:** Ms. Wettlaufer, you testified
9 at the *in camera* hearing about how the advancements in
10 generative AI have, as Mr. Macdonald just referred to, sort
11 of lowered the barrier for entry for information manipulation
12 and led to proliferation of threat actors. What impact has
13 that and the perhaps associated proliferation of social media
14 platforms and online platforms -- what impact has that had on
15 RRM Canada's work and contributions to the SITE task force?

16 **MS. ROBIN WETTLAUFER:** What I would say is it
17 has made the work of RRM Canada more challenging. There are
18 more actors to watch. There are more social media platforms
19 to watch. But I have to say, one of the benefits of having
20 the SITE construct is that we're not in it alone and that we
21 are able to work through some of these problems together, and
22 also able to puzzle through new technologies we see emerge.

23 And you know, if we don't have the expertise,
24 we can turn to our colleagues at CSIS, CSE, or RCMP, and kind
25 of puzzle through, what sense can you make of this? What can
26 we do about it? How can we better detect this?

27 **MS. ERIN DANN:** You mentioned the cooperation
28 with the other SITE agencies. Is there any cooperation or

1 coordination with civil society groups who are engaged in
2 monitoring the online environment?

3 **MS. ROBIN WETTLAUFER:** Sure, sure. There's a
4 handful of organizations both in Canada and elsewhere that we
5 engage with regularly. Ones at the top of mind is
6 DisinfoWatch, we engage regularly with the Atlantic Council
7 in D.C. and their DFR, their Digital Forensic -- I forget
8 what the R stands for -- the digital forensic lab of the
9 Atlantic Council, as well as Doublethink Lab in Taiwan.

10 **MS. ERIN DANN:** And Mr. Macdonald, you
11 mentioned the cyber centre's publication on cyber -- I
12 believe the one you're referring to is "Cyber Threats to
13 Democratic Processes" report?

14 **MR. RYAN MACDONALD:** Yes.

15 **MS. ERIN DANN:** And perhaps just for
16 everyone's benefit, Court Operator, could you pull up Can
17 598? This is a report that we have seen when your colleagues
18 from CSE testified. I'm not sure if it ---

19 **COURT OPERATOR:** Was that CAN 598 or COM 518?

20 **MS. ERIN DANN:** Thank you, Mr. Court
21 Operator. It is COM 598, you're right. And if you could go
22 to PDF page 18?

23 **--- EXHIBIT No. COM0000598.EN:**

24 Cyber threats to Canada's democratic
25 process 2023 Update

26 **MS. ERIN DANN:** And I just note at the very
27 last paragraph on that page -- actually, we can just scroll
28 up a bit higher. Thank you. We see here that the cyber

1 centre report -- and this is a public report, assessed that
2 it was very likely that the capacity to generate deepfakes
3 exceeds our ability to detect them, and further assess that
4 as SITE did that deepfakes could well play a role in future
5 electoral processes.

6 Mr. Macdonald, or others on the panel, can
7 you speak to the tools SITE -- the SITE task force has
8 together or as its member agencies, in how to detect this
9 type of deepfake, how to respond to the threats posed by
10 generative AI and deepfakes in the context of your work on
11 the SITE task force?

12 **MR. RYAN MACDONALD:** I can begin and have
13 others contribute. I think one think I would just note, that
14 when it comes to this subject it is a challenging space and
15 one that I would say I think none of us would put ourselves
16 into that space alone. It's something that many people are
17 looking at. Obviously, there's roles for many people to play
18 in this function.

19 So we have a role within the security
20 intelligence community, and as members of the SITE task
21 force, but media -- there's lots of research institutions,
22 obviously just in general, the public and the resiliency in
23 terms of trying to identify and perhaps be more inquisitive
24 about information that they're seeing online, will all help
25 to combat what is a growing space.

26 In terms of work that's going on, I would say
27 all of us have methods within the tools of being members of
28 the SITE task force to try and identify and detect, you know,

1 both disinformation and certainly disinformation that is now
2 using generative AI. In our case, from CSE's perspective,
3 obviously as through our mandate of foreign signals
4 intelligence, if we have the ability to acquire information
5 about foreign states generating this type of content or
6 disseminating this type of content, we will obviously make
7 that not only available to the SITE task force, but others as
8 required.

9 And it's also something that we work very
10 closely with other partners internationally in terms of how
11 they are approaching this situation and exchanging
12 information both in terms of the capabilities and what they
13 are seeing online as well.

14 Maybe I'll offer to others?

15 **CSIS REPRESENTATIVE NO. 1:** I can actually --
16 thanks, Mr. Macdonald.

17 From a sort of a concrete standpoint, so the
18 SITE task force is actively preparing for such threats to
19 shape up in bringing a pool of experts together and getting
20 them to exercise out of the tabletop examples, and are
21 unpacking what it means, you know, in terms of what we have
22 within our own agencies that actually -- can actually support
23 further analysis and assessment of such threats, and then how
24 can we actually best inform the government, and what we can
25 do about that when it's in front of us.

26 **MS. ERIN DANN:** Just to clarify, is that CSIS
27 Rep number 1?

28 **CSIS REPRESENTATIVE NO. 1:** It was CSIS Rep

1 number 1.

2 **MS. ERIN DANN:** Thank you very much.

3 And when you refer to tabletop exercises,
4 these would be -- am I understanding correctly that these
5 would be scenarios that the task force might consider in
6 order to practice or anticipate what might occur if
7 disinformation campaigns, generative AI resulting in
8 deepfakes, were to occur during an election period? These
9 are sort of exercises or practice scenarios. Is that right?

10 **CSIS REPRESENTATIVE NO. 1:** It is exactly
11 what this is. This is inspired by actual cases that the
12 separate agencies have been documenting and working on. And
13 so out of each agency from the SITE construct examples are
14 brought to the table, so they can be unpacked all together.

15 **MS. ERIN DANN:** Excuse me. Just before
16 moving away from this topic, Mr. Macdonald, you mentioned
17 that attributions or identifying who is responsible for
18 deepfakes is -- and disinformation campaigns, is one tool in
19 the toolkit in order to respond to these threats. But it's
20 not always necessary that there may be a value in identifying
21 inauthentic behaviour even where there can't be attribution.
22 Can you explain the value in that and why that can be
23 important?

24 **MR. RYAN MACDONALD:** Yeah. So I mean, I
25 guess first of all just to say for sure, attribution can be
26 useful, but it is difficult. This report in particular
27 points out, I believe the specific reference is in 2022 of
28 the cyber activity we had noted occurring in and around

1 election security, 85 percent of that was unattributed. So
2 for sure it's a difficult space. Again, we do have methods
3 by which we can go and try to identify that attribution, but
4 I think to your question, attribution isn't a dependency for
5 us to take action. Certainly, as I think you heard from the
6 CSE panel, should it be a cyber incident that's occurring,
7 the first action will be to actually defend and address that
8 incident, and that can all be done without attribution. If
9 it's online activity that is proven to be inaccurate, you
10 know, regardless of the attribution of that, there can be
11 means that can be taken to deter that activity as well.

12 **MS. ERIN DANN:** Ms. Wettlaufer, anything on
13 your end to add to that?

14 **MS. ROBIN WETTLAUFER:** I don't think so.

15 **MS. ERIN DANN:** Okay. Mr. O'Hayon, you
16 highlighted the blurred -- the sometimes-blurred line in the
17 cyber realm between ordinary criminal and foreign state
18 sponsored malicious activity. Can you help us understand
19 what you mean by that and what the RCMP is observing in that
20 area?

21 **MR. GREGORY O'HAYON:** So I think this is in
22 line with your question about attribution. So the tools,
23 techniques, methodologies that are available to carry out
24 certain acts online are available to everybody. And that's
25 what it -- that's what we mean by the bar being lowered. You
26 don't necessarily have to understand the ones and zeros or
27 the hardware in order to carry out this kind of activity.

28 And I think it speaks to what my counterpart

1 from GAC has spoken about, the increasing number of
2 platforms, the increasing number of data points that we have
3 to look at. And I think that's where, from an RCMP
4 perspective, we can bring the this is what we are seeing in
5 the criminal space. And I think if you are an ill-
6 intentioned actor, you often want to mask who you are and
7 where you're coming from. So in the online space, one way to
8 do that is to mask yourself as somebody that is profit
9 motivated, when in the background, maybe your motivation is
10 more political, or related to the subject matter at hand.

11 **MS. ERIN DANN:** In the 2021 After Action
12 Report following GE44, one of the lessons learned identified
13 in that report was an acknowledgement that foreign
14 interference and threats in the online space are complex and
15 challenging. Is it fair to say that that space remains a
16 challenging and complex area today?

17 **MR. RYAN MACDONALD:** I think that's fair.

18 **MS. ROBIN WETTLAUFER:** Yes.

19 **MS. ERIN DANN:** All right. And in your
20 interview and in-camera examinations, a number of the
21 panelists noted the lack of monitoring of the domestic online
22 information environment. Can I confirm that none of the SITE
23 Task Force member agencies have a mandate to monitor the
24 online domestic environment outside of election periods?

25 I just need someone to give a verbal yes so
26 we can ---

27 **MS. ROBIN WETTLAUFER:** That is correct.

28 **MS. ERIN DANN:** Thank you. And as a result

1 of that, or one result of that is that there is no sort of
2 baseline knowledge or baseline assessment of the domestic
3 online space, which can make it more difficult to detect
4 abnormal or unusual activity in the periods when you are
5 monitoring that space. Is that a fair summary?

6 **MS. ROBIN WETTLAUFER:** That is also correct.
7 Like, what I would say is when we're monitoring the
8 information environment and country or region X, Y, or Z,
9 monitoring on an ongoing basis provides us a good picture of
10 what constitutes normal behaviour. And so when something
11 happens that is not normal in that particular information
12 ecosystem, we're able to say, "This may be an indicator of
13 inauthentic behaviour." So not having that ongoing baseline
14 is obviously not optimal.

15 **MS. ERIN DANN:** CSIS Rep Number 1, you
16 expressed in the in-camera hearing summary that having a
17 specific agency tasked with monitoring the domestic online
18 space would help better position SITE for the future. Do you
19 have any view on who should play that role?

20 **CSIS REPRESENTATIVE NO. 1:** Thank for the
21 question. Obviously I'll leave it to the decision makers at
22 the Deputy Minister level to determine what's the optimal
23 posture or best department to actually accomplish this
24 important duty.

25 I would just add an interesting comment as an
26 example of the relevance of that. In the context of the SITE
27 Task Force monitoring of the by-elections, we have gone
28 through incidents that have been reported and from a SITE

1 monitoring capability, to the Government of Canada. So we do
2 have certain examples of actually what we could see if we get
3 to that point.

4 But to your questions...

5 [No interpretation] identify any department
6 who should be in charge of doing this task.

7 **MS. ERIN DANN:** And Ms. Wettlaufer, I know
8 you also deferred the question of what department or agency
9 could fill this role to that's a question at the Deputy
10 Minister level, and we'll no doubt have an ability to ask
11 those Deputy Ministers, but you indicated that you had --
12 concerns about RRM Canada playing a role had been conveyed.
13 What can you explain what are the concerns with RRM Canada
14 taking on a permanent role in monitoring domestic online
15 space?

16 **MS. ROBIN WETTLAUFER:** Sure. So I'd say
17 there's two primary concerns I have. One is opportunity
18 cost. You know, the world is vast. There is a lot taking
19 place in the global information domain and if we are
20 monitoring the domestic environment, we are no longer able to
21 do what we do on a -- you know, regarding the global context.

22 Second of all, what I would say is it's
23 pretty unusual for a foreign ministry to be undertaking this
24 work. In the G7, we are the only foreign ministry
25 responsible for domestic monitoring during elections, for
26 instance. Most of our counterparts have a separate part of
27 their government, it's structured a little bit different
28 everywhere, but have a separate entity from their government

1 that does the domestic monitoring. Often there's also a
2 global monitoring body often within the foreign ministry.

3 **MS. ERIN DANN:** Mr. O'Hayon, you -- I
4 understood your evidence at the in-camera hearing to be that
5 the question of who does this work is complicated, and you
6 noted that the agency or department has to have the right
7 mandate, the right authorities, and the right subject matter
8 experts. Is that a fair summary of your evidence on this
9 point and do you have any additional or further thoughts that
10 you wish to share?

11 **MR. GREGORY O'HAYON:** No. I stand by what I
12 said. I think I would agree with what my counterpart from
13 GAC has said. It does put them in a difficult position as a
14 foreign ministry to be looking at the domestic. And there is
15 an opportunity cost.

16 And I think in order to do this properly, you
17 need the right linguistic, cultural understanding for what it
18 is that you're actually looking at so that you're not -- it
19 doesn't -- you don't go down rabbit holes or conflate
20 something that is normal with a potential threat.

21 So I think it would take quite a bit of a
22 heavy lift to replicate what the RRM is and whether my agency
23 or someone else's, not to mention things like authorities and
24 mandates and things like that. But it would require, I would
25 say, a pretty heavy lift.

26 And knowing what some of our allied countries
27 are doing, for instance in France, I know that they have a
28 team of 60 or 70 people that are doing this.

1 So it is, you know, again, echoing what was
2 said before, the environment that you're looking at is broad
3 and you need to look at it consistently, because you need the
4 baseline, and in order to detect when the anomalies happen.
5 But you also need that linguistic and cultural understanding
6 as well.

7 **MS. ERIN DANN:** I want to turn now to the
8 SITE processes during the by-election. So this is something
9 of a change since your colleagues who were members of SITE
10 during GE43 and GE44. In May of 2023, there was an
11 announcement that SITE would provide enhanced monitoring and
12 assessments of foreign interference threats with respect to
13 by-elections, that four by-elections that were to be held in
14 -- and were held in June of 2023.

15 Could I ask, Court Operator, that you pull up
16 CAN31449?

17 **--- EXHIBIT No. CAN031449 0001:**

18 Security and Intelligence Threats
19 Task Force and the 19 June 2023
20 Federal By-Elections

21 **MS. ERIN DANN:** CSIS Representative No. 2, I
22 realize this is not a document that you prepared, but it
23 appears to set out how the SITE Task Force was expected to
24 put its efforts into practice in monitoring the by-elections.

25 Does this document reflect what actually
26 happened in terms of the scope of your work and can you
27 provide for us the description of what -- the scope of SITE's
28 work during its monitoring of those by-elections, the June

1 2023 by-elections?

2 **CSIS REPRESENTATIVE NO. 2:** Of course.

3 So this is CSIS Representative No. 2.

4 This was a document that was prepared by PCO
5 and did outline the expectation for the SITE Task Force in
6 terms of the work to monitor the by-election. Really, what
7 it establishes is that SITE would meet on a weekly basis and
8 produce daily situation reports to identify any foreign
9 interference that came to our attention through our
10 monitoring efforts.

11 The SITE Task Force did meet weekly and we
12 also connected daily through emails or phone calls in order
13 to pull together that daily content for the situational
14 reports.

15 We reported up through the Director-General
16 Elections Security Coordination Committee and the Assistant
17 Deputy Minister Elections Security Coordination Committee.
18 And given that these were by-elections and the caretaker
19 convention was not in place, the Panel of Five at the time
20 was not meeting. And so we would be reporting into the
21 Deputy Minister's Committee on Intelligence Response, and
22 this was because the Ministers maintained their regular
23 accountabilities and responsibilities.

24 So if anything came to our attention and DM
25 CIR's attention and needed to be further acted on or
26 communicated to the public, that would likely have gone up
27 through to the Minister responsible for that department.

28 So in addition to that reporting, we also

1 published a classified after-action report and, for the first
2 time, issued an unclassified public after-action report
3 relating to observations of SITE during the by-election.

4 **MS. ERIN DANN:** In terms of the daily sitreps
5 that you spoke about, I understand there was some back and
6 forth, but ultimately a decision not to disseminate those to
7 Ministers' offices. Do I understand, though, that Ministers
8 might become aware if there was anything in those sitreps
9 that needed to be addressed by a Minister's office that they
10 would eventually land there by some other means?

11 Can you describe how that occurred?

12 **CSIS REPRESENTATIVE NO. 2:** Of course.

13 So it was PCO's decision for the
14 dissemination list for our situational reports and,
15 ultimately, DM CIR determined that the reports should not be
16 provided to the Ministers' offices. However, should DM CIR
17 have been aware of something that they felt needed to be
18 addressed by Ministers, they'd have brought it to their
19 Minister's attention.

20 And separately, I would add that from a SITE
21 perspective or CSIS perspective, actually, all of our regular
22 reporting and I believe similarly to the other SITE
23 departments, that reporting was going out and being
24 disseminated through our regular reports as well. The SITE
25 sitreps were really just a mechanism to keep all of that
26 information about the by-elections in one place so if there
27 was a need, for example, for CSIS information to go out to
28 the Minister, it would be disseminated out and up to the

1 Minister as our normal reporting chain.

2 **MS. ERIN DANN:** I understand that producing
3 those sitreps on a daily basis was quite time consuming.
4 Even where there was sort of nil reports, nothing to report,
5 that CSIS Rep No. 2, nevertheless, nearly 100 percent of your
6 time was devoted to SITE TF related activities during this
7 period when SITE was stood up for the June 2023 by-elections.
8 Is that right?

9 **CSIS REPRESENTATIVE NO. 2:** Yes. So in
10 addition to ensuring I was reaching out to the CSIS
11 operational branches to collect any information that may have
12 come to our department's attention as well as reaching out to
13 the SITE Task Force other departments, the other
14 representatives to receive their contributions, I was also
15 preparing briefing products for the various committees that I
16 was briefing on the work of SITE and working towards those
17 after-action reports as well to identify everything.

18 So it was quite an intensive process during
19 that first by-election.

20 **MS. ERIN DANN:** We saw in the summaries that
21 the actor -- that the by-elections in 2023 when SITE was
22 later stood up in for a by-election in July of 2023 and again
23 for by-elections in 2024 that the sitreps are now distributed
24 on a weekly basis as opposed to a daily basis. Is that
25 right?

26 **CSIS REPRESENTATIVE NO. 2:** So I can add that
27 following the first by-election in June, the SITE Task Force
28 recommendation was that if there is nothing to report, those

1 sitreps could be disseminated on a weekly basis. And for
2 that July by-election that followed very closely behind, that
3 recommendation was taken and so, from then on, the sitreps
4 were issued on a weekly basis unless there was something
5 significant to report.

6 **MS. ERIN DANN:** Perhaps I'll turn to CSIS Rep
7 No. 1.

8 Have there been any other changes in terms of
9 the mechanisms or the efforts put forth by SITE in terms of
10 its monitoring of by-elections since you've become Chair of
11 the SITE Task Force?

12 **CSIS REPRESENTATIVE NO. 1:** One of the main
13 changes that actually occurred was the way this dissemination
14 was organized. So the change was, I think, somewhere
15 throughout 2024. We moved to a platform that actually
16 permits to track the readership of the SITE updates. It's
17 not only for the SITE updates, but all SITE related products
18 are now distributed over that platform.

19 Other developments actually occurred over the
20 year -- I would say starting January 2024 was requirement, as
21 stated, for preparing the Panel of Five.

22 So back in January, we had a first request to
23 make sure that we actually read the Panel of Five the stated
24 sitrep, and we would do that on a regular basis. So we've
25 been doing so over the, I would say, cadence of the month or
26 six weeks since last January.

27 On top of that, SITE has been engaging some
28 partners in the international field, and I think this would

1 presume the main developments from a SITE standpoint.

2 **MS. ERIN DANN:** That's helpful. Thank you.

3 I want to now just briefly review SITE's
4 observations from these various by-elections, and I'll try to
5 do that relatively quickly. But if we could have COM606.

6 **--- EXHIBIT No. COM0000606.EN:**

7 Security and Intelligence Threats to
8 Elections Task Force Threats to the
9 Canadian Federal By-elections June
10 2023

11 **MS. ERIN DANN:** This is the public after-
12 action report. CSIS Rep No. 2, you spoke about this
13 unclassified public after-action report.

14 This relates to four by-elections that were
15 held in June of 2023, one in Quebec, one in Ontario and two
16 in Manitoba. And my -- I understand from the conclusion in
17 the after-action report that SITE monitored those by-
18 elections and did not observe at that time any indication of
19 foreign interference directed at the by-elections. Is that
20 right?

21 **CSIS REPRESENTATIVE NO. 2:** That is correct.

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

23 And then if we turn to -- oh, before moving
24 away from that by-election, the Commission has heard evidence
25 and I expect we may hear more evidence about a disinformation
26 campaign targeting MP Michael Chong, which RRM Canada tracked
27 on WeChat during the spring and summer months of 2023.

28 I understand that RRM Canada became aware of

1 that campaign as it was doing its monitoring of the domestic
2 online environment in the lead-up to these June 2023 by-
3 elections.

4 I'll start -- but Ms. Wettlaufer, I'll ask
5 you to confirm that SITE did not assess that campaign as
6 being directed at one of the by-elections.

7 **MS. ROBIN WETTLAUFER:** That's correct. So we
8 only saw the campaign because we'd turned our lens towards
9 the domestic environment for the by-election, however, it was
10 not related to the by-election.

11 **MS. ERIN DANN:** And I think it was CSIS Rep
12 Number 1, you mentioned this is an example of the type of
13 activity that may be observed when there is engagement or
14 monitoring of the domestic online space?

15 **CSIS REPRESENTATIVE NO. 1:** That is exactly
16 what I had in mind.

17 **MS. ERIN DANN:** All right. Turning then to
18 the next by-election that was monitored, that's the Calgary
19 Heritage by-election, which CSIS Rep Number 2, you mentioned
20 occurred in July of 2023.

21 And Court Operator, you don't need to pull it
22 up, but the After Action Report can be found at COM607. And
23 the French version is also available.

24 **--- EXHIBIT No. COM0000607.EN:**

25 Security and Intelligence Threats to
26 Elections Task Force - Threats to the
27 Canadian Federal By-elections - July
28 2023

1 --- EXHIBIT No. COM0000607.FR:

2 Groupe de travail sur les menaces en
3 matière de sécurité et de
4 renseignements visant les élections -
5 Menaces pour les élections partielles
6 fédérales du Canada - juillet 2023

7 **MS. ERIN DANN:** And similarly, in this After
8 Action Report, SITE indicated that it did not observe at the
9 time any indication of foreign interference directed at the
10 Calgary Heritage By-Election. I'll just ask you to confirm?

11 **CSIS REPRESENTATIVE NO. 2:** That's correct.

12 **MS. ERIN DANN:** All right. And then we move
13 to the Durham By-Election, which was in March of 2024.

14 And for the purposes of the record, the After
15 Action -- public After Action Report is available in French
16 and English at COM605.

17 --- EXHIBIT No. COM0000605.EN:

18 Security and Intelligence Threats to
19 Elections Task Force - Threats to the
20 Canadian Federal By-elections -
21 Durham March 2024.

22 --- EXHIBIT No. COM0000605.FR:

23 Groupe de travail sur les menaces en
24 matière de sécurité et de
25 renseignements visant les élections -
26 Menaces pour les élections partielles
27 fédérales du Canada - Durham mars
28 2024

1 **MS. ERIN DANN:** And again, SITE reached the
2 same conclusion, or described its observations as follows,
3 that it did not observe, at the time, any indication of
4 foreign interference directed at that by-election.

5 And I believe, CSIS Rep Number 1, you were
6 the Chair at that point?

7 **CSIS REPRESENTATIVE NO. 1:** That is correct.
8 CSIS Rep Number 1 here and I confirm, obviously, that we have
9 not been detecting foreign interference during that by-
10 election.

11 **MS. ERIN DANN:** And then we move to the
12 Toronto-St. Paul's, which was in June of this year, 2024.
13 And I understand that SITE did monitor that by-election, but
14 at least a public After Action Report has not yet been
15 published? Is that right?

16 **CSIS REPRESENTATIVE NO. 1:** That's correct.

17 **MS. ERIN DANN:** Okay. And then finally, most
18 recently, the by-election in Verdun, which I understand was
19 just in September. That SITE monitored that election and
20 that the assessment in relation to that by-election remains
21 ongoing, but that SITE anticipates producing a public After
22 Action Report once it has concluded its work in regard to
23 this by-election?

24 **CSIS REPRESENTATIVE NO. 1:** Yeah. CSIS Rep
25 Number 1 and I confirm that actually, yes, monitoring has
26 been ongoing and has now -- it's done and the -- we'll make
27 efforts, obviously, to publishing a After Action Report as
28 well.

1 and [...] was not in scope. This needs
2 to be codified."

3 That's the second bullet under the heading.

4 I'll ask -- direct this to those of you who
5 were on the SITE Task Force in the spring of 2023. Was there
6 a lack of clarity on the scope of the Task Force's work when
7 it was stood up for the by-elections? And if so, has that
8 since been resolved?

9 Perhaps I'll start with CSIS Rep Number 2.

10 **CSIS REPRESENTATIVE NO. 2:** Well I can't
11 comment specifically on the context for this statement
12 particularly, as we didn't develop this product. As I know
13 we've mentioned in the past, foreign interference is kind of
14 an ongoing thing in Canadian society and does happen
15 consistently. We made an effort with the by-elections, at
16 the direction of PCO and our seniors, to really focus only on
17 the actual by-election that was happening in terms of our
18 reporting. I think that that would be kind of some of that
19 additional context for that.

20 **MS. ERIN DANN:** And in terms of the focusing
21 on the particular by-election, one of the activities that
22 SITE undertook was producing baseline threat assessments in
23 relation to the by-elections.

24 And I'll ask, Court Operator, that you pull
25 up CAN21563.

26 **--- EXHIBIT No. CAN021563 0001:**

27 Baseline Threat Assessment July 24,
28 2023 Calgary Heritage By-election -

1 CAB 2023-24/28

2 MS. ERIN DANN: This is the Baseline Threat
3 Assessment prepared for the Calgary Heritage By-Election. I
4 apologize, -- actually, give me a moment. This is the
5 Calgary Heritage By-Election. I know CSIS Rep Number 1, that
6 you were not involved in the preparation of this Baseline
7 Threat Assessment, but you provided some evidence in the in-
8 camera hearings about the -- how these Baseline Threat
9 Assessments are developed, and I wonder if you can speak to
10 the methodology, what factors or criteria SITE considers when
11 assessing the threat of foreign interference in a particular
12 riding or in relation to a particular by-election?

13 CSIS REPRESENTATIVE NO. 1: [No
14 interpretation] there are only four criteria.

15 The first criterion is to see what happened
16 previously. For example, when we look at a riding like
17 Calgary Heritage, we documented previously activities which
18 were linked to a threat. We referred to classified data,
19 consultations that were in our possession.

20 The second criterion is the demographic
21 aspect of these ridings. What I mean by that is if there is,
22 for example, residents ...

23 The interpreter apologizes. The sound is
24 terrible.

25 This is something that must be taken in
26 consideration. We talked earlier today of efforts of India,
27 Pakistan and others, and China.

28 And then the third criterion is, of course,

1 the people who show up who are running and, of course, we
2 don't look at people who are going to represent Canadians,
3 but if, from the point of view of state actors, could this --
4 could they present opportunities for those states -- for the
5 hostile states.

6 And the last criterion is very pragmatic, is,
7 for example, the presence of foreign interest in that riding
8 which could be relevant for foreign states.

9 **MS. ERIN DANN:** Thank you. And just a
10 reminder, particularly for our CSIS reps who are testifying
11 remotely, to try to answer the questions as slowly as
12 possible. The quality of the audio is making it challenging
13 for our interpreters.

14 CSIS Site Rep Number 1, does SITE have the
15 capacity and would it be desirable, in your view, to produce
16 this kind of baseline assessment for every riding during a
17 general election? Is there anything you can tell the
18 Commission in this forum on how SITE might prioritize its
19 efforts during a general election, with reference to some of
20 those criteria that you just mentioned?

21 **CSIS REPRESENTATIVE NO. 1:** Yes. Thanks for
22 that question. I mean, in my view, if we were to have a
23 specific intelligence product that would inform decision
24 makers and prepare them in the lead for the general election,
25 such a document would likely be the most impactful. However,
26 we need to consider that with over 300 ridings for a general
27 election, it would be a substantial amount of work to be done
28 in the leads to that election.

1 However, if -- again, if we go to the four
2 criteria that we commented on, definitely the one that pivots
3 back to kind of history, what we know, what we've seen in the
4 past could be done in advance. Other criteria, documents,
5 commit a lot of work in advance for instance when you think
6 about the candidates. There's not much we know in advance,
7 but I think it would be definitely healthy for the SITE Task
8 Force to think through such a document and put it all
9 together, should resources and time permit.

10 **MS. ERIN DANN:** Thank you. In your interview
11 and examination summaries, you outlined -- a number of the
12 witnesses outlined the added benefits of SITE being stood up
13 for the by-election. It brought synergy between members, it
14 enhanced group coordination, it allowed for the development
15 of coordination that would have been difficult if SITE was
16 only stood up every four years for a general election. Are
17 there any other benefits or advantages from your perspective
18 in relation to the -- SITE being stood up for by-elections?
19 And then I'll turn to my second question, which you may
20 anticipate, whether -- what are some of the opportunity costs
21 or issues that arose from SITE's enhanced monitoring of the
22 by-elections?

23 But I'll ask you first to comment, is there
24 anything further you'd like to share in terms of the
25 advantages or benefits of having a more permanent -- or SITE
26 having more ongoing activities?

27 **MR. RYAN MACDONALD:** I could begin. I would
28 -- I think you touched on many of the elements as you

1 captured that we said in terms of having an actual exercise
2 to go to was healthy to do that and rehearse those
3 activities.

4 I think maybe one element you didn't say, but
5 obviously would be top of mind for us is just public trust in
6 the by-elections, as much as there is in the general
7 elections. So obviously that's something that as the Task
8 Force, we certainly strive to help to provide.

9 On the opportunity cost, I would say one of
10 the elements we captured, and I think you heard and it was
11 brought up earlier that at various times throughout the past
12 year, the Task Force had wanted to do tabletop exercises and
13 look at other scenarios coming about. We mentioned sort of
14 the generative AI examples. And some of those were put on
15 hold because of the activities that we entered into the by-
16 elections.

17 **MS. ERIN DANN:** Mr. O'Hayon, you noted that
18 the elections -- the by-elections were useful to allow you to
19 calibrate what resources would be needed during a general
20 election, and you mentioned concerns about burnout and
21 overburdening analysts on a small team. Do you anticipate
22 having adequate resources for the next general election to
23 mitigate those -- mitigate the risk of potential burn out or
24 overburdening your team?

25 **MR. GREGORY O'HAYON:** I'll answer your first
26 question. In terms of from where I sit, the benefit of
27 actually having SITE stood up for the by-elections is that
28 the -- you avoid the cold start problem; right? I think in

1 terms of protecting our electoral system and it is a -- you
2 almost start to see it as a relay race. And in a relay race,
3 when you pass the baton, the runner that's taking the baton
4 is already running. They're not standing still. And I think
5 that there really is something to be lost when you start
6 cold. And from -- and again, just to go back to my agency,
7 and where, in the areas that I work, this has allowed me to
8 connect to the different parts of the RCMP, such as our
9 National Security Program, our Protective Program, our
10 Technical Operations Program. You brought up artificial
11 intelligence. That's where our centers of excellence are.

12 It's developing those relationships and
13 getting them engaged in the conversation about the protection
14 of our elections early on so that when the next general
15 election comes, we know who to call, who to muster.

16 In terms of resources, I can't -- I'm not in
17 a position to tell you whether or not -- the short answer is
18 we never have enough. But we will answer the call. And yes,
19 the -- what SITE does allow, why we do this during by-
20 elections, is to calibrate, to build the muscle memory, and
21 also to get a sense as to what exactly -- what kinds of
22 resources are we going to need?

23 The challenge is that as these -- the threat
24 -- or as our After Action Reports have shown, the threat of
25 FI hasn't materialized, but that doesn't necessarily -- you
26 know, that -- we're not basing what we're going to -- how
27 we're going to position ourselves for General Election 45
28 based on that.

1 **MS. ERIN DANN:** And I think it may have been
2 CSIS Site Rep Number 1, you mentioned that we should be
3 careful to draw any conclusions about the overall sort of
4 general FI threat landscape from the results in individual
5 by-elections. Is that fair?

6 **CSIS REPRESENTATIVE NO. 1:** It is fair and
7 correct. And obviously I would also add comments on your --
8 or a question that Mr. Macdonald and O'Hayon commented on.
9 It's kind of a piggy back to the other comment.

10 At the end, we've been preparing ourselves
11 and staging sort of decisions, actions, and next steps for
12 the general election, and I think we are now more mature. So
13 one of the main things that comes to mind is maturity. Like,
14 we'll have a lot of things coming into practice. For
15 instance, I give you the example of the unclassified
16 products. This is huge for the intel community. I guess if
17 you don't belong to this community, you will not really
18 realize what's behind it. For instance, coming out with an
19 After Action Report that is unclassified, that speaks to the
20 accents of threat, may seem benign, but it's not. As a
21 matter of fact, there's tons of work behind the scenes that
22 has been done out of the SITE construct, and there's also
23 decisions that have been made including how best to engage
24 the Canadian audience. So this is what we actually have
25 acquired through the by-elections sort of dynamic.

26 But we also have to keep in mind that even
27 though there haven't been by-elections, we would have been
28 meeting monthly, and also the Panel of Five obviously was

1 very mobilized earlier this year. So this would have also
2 injected, you know, some requirements and some connectivity
3 within the group.

4 **MS. ERIN DANN:** In terms of the After Action
5 -- the public After Action Report that you just mentioned,
6 you described in your interview, and in-camera examination,
7 the challenge that presents, that even reporting that SITE
8 has not observed foreign interference, represents a very -- a
9 substantial increase in sharing information that would
10 generally have been viewed as classified, and that there is,
11 I think, a fine balance between being transparent with
12 Canadians and protecting national security.

13 Can you speak at all, CSIS Rep Number 1, to
14 how SITE has navigated that balance and whether -- what --
15 whether you anticipate a challenge in producing an After
16 Action Report in relation to the next general election?

17 **CSIS REPRESENTATIVE NO. 1:** Right. The major
18 ways of answering a question, Madam Commissioner, is to put
19 yourselves in the place of a hostile estate threat.

20 The interpreter apologizes, but this sound is
21 absolutely terrible. The interpreters cannot hear, so we
22 cannot provide service until the situation improves.

23 [No interpretation]

24 However, I would say that through the
25 Commission's work, we would all agree that we have done a lot
26 and that we are at now critical mass in terms of information,
27 public information that will allow us to build a different
28 model.

1 And I would invite my colleagues to tell us
2 what they think about it as well.

3 **MS. ERIN DANN:** Thank you. Just before
4 turning to some more questions about SITE's communications
5 sort of efforts and strategies, I did want to offer, Ms.
6 Wettlaufer, a chance for you to comment on the advantages for
7 RRM in terms of standing up for the by-elections and then
8 also ask you about some of the -- to expand on the
9 opportunity costs that you identified with respect to RRM
10 Canada's work.

11 **MS. ROBIN WETTLAUFER:** So in terms of
12 advantages, what I would say is as representatives of Global
13 Affairs Canada, we are not intelligence professionals and for
14 us it has been an enormous learning experience getting to
15 work alongside our S&I colleagues to learn how they operate,
16 and that has been very beneficial. But as CSIS
17 Representative 1 said, even without by-elections, we are
18 still meeting every month, usually for a half day, puzzling
19 through a lot of the policy questions, operational questions.
20 We are getting ready anyway. So I would just note that.

21 In terms of opportunity costs, the
22 opportunity costs are very high for us. The RRM is a small
23 team. So the Division as a whole is 18 people, which covers
24 a whole bunch of issues. Of that, eight are analysts, data
25 analysts looking at the information domain. So to look at a
26 by-election means that I'm asking probably half of the
27 analysts, half to two thirds of the analysts, to cease
28 looking at whatever it is they're looking at, whether it's

1 the Taiwan information environment, whether it's the
2 Ukrainian information environment, or elsewhere, in order to
3 turn the lens internally at Canada.

4 There's also an opportunity cost for me as
5 Chair of the G7 Rapid Response Mechanism. I have an
6 obligation to be coordinating the G-7 community and I've felt
7 during by-elections I've been concerned about being away from
8 Canada in case there's a domestic incident to which we need
9 to swing into action to respond. So I haven't conducted the
10 outreach and engagement with other G7 partners during the by-
11 elections.

12 **COMMISSIONER HOGUE:** And if I may, what will
13 be, for you, the best solution? Would it be to add some
14 resources to your group or would it be to give to another
15 organization the task of doing it?

16 **MS. ROBIN WETTLAUFER:** So what I would say is
17 as good public servants we will do whatever we are asked to.
18 That being said, it is abnormal for a foreign ministry to be
19 playing this domestic function. So I think the optimal
20 result would likely be for it to be situated elsewhere.

21 **MS. ERIN DANN:** On that note, I'll just ask
22 the Court Operator to bring up CAN31488 at page 2 of that
23 document.

24 **--- EXHIBIT No. CAN031488 0001:**

25 RE: RRM Canada within SITE - need to
26 evolve based on changing mandates

27 **MS. ERIN DANN:** This is -- Ms. Wettlaufer,
28 you're not the recipient of this email, but you were copied

1 on this email chain. This is dating back to May of 2023.
2 And we see in the second paragraph on that page, there's a
3 description of RRM Canada being involved in three to four
4 hours a day of meetings, fully consumed by the work for over
5 a week, all other work needing to stop, or there to be
6 significant overtime. There's an indication that the -- just
7 lost my spot here. A recognition at the DG level that it is
8 reasonable to review the mandates within SITE and that
9 there's ongoing discussion in this regard. The high quality
10 -- given the high quality of work by RRM to date, there may -
11 - there is a concern that others may not be willing to take
12 it on.

13 So you're doing too good a job, it sounds
14 like, Ms. Wettlaufer.

15 If we go to page 3 of that document, ---

16 **COMMISSIONER HOGUE:** I have just ---

17 **MS. ERIN DANN:** Yeah.

18 **COMMISSIONER HOGUE:** --- one question before
19 -- do you think it's an expertise that is difficult to
20 acquire?

21 **MS. ROBIN WETTLAUFER:** No. I do want to give
22 due respect to my team, who are superb. That being said, I
23 don't think it's impossible for someone else to develop.
24 We're always recruiting new officers and, you know, we manage
25 to bring them up to speed. It does require ongoing training,
26 just because the domain, the technology used by our
27 adversaries is moving and evolving, and the social media
28 platforms are themselves evolving. So it does require

1 constant learning. But there's no reason why, you know,
2 bright colleagues in other parts of the Canadian Government
3 couldn't do the same.

4 It requires -- we look for three things. We
5 look for the computer science capabilities, some basic coding
6 capabilities. Second, we look for the foreign language
7 capabilities in target languages, and third, a good analysis
8 of social science or international relations. So most of our
9 team have those three things together, but it's -- if we can
10 find it, others could too.

11 **COMMISSIONER HOGUE:** Thank you.

12 **MS. ERIN DANN:** If we just scroll to page
13 three? Towards the bottom of that page. Yes, thank you.

14 There's a description of the significant
15 opportunity costs for RRM in turning its attention to the by-
16 elections. And noted there is that there would need to be a
17 pause on police station monitoring and the associated risk of
18 digital footprints disappearing. There's also an indication
19 that there could be a pause on Russian and Chinese
20 disinformation in priority areas. Can you tell us whether
21 those anticipated opportunity costs, whether or not they in
22 fact arose? And you may have addressed that earlier, but
23 just to confirm?

24 **MS. ROBIN WETTLAUFER:** Yes, we did have to
25 pause the activity identified there and we did resume it
26 after the end of the by-election.

27 **MS. ERIN DANN:** Thank you. I want to speak
28 now about SITE's -- we can take that document down, Mr. Court

1 Operator. Thank you.

2 SITE's efforts to communicate. And I'll ask
3 broadly about communication strategy within the SITE Task
4 Force and then ask some questions about your engagement with
5 a particular group, the political parties.

6 The After Action Report from 2021 noted that
7 -- or one of the recommendations -- we can bring it up.
8 CAN2359. Page 12 of that document.

9 **--- EXHIBIT No. CAN002359:**

10 Security and Intelligence Threats to
11 Elections Task Force - After Action
12 Report (2021 Federal Election)

13 **MS. ERIN DANN:** Under the heading
14 "Communications as a Tool to Counter Foreign Interference".
15 This is under -- in the "Lessons Learned and Recommendations"
16 portion of the After Action Report. And there's a concern
17 expressed that the government did not proactively communicate
18 its plans to protect and to safeguard the election. There's
19 also a note that it is unclear how its incidents below the
20 threshold for an announcement, that would be by the Panel of
21 Five, but still worthy of public awareness might be
22 addressed. And the recommendation is to:

23 "Review the [Government of Canada's]
24 communications plan with a view to
25 being more strategic about both
26 proactive and reactive communications
27 with respect to election security..."

28 What, if anything, can you tell us about

1 whether this recommendation has been followed up and whether
2 there is a strategic communications plan for SITE currently
3 or in -- is one being considered for the next general
4 election?

5 **CSIS REPRESENTATIVE NO. 1:** Yeah, CSIS Rep 1.
6 I can actually comment on this question. As it stands right
7 now, I invite you to engage with the PCO on that specific
8 topic, given the plan has been worked through.

9 As a matter of fact, with the current posture
10 of the SITE Task Force, our communication efforts are limited
11 to the resources we have. We spoke about the resource
12 pressure, that we don't have a permanent secretariat that
13 could actually permit the more major, in terms of strategic
14 communication. Then again, it doesn't mean that because we
15 don't have that nothing is happening. So when you will meet
16 our colleagues in the next few days, you may want to raise
17 that question.

18 **MS. ERIN DANN:** I'll turn then to some
19 questions I hope you can address in my final minutes, which
20 is on engagement with a particular segment of the public, and
21 that is the political parties. Can you confirm that in
22 advance of each of the by elections since June of 2023 SITE
23 has offered unclassified briefings to political party
24 representatives?

25 **CSIS REPRESENTATIVE NO. 2:** So perhaps I can
26 start. It's CSIS Representative 2.

27 I can confirm that in advance of the June by-
28 elections, PCO offered political parties briefings and SITE

1 were the ones who attended and briefed in those meetings. It
2 was decided that the July by-election followed so closely to
3 the June one that an extra briefing for the July one was not
4 required. So my understanding for those first two by-
5 elections was that there was only the one briefing we
6 delivered for the June by election.

7 And I'll pass it over to my CSIS
8 Representative 1 to speak on the leaders.

9 **CSIS REPRESENTATIVE NO. 1:** Thank you very
10 much, CSIS Rep number 2.

11 As a matter of fact, the briefings were
12 offered to my knowledge, through all by-elections and the
13 engagement was organized by PCO DI, but we did have like a
14 standard offer to brief representatives of political parties.

15 **MS. ERIN DANN:** All right. And you
16 anticipated my next question. But can you confirm that --
17 we've heard some evidence from the political party
18 representatives that some were unaware of whether they had
19 been invited. Am I right that the task force is not sending
20 out email invitations, this is something coordinated through
21 PCO DI?

22 **CSIS REPRESENTATIVE NO. 1:** You're absolutely
23 right. So and the way briefings are offered does not permit
24 the SITE members to have a full understanding of the
25 representatives of political parties that are on the other
26 line if a briefing has been organized over MS Teams, since we
27 would not know who's there.

28 **MS. ERIN DANN:** All right. And I think --

1 I'm sorry CSIS Rep number 1, I just wanted -- there's some
2 audio difficulty there. So I think you were just saying that
3 the task force doesn't always have complete visibility over
4 which political parties are attending the briefings, if for
5 example they occur over MS Teams or online?

6 **CSIS REPRESENTATIVE NO. 1:** Correct.

7 **MS. ERIN DANN:** All right. Thank you.

8 We've heard some feedback from the political
9 parties that the briefings did not necessarily meet their
10 expectation. The NDP representative who has attended a
11 number of the briefings described them as positive for
12 relationship building, but not otherwise particularly useful
13 from an informational perspective.

14 I wonder if perhaps, CSIS Rep number 1, if
15 you can comment on that and also describe SITE's efforts to
16 adapt its materials to respond to the feedback it has
17 received?

18 **CSIS REPRESENTATIVE NO. 1:** [No
19 interpretation]

20 The interpreter is sorry, but the
21 interpretation is impossible because the signal is too bad.

22 If we consider the product to inform the
23 political Parties, we'll see that all the documents supplied,
24 all the briefings over the past three by-laws (sic) were
25 given by the Privy Council. They were in touch with the
26 representatives of the political Parties.

27 For instance, in the case of Durham, we were
28 giving specific examples of foreign interference based on

1 data collected abroad in the States. And for Toronto-St.
2 Paul, for instance, PCO used our examples.

3 So what we have to do is to deal with the
4 strategies and tactics used by foreign agencies, and this is
5 well known. This is publicly known, and it appears in the
6 first report published.

7 Recently, we were asked to provide briefings
8 on intelligence -- artificial intelligence [no
9 interpretation].

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

11 And Commissioner in the interests of time, I
12 won't ask any further questions about that, but just for the
13 parties' benefit and everyone, the briefing notes and
14 briefing PowerPoints are available, and they can be found at
15 -- in relation to the briefing notes for the briefing in May
16 of 2023, that's found at CAN44590.

17 **--- EXHIBIT No. CAN044590:**

18 SITE TF Briefing to Unclassified
19 Political Parties

20 **MS. ERIN DANN:** For the Durham by-election
21 the speaking notes are at CAN44569, and the PowerPoint is at
22 CAN44568. And for St. Paul, Toronto St. Paul, that is
23 CAN47436 and CAN47437. And I'd just point those out as they
24 capture, I think, what CSIS SITE Representative 1 had
25 indicated in terms of the evolution of those briefings.

26 Those are all my questions.

27 **--- EXHIBIT No. CAN044569:**

28 Key Points for SITE Briefing to

1 Political Parties

2 --- EXHIBIT No. CAN044568 0001:

3 Security and Intelligence Threats to
4 the Elections Task Force (SITE TF) -
5 Foreign Interference: A Threat to
6 Canada's National Security

7 --- EXHIBIT No. CAN047436 0001:

8 Key Points for SITE Briefing to
9 Political Parties

10 --- EXHIBIT No. CAN04737 00001:

11 Security and Intelligence Threats to
12 the Elections Task Force SITE TF

13 **COMMISSIONER HOGUE:** Thank you.

14 So we will break for, as usual, 20 minutes.

15 So it means that 10 to 4:00.

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

17 This sitting of the Commission is now in
18 recess until 3:50 p.m.

19 --- Upon recessing at 3:27 a.m.

20 --- Upon resuming at 3:51 p.m.

21 --- MS. ROBIN WETTLAUFER, Resumed:

22 --- MR. RYAN MACDONALD, Resumed:

23 --- MR. GREGORY O'HAYON, Resumed:

24 --- CSIS REPRESENTATIVE NO. 1, Resumed:

25 --- CSIS REPRESENTATIVE NO. 2, Resumed:

26 **THE REGISTRAR:** Order please.

27 This sitting of the Foreign Interference
28 Commission is now back in session.

1 The time is 3:51 p.m.

2 **COMMISSIONER HOGUE:** So the first counsel is
3 Me Choudhry for Jenny Kwan.

4 **--- CROSS-EXAMINATION BY MR. SUJIT CHOUDHRY:**

5 **MR. SUJIT CHOUDHRY:** Good afternoon,
6 Commissioner, Witnesses. For the record, my name is Sujit
7 Choudhry. I'm counsel for Jenny Kwan.

8 So I am going to ask you some questions about
9 the alignment or relationship between the scope of SITE's
10 evolving activities, because I think it's fair to say that
11 SITE's work continues to change in scope, and the new legal
12 landscape created by Bill C-70, which the witnesses from the
13 RCMP spoke to earlier this morning.

14 And so with -- I have spoke to Commission
15 Counsel and counsel for the Department of Justice about this,
16 and with leave of the Commissioner, I'd like to put up on the
17 screen -- I'd like to ask the Court Registrar, if the
18 Commissioner will grant leave, to put up on the screen the
19 version of Bill C-70 that's in the party database.

20 **COMMISSIONER HOGUE:** Yes, sure.

21 **MR. SUJIT CHOUDHRY:** It's Commission
22 Document 382. This is the bill at first reading ---

23 **--- EXHIBIT No. COM0000382:**

24 Bill C-70 First Reading

25 **MR. MATTHEW JOHNSON:** I'm sorry. Counsel, if
26 I can just say.

27 **MR. SUJIT CHOUDHRY:** Yeah.

28 **MR. MATTHEW JOHNSON:** I've had an opportunity

1 to warn the three witnesses present here that this is coming,
2 but the two CSIS witnesses, I'm obviously not present with
3 them, so I've not had an opportunity to warn them. So I just
4 give -- ask you to give them an opportunity if you are
5 looking at particular spots, a bit more time than you might
6 otherwise have.

7 **MR. SUJIT CHOUDHRY:** Thank you so much,
8 Mr. Johnson. I appreciate that very much.

9 And so the -- this is the version of Bill
10 380, pardon me, of Bill C-70 that was as it stood at first
11 reading. The parts that I am going to take you to didn't
12 change over the course of this bill's rather rapid progress
13 through parliament.

14 And so I would like to take you to page 37 of
15 the PDF, please. And if you could scroll down to 20.4,
16 Political Interference, yes, that's it, Political
17 Interference for a Foreign Entity.

18 And so this is -- as you know, this bill
19 amended a number of other statutes, and so the provision that
20 I want to draw to your attention is the provision that
21 creates this new offence. And for the record, I just would
22 like to read it out. It says, this is section 20.4(1). The
23 title is Influencing Political or Governmental Process, and
24 it says:

25 "Every person commits an indictable
26 offence who, at the direction of, or
27 in association with, a foreign
28 entity, engages in surreptitious or

1 deceptive conduct with the intent to
2 influence a political or governmental
3 process..."

4 And then underlying that:

5 "...educational governance, the
6 performance of a duty in relation to
7 such a process or such governance or
8 the exercise of a democratic right in
9 Canada."

10 So let me just stop there.

11 **COMMISSIONER HOGUE:** I just want to make a
12 warning. I understand that none of you is a lawyer?

13 **ROBIN WETTLAUFER:** Yeah.

14 **MS. ROBIN MacDonald:** Yeah.

15 **MR. GREGORY O'HAYON:** Yeah.

16 **COMMISSIONER HOGUE:** So just if you feel
17 uncomfortable at any point in time, you know, just ---

18 **MR. RYAN MACDONALD:** Yeah.

19 **COMMISSIONER HOGUE:** --- just say so.

20 **MR. RYAN MACDONALD:** Yeah.

21 **MR. SUJIT CHOUDHRY:** So that's true, and so -
22 - but what I'm trying to understand is the relationship
23 between intelligence gathering and this new -- this new
24 criminal offence. And I'm trying to understand how they're
25 aligned or not aligned.

26 And so let me just ask everyone on the panel,
27 and this includes the CSIS members, who are know are off --
28 who are not present, but I think might -- may be, be more

1 familiar with this: Have you seen this before? Are you
2 aware of it?

3 **MR. RYAN MACDONALD:** I can say I'm aware of
4 Bill C-70, yes.

5 **MR. SUJIT CHOUDHRY:** Okay. But had you seen
6 this provision before?

7 **MR. RYAN MACDONALD:** I'm aware of the summary
8 elements or some of the summary elements of it.

9 **MR. SUJIT CHOUDHRY:** Good.

10 Ms. Wettlaufer?

11 **MS. ROBIN WETTLAUFER:** In general terms.

12 **MR. SUJIT CHOUDHRY:** Okay.

13 Mr. O'Hayon?

14 **MR. GREGORY O'HAYON:** In general terms as
15 well. I guess maybe if -- to understand your question a
16 little bit better in terms of intelligence and enforcement
17 alignment, I'm trying to understand what exactly you're ---

18 **MR. SUJIT CHOUDHRY:** Sure.

19 **MR. GREGORY O'HAYON:** --- asking.

20 **MR. SUJIT CHOUDHRY:** Well, I'll get -- I'll
21 just get there. I just want to establish if you had some
22 knowledge of it or familiarity with this language.

23 And could I please pose the question to the
24 two CSIS witnesses off -- who are not present physically.

25 **CSIS REPRESENTATIVE NO. 1:** Yeah, this is
26 CSIS representative 1, and I am also aware in general terms.

27 **CSIS REPRESENTATIVE NO. 2:** And this is CSIS
28 representative 2, and I'm also aware in general terms.

1 also]...municipal..."

2 And then (d) is First Nations or Indigenous.

3 Okay. And so the -- so what I want to do is
4 kind of contrast this new legal landscape on the criminal law
5 side for what counts as foreign interference and what
6 entities and processes are caught within its ambit within the
7 existing range of activities of SITE, and to ask you to help
8 us think through how SITE might continue to evolve in light
9 of how other parts of the, let's call it the foreign
10 interference system at the federal government are continuing
11 to evolve at the direction of parliament or the government or
12 so forth.

13 And so could we take this down and please put
14 up WIT 109.

15 And this is one of the witness statements
16 that we have seen before.

17 And I'd ask that we go to -- please go to
18 paragraph 22.

19 So this says:

20 CSIS SITE representative 1 stated
21 that the PRC, in particular, has been
22 known to exploit vulnerabilities in
23 nomination contests."

24 Then it goes on to say, "They added", so this
25 is CSIS representative 1:

26 "...that SITE continues to observe
27 foreign interference at the
28 subnational level, but..."

1 mobilizing SITE resources to cover the subnational electoral
2 processes. So that's one thing.

3 The second thing on your question on C-70, if
4 I go that (indiscernible) is thinking through and
5 implementing (indiscernible), and from there, obviously we're
6 hopeful that SITE will be in a position to (indiscernible)
7 authority.

8 And lastly, when it comes to the intelligence
9 through law enforcement potential that you have actually have
10 that is created, we have the specific mechanism to make sure
11 that the intelligence community is in a position to provide
12 what's required for law enforcement to execute their mandate.

13 **MR. SUJIT CHOUDHRY:** Okay. That's helpful.

14 And because we're pressed for time I just
15 have a couple of quick questions on this theme before I move
16 on. But did anyone else want to offer an answer on that
17 particular point? I'm sorry.

18 **MR. RYAN MACDONALD:** I'm sorry, just maybe to
19 offer, I would echo my CSIS colleagues on one hand, but just
20 make another point there. When it comes to the work we're
21 doing on the SITE panel, we think that it's really important
22 to know all of the threat surface, and so not only actually
23 at the subnational level when it comes to electoral
24 interference that we're seeing. Obviously we think those
25 tactics could then translate to something that happens at the
26 federal election, which is within our mandate and purview.
27 But really all forms of foreign interference because there
28 may be tactics they're doing in a non-electoral process that

1 might be relevant and employed in other things.

2 So from an awareness perspective, we do our
3 best to try and monitor all of that. Though the one point
4 that I would just make on that I think is important and
5 perhaps not said here is SITE is a body that is brought
6 together, the government puts in place to monitor federal
7 elections, by definition of that terms of reference. It
8 doesn't provide us with any new mandate or direction or
9 authorities. And it's really about having an enhanced
10 coordination among the members of SITE.

11 When it comes to each of our respective
12 mandates, obviously we are looking at things beyond just
13 federal elections, right? So for those other subnational or
14 other elements, there's activities all of us are doing as
15 departments.

16 **CSIS REPRESENTATIVE NO. 2:** Thank you. CSIS
17 Representative 2.

18 And so building off of that, I just wanted to
19 explain that CSIS does look at foreign interference at all
20 levels, at all times throughout the year. And it's that
21 information that can be provided to SITE to inform SITE's
22 understanding.

23 **MR. SUJIT CHOUDHRY:** Interesting. So let me
24 just ask a follow-up question. Has SITE ever offered an
25 unclassified briefing to a provincial political party?

26 **CSIS REPRESENTATIVE NO. 1:** This is
27 Representative 1 here.

28 To my knowledge SITE has not. And again, if

1 we go back to SITE's mandate it would not have been
2 technically under the current terms of reference to do so.
3 However, it doesn't mean that obviously agencies that are
4 part of the SITE construct are not doing so under their own
5 authorities and mandate.

6 **MR. SUJIT CHOUDHRY:** But SITE itself hasn't
7 yet?

8 Mr. Macdonald?

9 **MR. RYAN MACDONALD:** I mean, I again, echo,
10 but correct, it's not within our mandate to do so, but to
11 echo the comment made as agencies we would, right? And
12 certainly CSE as an example, when it comes to cybersecurity
13 advice and guidance, it's doing that not just to federal
14 parties, they've engaged with provincial and municipal
15 entities as well.

16 **MR. SUJIT CHOUDHRY:** Are you able to give us
17 some sense of how much -- that's interesting to learn. Are
18 you able to give us a sense of the number of times, the
19 frequency, when, or is that not information you're able to
20 share?

21 **MR. RYAN MACDONALD:** I'm speaking for my
22 department, I guess for that portion not really. We would
23 monitor in the SITE aspect of that, so it would be -- I
24 wouldn't know the exact information.

25 **MR. SUJIT CHOUDHRY:** And just -- sorry,
26 ma'am, go ahead.

27 **CSIS REPRESENTATIVE NO. 1:** CSIS
28 Representative 1.

1 And just to your question, obviously out of
2 this engagement today, we're not -- that question should have
3 been addressed to the CSIS panel, not me.

4 **MR. SUJIT CHOUDHRY:** Okay. And so -- but I
5 think it's fair to say that what we're hearing is that
6 individual agencies might engage in advice or provide
7 briefings, but SITE per se as an institution or as a body
8 doesn't engage in that work, and its monitoring is really
9 incidental to the threat environment for its core mandate
10 which is federal electoral processes; is that fair?

11 **MR. RYAN MACDONALD:** I don't know if I would
12 use the word, "Incidental" because I think we purposefully
13 look for any of the intelligence we have that will help
14 inform how we get ready for the federal election. And the
15 information they (indiscernible) is not incidental for the
16 mandates of the member departments that are doing that
17 collection. But I would agree with you that it's really for
18 us understanding the threat landscape more than raising that
19 for the purpose of what we're monitoring through the federal
20 election.

21 **MR. SUJIT CHOUDHRY:** Right, and for the
22 protocol purposes.

23 **MR. RYAN MACDONALD:** Yes.

24 **MR. SUJIT CHOUDHRY:** All right. Okay.

25 So one last kind of topic which is under
26 WIT139. If you could go to paragraphs 23 and 20 -- actually
27 23. So this is a theme regarding loopholes in nomination
28 processes, and we've kind of discussed this, I think,

1 already, and also paragraph 24 explores this theme.

2 And so what I want to put to you is this;
3 that it seems that the evidence that was given here turns on
4 distinctions. And so it turns on two sets of distinctions.
5 The first set of distinctions is between activities that
6 occur in and around the federal electoral cycle and
7 activities that occur outside of it. And that distinction's
8 already been, in a sense, exploded a bit by by-elections and
9 SITE's activity on by-elections.

10 But the other distinction is between
11 political party processes that are internal, and then
12 electoral processes that are run by state institutions. And
13 what I want to suggest to you and ask for your reaction to is
14 this; foreign interference doesn't respect those boundaries.
15 You'd agree that it doesn't confine its activities to the
16 writ period; it doesn't confine its activities to formal
17 electoral processes as opposed to political parties'
18 processes. Would you agree with that statement?

19 **MR. GREGORY O'HAYON:** Yes.

20 **MR. RYAN MACDONALD:** Yes.

21 **MS. ROBIN WETTLAUFER:** Yes.

22 **MR. SUJIT CHOUDHRY:** So all the members here.

23 And, sorry, the CSIS members, did you agree
24 with that statement as well.

25 **CSIS REPRESENTATIVE NO. 1:** CSIS
26 Representative 1; I would agree with that statement.

27 **MR. SUJIT CHOUDHRY:** Okay. And CSIS Rep 2?

28 **CSIS REPRESENTATIVE NO. 2:** Yes, I would also

1 agree.

2 **MR. SUJIT CHOUDHRY:** And so I just would want
3 to close by, again, going back to Bill C-70. C-70 doesn't
4 recognize those distinctions either. And so I'd want to
5 suggest that perhaps the SITE process and the protocol might
6 have to evolve in lockstep.

7 Thank you.

8 **COMMISSIONER HOGUE:** Thank you. Counsel for
9 Michael Chung.

10 **MR. FRASER HARLAND:** Good afternoon,
11 Commissioner.

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

13 **MR. FRASER HARLAND:** My questions have to do
14 with the Rapid Response Mechanism, or RRM. So I'll be
15 directing my questions mostly to you, Ms. Wettlaufer.

16 So first I want to touch on what you called
17 the opportunity cost, and you explained that during elections
18 or by-elections when RRM has to shift its focus from the
19 international to the domestic, its international work has to
20 be stopped, paused, or reduced in order to conduct the
21 domestic monitoring; is that a fair statement?

22 **MS. ROBIN WETTLAUFER:** That is a fair
23 statement.

24 **MR. FRASER HARLAND:** Okay. And that was the
25 case of its monitoring of PRC's overseas police stations, if
26 I have that right from your witness statement; is that fair?

27 **MS. ROBIN WETTLAUFER:** That activity paused
28 but did not stop.

1 **MR. FRASER HARLAND:** Right.

2 **MS. ROBIN WETTLAUFER:** Yeah.

3 **MR. FRASER HARLAND:** And were there other
4 areas of RRM monitoring work that were paused or stopped
5 because of the shift towards the domestic?

6 **MS. ROBIN WETTLAUFER:** Quite a bit of our
7 monitoring of the Ukrainian information environment at that
8 time.

9 **MR. FRASER HARLAND:** Okay, thank you.

10 Next I have a few questions on RRM's
11 resources. We heard from Stéphane Perrault, who's the Chief
12 Electoral Officer of Elections Canada, that Elections Canada
13 does monitoring of social media during elections, but it's
14 strictly focused on disinformation about the electoral
15 system. And I'm wondering if you'd agree with me that RRM
16 has a broader mandate and is looking at disinformation writ
17 large and not just about the electoral system as Elections
18 Canada does?

19 **MS. ROBIN WETTLAUFER:** So the -- maybe I can
20 just explain in brief what the RRM mandate is during election
21 cycles. So it is to monitor for indicators of foreign
22 information manipulation regarding the election writ large,
23 yes.

24 **MR. FRASER HARLAND:** Okay.

25 **MS. ROBIN WETTLAUFER:** Exclusively in the
26 open-source domain.

27 **MR. FRASER HARLAND:** That's right. And my
28 understanding is that Elections Canada is also open sourced

1 but they're really just looking for, you know, is there
2 information about the ballot that is -- whereas RRM's is
3 broader than that; is that fair?

4 **MS. ROBIN WETTLAUFER:** Yeah.

5 **MR. FRASER HARLAND:** Yeah.

6 **MS. ROBIN WETTLAUFER:** Yeah.

7 **MR. FRASER HARLAND:** And so Mr. Perrault
8 advised that Elections Canada had 27 employees to do this
9 monitoring in the last election, and he'll have 41 for the
10 next election. And I take your evidence and understand that
11 in your view, RRM might not be the right organization to do
12 this work. And I'm not asking you to make the DM's decision
13 about who should do the work, but what I am wondering is if
14 you'd agree that whether it's RRM or another agency,
15 resources closer to the level that Elections Canada has are
16 necessary if we want to have effective monitoring of both
17 domestic space and the international space? Is that fair?

18 **MS. ROBIN WETTLAUFER:** So I don't think I can
19 answer the question of the overall prioritization of
20 resources. You know, I think for all of us, if we had more,
21 we'd do more. But I also don't think it's fair to say that
22 we are not effective, either RRM or SITE, in monitoring the
23 elections.

24 **MR. FRASER HARLAND:** No, and I'm not trying
25 to suggest that RRM's not effective. I think the evidence is
26 clear that RRM does excellent work, and my client was happy
27 in a specific case that we'll get to. But we -- you've just
28 said that there's a turn away from the international to the

1 domestic, and that ---

2 MS. ROBIN WETTLAUFER: Yeah.

3 MR. FRASER HARLAND: --- the international is
4 paused. So my question is if you want to do the
5 international properly as well, as you typically do, and
6 monitor the domestic, there is a resources problem, you need
7 more resources; do you not?

8 MS. ROBIN WETTLAUFER: In order to do both
9 simultaneously, you would need more resources.

10 MR. FRASER HARLAND: Okay.

11 MS. ROBIN WETTLAUFER: Or you would need
12 someone else to take on one of those functions, yeah.

13 MR. FRASER HARLAND: Thank you. And so now I
14 want to turn to a specific disinformation campaign that
15 involved Mr. Chong. And if we can pull up CAN24019, please?

16 --- EXHIBIT No. CAN024019:

17 WeChat account activity targeting
18 Canadian parliamentarian suggests
19 likely foreign state involvement

20 MR. FRASER HARLAND: So this is an RRM
21 report, as I understand it. And just a few key points to
22 pull out of it. The second paragraph, this happened between
23 May 4th and 13th, 2023.

24 And if we can scroll down a little bit?
25 That's great. Thanks.

26 "Following an analysis of the network
27 and the operation, Global Affairs
28 Canada assesses [that] it is highly

1 **MR. FRASER HARLAND:** And if they hadn't
2 identified it, they obviously wouldn't have been able to
3 inform Mr. Chong or the public?

4 **MS. ROBIN WETTLAUFER:** That is also possible,
5 yeah.

6 **MR. FRASER HARLAND:** Okay. And I want to
7 suggest that the only way to ensure that these kinds of
8 disinformation campaigns are caught at all times outside of
9 elections as well is to mandate either RRM or another body to
10 do consistent monitoring of the domestic social media
11 environment at all times? Would you agree?

12 **MS. ROBIN WETTLAUFER:** So you know, there's
13 broader discussions under way, both in the context of this
14 Inquiry and within the Government of Canada on how to address
15 the issue of domestic monitoring on an ongoing basis. I
16 think there's recognition that it is something that
17 collectively, as the Government of Canada, we would like to
18 be doing, but those discussions on who would be responsible
19 for that are above my paygrade.

20 **MR. FRASER HARLAND:** That's fair. And I
21 understand that. I think I have what I was looking for, so
22 that's very helpful. Thank you very much.

23 **COMMISSIONER HOGUE:** Thank you.

24 Counsel for Erin O'Toole?

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

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

27 My name is Tom Jarmyn. I represent Erin
28 O'Toole. My colleagues have asked a number of questions that

1 I had been considering, so I'm going to hop around a little
2 bit.

3 And so the first question I have is, the SITE
4 Task Force, I take it, was established -- each of you -- each
5 agency has unique mandates and unique authorities to pursue
6 aspects of foreign interference, but the SITE Task Force was
7 established because the Government of Canada determined there
8 was a value to having a coordinating body to deal with the
9 response to each one of those things and the assessment of
10 each one of those things? Is that correct?

11 **MR. RYAN MACDONALD:** I think that's put
12 forward in the terms of reference that, yes, the benefit was
13 not -- was to allow better coordination of that and -- yes.

14 **MR. THOMAS JARMYN:** And so in the course of
15 performing that function, you carried out an analysis in 2023
16 and subsequently in 2024, of foreign interference and the
17 threat environment. And there's reference in each of those
18 reports to the concept of manipulation of internet-based
19 media. What exactly do we mean by internet-based media? And
20 I don't need a detailed answer, but just sort of get the sort
21 of slots.

22 **MS. ROBIN WETTLAUFER:** So we would not use
23 that terminology typically in most of our documents, but I
24 assume that means social media or other online platforms.

25 **MR. THOMAS JARMYN:** So social media, the news
26 -- the various news sites that some organizations use.

27 And later on in those same reports, they talk
28 about the domination of online media outlets and social media

1 by the PRC as an observed characteristic. Is that still an
2 accurate statement?

3 **MS. ROBIN WETTLAUFER:** The domination of the
4 PRC of all internet ---

5 **MR. THOMAS JARMYN:** Online media outlets and
6 social media focused on the Chinese diaspora community.

7 **MS. ROBIN WETTLAUFER:** So focused on diaspora
8 media, I think that's a fair assessment.

9 **MR. THOMAS JARMYN:** Okay. And each one of
10 those documents also talks about problems with the nomination
11 races. Is that based upon observed events or is it based
12 upon just a conceptual understanding of what's going on in
13 nomination races?

14 **CSIS REPRESENTATIVE NO. 1:** CSIS
15 Representative 1. It is actually based on previous
16 assessments.

17 **MR. THOMAS JARMYN:** Okay. Thank you. And I
18 guess I put it to you that if there is a value in ongoing
19 monitoring and nomination races, as Mr. Choudhry points out,
20 are one of the political processes in C-70, electoral --
21 federal elections are part of the processes in C-70, the by-
22 elections are part of the processes in C-70.

23 And Mr. O'Hayon, you've talked about the
24 problems with a cold start when the SITE Task Force is stood
25 up, and also talked about the need for a consistent cultural
26 and linguistic understanding.

27 And I realize none of you have any authority
28 to make any commitments, but wouldn't there be an intrinsic

1 value in having a permanent -- SITE being a permanent thing
2 that reports on an ongoing basis?

3 **CSIS REPRESENTATIVE NO. 1:** CSIS

4 Representative 1. Obviously -- and again, as you already
5 alluded to, it's not up for the current SITE members to make
6 decisions in that space.

7 However, I think the discussions we had today
8 definitely speaks to the benefit of having this permanent
9 opportunity, to actually provide the baseline understanding
10 of the threat throughout the year that could actually speak
11 to events that could not have been detected when monitoring
12 is off, which means outside general election periods and by-
13 elections.

14 On top of that, we could also foresee
15 different actions that could be operated, the scope that
16 could be very interesting. But there's a larger discussion
17 for seniors to have when it comes to how best to shape a
18 permanent SITE.

19 **MR. THOMAS JARMYN:** Would either of you or
20 any of you have any other comments?

21 **MR. GREGORY O' HAYON:** I would agree with CSIS
22 Representative 1.

23 **MR. THOMAS JARMYN:** And in fact, SITE in
24 itself is building up a body of expertise because it's
25 engaged its ongoing process that would likely assist each one
26 of your agencies in enforcing other aspects of Bill C-70
27 related to provincial governments, municipal governments, and
28 Indigenous government organizations, which are all governed

1 political processes. Does that seem fair?

2 **MR. RYAN MACDONALD:** I could offer that, I
3 think. Certainly all of us as SITE members, in the
4 coordination we do, we take that information and bring it
5 back to the areas that we're working within our organizations
6 and I think there is an added value there. Yes.

7 **MR. THOMAS JARMYN:** And I'm just going to
8 take a short move over to WeChat. Does RRM monitor WeChat on
9 an ongoing basis?

10 **MS. ROBIN WETTLAUFER:** The RRM does monitor
11 WeChat on an ongoing basis, but not in Canada.

12 **MR. THOMAS JARMYN:** Okay. And do you --
13 we've seen a various number of documents that talk about the
14 use by the PRC of WeChat as a tool for repression, censorship
15 of alternate views. Would that be consistent with RRM's
16 understanding?

17 **MS. ROBIN WETTLAUFER:** So that is not exactly
18 how we would characterize WeChat. WeChat is a vast social
19 media platform that does many things. So it has, like,
20 almost like a WhatsApp type function, but it also has online
21 banking. It also has an array of different in-app news
22 sites, et cetera. So WeChat is many things. And I think for
23 many in the diaspora community, WeChat is also an invaluable
24 mode of communication with family and friends. It is a way
25 to get news in the Chinese language. It's many things. But
26 WeChat does, we believe, is subject to a high degree of
27 government control in terms of the news that appears on it.

28 **MR. THOMAS JARMYN:** Okay. And if we could

1 bring up CAN11293, please?

2 --- EXHIBIT No. CAN011293:

3 China: Domination of Chinese-Language
4 Media in Canada Poses National
5 Security Threats - IM 30/2023

6 **MR. THOMAS JARMYN:** And we'll go down to the
7 very last page, please. Sorry. If we could stop there?

8 And I believe, if you look at that first
9 paragraph, it --

10 "...use the app to maintain links to
11 family and friends in the PRC. [But]
12 this facilitates CPC surveillance,
13 repression, and influence
14 [operations] overseas..."

15 Is that an accurate statement, to your
16 knowledge?

17 **MS. ROBIN WETTLAUFER:** So I would just say we
18 were not involved in the production of this particular
19 report, but I do not disagree with that sentence.

20 **MR. THOMAS JARMYN:** And if we could then --
21 if you go to the middle of the column on the right:

22 "...open source reporting notes a
23 coordinated disinformation campaign
24 on WeChat aimed at dissuading voters
25 from supporting parliamentary
26 candidates with anti-China views..."

27 Does that condition persist today?

28 **MS. ROBIN WETTLAUFER:** So we haven't had a

1 federal election since 2021. What I would say is that we
2 have not witnessed that in the by-elections we have
3 monitored.

4 **MR. THOMAS JARMYN:** Okay. And the by-
5 elections actually have been monitored -- from what I
6 understand, those ridings have a very limited Chinese
7 diaspora community. Is that an accurate statement?

8 **MS. ROBIN WETTLAUFER:** I would defer to CSIS
9 Representative 1 on that question.

10 **MR. THOMAS JARMYN:** CSIS Representative 1,
11 could you help us there?

12 **CSIS REPRESENTATIVE NO. 1:** I think it's a
13 fair assessment to say that the diaspora groups of the recent
14 by-elections, there was not a heavy Chinese footprint.

15 **MR. THOMAS JARMYN:** Okay. Thank you. If
16 such a campaign were observed, and I appreciate I'm asking
17 you to speculate in a hypothetical during the next general
18 election on WeChat, is there any way to -- first of all, can
19 you speak to your ability to check and is there any way to
20 deter such a campaign?

21 **MS. ROBIN WETTLAUFER:** I can talk about
22 detection. Assuming that SITE is monitoring the next
23 election in the current construct, which we expect it to be,
24 I expect that if there were a major campaign on WeChat, we
25 would likely be able to detect it, yes.

26 **MR. THOMAS JARMYN:** And CSIS Representative
27 1, could you speak to deterrence?

28 **CSIS REPRESENTATIVE NO. 1:** Deterrence

1 obviously out of the SITE agencies, there's accurate things
2 that could be done to deter. So that's one piece. But
3 obviously SITE, the tactical construct side, will report FI
4 actors and a decision would be made a higher level when it
5 comes to make a final decision on the deterrence.

6 **MR. THOMAS JARMYN:** Okay. Thank you.
7 Thank you, Commissioner. Those are all my
8 questions.

9 **COMMISSIONER HOGUE:** Thank you.
10 Me Sirois for RCDA.

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

12 **MR. GUILLAUME SIROIS:** Guillaume Sirois.
13 Counsel for the Russian-Canadian Democratic Alliance. Good
14 afternoon.

15 I want to ask the Court to pull RCD20,
16 please.

17 **--- EXHIBIT No. RCD0000020:**

18 Tenet Youtube videos

19 **MR. GUILLAUME SIROIS:** Did I understand
20 correctly that SITE did not detect significant foreign
21 interference during the last four by-elections?

22 **COMMISSIONER HOGUE:** Just speak a bit more
23 slowly.

24 **MR. GUILLAUME SIROIS:** Oh, thank you. I'm
25 sorry about that.

26 So SITE did not detect any significant
27 foreign interference during the last four by-elections? Is
28 that right?

1 **CSIS REPRESENTATIVE NO. 1:** CSIS

2 Representative 1.

3 This is, indeed, what the reports show, the
4 ones we published about the last by-elections.

5 **MR. GUILLAUME SIROIS:** You're probably aware
6 -- you're certainly aware of Tenet Media operations that were
7 initiated in November 2023 and that were stopped by the
8 United States in 2024.

9 During that time, more than 50 videos
10 specifically targeting Canadian political issues,
11 specifically the Prime Minister, were produced by Tenet Media
12 and viewed half a million times. I'm talking about the
13 Canadian videos.

14 We have here some examples from the YouTube
15 channel of Tenet Media that I want to show you for
16 illustrative purposes.

17 Can we scroll down a little bit? I just want
18 to show some examples of the videos.

19 So we see the videos target inflation in
20 Canada, immigration as part of control, we see that there's -
21 - yeah, we can stop here. Most of the videos target Prime
22 Minister Trudeau as well.

23 Do you agree that this operation was active
24 during the writ period of the last four by-elections?

25 **CSIS REPRESENTATIVE NO. 1:** [No
26 interpretation]

27 **MR. GUILLAUME SIROIS:** [No interpretation]
28 heading the Liberal Party in a contested election where

1 Liberals lost something like 200 votes or 600 votes only in
2 some ridings like Verdun, didn't you think that it is
3 targeted against elections?

4 **CSIS REPRESENTATIVE NO. 1:** I do not have any
5 more information to give you, but I would invite my
6 colleagues at the other agencies to tell you what they think
7 about it.

8 **MR. RYAN MACDONALD:** I mean, one of the
9 things I would offer is I think you're making an inference
10 that the posting of the videos would have an impact on that,
11 which is a difficult assessment to make, in terms of
12 viewership and whether that changed anyone's opinion in terms
13 of how they were voting during the by-elections.

14 **MR. GUILLAUME SIROIS:** Well I go there. I
15 will go to the impact a bit later, but right now I really
16 want to focus on the fact that this was not detected, because
17 if it had been detected and RRM Canada or the SITE could have
18 discussed, "Okay, that's happening in Canada. There's
19 hundreds of thousands of Canadians that are seeing those
20 videos that are targeting the Prime Minister during a by-
21 election period," then we can discuss whether or not these
22 videos have an impact on those by-elections. But we are not
23 even about impacts yet. The question is why was this not
24 detected during the by-elections?

25 **MS. ROBIN WETTLAUFER:** What I would say, I
26 would echo what my colleagues have said, in that, you know,
27 it is not clear to us that these were specifically targeting
28 the ridings or electorates in question.

1 **MR. GUILLAUME SIROIS:** So would you say it's
2 a good strategy for Russia to target the Prime Minister of
3 the Liberal Party, or political issue -- hot button political
4 issues during a by-election and that would go completely
5 under the radar of SITE or RRM Canada during by-elections --
6 for by-elections?

7 **CSIS REPRESENTATIVE NO. 1:** Well, we will
8 also suggest that political leaders are targeted by hostile
9 countries, so how can you assess the impacts on [no
10 interpretation]?

11 **MR. GUILLAUME SIROIS:** I'm not saying it is
12 easy. I'm just saying that this is happening under the
13 radar. You agree that it did -- this happened, this is
14 Russian interference, during four by-elections, and it
15 happened under the radar? You'd agree with that statement?
16 I'm not saying it's ---

17 **CSIS REPRESENTATIVE NO. 1:** I have to
18 recognize it because [no interpretation].

19 **MS. ROBIN WETTLAUFER:** But what I would say
20 is there's a lot happening on the internet at any one point
21 in time. What we do not do is monitor everything taking
22 place everywhere on the internet. And when we mobilized
23 monitor by-elections, we are monitoring particular ridings
24 and things pertaining to those candidates in those by-
25 elections.

26 **MR. GUILLAUME SIROIS:** Thank you. That's
27 helpful. I'm wondering if after those -- I think we can pull
28 the document down. I don't -- I won't be referring to the

1 videos themselves anymore.

2 After the allegations were made public at the
3 beginning of September, did RRM Canada or the SITE Task Force
4 conduct any after action review of what went wrong, why this
5 was not detected during all four by-elections?

6 **MS. ROBIN WETTLAUFER:** No.

7 **MR. GUILLAUME SIROIS:** Do you think it would
8 be relevant to do such an after action review?

9 **MS. ROBIN WETTLAUFER:** No.

10 **MR. GUILLAUME SIROIS:** Why not?

11 **MS. ROBIN WETTLAUFER:** Because there is a
12 great deal of information that is present on the global
13 internet at any point in time, our function in monitoring
14 by-elections is not to see everything and summarise
15 everything that is happening outside of the by-election
16 context. I will RRM Canada does monitor Russian information
17 on an ongoing basis, in particular, as it pertains to
18 impacted partners in Europe, in particular, as it pertains to
19 the Ukrainian information ecosystem, but we do not have the
20 capacity to track every site everywhere all the time.

21 **MR. GUILLAUME SIROIS:** And what message is
22 this sending to Russia or other autocratic states that may
23 want to use the same techniques during by-elections or during
24 general elections?

25 **MS. ROBIN WETTLAUFER:** I could not answer
26 that.

27 **MR. GUILLAUME SIROIS:** Okay. I want to focus
28 on the impacts now. So I want to focus on the two most hotly

1 contested by-elections, Toronto St. Paul's and Verdun. We
2 know that both of these ridings were Liberal strongholds.
3 Toronto St. Paul's was held since -- by Liberals since 1993,
4 and Verdun for close to a century by Liberals. And you'd
5 agree that Liberals lost both by-elections when they were the
6 incumbents.

7 Are you aware that the last time an incumbent
8 party lost a by-election was during the 42nd parliament in
9 May 2019? Were you aware of that?

10 **MR. RYAN MACDONALD:** I recall hearing
11 something.

12 **MS. ROBIN WETTLAUFER:** Yeah.

13 **MR. RYAN MACDONALD:** Go ahead.

14 **MS. ROBIN WETTLAUFER:** I was not in my
15 position in 2019.

16 **MR. GUILLAUME SIROIS:** But -- Mr. MacDonald,
17 you want to ---

18 **MR. RYAN MACDONALD:** I recall hearing the
19 media around that.

20 **MR. GUILLAUME SIROIS:** Thank you. And I put
21 to you that after that, nine by-elections were held before
22 the Toronto St. Paul's, and all were won by the incumbent
23 party.

24 And you're -- are you aware also that both
25 by-elections, Toronto St. Paul's and Verdun, were lost by a
26 very small margin?

27 **MR. RYAN MACDONALD:** Well, I believe that's
28 what was reported in the news, yes.

1 **CSIS REPRESENTATIVE NO. 2:** [No
2 interpretation]

3 **MR. GUILLAUME SIROIS:** Sorry, I think I
4 missed that last part.

5 **COMMISSIONER HOGUE:** Yeah.
6 Can you repeat what you just said?

7 **CSIS REPRESENTATIVE NO. 1:** I agree with what
8 he just said.

9 **MR. GUILLAUME SIROIS:** Okay.

10 So I put to you that these massive propaganda
11 campaigns, we're talking about, like, 50 videos in Canada,
12 thousands of videos across the board, were viewed my millions
13 of people in total, but half-a-million people in Canada. The
14 Canadian videos were seen by half-a-million people. I put to
15 you that it did have an impact on those two by-elections. If
16 not the videos themselves, then the conversations that were
17 held by people that viewed these videos with their friends,
18 which they repost on social media, or the conversations they
19 had with their neighbours, for instance.

20 **MR. MATTHEW JOHNSON:** Madam Commissioner, I
21 think I have to object. There is a number of assumptions
22 based into the -- baked into the question that have not --
23 that there's no foundation for the number of Canadians who
24 viewed it, how frequently, who they talked to. I don't think
25 it's fair to put to these witnesses numbers such as that with
26 zero foundation on the record about it.

27 **COMMISSIONER HOGUE:** Do you want to ---

28 **MR. GUILLAUME SIROIS:** Well, it's been widely

1 reported in the media ---

2 **COMMISSIONER HOGUE:** --- say something?

3 **MR. GUILLAUME SIROIS:** --- that these videos
4 have been viewed half-a-million times. I repeated this
5 countless of times to various witnesses so far. I can
6 present evidence about that. I don't think there is the need
7 to do this, but if my friend really wants to maintain his
8 objection I can do that.

9 **COMMISSIONER HOGUE:** What is the question
10 exactly?

11 **MR. GUILLAUME SIROIS:** I am asking whether
12 they disagree that this propaganda campaign had an impact on
13 the two by-elections.

14 **COMMISSIONER HOGUE:** Had an impact?

15 **MR. GUILLAUME SIROIS:** Yeah, exactly.

16 **COMMISSIONER HOGUE:** Do you know?

17 **MS. ROBIN WETTLAUFER:** So if I may. Human
18 psychology is complex, but I would also say that Canadians
19 are very resilient. It's very difficult to determine whether
20 this article or this video that an individual viewed once has
21 completely altered their mindset on something. I would say
22 in the vast majority of cases the answer is it doesn't. And
23 again, we have a strong society, Canadians are critical
24 thinkers, et cetera.

25 At the same time, the reason we do the work
26 we do is because we know our adversaries do invest in
27 information manipulation and interference, and they wouldn't
28 invest in it if they didn't think that it could be impactful

1 in the future. So I don't want to diminish the prospects of
2 it having an impact, but what I would say is I would
3 absolutely not assume, based on the fact that a fringe media
4 video may have been viewed by someone that it would
5 automatically change in, you know, their wealth of lifelong
6 experience and change their mind in that way.

7 **MR. GUILLAUME SIROIS:** And considering that,
8 again, that this is evidence that we've heard about countless
9 times with these proceedings, but there is -- Russia has been
10 promoting or amplifying an anti-Trudeau campaign since at
11 least 2018. It was listed at -- in the Top 10 Russophobes in
12 RT and so on, especially during the Freedom Convoy.

13 And do you believe that the accumulative
14 impact of this propaganda campaign over the years, or like
15 close to a decade, could change someone's perspective on
16 certain issues and influence how they vote, including during
17 both these by-elections?

18 **MS. ROBIN WETTLAUFER:** I do not have evidence
19 to draw that conclusion.

20 **MR. GUILLAUME SIROIS:** Okay.

21 **CSIS REPRESENTATIVE NO. 1:** This is rep 1.
22 As well, I mean, I don't think in terms of our proposal, we
23 have a methodology, and I think we have what we need to make
24 such a conclusion.

25 **MR. GUILLAUME SIROIS:** I'd like to pull
26 CAN.SUM 6, please, at page 2.

27 **--- EXHIBIT No. CAN.SUM.000006:**

28 Country Summary: Russia

1 **MR. GUILLAUME SIROIS:** The statement -- this
2 is a summary about Russia that was prepared in this
3 Commission's proceedings. At page 2, we see a statement that
4 says:

5 "The Russian Federation continues to
6 pose an FI threat to Canada, although
7 it is likely not currently a
8 significant FI actor in relation to
9 Canadian federal elections."

10 So this summary was prepared in the spring or
11 end of winter of this year; right?

12 **COMMISSIONER HOGUE:** I think there's a date
13 at the top.

14 **MR. GUILLAUME SIROIS:** I just want an
15 approximate.

16 **COMMISSIONER HOGUE:** Is there?

17 **MS. ROBIN WETTLAUFER:** It's a country
18 summary.

19 **MR. GUILLAUME SIROIS:** It was prepared in
20 this Commission's proceedings?

21 **MS. ROBIN WETTLAUFER:** Yeah.

22 **MR. RYAN MACDONALD:** We didn't prepare it
23 though.

24 **MR. GUILLAUME SIROIS:** Okay. I just want to
25 draw your attention to the statement specifically. So this
26 statement was prepared during this Commission's proceedings
27 right in the middle of the Tenet Media operation. It was
28 also prepared close to the Toronto St. Paul's by-election.

1 I'm wondering whether you think that the statement that
2 Russia is not currently a significant foreign interference
3 actor in relation to Canadian federal elections is still true
4 in light of the Tenet Media operation that has come to light?

5 **CSIS REPRESENTATIVE NO. 1:** [No
6 interpretation]

7 The interpreter regrets, but she cannot
8 understand the statement.

9 **MR. GUILLAUME SIROIS:** Do you have anything
10 to add?

11 **MR. RYAN MACDONALD:** I would just say I think
12 that was the summary that was prepared. I think as many
13 witnesses have said, we are constantly monitoring the tactics
14 and activities of Russia and their intent and capabilities.
15 Changing assessments like that and making inferences from the
16 specific sample you give would be a matter of a high degree
17 of assessment that we would want to undertake, and so I think
18 we would stand by that the evidence we have seen thus far
19 remains accurate to what's stated there.

20 **MR. GUILLAUME SIROIS:** I want to read you a
21 statement by Richard Fadden, former Director of CSIS, that he
22 made to the media shortly after the Tenet Media operation
23 became public. He said:

24 "If you think naively that the
25 Russians don't care as much about
26 influencing Canadian thought,
27 penetrating the Canadian government
28 at all levels, I'm here to tell you

1 that they care deeply about shaping
2 how you think, how you vote, and
3 sewing chaos and discord." (As read)

4 That's Richard Fadden, former Director of
5 CSIS.

6 Do you disagree with that statement?

7 **CSIS REPRESENTATIVE NO. 1:** CSIS

8 Representative 1. Obviously SITE carries on active
9 monitoring on the threats emanating from Russia, obviously,
10 the way assessments being made with other state actors up
11 front. However, if anything exists in terms of intent to
12 threat assessment, it remains what it is as done by Mr.
13 Macdonald.

14 **MR. GUILLAUME SIROIS:** So you disagree with
15 that statement? I just -- it was a simple question and a not
16 so simple answer. So I just want to know if you agree or
17 disagree with that statement?

18 **CSIS REPRESENTATIVE NO. 1:** I have no further
19 comments.

20 **MR. RYAN MACDONALD:** And I would suggest
21 there's elements of that statement that we would agree with
22 that match the summary provided, but there are elements that
23 are not based on the evidence that we've seen to date.

24 **MR. GUILLAUME SIROIS:** What ---

25 **MR. RYAN MACDONALD:** The specifically
26 targeting electoral voting and the like, something that as
27 you have in front of you, is different than the statement as
28 provided.

1 **MR. GUILLAUME SIROIS:** Do you think that the

2 ---

3 **MS. ERIN DANN:** Commissioner -- apologies,
4 Mr. Sirois.

5 I just wanted to clarify for the record that
6 the summary that's on the screen at the moment, CAN.SUM6, was
7 the summary prepared for Stage 1 of the proceedings. There
8 is a further country summary available at CAN.SUM30.

9 **--- EXHIBIT No. CAN.SUM.000030:**

10 Country Summaries: People's Republic
11 of China, Russia, India, Iran and
12 Pakistan

13 **COMMISSIONER HOGUE:** Thank you.

14 **MR. GUILLAUME SIROIS:** We can pull it down.
15 I only have one question remaining considering my amount of
16 time.

17 Do you believe that the distinction between
18 influencing how Canadians think about certain issues and the
19 influence of votes or elections is too superficial to be of
20 any relevance?

21 **MR. RYAN MACDONALD:** I'm not sure I entirely
22 understand the question. If you could restate it?

23 **MS. ROBIN WETTLAUFER:** Yeah.

24 **MR. GUILLAUME SIROIS:** Just difficult to
25 understand why you say that Russia is -- wants to influence
26 how people think, but not how they vote. That's something
27 that's very difficult to understand. Do you think that this
28 distinction is relevant and useful?

1 **CSIS REPRESENTATIVE NO. 1:** CSIS Rep 1.

2 Obviously I'll bring you back to the mandate of the SITE Task
3 Force, which is obviously focused on electoral processes
4 related to federal elections and by-elections. And what you
5 seem to be referencing is a larger scope that you may be
6 better positioned to comment on than for us to respond.

7 **MR. GUILLAUME SIROIS:** It's out of your
8 mandate? Is that what I understand?

9 **MS. ROBIN WETTLAUFER:** As SITE.

10 **MR. GUILLAUME SIROIS:** SITE, yeah.

11 **MS. ROBIN WETTLAUFER:** What I would offer is
12 that all of our departments are very focused on the future
13 risks of Russian interference and we all have capabilities
14 and we are all monitoring closely.

15 At the same time as the Tenet Media
16 indictment, we also came out with a public statement
17 regarding our particular concerns with Russia Today. And I
18 can say that we have put together, as has been referenced in
19 previous public statements from my department, we have been
20 putting together sanctions packages regarding Russian
21 disinformation actors. So I know this isn't answering your
22 particular questions, but what I would say is as the SITE
23 Task Force and as -- and its component parts, we are watching
24 very closely for risks around Russian interference.

25 **MR. GUILLAUME SIROIS:** Thank you.

26 **COMMISSIONER HOGUE:** Me Sirois, your time is
27 over.

28 **MR. GUILLAUME SIROIS:** I know. I'm sorry.

1 And I appreciate the indulgence.

2 **COMMISSIONER HOGUE:** Thank you. Next one is
3 counsel for the Sikh Coalition.

4 **--- CROSS-EXAMINATION BY MR. PRABJOT SINGH:**

5 **MR. PRABJOT SINGH:** Thank you, Commissioner.

6 And to our panelists, my name is Prabjot
7 Singh, I'm counsel for the Sikh Coalition. I'm going to be
8 directing most of my questions to CSIS Representative 1, as
9 the Chair of the SITE Task Force, but if any of your
10 colleagues want to jump in and add anything to any of the
11 questions, please feel free.

12 Can we bring up CAN40229, please, and go to
13 page 7?

14 **--- EXHIBIT No. CAN040229 0001:**

15 SITE TF Assessment of Foreign
16 Interference Threats to Canadian
17 Democratic Institutions - 2023

18 **MR. PRABJOT SINGH:** And I believe this is the
19 June 2023 SITE Update that was referred to earlier.

20 If we look at paragraph 17, it states that:

21 "Government of India Officials remain
22 particularly concerned with India's
23 image abroad, so a priority in its
24 foreign interference strategy is
25 countering all activities and
26 narratives it considers anti-India."

27 (As read)

28 Would you agree with that assessment today?

1 **CSIS REPRESENTATIVE NO. 1:** I think the
2 assessment remains accurate.

3 **MR. PRABJOT SINGH:** Thank you.

4 And if we can bring up CAN47436? And go to
5 page 7 again, please.

6 And this is another SITE Update. I don't
7 believe that there's a date on this document.

8 And if you just -- yeah, right there is
9 perfect.

10 So this document talks about Indian foreign
11 interference approaches:

12 "...particularly in attempts at
13 creating a single narrative or a
14 consistent message that helps to
15 ensure the survival and prosperity of
16 the foreign state." (As read)

17 So would foreign interference tactics
18 amplifying a single narrative be characterized as some form
19 of information manipulation or disinformation?

20 **CSIS REPRESENTATIVE NO. 1:** In terms of
21 disinformation, I think as well you'll see in the official
22 document at your disposal that we mentioned that the
23 Government of India is using disinformation as component of
24 practice against Canada to pressure Government of Canada
25 officials that counter all activities that they consider
26 anti-India and to support the election of pro-Government of
27 India candidates and undermine the campaigns of those they
28 perceive as anti-India candidates.

1 **MR. PRABJOT SINGH:** And thank you for adding
2 some of that context. I want to note in this document
3 specifically, when it talks about countering activities by
4 diaspora communities, it specifically references protests
5 against agricultural reforms in India in late 2021 and lawful
6 advocacy for issues such as an independent Khalistan.

7 So protesting government policies or engaging
8 in lawful advocacy are not considered extremism or illegal in
9 Canada; correct?

10 **CSIS REPRESENTATIVE NO. 1:** Correct.

11 **MR. PRABJOT SINGH:** But it is something that
12 India seeks to disrupt or undermine somehow? Is that fair?

13 **CSIS REPRESENTATIVE NO. 1:** I will also
14 provide that through the document at your disposal that the
15 Government of India does not differentiate between the laws
16 throughout Khalistan and prophecy and the (Indiscernible)
17 Pakistani violent extremism. So yeah.

18 **MR. PRABJOT SINGH:** Thank you for that. And
19 if we can bring up CAN44584?

20 **--- EXHIBIT No. CAN044584 0001:**

21 SITE Briefing to P5

22 **MR. PRABJOT SINGH:** And this is a March 2024
23 SITE Briefing to the Panel of Five. I believe it was
24 conducted by Vanessa Lloyd and Bo Basler.

25 If we could scroll down to page 3, please?
26 Right there is good. If we can scroll down further? Back up
27 to the top, please. Maybe scroll up a little bit higher.
28 Actually, no, sorry, I just caught it. If you scroll down

1 one last time? I found it this time, I promise.

2 So in that second paragraph, or that last
3 line, it says that:

4 "SITE continues to assess that the
5 [Government of India] seeks to
6 covertly influence Canadian officials
7 at all levels [...] to take positions
8 and decisions that are favourable to
9 the [Government of India]."

10 And CSIS Representative 1, I think you spoke
11 to this earlier when you were answering questions with
12 Commission counsel. Do you agree with that statement and see
13 that as an accurate statement today?

14 **CSIS REPRESENTATIVE NO. 1:** The statement
15 remains accurate as to today.

16 **MR. PRABJOT SINGH:** Thank you. And it talks
17 about the:

18 "...use of disinformation as a key
19 [foreign interference] tactic against
20 Canada to pressure [Government of
21 Canada] officials to counter all
22 activities the [Government of India]
23 considers anti-India..."

24 Do you agree with that assessment?

25 **CSIS REPRESENTATIVE NO. 1:** This assessment
26 remains accurate today.

27 **MR. PRABJOT SINGH:** Thank you. So India uses
28 disinformation or amplifies certain narratives in order to

1 create pressure on Canadian officials to make certain policy
2 decisions and certain steps against criticism against the
3 Government of India? Is that correct?

4 **CSIS REPRESENTATIVE NO. 1:** I'll stay with
5 the actual content in front of us.

6 **MR. PRABJOT SINGH:** Thank you. And if we
7 scroll to the bottom of the page? That last paragraph?
8 Thank you.

9 So that last paragraph talks about efforts of
10 the Government of India geared towards influencing Canadian
11 policy and messaging, which includes countering the influence
12 of Sikhs in Canadian politics writ large. So activities of
13 this nature that are specifically targeting democratic
14 participation of an ethnic community and a vulnerable
15 minority, would you agree that that constitutes a pervasive
16 attack against Canada's democratic institutions and *Charter*
17 protections in Canada?

18 **CSIS REPRESENTATIVE NO. 1:** You bring
19 specific language to the discussion. I will not make that
20 extra step. I will stay with the actual contents and
21 assessment that we saw in that statement today.

22 **MR. PRABJOT SINGH:** Sure. So what I'm asking
23 is, with that assessment that the Government of India is
24 trying to counter the influence of Sikhs in Canada, I'm
25 asking for your assessment whether that would constitute an
26 attack against Canada's democratic institutions and *Charter*
27 rights?

28 **CSIS REPRESENTATIVE No. 1:** From our

1 assessment if this is foreign interference, that actually is
2 brought over to SITE under the five centres, and more
3 specifically out of the work that CSIS does under its
4 mandate.

5 **MR. PRABJOT SINGH:** Sorry, I wasn't able to
6 hear that clearly. Are you able to repeat that answer?

7 **CSIS REPRESENTATIVE No. 1:** I mean, what I
8 mentioned is that the actual information we have about
9 [indiscernible] of the collection under the SITE banner, and
10 CSIS most specifically. If you can bring back your initial
11 question that would help me correctly bring back my thought.

12 **MR. PRABJOT SINGH:** The question was so this
13 document says that India seeks to counter the influence of
14 Sikhs in Canadian politics. And I just wanted your
15 assessment of that fact, if that's what the government of
16 India is seeking to do, whether you would consider that a
17 threat to Canada's national security and democratic
18 processes? Would you agree with that?

19 **CSIS REPRESENTATIVE NO. 1:** As far as the
20 CSIS mandate, foreign interference, foreign influenced
21 activities would be of interest of national security. That
22 would be my response to the question.

23 **MR. PRABJOT SINGH:** Thank you. I'm going to
24 move on. Mr. Macdonald, if you don't mind if I direct my
25 questions at you, just so you're in person so we can hear a
26 little bit more clearly?

27 **MR. RYAN MACDONALD:** That's fair. Yeah, I
28 mean it depends on your question I suppose. I'll do my best

1 to answer it.

2 **MR. PRABJOT SINGH:** So ---

3 **COMMISSIONER HOGUE:** Can you repeat the
4 answer that I've been given? No, no.

5 **MR. RYAN MACDONALD:** Well, I believe in terms
6 of your question there though, it's just that I think we
7 would agree this is an example of foreign interference, which
8 is really what our mandate is, right? And you've used some
9 other language around that, but ---

10 **MR. PRABJOT SINGH:** Sure. And so, given the
11 totality of the activities we've kind of were able to glean
12 from the SITE report, is it fair to say that India seeks to
13 discredit or otherwise undermine political dissidents or
14 critics of the Government of India in Canada?

15 **MR. RYAN MACDONALD:** I think we've pointed to
16 that evidence, yes.

17 **MR. PRABJOT SINGH:** Thank you.

18 And so, when we're talking about the
19 Government of India trying to covertly influence Canadian
20 policy and decision making, India particularly wants the
21 Government of Canada to somehow act against political speech
22 and expression by Sikhs in Canada. Is that something that
23 you would agree with? That's one of the goals and one of the
24 policy objectives that the Government of India is pushing
25 for?

26 **MR. RYAN MACDONALD:** I think it states that
27 in the document you have in front of us.

28 **MR. PRABJOT SINGH:** Okay. Thank you. Those

1 are all my questions.

2 **COMMISSIONER HOGUE:** Thank you. Attorney
3 General, do you have any questions? Yes.

4 **--- CROSS-EXAMINATION BY MR. MATTHEW JOHNSON:**

5 **MR. MATTHEW JOHNSON:** Yes, thank you very
6 much, Madam Commissioner. Just for the record, my name is
7 Matthew Johnson, I'm counsel for the Attorney General of
8 Canada.

9 There's just a couple of questions I want to
10 start with and then I'm going to take a step back, I think,
11 and ask some broader questions.

12 I think some clarification might be useful
13 around what is involved in monitoring a by-election and what
14 that looks like on a day-to-day process. And I think it
15 might be useful to go sort of, through each agency and talk a
16 little bit about what it is that that ultimately looks like,
17 just so we can have some clarity about that. So maybe I'll
18 start with CSIS Representative number -- maybe I'll go with
19 CSIS Representative number 1, and then if there is anything
20 that Representative number 2 wants to add we can do that
21 afterwards.

22 **CSIS REPRESENTATIVE NO. 1:** Yeah, thank you
23 very much.

24 So the monitoring for a by-election is
25 triggered obviously by the announcement of an exact date.
26 That would be captured from connectivity with [indiscernible]
27 from there on. The baseline assessment for a specific
28 riding, or ridings if there are several by-elections, would

1 need to be put together. And then would also be triggered at
2 the beginning of the writ period. There would be weekly
3 consultations. So from a CSIS centric standpoint, that would
4 mean that we need to engage all of the operational areas that
5 actually are working through it, as they relate to the
6 specific states and identify a threat -- as a threat to
7 foreign interference. That would be reported back to CSIS.
8 And then I'll let my colleague just speak about
9 [indiscernible] but with that actually, before the final
10 assessment.

11 **MS. ERIN DANN:** CSIS SITE Representative
12 number 1, if you could try to speak more slowly? We're
13 having difficulty understanding you in the hearing room.

14 **CSIS REPRESENTATIVE NO. 1:** Oh, sorry about
15 that. I'll go definitely slower. So the initial process for
16 the monitoring of the by-election starts with the delivery of
17 a baseline assessment and from there on, even also we would
18 be into a red period. It would be weekly consultation within
19 CSIS with a different operational centres of expertise that
20 are covering this elections that have been considered as
21 potential -- as potentially involved in foreign interference
22 activities. So during that period as well there will be
23 active consultation with the other SITE agencies.

24 So I'll pass the ball to my colleagues. Will
25 you want to start with Mr. Macdonald?

26 **MR. RYAN MACDONALD:** Sure. So I think just
27 your question was just as an agency when a by-election is
28 going on what does that look like for us? You know, I'll

1 repeat that point that when it comes to foreign interference
2 it's something that CSE is always looking for when it comes
3 to our foreign signals intelligence mandate.

4 But obviously having an event like a by-
5 election happening and with the additional monitoring that
6 SITE has put in place, we make sure that all of the
7 operational areas that may come across intelligence of
8 relevance to that event are made aware of that event, and
9 then we stay in regular contact with them. Partly as the
10 SITE member to ensure that if there is any information that
11 is relevant to the task we've been assigned, that that would
12 quickly become part of the SITE Reps that we're putting
13 together as part of the SITE task force.

14 **MR. MATTHEW JOHNSON:** Ms. Wettlaufer?

15 **MS. ROBIN WETTLAUFER:** So I would say there's
16 two different types of monitoring that the RRM does during a
17 by-election. There is automated monitoring, so the team does
18 some basic coding to program various softwares, in order to
19 monitor an array of social media platforms using typically
20 commercially available tools, but creating some of their own
21 with -- that way.

22 Then for some sites, and I would say this is
23 primarily for the Chinese platforms which do not lend
24 themselves to the automated monitoring, there is manual
25 monitoring, in which a series of keyword searches are done on
26 a daily basis related to the candidates and the riding in
27 question to identify any problematic information regarding --
28 that could be seen as a form of information manipulation.

1 They also look for various indicators of
2 atypical behaviour that identify that there's inauthentic
3 coordination or inauthentic amplification of messaging on
4 social media. So that will be set up. So some of the
5 monitors that typically would be looking elsewhere will be
6 sort of, temporarily reprogrammed to look at the riding in
7 question.

8 **MR. MATTHEW JOHNSON:** Mr. O'Hayon, anything
9 to add from an RCMP perspective?

10 **MR. GREGORY LAURENT O'HAYON:** Actually, our
11 posture resembles a lot of what Mr. Macdonald brought up.
12 Essentially through my office I task one of my intelligence
13 units to reach out to the operational units, whether it's
14 protective, national security, technical operations, and do
15 daily polls with anything related to the by-election. And
16 they serve as the collection and collation point for any and
17 all information related to it, and then through me it gets to
18 SITE.

19 **MR. MATTHEW JOHNSON:** Okay. And Ms.
20 Wettlaufer, I'm going to come back to you mentioned you're
21 looking for inauthentic behaviour. Is it fair to summarize
22 that you're looking for patterns? You're looking for
23 patterns? You're looking for bigger picture assessments?
24 You're not looking at individual videos; is that fair?

25 **MS. ROBIN WETTLAUFER:** No, I would say with
26 the exception of, in a way on the Chinese social media
27 platforms, the team has a very good understanding of the
28 Chinese information ecosystem, but they do have to manually

1 go to each site, because there's no -- we don't have tools to
2 be able to just look at the broader patterns. With other
3 social media platforms, it's much more easy to look at, sort
4 of, the -- again, the indicators.

5 **MR. MATTHEW JOHNSON:** Yeah. And you're
6 looking for something abnormal?

7 **MS. ROBIN WETTLAUFER:** Exactly.

8 **MR. MATTHEW JOHNSON:** I have a more general
9 question, maybe I'll direct it at Mr. Macdonald. But if
10 anybody else wants to jump in. Just in terms of taking a
11 step back to the role of SITE, my friend Mr. Sirois asked you
12 about the impact of particular videos. And I just wanted to
13 ask from the perspective of the SITE construct, are you
14 assessing impact? Is that a fair statement, or are you doing
15 something else as part of your work when you're looking at
16 elections?

17 **MR. RYAN MACDONALD:** I think when it comes to
18 elections, certainly the by-elections, we provide evidence of
19 incidents occurring and we provide that information up for
20 then some consideration to be done around the assessment of
21 what that might do on the outcome of an electoral process.

22 **MR. MATTHEW JOHNSON:** So you're looking for
23 evidence of foreign interference and then others assess the
24 impact of that. Is that fair?

25 **MR. RYAN MACDONALD:** I think certainly in the
26 election period itself, yes.

27 **MR. MATTHEW JOHNSON:** Okay. I want to take -
28 - I'll go a little bit sideways. I don't have much time.

1 You talked a little bit, and I believe Ms. Wettlaufer, you
2 talked about for example, in between elections and in between
3 by-elections you're still meeting regularly.

4 **MS. ROBIN WETTLAUFER:** Yes.

5 **MR. MATTHEW JOHNSON:** I think I heard you say
6 you meet monthly and for half a day. Can we talk a little
7 bit about the benefit of that ongoing work, and what it is
8 that you're doing outside of elections and how that benefits
9 the overall process?

10 **MS. ROBIN WETTLAUFER:** Sure. So we have --
11 and CSIS Representative 1 can talk through these meetings in
12 greater detail.

13 But I have to say, the value for us is in
14 having this community of practice, so we're able to talk
15 through, you know, both operational challenges, policy
16 challenges, you know, trends in the domain, trends
17 internationally, what we're seeing. You know, what I can
18 bring to the table is trends that we're seeing in other
19 countries abroad, things we're hearing from G7 rapid response
20 mechanism partners about what's happening. So that's what we
21 can bring to the table, but we learn a lot from our
22 intelligence and security colleagues.

23 **MR. MATTHEW JOHNSON:** And CSIS Representative
24 number 1, maybe I'll turn that over to you to talk a little
25 bit about how your processes are refined through the ongoing
26 work in between elections amongst the full SITE construct.

27 **CSIS REPRESENTATIVE NO. 1:** [No
28 interpretation] but in order to work with the community of

1 practice we need to bring some substance, we need to make
2 sure that the threats are updated so we bring in experts to
3 talk about threats. They can involve one country in
4 particular or it can be some trends.

5 We also have communications with experts
6 about methodology to carry out evaluations, so more
7 strategically, and we also, together, do what we mentioned
8 [no interpretation].

9 Interpreter regrets, she can't hear.

10 We have monthly meeting. We have monthly
11 meeting outside of by-elections.

12 **MR. MATTHEW JOHNSON:** Thank you.

13 Just given the time I have left I'm going to
14 ask one final question, and I'll ask each of the panel
15 members to answer. But my friend, Ms. Dann, Commission
16 counsel, took you through each of the after-action reports,
17 and you confirmed that in each of those you had not observed
18 any foreign interference.

19 I just want to ask, based on the observations
20 you had of the by-elections since May 2023, are you of the
21 view and would you agree that Canadians should and can have
22 confidence in the integrity of the elections that you've
23 monitored? And maybe I'll start with Mr. Macdonald.

24 **MR. RYAN MACDONALD:** Yes, I would for --
25 yeah.

26 **MR. MATTHEW JOHNSON:** Ms. Wettlaufer, any
27 concerns?

28 **MS. ROBIN WETTLAUFER:** Canadians can have

1 full confidence in the elections we monitored.

2 **MR. MATTHEW JOHNSON:** Mr. O'Hayon?

3 **MR. GREGORY LAURENT O' HAYON:** I agree with my
4 colleagues.

5 **MR. MATTHEW JOHNSON:** CSIS Representative
6 number 2?

7 **CSIS REPRESENTATIVE NO. 2:** Yes, this is CSIS
8 Representative 2. I would agree with that.

9 **MR. MATTHEW JOHNSON:** And CSIS Representative
10 number 1?

11 **CSIS REPRESENTATIVE NO. 1:** I will also agree
12 with that, 100 percent.

13 **MR. MATTHEW JOHNSON:** Thank you very much.
14 That's my time. Thank you very much, Madam Commissioner.

15 **COMMISSIONER HOGUE:** Thank you. Re-
16 examination, Ms. Dann?

17 **MS. ERIN DANN:** No, thank you.

18 **COMMISSIONER HOGUE:** So the day is over.
19 Again, tomorrow same time, 9:30.

20 **MR. ZAKARIA MOUMNI:** Inaudible. The
21 interpreter can't hear. No microphone is...

22 [No interpretation]

23 **COMMISSIONER HOGUE:** We are going to
24 interrupt -- I'm going to speak with the Commission counsel
25 and we will let you know.

26 **MR. ZAKARIA MOUMNI:** [No interpretation]

27 **COMMISSIONER HOGUE:** Let me speak with the
28 counsels.

1 **MR. ZAKARIA MOUMNI:** [No interpretation]

2 **COMMISSIONER HOGUE:** We are going to adjourn
3 briefly and I will come back to let you know what we're going
4 to do.

5 **MR. ZAKARIA MOUMNI:** [No interpretation]

6 **COMMISSIONER HOGUE:** Merci.

7 So, thank you all. So we'll suspend for a
8 few minutes and we'll come back, but you're free to go.

9 Thank you.

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

11 The sitting of the Commission is now in
12 recess until 5:20 p.m.

13 --- Upon recessing at 5:07 p.m.

14 --- Upon resuming at 5:18 p.m.

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

16 This sitting of the Foreign Interference
17 Commission is now back in session.

18 The time is 5:18 a.m.

19 **COMMISSIONER HOGUE:** Sir, what I'd like to
20 invite you to do is to send us all the additional information
21 that you would like to send to us quickly in written form and
22 I personally commit to read what you will send to us and to
23 apprise myself of all this information. I will do that.

24 **MR. ZAKARIA MOUMNI:** Inaudible

25 [No interpretation]

26 Microphone, please.

27 I have video and material proof with regard
28 to the RCMP and someone very close to the Moroccan Embassy

1 says very clearly in a video, and these police officers are
2 working with them.

3 **COMMISSIONER HOGUE:** If there are elements
4 that you would like to bring to my attention, you can
5 download these to a USB key.

6 And what I suggest is that you can correspond
7 with the lawyers of the Commission to decide what is the best
8 way to send this to us and I will -- I will look at all this
9 information.

10 Is that okay?

11 **MR. ZAKARIA MOUMNI:** Yes. Thank you very
12 much.

13 **COMMISSIONER HOGUE:** So we will start up
14 again tomorrow at 9:30.

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

16 This sitting of the Foreign Interference
17 Commission is adjourned until tomorrow, the 4th of October
18 2024 at 9:30 a.m.

19 --- Upon adjourning at 5:20 p.m.

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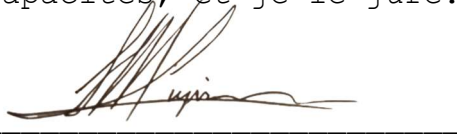
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C E R T I F I C A T I O N

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

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



Sandrine Marineau-Lupien