



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**

VOLUME 27

Held at :

Library and Archives Canada
Bambrick Room
395 Wellington Street
Ottawa, Ontario
K1A 0N4

Thursday, October 3, 2024

Tenue à :

Bibliothèque et Archives Canada
Salle Bambrick
395, rue Wellington
Ottawa, Ontario
K1A 0N4

Le jeudi 3 octobre 2024

INTERNATIONAL REPORTING INC.

<https://www.transcription.tc/>

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Erin O'Toole	Thomas W. Jarmyn Preston Lim
Senator Yuen Pau Woo	Yuen Pau Woo
Sikh Coalition	Balpreet Singh Prabjot Singh
Bloc Québécois	Mathieu Desquilbet
Iranian Canadian Congress	Dimitri Lascaris

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Ottawa, Ontario

--- L'audience débute le jeudi 3 octobre 2024 à 9 h 32

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

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

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

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

The time is 9:32 a.m. Il est 9 h 32.

COMMISSAIRE HOGUE: Alors, bonjour à tous.

Une autre journée devant nous.

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/Assermenté:

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,

1 D-u-h-e-m-e.

2 --- COMM MICHAEL ROBERT DUHEME, Affirmed/Sous affirmation

3 solennelle:

4 THE REGISTRAR: And finally, for Ms. Gauvin.
5 Could you please state your full name and
6 spell your last name for the record?

7 A/COMM BRIGITTE GAUVIN: Brigitte Gauvin, G-
8 a-u-v-i-n.

9 --- A/COMM BRIGITTE GAUVIN, Affirmed/Sous affirmation

10 solennelle:

11 THE REGISTRAR: Counsel, you may proceed.

12 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR

13 MS. LYNDA MORGAN:

14 MS. LYNDA MORGAN: Thank you.

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

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

22 D/COMM MARK FLYNN: Yes, I have.

23 COMM MICHAEL DUHEME: Yes, I have.

24 MS. LYNDA MORGAN: Any changes to make?

25 D/COMM MARK FLYNN: Not from my part.

26 COMM MICHAEL DUHEME: No as well.

27 MS. LYNDA MORGAN: Okay. And I'll ask both
28 of you, do you adopt the contents of the witness summary as

1 part of your evidence before the Commission?

2 **COMM. MICHAEL DUHEME:** Oui.

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

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

8 **--- EXHIBIT No./PIÈCE No. WIT0000108:**

9 Interview Summary: Royal Canadian
10 Mounted Police (Commissioner Michael
11 Duheme and Deputy Commissioner,
12 Federal Policing, Mark Flynn)

13 **--- EXHIBIT No./PIÈCE No. WIT0000108.FR:**

14 Résumé d'entrevue : Gendarmerie
15 Royale du Canada (commissaire Michael
16 Duheme et sous-commissaire, Police
17 fédérale, Mark Flynn)

18 **MS. LYNDA MORGAN:** If we can pull up WIT115,
19 please.

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

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

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

27 **MS. LYNDA MORGAN:** Any changes?

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

1 contents of that summary as your evidence today?

2 D/COMM MARK FLYNN: We do.

3 COMM MICHAEL DUHEME: Yes.

4 --- EXHIBIT No./PIÈCE No. WIT0000137:

5 In Camera Examination Summary: RCMP
6 Commissioner Michael Duheme, Deputy
7 Commissioner, Federal Policing, Mark
8 Flynn & Assistant Commissioner,
9 Federal Policing National Security,
10 Brigitte Gauvin

11 MS. LYNDA MORGAN: And as our final piece of
12 housekeeping, I'll ask you, Commissioner Duheme, about the
13 institutional reports that were prepared in relation to Stage
14 2.

15 So if the reporter could pull up CAN.DOC43,
16 please? This is the Stage 2 Institutional Report. And
17 CAN.DOC43.001, please. And this is the Stage 2 Unclassified
18 Annex. CAN.DOC42 and CAN.DOC42.001 are the English versions.

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

22 COMM MICHAEL DUHEME: Yes, I can. Yeah.

23 --- EXHIBIT No./PIÈCE No. CAN.DOC.000043:

24 Gendarmerie royale du Canada -
25 Rapport institutionnel, phase 2

26 --- EXHIBIT No./PIÈCE No. CAN.DOC.000043.001:

27 Gendarmerie royale du Canada - Phase
28 2 - Rapport Institutionnel - Annexe

1 non classifiée

2 --- EXHIBIT No./PIÈCE No. CAN.DOC.000042:

3 Royal Canadian Mounted Police - Stage
4 2 - Institutional Report

5 --- EXHIBIT No./PIÈCE No. CAN.DOC.000042.001:

6 Royal Canadian Mounted Police - Stage
7 2 - Institutional Report -
8 Unclassified Annex

9 **MS. LYNDA MORGAN:** Thank you. So I'll start
10 briefly with your background and roles and then we'll move
11 into the substantive issues.

12 So Comm Duheme, I'll start with you. You are
13 the Commissioner of the RCMP and you have been since March of
14 2023. Is that correct?

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

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

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

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

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

24 **MS. LYNDA MORGAN:** Thank you. And before I
25 start my questions today, I do want to be clear at the outset
26 that none of my questions are intended to ask about ongoing
27 investigations and I understand that the RCMP is not able to
28 speak about ongoing investigations. So with that caveat in

1 mind, we'll move on.

2 And so we've covered extensively the FI
3 definition in Stage 1, but as a refresher, just to situate
4 today's examination, I understand that the RCMP refers to
5 foreign interference internally as foreign actor interference
6 or FAI. And further, I understand that there is, from the
7 RCMP view, no practical distinction between the term FI,
8 foreign interference, and the term FAI. Is that correct?

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

10 **MS. LYNDIA MORGAN:** And how, if at all, does
11 the RCMP use -- or how does the RCMP use of the word HASA
12 differ from the use of FAI terminology?

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

19 **MS. LYNDIA MORGAN:** Thank you. One of the
20 things the Commissioner is examining as part of Stage 2 is
21 the government's current capacity to counter, deter, and
22 detect foreign interference. So I want to start by
23 understanding how, structurally, the RCMP responds to and
24 addresses FAI.

25 So as I understand, at the most senior level,
26 FAI related investigations fall under the federal policing
27 mandate. Is that correct?

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

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

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

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

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

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

9 **COMM MICHAEL DUHEME:** Yeah.

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

11 And the role of that team is to oversee RCMP FI
12 investigations across Canada, but not to directly conduct
13 those investigations? Is that correct?

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

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

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

1 And therefore that unit is comprised of both
2 police officers and intelligence analysts and they are very
3 well placed to provide guidance to investigative teams
4 because they have an overall national perspective on the
5 foreign interference threats. They also deal with partners
6 at the domestic and international level. Therefore they
7 transmit that knowledge to our investigative teams across the
8 country through their daily roles and responsibilities, in
9 person meetings, providing them with documentation.

10 We also have a specific foreign interference
11 course that's part of the National Security mandatory course,
12 and therefore they continuously share that knowledge and
13 guide investigations across the country.

14 **COMM. MICHAEL DUHEME:** Si vous me permettez,
15 j'ajouterais également le besoin de développer l'expertise
16 quand qu'il y a des phénomènes comme ça est important au
17 niveau de l'organisation parce que... pas juste pour... à
18 l'interne de l'organisation, comment est-ce qu'on mène les
19 enquêtes, mais également utiliser nos experts en la matière
20 pour éduquer d'autres policiers et policières à travers le
21 pays. Et puis d'avoir ces experts-là qui participent à des
22 forums au niveau international avec des gens.

23 **COMMISSAIRE HOGUE:** OK. Et quand vous parlez
24 d'éduquer d'autres membres des forces policières, est-ce que
25 vous visez des gens de la GRC...

26 **COMM. MICHAEL DUHEME:** Non.

27 **COMMISSAIRE HOGUE:** ... ou également d'autres...

28 **COMM. MICHAEL DUHEME:** L'ensemble de la

1 communauté policière canadienne.

2 **COMMISSAIRE HOGUE:** D'accord.

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

6 And I'd ask the Court Reporter to pull up
7 CAN19675, please.

8 **--- EXHIBIT No./PIÈCE No. CAN019675 0001:**

9 Federal Policing: Foreign Actor
10 Interference (FAI) Strategy

11 **MS. LYNDA MORGAN:** So the front page will
12 show you what this is, a slide deck, Federal Policing,
13 Foreign Actor Interference Strategy. It's dated May 26,
14 2023.

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

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

19 "While gaining subject matter
20 expertise on FAI is a priority for
21 personnel working on this file,
22 opportunities to gain this expertise
23 are available on more of an ad hoc
24 basis. Consequently, operational
25 personnel lack formalized awareness
26 of the tactics and modus operandi
27 leveraged by FAI actors, including an
28 in-depth understanding of the variety

1 of ways a foreign state conducts
2 intelligence operation and procures
3 protected and classified information
4 from government and [law enforcement]
5 agencies. This is compounded by the
6 lack of existing FAI policies and
7 standardized operating procedures
8 concerning FAI-related criminal
9 activities that meet the NS
10 threshold.”

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

14 **D/COMM MARK FLYNN:** So I'm happy to answer
15 that, Madam Commissaire. This strategy report was based on
16 studies that were done internally. So to put a date of 2023,
17 I would actually back it up to in the 2022 into '23
18 timeframe. This would be the findings that the team found.
19 It would have been accurate at that time in the broad sense
20 of the whole program, but as A/Comm Gauvin testified to
21 already, there was specialization in the discrete areas and
22 this is a representation across the organisation and in
23 federal policing.

24 At this time, there's been additional efforts
25 underway, different information, pamphlets, training
26 programs, addition of foreign actor interference materials
27 into our national security training, as well as numerous
28 conferences and other meetings, both internal to the RCMP,

1 but also with our policing partners, both the RCMP frontline
2 policing partners, as well as the police forces of
3 jurisdiction, where there's direct collaboration in this
4 space that has significantly increased the knowledge and
5 awareness of this topic.

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

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

14 **COMM MICHAEL DUHEME:** If I can add, the
15 organization requires a little bit of nimbleness every time
16 something new comes on board. When foreign actor
17 interference came and how we saw it spur up and get more
18 attention, yeah, we had to find different ways to train our
19 folks, and sometimes when we refer to ad hoc basis, it's
20 because we are looking at what kind of training we get.

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

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

2 And I understand that RCMP senior management
3 has made efforts to make connection to ensure a cohesive and
4 effective police response. I just wanted to understand from
5 you what steps have been taken internally to kind of work on
6 this cohesive response to FAI threats?

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

14 So there's a general awareness to make sure
15 that everybody is onboard and everybody is aware of what's
16 going on. Because, as Mark can chime in, this -- although we
17 have the investigation portion, but there's all the technical
18 portion as well that doesn't fall Mark's program, that plays
19 a huge role when we're running these investigations.

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

26 We've also created, for some specific threats
27 that are occurring across the country, we have created task
28 force type modules, or groups, to bring together a holistic

1 plan to tackle those problems and mitigate and reduce the
2 threat and the harm that's being caused. What that's done is
3 connected with everything from our municipal, our provincial,
4 and our federal mandate units across the country, including
5 those outside of the national security space. Because we do
6 see a nexus to serious organized crime and other front line
7 type crimes that are responded to by our frontline officers
8 in uniform.

9 **MS. LYNDA MORGAN:** So if we can pull up
10 WIT137, please? And scroll down to paragraph 24, please?
11 And I'll ask you -- this is a question for you, Assistant
12 Commissioner Gauvin, the summary here indicates that you
13 expressed that the RCMP is increasing collaboration and
14 information sharing between the various units that have a
15 mandate touching on FAI. Are you able to expand more
16 specifically on what is being done specific to the
17 improvements to information sharing?

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

25 And therefore, we do have more of a flow of
26 information from within the RCMP, and specifically the
27 federal police and national security program, but also with
28 the federal policing program, but also with other units when

1 they're -- where there's interconnectivity. I can give an
2 example of, for example, on the IMVE front, we're looking
3 into a certain group that is involved in child sexual abuse
4 materials and targeting youth, and therefore we're working
5 with our child exploitation unit in that area.

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

10 **COMM. MICHAEL DUHEME:** Je rajouterais à ça ce
11 que j'ai mentionné plus tôt, l'importance de partager cette
12 information-là avec la communauté policière canadienne, parce
13 que l'ingérence étrangère se présente sous... se manifeste sous
14 différentes formes.

15 Ça peut arriver que c'est la police de
16 juridiction à Vancouver ou Toronto ou un autre endroit qui
17 sont les premiers répondants et ça développe ainsi un dossier
18 qui devient l'ingérence étrangère.

19 Donc, l'important, c'est de développer
20 l'information mais également de la partager pis éduquer les...
21 l'ensemble de la communauté.

22 **COMM-A. BRIGITTE GAUVIN:** Si vous me
23 permettez d'ajouter. À même les équipes d'enquête dans les
24 grands centres, on a des équipes intégrées. Puis on a des
25 représentants des polices locales et municipales qui font
26 partie de ces équipes d'enquête là. Alors, il y a un partage
27 d'information qui se fait à ce niveau-là aussi.

28 Et c'est très important, parce qu'on voit

1 souvent dans les cas d'ingérence étrangère qu'il y a des
2 incidents qui surviennent et c'est la police de juridiction
3 qui vont être les premiers répondants. Alors, c'est très
4 important qu'ils soient au courant des différentes activités
5 et puis... alors... qu'ils puissent alors nous les signaler et on
6 peut partager l'information pour avancer nos enquêtes.

7 **COMMISSAIRE HOGUE:** Et est-ce qu'il existe un
8 mécanisme qui fait en sorte que vous êtes rapidement informé
9 s'il y a un élément d'ingérence étrangère dans une des
10 enquêtes qui peut être menée par un autre corps policier à un
11 niveau soit provincial ou même municipal?

12 **COMM-A. BRIGITTE GAUVIN:** Oui, tout à fait.
13 C'est que... ce que j'expliquais, c'est qu'il y a des... les
14 équipes intégrées...

15 **COMMISSAIRE HOGUE:** Oui.

16 **COMM-A. BRIGITTE GAUVIN:** ... qui a des
17 représentants de police de juridiction, des polices locales,
18 municipales et même provinciales qui font partie de ces
19 groupes-là.

20 Alors, il y a constamment, régulièrement des
21 échanges d'information. On parle des différents dossiers de
22 façon routinière. Alors... et puis il y a une éducation qui se
23 fait aussi routinement. Alors, oui, je dirais que le partage
24 d'information se fait assez rapidement.

25 **COMM. MICHAEL DUHEME:** Mais, sur votre point,
26 Madame la Commissaire, il se peut, à des endroits au Canada...
27 parce que comme Brigitte le mentionnait, on a des équipes
28 intégrées dans les grandes villes à travers le pays, mais il

1 y a des endroits un petit peu plus isolés des fois que
2 l'information peut... des gens peuvent ne pas reconnaître que
3 c'est l'ingérence étrangère, donc, l'information peut arriver
4 un petit peu plus lentement, mais c'est des choses que
5 l'équipe adresse à savoir avoir ce lien qu'on puisse
6 acheminer l'information et éduquer les gens le plus
7 rapidement possible.

8 **COMMISSAIRE HOGUE:** Pis le mécanisme, c'est
9 vraiment par le biais des équipes intégrées?

10 **COMM-A. BRIGITTE GAUVIN:** Oui, ou les
11 relations qui sont établies...

12 **COMM. MICHAEL DUHEME:** L'enseignement.

13 **COMM-A. BRIGITTE GAUVIN:** Oui, c'est ça.

14 Donc, soit les équipes intégrées ou, dans les autres régions,
15 c'est les relations que la GRC a avec ses partenaires. Il y
16 a un partage d'information qui se fait quand même assez
17 routinement. Et puis, d'où l'importance aussi de concentrer
18 nos efforts sur l'éducation de nos partenaires.

19 **COMMISSAIRE HOGUE:** OK.

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

25 And the one thing I'll flag before I ask
26 these questions as well, before I get a note, is just to make
27 sure you speak a bit slower than you might normally. There
28 is a lot of translation going on and it will make us more

1 popular with the translators.

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

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

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

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

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

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

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

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

28 And are you able to expand on what the RCMP's

1 layered approach looks like in relation to transnational
2 repression?

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

5 **MS. LYNDA MORGAN:** Yes.

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

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

19 Again, we have the criminal investigators
20 that are doing their work directly on that. We have our
21 federal policing national security unit that is in charge of
22 the governance and their engagement with our security
23 intelligence partners both domestically and internationally
24 and with the police forces of jurisdiction in the area where
25 those victims' families reside. And then also we have our
26 international program that is deployed around the world and
27 working with any partners where there's a nexus to victims
28 because they are not all in Canada at all times, so there are

1 times when our international program is also engaged in
2 providing services and connecting with those family members.

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

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

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

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

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

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

26 So you'll have seen in some of our
27 investigations where we have ensured that we are visible, we
28 are present, that the community knows that we care about this

1 topic and that we're aware of it and that we're aware of it
2 and that we are doing something about it.

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

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

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

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

25 Having said all of that, hearing the concerns
26 that had been raised is something that we are concerned about
27 as an organization and we will have follow-up discussions
28 with both the investigative units on some of the matters as

1 well as our prevention and engagement unit to ensure that we
2 continuously improve that performance and address those
3 concerns.

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

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

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

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

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

24 **COMM MICHAEL DUHEME:** Mais, Madame la
25 Commissaire, sometimes what we do is we piggyback on the
26 relationships that already exist from the police jurisdiction
27 where, for instance -- I'll use any big city. A lot of them
28 have these liaison groups with different diaspora and we will

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

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

9 **COMMISSIONER HOGUE:** Thank you.

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

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

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

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

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

6 So yes, there is an ongoing education.

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

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

14 If you could scroll to page 12, please.

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

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

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

27 I'll start by asking, do you agree that that
28 is an issue which presents challenges in enforcing this

1 particular piece of legislation?

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

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

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

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

27 **D/COMM MARK FLYNN:** Yes, both in our
28 investigations into violent extremism as well as the need to

1 increase resources around our protected policing who are
2 providing protection to parliamentarians and other
3 individuals in Canada.

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

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

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

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

28 **MS. LYNDIA MORGAN:** And in relation to the

1 investigation that was opened in relation to public reporting
2 of intimidation, I understand that file was closed on
3 December 13, 2023?

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

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

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

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

23 **D/COMM MARK FLYNN:** Yes, I can, Madam
24 Commissaire. In that investigation and the response to that
25 threat, as you are aware, Safeguard Defenders had published a
26 report about this activity. Traditionally, we would have
27 taken a more low-profiled response where we would have had
28 investigators out in plain clothes, not in uniform. They

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

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

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

23 **--- EXHIBIT No./PIÈCE No. CAN.SUM.000015:**

24 People's Republic of China Police
25 Stations

26 **MS. LYNDA MORGAN:** So this is, as you may be
27 familiar with, a topical summary described as People's
28 Republic of China Police Stations. If we can scroll down to

1 paragraph 13, please? And so paragraph 13 states that,
2 "In March 2023, the RCMP informed the
3 House of Commons Standing Committee
4 on a Procedure and House Affairs
5 (PROC) that uniformed RCMP officers
6 had visited four PRC "stations" which
7 reportedly ceased their operations
8 afterwards. The Minister of Public
9 Safety informed PROC in April of 2023
10 that the RCMP had taken decisive
11 action to shut down the stations."

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

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

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

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

1 repatriation campaign"." (As read)

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

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

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

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

27 At the same time, we are also aware of
28 feedback from some of the community associations and other

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

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

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

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

1 campaign in Quebec.

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

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

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

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

1 we will adjust our approach accordingly.

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

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

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

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

25 Investigations that lead to prosecutions are
26 still very much desired. There needs to be consequences for
27 actions. But we are looking at a broader campaign style
28 approach to tackling the problems. We're not looking at each

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

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

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

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

22 **--- EXHIBIT No./PIÈCE No. CAN044228 R01 0001:**

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

26 **MS. LYNDA MORGAN:** So these are meeting
27 minutes from a Deputy Minister Committee for Intelligence
28 Response, or DM CIR, meeting on October 12th, 2023. And

1 D/Comm Flynn, you're referenced as being in attendance at
2 that meeting. Did you attend?

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

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

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

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

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

15 The last paragraph states that:

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

28 I'll ask you two questions. First, is that

1 an accurate summary of the discussion? And two, can you
2 expand on your recollection of what this is in reference to?

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

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

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

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

25 The word I take most exception to there is
26 the word "excuse". I would replace that, if I was reviewing
27 this, I would have said, "had not pursued investigations or
28 taken other steps because of the reason that the RCMP is

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

6 Then as we move through here, moving to the:

7 "RCMP noted [...] when these efforts do
8 get off the ground, there is always
9 another chaotic priority [that] comes
10 up."

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

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

25 And that is our reality today, that as
26 different types of threats emerge, some are more imminent
27 than others. We will transition away and then transition
28 back as the chaotic times, as is quoted in here, subside, and

1 the imminent public safety threats by those other types of
2 events are mitigated.

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

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

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

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

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

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

20 **Me NICOLAS SAINT-AMOUR:**

21 **Me NICOLAS SAINT-AMOUR:** Merci, Maitre
22 Morgan. Madame la Commissaire, Madame Gauvin, Monsieur
23 Duheme, Monsieur Flynn, bonjour.

24 **COMM. MICHAEL DUHEME:** Bonjour.

25 **Me NICOLAS SAINT-AMOUR:** Je vais poser mes
26 prochaines questions en français, mais sentez-vous libre de
27 répondre en anglais si vous êtes plus à l'aise.

28 Alors, mes prochaines questions vont porter

1 sur les interactions que la GRC a avec les communautés de la
2 diaspora. Je sais que le sujet a déjà été abordé, mais
3 j'aimerais rentrer sur certains... discuter de certains aspects
4 très précis.

5 Alors, je vais commencer par discuter du
6 sous-signallement des infractions qui sont liées à l'ingérence
7 étrangère. Monsieur Duheme, lors de votre témoignage à huis
8 clos et de votre entrevue classifiée, vous avez souligné que
9 les communautés issues de la diaspora peuvent hésiter à
10 signaler à la GRC que les infractions sont liées à
11 l'ingérence étrangère dont ils peuvent être témoins.

12 Vous avez identifié deux raisons principales
13 pour l'expliquer. Premièrement, que les membres de ces
14 communautés peuvent redouter des représailles à leur rencontre
15 ou contre leur famille. Et deuxièmement, certains des
16 membres de ces communautés peuvent penser que les forces de
17 l'ordre sont répressives ou manquent d'indépendance.

18 Pouvez-vous élaborer sur ces deux points et
19 discuter comment est-ce que cela a un impact sur les
20 activités de la GRC?

21 **COMM. MICHAEL DUHEME:** Merci. Effectivement,
22 c'est ce que j'ai dit. Et puis il y a certains diasporas
23 qui, pour les gens qui viennent au Canada, viennent de pays
24 pour lequel les forces de l'ordre opèrent d'une façon
25 différente que les forces de l'ordre de la police au Canada.
26 Et puis ça, en soit, devient un obstacle pour bâtir cette
27 confiance et cette relation avec les gens... pour établir cette
28 confiance-là avec les gens, mais aussi avec la communauté.

1 Pour ce qui est des familles, on sait qu'il y
2 a des dossiers pour lequel les gens qui se sont fait
3 approchés au Canada, malgré le fait que eux ils sont ici, il
4 y a encore des familles à l'étranger pour lequel ils savent,
5 à cause du régime duquel qu'ils ont parti, qu'ils ont quitté,
6 ont des recours envers des menaces ou des actions envers les
7 gens de leur famille dans leur pays respectif. Donc, c'est
8 un petit peu dans ce contexte-là.

9 Vous savez, on l'a mentionné tantôt, la
10 question clé pour les relations avec les diasporas, c'est de
11 bâtir cette confiance, surtout cette relation de confiance
12 avec la police.

13 **Me NICOLAS SAINT-AMOUR:** Mais, compte tenu de
14 la réalité du sous-sigalement, pensez-vous que la GRC peut
15 avoir de la difficulté à évaluer réellement l'ampleur du
16 problème de l'ingérence étrangère?

17 **COMM. MICHAEL DUHEME:** Je pense que,
18 effectivement, si le sous-sigalement est là, et c'est pour
19 ça que Brigitte a mentionné plus tôt les efforts qu'on a mis
20 dans la région de Montréal, c'était vraiment pour aller
21 rencontrer les gens, les informer c'est quoi, et puis de
22 bâtir cette relation.

23 On parlait ce matin justement d'aller
24 rencontrer les gens dans la communauté. Il y a une éducation
25 à faire, mais comme toute enquête qu'on fait, on se fie
26 beaucoup à la population. S'il y a un crime qui a lieu sur
27 un trottoir, on va cogner à des portes pour voir les gens,
28 « Qu'est-ce que vous avez vu? », on a besoin... donc, c'est

1 pas... c'est un effort collectif, si vous voulez, mais c'est un
2 petit peu ça. La stratégie, c'est vraiment de rencontrer les
3 gens, d'établir les relations, de construire cette confiance,
4 parce que c'est pas... c'est pas en période de crise qu'on veut
5 bâtir cette confiance. On veut bâtir cette confiance-là,
6 savoir qui les gens qu'on doit parler et puis c'est ça, c'est
7 un travail de longue haleine.

8 **Me NICOLAS SAINT-AMOUR:** J'aimerais qu'on
9 discute un peu des initiatives concrètement qui ont été
10 prises par la GRC. Je vais attirer votre attention au
11 rapport institutionnel qui a été préparé par votre
12 organisation pour la phase 2. C'est le document CAN.DOC.43.

13 Et plus précisément, j'aimerais qu'on aille à
14 la page 19. Donc, à cette page, on voit que la GRC a énuméré
15 une série d'initiatives qu'elle a prises. Ce sont pour... elle
16 a listé des campagnes qui ont été menées en lien avec
17 l'ingérence étrangère. Et, je peux résumer, mais ces
18 campagnes visent différents acteurs que je regrouperais dans
19 deux grands groupes. On a, premier grand groupe, c'est la
20 communauté policière, comme vous l'avez décrit plus tôt,
21 Monsieur Duheme. Et le deuxième groupe, ce serait plutôt la
22 société civile, ce qui inclut notamment les communautés
23 issues des diasporas.

24 Donc, j'aimerais qu'on regarde des exemples
25 pour ces deux groupes. Et le premier exemple que j'aimerais
26 qu'on regarde est à la prochaine page, à la page 20, juste à
27 la fin.

28 On voit ici que la GRC distribue des « fiches

1 de conseils et d'autres documents d'information sur
2 l'ingérence étrangère » qui sont destinés :

3 « ... à améliorer les relations avec
4 les membres des diasporas, notamment
5 [en abordant les] méthodes utilisées
6 par des gouvernements [...] étranger[s]
7 pour influencer [l]es membres de ces
8 communautés. » (Tel que lu)

9 Donc, ma question, concrètement, quel genre
10 d'information est partagée et quel est l'objectif de ces
11 fiches?

12 **COMM. MICHAEL DUHEME:** Si vous me permettez,
13 Maitre, je vais demander à Brigitte, qui gère tout ce
14 portfolio-là, d'ajouter du contenu sur le travail qui est
15 fait et l'objectif.

16 **COMM-A. BRIGITTE GAUVIN:** Tout à fait, Madame
17 la Commissaire. Nos équipes travaillent progressivement à
18 développer des produits qui peuvent être consommés par le
19 public et spécifiquement les communautés diasporas. En ce
20 qui a trait à l'ingérence étrangère, je peux vous signaler
21 deux produits qui ont été développés récemment, dont un sur
22 l'ingérence étrangère en général et l'intimidation
23 spécifiquement. Un produit combiné mais aussi un produit sur
24 l'ingérence au niveau des élections.

25 Puis le but de ces produits-là, c'est
26 vraiment une question d'éducation. Mon... leur démontrer les
27 signes de l'ingérence étrangère, comment les reconnaître,
28 puis, le plus important, c'est comment les signaler, leur

1 donner de l'information sur les façons de rapporter les
2 incidents.

3 Évidemment, s'ils sont en danger immédiat,
4 ils doivent appeler le 911, la police locale. Où il y a un
5 autre moyen de rapporter des incidents d'ingérence étrangère
6 se fait à travers de notre... je vais le dire en anglais... c'est
7 le National Security Information Network qui peut être
8 contacté par téléphone mais aussi sur le Web. On a récemment
9 développé un nouveau formulaire sur le Web en juin dernier
10 qui a été modifié pour inclure différentes catégories de, si
11 vous voulez, d'incidences de sécurité nationale, dont
12 l'ingérence étrangère. Alors, les gens, s'ils se sentent
13 plus confortables et qu'ils veulent garder un certain
14 anonymat, ils peuvent utiliser cette plateforme pour signaler
15 les incidents.

16 Donc, il y a une variété de produits qui ont
17 été développés, pis on continue à développer ces produits.
18 Si on parle des fiches spécifiquement, les fiches,
19 naturellement, sont développées dans les deux langues
20 officielles, en français et en anglais, mais on a écouté les
21 communautés et leur désir de voir les fiches dans d'autres
22 langues. Et donc, présentement, les fiches sont traduites ou
23 en processus d'être traduites dans 11 différentes langues.

24 **COMMISSAIRE HOGUE:** On peut imaginer que
25 certaines communautés sont plutôt craintives des autorités
26 policières compte tenu de là d'où elles viennent et, bon, je
27 sais que peut-être dans certains pays, les autorités
28 policières sont plutôt répressives.

1 Est-ce que... est-ce qu'il y a des initiatives
2 qui visent... parce qu'évidemment, tant et aussi longtemps que
3 les membres des communautés n'ont pas confiance dans les
4 autorités policières, il y a peu de chance qu'elles
5 s'adressent aux autorités policières lorsqu'il y a un
6 problème, alors est-ce qu'il y a des initiatives
7 particulières qui sont mises en place pour tenter de... j'ose
8 pas employer l'expression « éduquer », mais informer les
9 membres des communautés de la réalité canadienne au niveau du
10 rôle que jouent les autorités policières?

11 **COMM-A. BRIGITTE GAUVIN:** Tout à fait, Madame
12 la Commissaire. Il y a des initiatives à travers le pays dans
13 les différentes régions où la GRC dessert des services puis
14 on est au courant qu'il y a des rencontres de façon
15 hebdomadaires, soit avec les policiers qui travaillent sur la
16 rue, le *front-line policing*, mais aussi avec des plus hauts
17 placés dans l'organisation, puis ils ont cette communication-
18 là avec les membres de la communauté ou les différentes
19 organisations de ces communautés.

20 Alors, oui, il y a des efforts qui se font,
21 et puis c'est pas toujours vu ou rapporté, mais, en effet,
22 c'est des efforts puis comme Monsieur le Commissaire
23 mentionnait tantôt, c'est un concept là, la communauté, le
24 *community policing*, c'est un concept qui est intégré à même
25 la GRC et avec les autres... les autres forces policières
26 aussi. Et c'est des initiatives qu'on utilise pour développer
27 les relations et les liens de confiance avec la communauté,
28 puis on va continuer à le faire.

1 **COMMISSAIRE HOGUE:** Puis est-ce que vous êtes
2 en mesure d'évaluer si ces efforts-là portent fruit, si le
3 niveau de confiance au fil du temps augmente au sein des
4 communautés qui peuvent, au départ, être plus méfiantes?

5 **COMM-A. BRIGITTE GAUVIN:** Oui, tout à fait. Il
6 faut prendre le pouls des membres de la communauté dans le
7 sens de... et puis recevoir la rétroaction sur... on est là pour
8 les écouter. On est là pour les éduquer, oui, mais on est là
9 pour les éduquer... pour les écouter principalement. Puis je
10 comprends très bien qu'en ce qui a trait à l'ingérence
11 étrangère, il y a... oui, il y a une crainte que les gens ont
12 envers les forces policières, mais il y a aussi une crainte
13 de représailles envers eux-mêmes ou envers des gens de leurs
14 familles qui sont dans le pays d'origine, une crainte si
15 jamais ils parlent avec la police ou ils dénoncent les
16 incidents. Donc, c'est... il faut l'approcher de différentes
17 facettes.

18 **COMM. MICHAEL DUHEME:** Si vous me permettez,
19 Madame la Commissaire, il y a une autre initia... c'est pas une
20 initiative, c'est un changement de politique au niveau de
21 l'organisation qui va porter fruit dans les années à venir.
22 L'organisation, historiquement, avait une politique par
23 rapport à la mutation ou lorsque quelqu'un est engagé dans
24 l'organisation, la personne ne revenait pas immédiatement à
25 sa province natale. On a changé la politique, on a vu une
26 augmentation de gens qui sont intéressés. Ça, ça va permettre
27 à l'organisation d'être plus stratégique dans son approche
28 puis ramener les gens dans leur communauté, puis ces gens-là

1 vont devenir des ambassadeurs pour la police, dans le sens
2 que le travail qu'ils font, la confiance qui peut être
3 établie, puis je vois au fil des années se grossir la
4 question de confiance et les relations ne vont que
5 s'améliorer.

6 **COMM-A. BRIGITTE GAUVIN:** Si je peux faire un
7 dernier point, Madame la Commissaire, on parle d'initiatives,
8 mais il faut aussi faire le point sur le fait que les gens
9 dans la communauté... ou les policiers, ils vont participer à
10 des événements communautaires, des fêtes, et cetera,
11 justement pour bâtir ces relations-là. Donc, ça se fait à
12 travers, oui, des initiatives spécifiques, mais aussi de
13 façon régulière avec les interactions dans la communauté.

14 **COMMISSAIRE HOGUE:** Dernière question à cet
15 égard-l', vous soulignez le fait qu'évidemment des membres
16 des communautés qui ont toujours de la famille dans leur pays
17 d'origine peuvent craindre les répercussions sur les membres
18 de leurs familles. Évidemment, on sait que vous ne pouvez pas
19 vraiment intervenir dans ces pays étrangers là, est-ce que,
20 par ailleurs, il existe des mécanismes spécifiques visant à
21 rassurer les personnes qui pourraient s'adresser à vous quant
22 au fait que l'information va demeurer confidentielle et
23 qu'ainsi les membres de leurs familles ne courront pas de
24 risques particuliers?

25 **COMM-A. BRIGITTE GAUVIN:** Oui, tout à fait,
26 puis chaque instance est évaluée cas par cas, mais
27 définitivement, si les gens désirent rester dans l'anonymat
28 ou désirent collaborer avec la police, mais qu'il y a

1 vraiment une crainte à leur propre sécurité ou à la sécurité
2 à la famille, i y a des programmes en place à même la GRC
3 qu'on peut utiliser pour rassurer les personnes et même
4 protéger les personnes.

5 **COMMISSAIRE HOGUE:** Merci.

6 **Me NICOLAS SAINT-AMOUR:** Juste un dernier
7 sujet que j'aimerais aborder puis que Madame Gauvin, vous en
8 avez parlé un peu plus tôt, j'aimerais qu'on amène à l'écran
9 le document CAN44769.

10 **--- EXHIBIT No./PIÈCE No. CAN044769 0001:**

11 Plan de communication - Dossier 2022-
12 2035

13 **COMMISSAIRE HOGUE:** J'ai empiété d'ailleurs
14 sur votre temps, alors vous pouvez prendre quelques minutes
15 de plus pour vraiment couvrir ce que vous aviez l'intention
16 de couvrir.

17 **Me NICOLAS SAINT-AMOUR:** Alors, ce qu'on voit
18 ici, c'est le plan de communication de la GRC concernant une
19 campagne qui a eu lieu cet été en lien avec les présumés
20 postes de police chinois. Donc, comme je le disais, vous en
21 avez glissé un petit mot, mais essentiellement, ce qu'on
22 comprend du document, c'est que la GRC a fait un appel aux
23 témoins qui souhaiteraient partager du renseignement en lien
24 avec l'enquête ou pour identifier des victimes. C'est une
25 campagne qui a été... qui constituait essentiellement une brève
26 vidéo en mandarin, en français et en anglais qui a été
27 diffusée sur plusieurs réseaux sociaux - X, Facebook et
28 Instagram.

1 Ma question : Est-ce que ce type de campagne
2 de sensibilisation est fréquente, d'autant plus qu'elle est
3 ici en plusieurs langues?

4 **COMM-A. BRIGITTE GAUVIN:** Je dirais, dans ce
5 cas spécifique ici, c'était quand même une nouvelle approche.
6 Typiquement, les dossiers de sécurité nationale, il y a un
7 petit côté secret à ça, alors dans le passé, on était moins
8 enclins à être plus « over », si vous me permettez le terme,
9 mais dans ce cas ici et parce que... je pense qu'il y avait une
10 demande au niveau des différentes communautés de diasporas de
11 voir une présence policière et un engagement avec... entre les
12 communautés et les policiers, on a déterminé que dans ce cas-
13 ci ça serait une belle initiative d'aller dans les
14 communautés de diaspora, et spécifiquement la communauté
15 chinoise dans la région de Montréal, une campagne qui était
16 une collaboration avec la GRC et une police locale, la SPVM,
17 qui ont déjà des liens dans la communauté. Alors, oui,
18 c'était une nouvelle approche, et puis... et ç'a été combiné
19 avec un communiqué de presse proactif pour inviter les gens
20 à... puis aviser les gens que les policiers allaient être
21 présents dans leur communauté et les inviter à les
22 rencontrer.

23 Vous avez mentionné l'enquête des stations de
24 police. Oui, c'était la prémisse, si vous voulez, pour
25 l'initiative, mais c'était pas le seul objectif. Moi, je vous
26 dirais que l'objectif primaire, c'était d'éduquer les gens
27 sur l'ingérence étrangère, de bâtir des liens avec la
28 communauté, les écouter, avoir des discussions et non

1 seulement amasser la preuve pour avancer le dossier. Je pense
2 que le focus, c'était essentiellement sur l'éducation et de
3 bâtir les liens avec la communauté.

4 **COMMISSAIRE HOGUE:** Et de là l'importance de
5 faire ça au grand jour.

6 **COMM-A. BRIGITTE GAUVIN:** Absolument. Et ç'a
7 été une campagne régionale, si vous voulez, mais on regarde à
8 reproduire ce genre de campagne à travers le Canada et non
9 seulement avec les communautés chinoises, mais d'autres
10 communautés de diasporas.

11 **Me NICOLAS SAINT-AMOUR:** Et pouvez-vous nous
12 expliquer un peu comment vous avez fait le choix des
13 plateformes qui allaient être visées pour communiquer? Parce
14 qu'ici, on parle de certaines plateformes de médias sociaux,
15 mais pourquoi avoir choisi ces plateformes plutôt que
16 certains médias peut-être plus lus par certaines diasporas?

17 **COMM-A. BRIGITTE GAUVIN:** Moi, je vous dirais
18 que ça, ç'a été une décision qui a été prise en collaboration
19 avec notre programme de communication dans la GRC au niveau
20 régional et national. C'est probablement que c'est des
21 plateformes qu'on utilise le plus souvent pour lesquelles on
22 fait partie, alors on a déterminé qu'on aurait plus de
23 visibilité avec ces plateformes.

24 **Me NICOLAS SAINT-AMOUR:** Parfait. Ça complète
25 mes questions.

26 **COMMISSAIRE HOGUE:** Merci.

27 So we'll take the usual 20 minutes break, so
28 we'll come back at 11:05.

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

3 This sitting of the Commission is now in
4 recess until 11:05 a.m. Cette séance de la Commission est
5 maintenant suspendue jusqu'à 11 h 05.

6 --- Upon recessing at 10:45 a.m./

7 --- L'audience est suspendue à 10 h 45

8 --- Upon resuming at 11:08 a.m./

9 --- L'audience est reprise à 11 h 08

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

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

16 The time is 11:08 a.m. Il est 11 h 08.

17 **COMMISSIONER HOGUE:** So first one is counsel
18 for the Concern Group.

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

20 **MR. NEIL CHANTLER:**

21 **MR. NEIL CHANTLER:** Morning, Madam
22 Commissioner. Morning, panelists. My name is Neil Chantler,
23 I'm counsel for the Chinese Canadian Concern Group. And I'm
24 going to start with a document that you've seen already, WIT
25 108. This is one of your interview summaries. At paragraph
26 8, please.

27 Here, Deputy Commissioner, you describe how
28 two reasons incidents of transnational repression are under

1 reported are fear and trust. You were taken to this already.
2 And I won't read it, but that's just their fear reference. I
3 heard you suggest today that trust between the RCMP and the
4 Chinese diaspora is a major concern for the RCMP, and
5 something you're actively committed to building. Is that
6 correct?

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

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

13 Next document please, WIT 137? This is your
14 *in camera* examination summary. At paragraph 49, please.
15 Deputy Commissioner, here you describe how there has been a
16 shift in the RCMP's approach to foreign interference from
17 conducting a traditional investigation to efforts to disrupt
18 the foreign interference. And again, you touched on this
19 earlier in your evidence.

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

23 "The RCMP wanted to: (1) shine light
24 on the problem to help investigative
25 efforts; (2) demonstrate to the
26 community that the RCMP was taking
27 the issue seriously; and (3) build
28 trust with the targeted communities.

1 The RCMP sent uniformed officers to
2 neighbourhoods in which suspected PRC
3 OPS were operating."

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

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

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

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

16 **D/COMM MARK FLYNN:** So I have seen it. I am
17 familiar with the broad nature of what is in the document.
18 But it is not a document that I could recollect each
19 individual element of. I would need to refer to it in any
20 future questions that you have.

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

28 It's not entirely clear to me, were these

1 overseas police stations already on the RCMP's radar at that
2 time?

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

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

10 "CSIS assessed that these stations
11 were in part created to collect
12 intelligence and monitor former PRC
13 residents living in Canada as part of
14 the PRC's broader transnational anti-
15 corruption, repression, and
16 repatriation campaign." (As read)

17 Are you able to tell me whether the force
18 agrees with this assessment based on the information the RCMP
19 has gathered?

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

27 **MR. NEIL CHANTLER:** I'm sorry, I must have
28 cited the wrong paragraph. But the information I provided to

1 you you're generally familiar with, and did I take you to
2 agree to that generation assessment of the harm caused by
3 these overseas stations?

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

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

9 Should those -- should that intelligence that
10 I just read to you be accurate, you would agree these were
11 hubs for what would amount to systemic violations of Canadian
12 laws under Criminal Code, under the *Security Offences Act*,
13 etcetera?

14 **D/COMM MARK FLYNN:** I could say that that is
15 the reason why we were investigating and are investigating
16 this matter.

17 **MR. NEIL CHANTLER:** Right. And yet, I would
18 suggest to you that the RCMP's approach to these overseas
19 police stations was very diplomatic. It perhaps in no way
20 resembled what might be a typical response to crime.

21 Again, your evidence is that the approach
22 here was to shine a light on the problem, to demonstrate to
23 the community that the RCMP was taking the issue seriously,
24 and to build trust. And we've talked about how one of the
25 primary problems with underreporting foreign interference is
26 trust with the diaspora communities. My clients want to
27 know, why were these police stations apparently handled
28 differently than other types of organized crime, perhaps a

1 drug lab or a money-laundering operation or a Hell's Angels
2 clubhouse. Why were these overseas Chinese police stations
3 handled with such diplomacy?

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

9 We have to remember that the victims of these
10 crimes, the targets of this activity, the transnational
11 repression, is impacting the Chinese community in Canada. It
12 is not the Chinese community committing these acts against a
13 broad range of Canadians. The focus is on building the trust
14 with the victims of the criminal activity that we are
15 investigating.

16 In the context of your question, you
17 reference Hell's Angels and other types of investigations. I
18 can tell you that in those other investigations, we have
19 taken similar approaches where you will see, and I'm sure
20 that you have seen, in large media outlets coverage of police
21 officers in uniform, including federal policing
22 investigators, which we're talking about here in this
23 investigation, where they appear in uniform. They may be
24 wearing other plainclothes underneath, but there are high-
25 profile identifiers that they are wearing, and you will see a
26 very visible presence.

27 By reference to how this was done differently
28 is in the context of this type of investigation and in the

1 specific situation that we are looking at here in the foreign
2 interference space where frequently, in the past, the
3 approach would have been more of a secret, less visible
4 investigation, out of fear that tipping off the individuals
5 would somehow allow them to continue their activity and the
6 harm that they are causing to the Chinese community in Canada
7 to continue unabated.

8 So the approach that we took was to
9 demonstrate to the Chinese community, who had not been
10 approaching the RCMP prior to our action and reporting this
11 activity -- we did learn of this activity through different
12 means that, as I said before, I will not speak to. However,
13 post our action, in our attempts to build that trust and
14 confidence with the community, I can inform you without
15 compromising our ongoing investigation, that members of the
16 Chinese community absolutely did reach out to us both through
17 our NSIN tip line and also through the different community
18 engagement avenues that we have. And that is part of our
19 ongoing investigation.

20 So my measure of success in this operation
21 comes in part by the fact that we have had outreach, we have
22 received positive feedback from the community, and we have
23 had the engagement that we wanted as well as the additional
24 reporting that is in various documents. I believe it's in
25 the document that you're referencing here as well, that we
26 have received reporting that the activity -- the illegal
27 activity did cease after that action, and that has increased
28 public safety and I believe that it increases the broader

1 Canadian and the Chinese community in Canada's confidence in
2 the RCMP that we are actually tackling these complex
3 problems.

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

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

11 I understand that the public interest in the
12 delicacy of certain investigations requires approval from
13 above. Do we consider whether or not the public interest
14 demands that a matter be seen to be dealt with forcefully and
15 in the normal criminal sense?

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

19 With respect to the broader question, public
20 interest and public impact is a consideration that we have in
21 every investigation that we undertake. It is the public
22 interest that drives what we're doing and the interest in
23 maintaining public safety in Canada.

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

27 **D/COMM MARK FLYNN:** I'm not going to speak to
28 that. That would form part of what we are currently

1 investigating as part of our ongoing investigative effort.

2 **MR. NEIL CHANTLER:** Thank you for your
3 answers.

4 Thank you, Madam Commissioner.

5 **COMMISSIONER HOGUE:** Thank you.

6 Mr. Singh for the Sikh Coalition.

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

8 **MR. PRABJOT SINGH:**

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

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

15 And before I dive in, I do just want to
16 acknowledge that I understand that we're navigating some
17 really difficult terrain. We're talking about ongoing
18 investigations and sensitive information related to national
19 security that can't be shared in a public setting, so if I do
20 touch on any of those questions, if you can just indicate
21 that you're unable to answer for that reason, that'll flag
22 that for Madam Commissioner if any follow-up's required and
23 we can move on in a public setting.

24 Is that fair?

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

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

27 Mr. Operator, if we can pull up WIT108 and go
28 to page 4.

1 Thank you.

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

7 Do you recall making that statement to
8 Commission counsel?

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

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

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

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

20 **D/COMM MARK FLYNN:** So we have ongoing
21 investigations. Assistant Commissioner David Teboul was very
22 clear in his statements, and I agree with those statements
23 that we have ongoing separate and distinct investigations
24 that include information and investigation up to and
25 including the involvement of the Government of India in those
26 matters. And I have to limit it to that.

27 **MR. PRABJOT SINGH:** Yeah, that's totally
28 fair. I'm just trying to pin down that there's a broad range

1 of Indian foreign interference activity and transnational
2 repression within that spectrum that is being investigated;
3 fair?

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

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

6 If we can pull up CAN.SUM30, please, and go
7 to page 8.

8 So Mr. Flynn, this is a country summary
9 that's been developed by intelligence with input from the
10 RCMP as well. So in that last line of the second paragraph,
11 it talks about how India perceives anyone engaged in
12 Khalistani separatism as "a seditious threat to India's
13 domestic stability".

14 Does that correspond with your understanding
15 of India's point of view?

16 **D/COMM MARK FLYNN:** So my understanding and
17 my mandate in this space is with respect to their view on
18 what we refer to as Khalistani violent extremism. So there
19 are different definitions globally as to what people consider
20 national security threats and the focus of our efforts is
21 around any of the violent extremist activity and the nexus to
22 India's efforts.

23 India -- we do know or it is my opinion that
24 India does see Khalistani protests, protests in support of an
25 independent Khalistani state, as a concern, a national
26 security concern for India.

27 **MR. PRABJOT SINGH:** And so that's all I was
28 trying to kind of hone in on is that India understands lawful

1 advocacy for Khalistan as advocacy, as you described.
2 Protests, political advocacy, those are kind of seen as
3 extremism by India; correct?

4 **D/COMM MARK FLYNN:** I believe that is an
5 accurate statement.

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

8 **MR. PRABJOT SINGH:** Correct. Thank you for
9 that clarification.

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

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

18 **MR. PRABJOT SINGH:** Yeah. Would you agree or
19 is it fair to say that India attempts to pressure Canadian
20 agencies like the RCMP who prosecute the political expression
21 of members of the Sikh community in Canada?

22 **D/COMM MARK FLYNN:** I can't speak to whether
23 or not they're attempting to pressure us, but we do receive a
24 broad range of materials from India. As you can imagine, as
25 the Royal Canadian Mounted Police, we are not subjective to
26 pressure, we're not responsive to pressure. We maintain a
27 very professional high standard in all of the investigations
28 that we undertake and we are not motivated by any pressure,

1 whether it be political or from our peer law enforcement
2 agencies around the world.

3 **MR. PRABJOT SINGH:** Of course. I'm just
4 trying to understand kind of India's impetus, and their kind
5 of activities, and relations to Canadian agencies. So just
6 to clarify on that point, so Indian agencies will present
7 either evidence or information blown out of proportion of
8 present evidence to agencies that don't actually meet the
9 threshold of a criminal offence; correct?

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

12 **MR. PRABJOT SINGH:** In some instances against
13 activists advocating for Khalistan, Indian agencies share
14 information with RCMP expecting a prosecution of activity
15 that does not meet the threshold of a criminal offence. Is
16 that fair?

17 **D/COMM MARK FLYNN:** In Canada, we have seen
18 where India has forwarded materials to us for things that
19 would meet the definition of an offence in India that do not
20 meet a requirement or there's not a corresponding criminal
21 offence in Canada. And that is one of the key elements in
22 international law enforcement, collaboration, as well as our
23 Department of Justice mandates around mutual legal
24 assistance, extradition, and so on, where the offences do not
25 have a corresponding offence in Canada, therefore there's not
26 a direct applicability to some of the authorities that they
27 would exercise.

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

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

3 So Mr. Flynn, in that last line, you mention
4 to Commission counsel that the RCMP is actively monitoring
5 the environment for potential threats to members of the Sikh
6 community. Is that correct?

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

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

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

18 **MR. PRABJOT SINGH:** And so when somebody
19 receives a duty to warn, the RCMP normally recommends that
20 they avoid going out in public; correct?

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

27 **MR. PRABJOT SINGH:** In these scenarios,
28 however, the RCMP does not provide any kind of protective

1 detail or security; correct?

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

3 **MR. PRABJOT SINGH:** So activists are
4 encouraged and perhaps might be informed of ways that they
5 can change their lifestyle, avoid any kind of extraordinary
6 risk, disengage from public life, to try and avoid that risk
7 of harm; correct?

8 **D/COMM MARK FLYNN:** So I -- Madam
9 Commissaire, I have to be cautious here, but in order to --
10 if you'll allow me, in order to inform this part of the
11 discussion, to go to the point of what I believe you're
12 asking, I would like to provide some hypothetical situations
13 that are outside the context of anything that is an ongoing
14 investigation.

15 Okay. So we do not, as part of these duty to
16 warns, whether it be an organized crime threat or a foreign
17 state threat, we do not offer what we refer to as a close
18 protection service.

19 But what I can say in a general sense is that
20 our investigation and our mandate is focused on the threat
21 mitigation, the harm mitigation, and we do a lot of things
22 and expend a very large amount of resources to ensure that
23 the activities, the threat to individuals, which would
24 include a murder of an individual, does not occur.

25 There's a difference between that and
26 offering a close protection service, like we would for the
27 Prime Minister or the Governor General on a daily basis. But
28 there are activities that the RCMP does undertake to manage

1 the threat and the risk, but I won't speak to those.

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

17 **COMM MICHAEL DUHEME:** So the individual has a
18 choice. Our responsibility is to bring the information to
19 the individual and share as much as we can, but ultimately
20 there is a choice by the individual.

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

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

28 **D/COMM MARK FLYNN:** Do you have a reference

1 on this document that you can take me to to assist?

2 **MR. PRABJOT SINGH:** That middle box under
3 "Federal Policing Protective Policing", that first row right
4 there:

5 "Outreach to members of Parliament of
6 Indian descent. In the aftermath of
7 Bhai Hardeep Singh Nijjar's homicide,
8 the RCMP increased its posture when
9 becoming aware of MPs attending
10 public events." (As read)

11 **D/COMM MARK FLYNN:** So what that is referring
12 to is that at many of those public events, there was a
13 significant level of protest, and at times there was a level
14 of violence. So under our mandate to protect members of
15 Parliament, we did do that.

16 However, that was not focused on members from
17 the Sikh community. That was focused on any parliamentarian
18 that was attending those events based on an assessment that
19 our Protective Operations Assessment Team and Protective
20 Operation Intelligence Team, as well as Brigitte's National
21 Security Team assessed as what the threat risk was at those
22 events. It was not specific based on ethnicity or any
23 religious belief of any individual that was attending the
24 events.

25 **MR. PRABJOT SINGH:** Understood. But so these
26 activities and assessments undertaken by the RCMP, as it
27 states in the document, was precipitated by a change in the
28 overall threat environment linked to alleged foreign

1 interference; correct?

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

3 **MR. PRABJOT SINGH:** Thank you. So just to
4 confirm, the RCMP conducted these security assessments with
5 sitting members of Parliament due to a potential security
6 risk because -- linked to allegations of Indian foreign
7 interference; correct?

8 **D/COMM MARK FLYNN:** So linked to a broad
9 range of things in the threat environment, which was not
10 necessarily linked to foreign interference. It could be
11 domestic unrest in relation to it, as well as the foreign
12 interference threat.

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

15 So Mr. Flynn, again we're kind of in some
16 prickly territory, but you mentioned that foreign
17 interference also has a nexus with organized crime. That's
18 the case with India as well; correct? There is
19 investigations ongoing between the foreign interference
20 linked to the Government of India and organized crime
21 syndicates in Canada; correct?

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

27 **COMM MICHAEL DUHEME:** And if I may, this is
28 not limited to Canada. I've participated in Five Eyes

1 meetings. Our colleagues see the same thing.

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

5 Again, so this is also relevant and something
6 that the RCMP is investigating in relation to concerns that
7 Indian nationals are engaging in extortion rings across
8 Canada; correct?

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

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

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

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

20 **COMMISSIONER HOGUE:** Thank you.

21 The Human Rights Coalition.

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

23 **MS. BEDRIYE HILAL ÇELEĞEN:**

24 **MS. BEDRIYE HILAL ÇELEĞEN:** Good morning.
25 Can you hear me?

26 **COMMISSIONER HOGUE:** Yes.

27 **MS. BEDRIYE HILAL ÇELEĞEN:** For the record,
28 my name is Bidgi Lachalan (phonetic) for the Human Rights

1 Coalition. Can we please pull up page HRC113?

2 --- EXHIBIT No./PIÈCE No. HRC0000113:

3 Bomb Threat to Falun Gong Community
4 in BC hosting Shen Yun March 2024

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

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

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

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

20 **MS. BEDRIYE HILAL ÇELEĞEN:** Okay. I'm
21 passing that then.

22 In your examination-in-Chief this morning,
23 you described taking various steps in response to concerns
24 raised by members of diaspora communities and you described
25 making product and tools available in 11 different languages.
26 I have some follow-up questions about that. What products
27 were you referring to?

28 **A/COMM BRIGITTE GAUVIN:** I was referring to

1 the two specific foreign interference products, one that
2 pertains to foreign interference in general and intimidation,
3 and the other one is in relation to foreign interference in
4 the electoral process, in federal elections.

5 **MS. BEDRIYE HILAL ÇELEĞEN:** Okay. And what
6 are those 11 languages?

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

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

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

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

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

18 **MS. BEDRIYE HILAL ÇELEĞEN:** Is Tigrinya one
19 of the languages?

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

21 **MS. BEDRIYE HILAL ÇELEĞEN:** Is Tamil one of
22 the languages?

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

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

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

10 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you so
11 much. And one last question about the languages. In
12 response to our question in stage one hearings in the spring,
13 you indicated that tip line and Network was available in
14 English and French. Is this still the case? Did you add any
15 languages since then?

16 **A/COMM BRIGITTE GAUVIN:** Are you speaking
17 about the operators that ---

18 **MS. BEDRIYE HILAL ÇELEĞEN:** Yes, there was a
19 tip line ---

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

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

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

28 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you so

1 much. Can we now please pull up CAN 019675_001? And scroll
2 to page 9. And in their blue box it says,

3 "Inconsistent investigative practices
4 are being used across the Divisions,
5 which has resulted in *ad hoc*
6 approaches to conducting FAI
7 investigations. This approach is
8 further exasperated by the lack of
9 FAI-specific policy and standardized
10 operating procedures."

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

14 **A/COMM BRIGITTE GAUVIN:** So I can say that,
15 at the time that this report was written, it was an accurate
16 picture and I think we were fairly early on in our efforts on
17 the foreign interference front, and especially with the
18 foreign interference team. Since then, there's been a lot of
19 progress that's been made, and specifically, coordinated by
20 the Federal Policing National Security Unit here at NHU in
21 Ottawa, in educating the various investigative teams and
22 providing them with documentation and guidelines in order to
23 create that consistency between investigative teams.

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

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

28 **MS. BEDRIYE HILAL ÇELEĞEN:** Perfect. And

1 does the RCMP have standardized procedures concerning when
2 they will inform or when they will not inform the members of
3 diaspora communities about threats against them?

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

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

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

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

15 **A/COMM BRIGITTE GAUVIN:** --- when we receive
16 credible information about an imminent threat to life. There
17 are standard operating procedures in regards to duty to warn.
18 In regards to intelligence, there -- we do have a robust
19 framework to share intelligence. For example, the one that
20 we have, the one vision framework that we have with the
21 Service, but we have to keep in mind that sometimes that
22 intelligence is not always usable, and there's caveats
23 attached to it. And there -- in some instances, we're able
24 to use that intelligence, and in some instances we're not.

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

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

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

3 **COMM MICHAEL DUHEME:** And which I'll add, but
4 we do have a duty to warn, be an individual or a community
5 itself, and our organization has been through this several
6 times, and we take actions. Sometimes we combine where we
7 work with the police of jurisdiction when we do the work, but
8 we do have a duty of care not just to individuals but
9 communities as well.

10 **D/COMM MARK FLYNN:** Madam Commissaire, if I
11 may, I would add that it's important to understand, as
12 Assistant Commissioner Gauvin said, we work with those other
13 security intelligence partners. The warning, the alerts to
14 the diaspora community or individual specifically is
15 something that we take care of as a community. So even if we
16 receive intelligence wherever than that and inform some of
17 what we do ---

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

19 **D/COMM MARK FLYNN:** --- the fact that we
20 can't action it in a criminal investigative way does not mean
21 it should never be interpreted to mean that there is not
22 another mechanism amongst the community, because I have great
23 confidence in the community's ability to ensure that somebody
24 is not physically harmed, and as an example under the duty to
25 warn, and those other organizations will exercise their
26 mandate in doing that as well. We will talk about it. We
27 will get together. We will discuss who is best positioned to
28 do that, to both guard the intelligence, but at the same

1 time, ensure that the appropriate action is taken.

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

5 **COMM MICHAEL DUHEME:** More than happy to
6 follow up with the availability of the policy to be released
7 in general public.

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

21 **A/COMM BRIGITTE GAUVIN:** I wouldn't say,
22 Madame la commissaire, that there's a standard operating
23 procedure or policy in writing, but in our day-to-day
24 operations we work closely with police of jurisdiction and if
25 we take this example specifically, in that case we were
26 talking about a bomb threat. Therefore, in a case such as
27 that, the local police would be dispatched to the location to
28 ensure there's not an immediate threat to public safety. And

1 therefore, my understanding is what -- this could have
2 occurred here when Vancouver police went to investigate.

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

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

13 **MS. BEDRIYE HILAL ÇELEĞEN:** Thank you so
14 much.

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

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

24 **MS. BEDRIYE HILAL ÇELEĞEN:** Perfect. Thank
25 you so much.

26 I have no further questions.

27 **COMMISSIONER HOGUE:** Thank you.

28 The RCDA?

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

2 MR. GUILLAUME SIROIS:

3 **MR. GUILLAUME SIROIS:** Guillaume Sirois for
4 the Russian-Canadian Democratic Alliance.

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

7 This is your witness summary.

8 At paragraph 5, you name the main threat
9 actors conducting foreign interference activities in Canada.
10 Deputy Commissioner Flynn, you indicate that the PRC, Iran,
11 Russia and India are currently the most significant threat
12 actors of FIA in Canada. Why Russia?

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

20 **MR. GUILLAUME SIROIS:** Okay. Also, you state
21 that from a cyber security perspective, North Korea, Russia
22 and the PRC have been and continue to be major threat actors.
23 For the same reasons?

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

25 **MR. GUILLAUME SIROIS:** Okay. Thank you.

26 **D/COMM MARK FLYNN:** As well as what we
27 receive in our collaborative efforts with the community. The
28 security intelligence community informs our position on these

1 matters.

2 **MR. GUILLAUME SIROIS:** Okay. And there's
3 nothing else you can add to the Russian threat because it's
4 highly protected by investigative privilege or because of
5 national security confidentiality. Is that right?

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

7 **MR. GUILLAUME SIROIS:** Okay. Thank you.
8 I'd like to go to RCD79 now, please.
9 Thank you.

10 **--- EXHIBIT No./PIÈCE No. RCD0000079:**

11 Yukon RCMP is monitoring potential
12 foreign interference. What does that
13 look like

14 **MR. GUILLAUME SIROIS:** And I don't want to
15 ask any questions about ongoing investigations or operations.
16 I'll try to -- as much as possible, to stay on the strategic
17 level.

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

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

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

25 "Yukon RCMP say the territory is
26 vulnerable to foreign interference,
27 and that police are closely
28 monitoring for any signs of threat

1 from abroad.

2 Supt. Lindsay Ellis told CBC News the
3 RCMP's monitoring of foreign
4 interests are manifold, including
5 investments in major infrastructure,
6 road and bridge projects, the
7 dissemination of information, and
8 intellectual property (copyright,
9 trade secrets, etc.)."

10 Pouvez-vous commenter sur la menace
11 d'ingérence étrangère au Yukon, or can you comment on the
12 foreign interference threat in Yukon specifically?

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

21 So you have sovereignty -- we have
22 sovereignty concerns for the north, we have critical
23 minerals. We have intellectual property threat or theft
24 concerns. We have concerns around ensuring critical minerals
25 are protected and available to Canada as well as others. So
26 there's a very broad range of threats that impact Canada
27 nationally, and specifically the north, because of the
28 presence of those mines.

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

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

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

16 So the RCMP works collaboratively again with
17 the different Government of Canada departments to ensuring
18 that the economic integrity of Canada is protected, and one
19 of those mechanisms is the *Investment Canada Act* that ensures
20 that identified critical businesses are protected from
21 foreign ownership that would subject Canada to harm, or
22 potential harm in the future.

23 **MR. GUILLAUME SIROIS:** And I understand --
24 you talked a lot about economic threats and specifically, but
25 I want to bring us back a little bit more to the focus of
26 this present Commission.

27 One of these threats could be democratic
28 institutions in Yukon, for instance, or elected officials,

1 for instance, that could be the target of influence.

2 **D/COMM MARK FLYNN:** Always.

3 **MR. GUILLAUME SIROIS:** Always, okay.

4 I want to go on page 3, please. We'll go
5 just over briefly to try to identify who the treat actors are
6 specifically in Yukon.

7 We see there's Aurel Braun, professor of
8 international relations and political science at the
9 University of Toronto. He says that:

10 "Russia has long wanted to dominate
11 the Arctic, claiming larger portions
12 of the region, actions it's been
13 doubling down on as the planet warms
14 at an accelerated pace."

15 So on a strategic level, would you agree that
16 Russia has strong interest in the Arctic and potentially
17 territories like the Yukon?

18 **D/COMM MARK FLYNN:** I believe that is
19 accurate.

20 **MR. GUILLAUME SIROIS:** Okay. And can you
21 please comment -- the paragraph right after that says that:

22 "Braun said it doesn't matter if
23 Canada has sanctions against Russia,
24 shell companies can -- and will --
25 circumvent them."

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

28 **D/COMM MARK FLYNN:** So as I stated earlier,

1 with the *Investment Canada Act* as well as other activities
2 conducted by our partners, I believe that we are definitely
3 impacting the ability of Russia and other states to have
4 those impacts. At the same time, we do know that states will
5 adapt to changes in legislation, changes in our efforts. And
6 we continue to monitor that and we work with the legislators
7 in Canada and the various government departments to amend
8 those laws, and some of which you've seen in Bill C-70, that
9 give us the authorities to, in some cases, take action
10 earlier.

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

22 **MR. GUILLAUME SIROIS:** And so, just in one
23 sentence, sanctions are not sufficient -- or a perfect
24 solution to the problem. We need to adapt and continue to
25 find other ways to counteract this trend, right?

26 **D/COMM MARK FLYNN:** I would characterise it
27 as they are a component of the solution, along with many
28 other pieces. No single piece, no single act, no single

1 technique will solve any problem, and that is definitely the
2 case. It is a very complex area, and we need to bring a
3 broad range of tools to the problem.

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

7 Still talking about Russian interference, but
8 more specifically about the Tenet Media operation that we
9 learned from an unsealed indictment from the United States on
10 September 5th. It's been close to a month, and we haven't
11 had that much more information coming from the federal
12 government about this indictment.

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

19 **A/COMM BRIGITTE GAUVIN:** I can take that
20 question. We are aware of the U.S. indictment and the
21 various reporting. While I won't speak to -- or on behalf of
22 the Government of Canada, I can give you some information
23 from an RCMP perspective. But won't speak to specific
24 details as to potential investigations or investigations
25 conducted by a foreign partner. But what I can say is that
26 we are currently engaged with our domestic and international
27 partners on this matter.

28 **MR. GUILLAUME SIROIS:** Okay. You have no

1 further comments about the Tenet Media operation?

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

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

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

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

14 I am out of time, unfortunately, but I thank
15 you for your time. Merci.

16 **COMMISSIONER HOGUE:** Thank you.

17 Counsel for Jenny Kwan, Ms. Kakkar.

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

19 **MS. MANI KAKKAR:**

20 **MS. MANI KAKKAR:** Good afternoon,
21 Commissioner. Good afternoon, panelists. I have got some
22 questions that are more general, so you won't have to tell me
23 that you can't tell me because of an ongoing investigation,
24 which is fair enough. And also, I don't think I'll take the
25 full 15 minutes, but my questions are really to do with
26 nomination processes and leadership contests.

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

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

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

18 So obviously, that signals that we are aware
19 this is a problem and a space that we will be putting
20 additional attention to from a law enforcement perspective,
21 in the sense that there is now criminal offences where there
22 were not criminal offences in the past.

23 **MS. MANI KAKKAR:** I appreciate your answer.
24 And you focused on criminal offences, but at paragraph 36 of
25 your interview summary, you also mention that the RCMP has
26 taken a step toward not focusing on criminal prosecution as
27 being the gold standard, but you describe it as disrupting,
28 dismantling, and holding accountable as being other primary

1 goals of the RCMP's mandate.

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

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

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

23 **MS. MANI KAKKAR:** Okay. So if I understand
24 your testimony correctly, prior to these amendments, you
25 wouldn't have been able to necessarily act, or investigate,
26 or really find that it was within your jurisdiction to look
27 at any FAI with respect to nomination processes and
28 leadership contests?

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

3 **MS. MANI KAKKAR:** Please.

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

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

22 So it's not that we don't care about it,
23 we're not looking at it. We are. It's a pattern of
24 behaviour and it moves, but our options are limited up until
25 the point that it has become an offence.

26 **MS. MANI KAKKAR:** I appreciate that. And in
27 terms of having a more wide toolkit, let's say, because you
28 can now to more than just prosecute, potentially take actions

1 that wouldn't require Court intervention or approval, would
2 you agree that allows you to be more timely in a response to,
3 let's say activity of interest that you notice?

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

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

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

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

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

21 We have a one vision process that allows us
22 to work with the service from the federal policing and
23 national security section. We've testified to that in the
24 past. Where we sit down and we discuss what are the various
25 options, what are they doing, what are we doing, to ensure
26 that we're deconflicting our options and we're aware of what
27 they are independently doing or we're independently doing
28 under our own authorities so that we are ensuring that

1 there's a proper response and there's not a duplicated
2 response, or that there's not a response that's going to
3 degrade the effectiveness of the other.

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

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

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

23 For example, Brigitte takes part in both
24 strategic Associate Deputy Minister level discussions, as
25 well as a tactical meeting that is separate. The
26 Commissioner and I, and sometimes I take part in those
27 meetings with Brigitte, and other times I take part in
28 meetings at the Deputy Minister level with the Commissioner,

1 where these issues are discussed and where the appropriate
2 priority is assigned to them across the various government
3 departments.

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

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

12 **MS. MANI KAKKAR:** Oh.

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

15 **MS. MANI KAKKAR:** Yes.

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

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

21 **D/COMM MARK FLYNN:** I think it's fair to say
22 that there's a consistent view that each additional tool that
23 we obtain to combat this problem benefits the entire
24 community, and more importantly, the Canadian public.

25 **MS. MANI KAKKAR:** And my very last question
26 is just about sensitive sector requests. Would you agree
27 that those are likely to come into play when you're dealing
28 with FAI in the context of nomination processes and

1 leadership contests?

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

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

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

20 **MS. MANI KAKKAR:** Thank you so much for your
21 testimony.

22 **COMMISSIONER HOGUE:** Thank you.

23 Attorney General, do you have questions?

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

25 **MS. HEIDI COLLICUT:**

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

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

5 From your in-camera hearing summary, I
6 understand that that shift has enhanced things like
7 information sharing between units and with federal policing
8 resource allocations.

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

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

18 However, it is creating a focus where every
19 single federal policing employee is reporting up through a
20 command chain that reports to me, as the person who is
21 responsible for federal policing and obviously reporting to
22 the Commissioner, but it creates a singular focus in the
23 mandate that they're looking at, ensures that the resources
24 are utilized for the federal mandate, and obviously we
25 collaborate back and forth between the rest of the
26 organization as well, but it creates a much tighter focus on
27 the federal policing mandate.

28 It also ensures that a regional level, and

1 there's four regions in Canada, that there is more direct
2 communications between all of the investigative units and the
3 various levels in the command structure on the topics that
4 are federal policing mandate.

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

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

18 **COMM. MICHAEL DUHEME:** Madame la Commissaire,
19 c'est... évidemment, la question d'ingérence étrangère évolue
20 rapidement. Et la priorité pour l'organisation, c'est
21 continuer à bâtir et maintenir les relations que nous avons à
22 l'échelle provinciale, municipale, nationale, ainsi qu'à
23 l'international. Parce que la question d'ingérence étrangère
24 n'est pas unique au Canada. Elle est partout. Les façons
25 d'agir sont très similaires. Mais c'est vraiment continuer
26 de travailler avec les partenaires locaux et internationaux
27 pour avoir une encore meilleure compréhension de ce qui se
28 passe dans le domaine d'ingérence étrangère.

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

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

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

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

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

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

1 big task, because you've got to build that trust, and not
2 build it when an incident happens.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 law enforcements across the country, and even our
2 international partners.

3 **MS. HEIDI COLLICUT:** Thank you. And those
4 are our questions.

5 **COMMISSIONER HOGUE:** Thank you.

6 Ms. Morgan, do you have any additional
7 questions in re-examination?

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

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

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

15 This sitting of the Commission is now in
16 recess until 1:40 p.m. Cette séance de la Commission est
17 maintenant suspendue jusqu'à 13 h 40.

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

19 --- L'audience est suspendue à 12 h 20

20 --- Upon resuming at 1:41 p.m./

21 --- La séance est reprise à 13 h 41

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

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

28 The time is 1:41 p.m. Il est 13 h 41.

1 prepared to testify before you. I will confirm the identity
2 of both witnesses in confidence in due course.

3 --- CSIS REPRESENTATIVE NO. 1, Affirmed/Sous affirmation
4 solennelle:

5 --- CSIS REPRESENTATIVE NO. 2, Affirmed/Sous affirmation
6 solennelle:

7 MS. ERIN DANN: Thank you.

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

11 COMMISSIONER HOGUE: That's fine.

12 MS. ERIN DANN: Could I ask that the
13 witnesses who are here with us in the room be sworn or
14 affirmed?

15 THE REGISTRAR: All right. I'll start with
16 Mr. Macdonald.

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

19 MR. RYAN MACDONALD: Ryan Macdonald, M-a-c-d-
20 o-n-a-l-d.

21 --- MR. RYAN MACDONALD, Affirmed/Assermenté

22 THE REGISTRAR: Now I'll affirm Ms.
23 Wettlaufer.

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

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

28 --- MS. ROBIN WETTLAUFER, Affirmed/Assermentée

1 **THE REGISTRAR:** And finally, Mr. O'Hayon.
2 Could you please state your full name and
3 spell your last name for the record?

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

6 **--- MR. GREGORY LAURENT O'HAYON, Affirmed/Assermenté**

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

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

9 **MS. ERIN DANN:**

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

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

13 I'll direct my first questions to some
14 housekeeping matters. The panel was interviewed by
15 Commission counsel in June of 2024.

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

19 **--- EXHIBIT NO./PIÈCE No. WIT0000109**

20 Interview Summary: Security and
21 Intelligence Threats to Elections
22 Task Force (CSE Representative, Three
23 CSIS SITE Representatives, Robin
24 Wettlaufer, Greg O'Hayon)

25 **--- EXHIBIT NO./PIÈCE No. WIT0000109.FR:**

26 Résumé d'entrevue - Groupe de travail
27 sur les menaces en matière de
28 sécurité et de renseignements visant

1 les élections (représentant du CST,
2 trois représentants du SCRS au sein
3 du Groupe de travail, Robin
4 Wettlaufer, Greg O'Hayon)

5 **MS. ERIN DANN:** Next I'll ask that the Court
6 Operator bring up WIT139, and this is a summary of the
7 publicly disclosable portions of the evidence that was given
8 during *in camera* proceedings. A French translation will be
9 provided when it is available.

10 **--- EXHIBIT NO./PIÈCE No. WIT0000139**

11 In Camera Examination Summary: CSIS
12 SITE Representative #1, CSIS SITE
13 Representative #2, Ryan Macdonald,
14 Robin Wettlaufer, Greg O'Hayon

15 **MS. ERIN DANN:** I'm going to ask each of the
16 witnesses if you can confirm in turn that you have had an
17 opportunity to review those two summaries, advise whether you
18 have any additions, modifications or changes that you wish to
19 make, and if you do not have any changes, advise that you
20 will -- whether you will adopt those summaries as part of
21 your evidence before the Commission today.

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

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

25 **MS. ERIN DANN:** And you adopt that as your
26 witness ---

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

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

1 And Ms. Wettlaufer?

2 **MS. ROBIN WETTLAUFER:** I have reviewed both
3 summaries and I adopt them.

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

5 Mr. Macdonald?

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

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

9 And Mr. Macdonald, just for clarity's sake,
10 in WIT109, which is the interview summary, the interviewees
11 are listed, as we'll see at the top, as a CSE representative.
12 Can you confirm that you are the CSE representative referred
13 to in that summary?

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

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

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

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

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

20 And CSIS Rep No. 2?

21 **CSIS REPRESENTATIVE NO. 2:** This is CSIS
22 Representative No. 2. I have reviewed both summaries and I'm
23 comfortable adopting them.

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

25 By way of brief introduction, Mr. O'Hayon, I
26 understand that you are the RCMP representative on the SITE
27 Task Force and you have held that position since March of
28 2023. Beyond your role on SITE, you serve as the RCMP's

1 Director-General Federal Policing, Security Intelligence
2 within the Federal Policing and International Policing. Is
3 that right?

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

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

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

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

10 **MS. ERIN DANN:** And you also serve as the
11 Director of the Centre for International Digital Policy,
12 which houses the Rapid Response Mechanism Canada, RRM Canada,
13 and RRM Canada, we understand, is the Chair of the G7 RRM and
14 serves as its permanent secretariat.

15 **MS. ROBIN WETTLAUFER:** Correct.

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

20 **MR. RYAN MACDONALD:** Correct.

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

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

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

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

7 **CSIS REPRESENTATIVE NO. 2:** Yes, that's
8 accurate.

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

10 We've heard a lot of evidence thus far at the
11 Commission and in your interview and examination summaries
12 you provided a lot of information about the threat landscape
13 and how it relates to foreign interference. I want to begin
14 our examination today by highlighting several key points in
15 SITE's Threat Assessment of Foreign Interference dated
16 February 2024.

17 Court Operator, that's CAN37690.

18 **--- EXHIBIT No./PIÈCE No. CAN037690 0001:**

19 SITE Threat Assessment of Foreign
20 Interference Threats to Canadian
21 Democratic Institutions - 2024

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

26 **CSIS REPRESENTATIVE NO. 1:** Bonne après-midi.
27 Thank you very much. We just have a
28 technical issue. We don't see documents from our end. We

1 can't actually see ---

2 **MS. ERIN DANN:** Ah.

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

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

7 **COMMISSIONER HOGUE:** Yeah ---

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

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

13 **MS. ERIN DANN:** All right. We'll
14 investigate.

15 **CSIS REPRESENTATIVE NO. 1:** Thank you very
16 much.

17 **THE REGISTRAR:** Order, please. This sitting
18 of the Commission is now in recess until 2:00 p.m. Cette
19 séance de la Commission est maintenant suspendue jusqu'à
20 14h00.

21 --- Upon recessing at 1:51 p.m./

22 --- La séance est suspendue à 13 h 51

23 --- Upon resuming at 2:01 p.m./

24 --- L'audience est reprise à 14 h 01

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

27 This sitting of the Foreign Interference
28 Commission is now back in session. Cette séance de la

1 Commission sur l'ingérence étrangère est de retour en
2 session.

3 The time is 2:01 p.m. Il est 14 h 01.

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

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

8 **MS. ERIN DANN, (CONT'D/SUITE):**

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

11 Court Operator, could I ask you to pull up
12 37690 and go to page 2, please?

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

15 **REPRÉSENTANT DU SCRS NO 1:** Oui, bonjour. Je
16 peux confirmer que maintenant on peut très bien voir le
17 document sans aucune difficulté technique.

18 **MS. ERIN DANN:** Excellent. Thank you very
19 much. And I should note on that point, I will be asking my
20 questions in English today, but please respond -- for all of
21 the witnesses, please respond in the language of your
22 choosing.

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

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

1 **REPRÉSENTANT DU SCRS NO 1:** Oui, merci.

2 Le produit que nous avons devant nous est
3 donc une mise à jour de la menace en termes de l'ingérence
4 étrangère électorale, telle que nous l'avons préparée en
5 février 2024. Ce qu'on a devant nous, c'est l'effort
6 collectif des agences qui font partie de SITE et ces agences-
7 là sont en fait vouées aussi au Service et les trois agences
8 qui sont présentes en personne avec vous.

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

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

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

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

21 **MS. ERIN DANN:** CSIS Rep Number 1 or Number
22 2, is there a regular schedule for producing these threat
23 updates?

24 **REPRÉSENTANT DU SCRS NO 1:** Représentant du
25 Service numéro 1.

26 To respond to your question, we don't have a
27 pre-established schedule to update broader threat assessments
28 as the one we have in front of us. However, this one was

1 produced in the context of by-elections, so the cadence would
2 be anytime between, like, I would say, every six months, six
3 to nine months would be prudent for SITE to make sure we do
4 prepare a product as the one we have in front of us.

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

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

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

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

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

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

26 **CSIS REPRESENTATIVE NO. 1:** Thank you for the
27 question. Absolutely.

28 En fait, ce qu'on a désigné comme étant de

1 l'ingérence électorale traditionnelle peut se comprendre par
2 les types d'ingérence qui s'expriment à travers les êtres
3 humains, essentiellement.

4 Donc, ce qui me vient en tête, il s'agit
5 d'efforts qui se font au niveau des leaders des communautés
6 de certains acteurs qu'on appelle en anglais des proxies,
7 donc, qui sont près des intérêts des états hostiles, des gens
8 qui sont en mesure de collecter également avec les
9 représentants des partis politiques. Du point de vue des
10 tactiques qu'on voit dans l'ingérence électorale
11 traditionnelle, on parle également de financement. Donc,
12 c'est vraiment un aspect de l'ingérence qui se déroule
13 depuis... sur le long terme, en fait, et qu'on documentait
14 depuis déjà quelques décennies.

15 Cet aspect de l'ingérence là est propre aux
16 efforts qu'on connaît du point de vue de la Chine, mais
17 également d'autres états. On pense dans ce cas-ci à l'Inde
18 et au Pakistan, dans une bien moindre mesure pour le
19 Pakistan.

20 **MS. ERIN DANN:** Thank you. And I understand
21 you also mentioned in your in-camera summary, in addition to
22 -- or in terms of the networks that may be relied upon, that
23 the PRC relies on networks of embassies, consulates, members
24 of diaspora communities, and others in terms of coordinating
25 or engaging in foreign interference activities. Is that
26 right?

27 **CSIS REPRESENTATIVE NO. 1:** Yes, absolutely
28 right. So it is in that specific context, which we see some

1 networks being built out of those community networks, but
2 also with the complicity of the officials of embassies and
3 consulates, and as well, to some extent, the deputies of
4 intelligence services.

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

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

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

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

10 **CSIS REPRESENTATIVE NO. 1:** This is correct.
11 Obviously from a SITE standpoint, India is the second most
12 active state actor engaging in electoral FI. And we've seen,
13 obviously, foreign interference from India located at a
14 community level, as we described earlier, the regime proxies,
15 and intending to influence at different level when it comes
16 obviously to the nomination of the political party members,
17 but also, when it comes to impact or kind of impact on
18 decisions that will be made at the parliament on statements
19 that actually would impact the Government of India, for
20 instance. So we are actively monitoring foreign interference
21 that actually emanates from India.

22 **MS. ERIN DANN:** If we scroll to the next
23 page, Court Operator, at paragraph -- it doesn't have a
24 paragraph, so we'll just scroll up just a little bit.
25 There's -- Mr. Macdonald, I'll direct this question to you,
26 there's one line unredacted in the middle text there that
27 "India continues to develop its cyber capabilities." Can you
28 address at all what SITE has observed in relation to India's

1 cyber capabilities and foreign interference?

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

7 **MS. ERIN DANN:** If we scroll to the next
8 page, we see a reference to Russia at the bottom of page 10.
9 CSIS Rep No. 1, turning back to you for a moment, in the in-
10 camera hearing summary, you describe or said that Russia does
11 not work within the system, and instead, works against it
12 with the aim to break it. Can you expand on what you meant
13 by this and how SITE has observed Russia engaging in foreign
14 interference activities?

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

1 traditional methods that apply -- would apply to electoral
2 interference for Russia.

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

8 **MS. ROBIN WETTLAUFER:** What I would say is
9 Russia has demonstrated a clear commitment to interfere with
10 elections elsewhere, as well as to undermine that social
11 fibre element of western societies and western and democratic
12 societies.

13 **REPRÉSENTANT DU SCRS NO 1:** Si je peux
14 rajouter sur ce que madame Wettlaufer vient de nous
15 présenter, c'est également une des situations que SITE suit
16 de très près. Au niveau international, à la suite des
17 élections qui ont eu lieu en Europe, en particulier on pense
18 à la France, l'Union européenne, la Slovaquie, la Moldavie.
19 Donc, ce sont des pays qui également ont été exposés. Et
20 c'est ce qui incite SITE à rester très vigilant également, du
21 point de vue des efforts que la Russie pourrait vouloir
22 déployer contre le Canada dans la perspective de la prochaine
23 élection fédérale.

24 **MS. ERIN DANN:** That's helpful. Thank you.
25 I want to turn now to looking at some specific methodologies
26 and tools that are addressed in this threat update. We go to
27 page 3 of this document. If you scroll down to paragraph 5,
28 we see methodologies and tools. Under paragraph 6, there's a

1 reference to political party nomination processes. I'll
2 address this to the panel. Why does SITE assess nomination
3 processes as a potential vector for foreign interference or
4 as vulnerable to foreign interference?

5 **REPRÉSENTANT DU SCRS NO 1:** Représentant du
6 Service numéro 1. Je suis en mesure de commenter sur la
7 question.

8 Dans ce cas-ci, il faut vraiment penser en
9 termes de vulnérabilité et de risque du point de vue de la
10 désignation de candidat pour les partis politiques qui vont
11 se présenter dans les circonscriptions fédérales. Ceux que
12 SITE a notés, c'est des efforts très pragmatiques et qui sont
13 pas fondés non plus sur des partis politiques, en fait. Il
14 s'agit d'opportunités à exploiter durant des nominations.

15 Et, dans ce cas-ci, ça peut se concrétiser
16 sous forme de contributions financières, par exemple, qui
17 peuvent être faites même à l'insu des individus qui se
18 présentent. Tout ça pour aider certains candidats qui
19 supportent l'agenda stratégique des pays hostiles, ou encore
20 pour discréditer les candidats qui pourraient, du point de
21 vue des états hostiles, nuire à leurs intérêts stratégiques.

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

25 **CSIS REPRESENTATIVE NO. 1:** I think it speaks
26 to the importance for SITE to communicate and educate more
27 and more on those threats that we're discussing with
28 Canadians today. So, for instance, when we speak about the

1 nomination processes, this is not an area within which we
2 have any control from a legal standpoint. So our duty at
3 SITE is to inform political parties of those vulnerabilities.
4 From there, they can actually determine what's the best steps
5 to take.

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

12 **MR. RYAN MACDONALD:** We have not seen that in
13 the past. Correct.

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

20 **MR. RYAN MACDONALD:** That's fair to say. I
21 mean, the use of technology will change the threat surface
22 that will exist, so if we increase the amount of technology
23 that's being used in future elections, it may provide other
24 avenues for foreign interference to occur. I would note it's
25 one of the reasons why we work very closely with Elections
26 Canada as they consider those technology changes, to ensure
27 that there's a balance of the right cyber defence mechanisms
28 if they do go in that direction.

1 **MS. ERIN DANN:** And in terms of other sort of
2 malicious cyber-based activity, we see reference in paragraph
3 12 and 13 to -- excuse me -- to cyber espionage,
4 disinformation and deep fake. So I just want to ask about
5 each sort of, of those categories. Starting with cyber
6 espionage, at paragraph 13 the report speaks of email
7 operations targeting parliamentarians, Ministers, Government
8 of Canada employees. And the Commission has heard some
9 evidence about one such incident that targeted
10 parliamentarians who were part of IPAC. At paragraph 13,
11 there's a comment that SITE cannot discount the possibility
12 that similar tactics could be used during an election cycle.
13 Mr. Macdonald, can you help us understand how these sort of
14 cyber espionage techniques might be leveraged to engage in
15 foreign interference during an election?

16 **MR RYAN MACDONALD:** Absolutely, sure. So
17 just -- I mean, just to reiterate the point, as obviously the
18 Commission has heard, Canada and certainly member of
19 Parliament and government officials are regularly targets of
20 in particular cyber espionage. Generally, that's actors
21 looking to acquire sensitive information that they can use
22 for a variety of purposes. In the case of how that might
23 apply in an election cycle, then understanding what might be
24 sensitive information, what might be information that is not
25 public, it may include candidate plans and intentions, Party
26 processes and strategies in terms of how they are to approach
27 an election, state actors and others acquiring that
28 information may use that to inform other foreign -- or

1 interference activities they would undertake. There's also
2 been examples where, through espionage, we've seen in other
3 electoral processes, they'll often refer to as the hack-and-
4 leak operation where they'll find something that is
5 embarrassing or perhaps that individuals wouldn't have wanted
6 to become public, and then they will disclose that after
7 having gained access to that information.

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

12 "SITE assesses that influence
13 campaigns that leverage generative-AI
14 have the potential to be highly
15 effective and can be a major tool of
16 F[oreign] I[nterference] in upcoming
17 elections..."

18 And that's just at the bottom of paragraph
19 11. Perhaps I'll start with you, Mr. MacDonald, but I'll let
20 others on the panel address this as well. Can you explain
21 how and why SITE has made this assessment and the impact of
22 the advancements, ongoing advancements in generative AI?

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

28 As captured there, technological

1 advancements, and in particular in and around AI, has made it
2 possible for what we refer to as synthetic content, to be
3 more rapidly and effectively created. This is something I
4 would note, and part of the information sources of what fed
5 into this further assessment we did through the SITE task
6 force, was a product produced by our Canadian Centre for
7 Cyber Security. I know the Commission has a copy of that,
8 "Cyber Threats to Canada's Democratic Process", there's a lot
9 more detail there.

10 But in short, what it highlights is that
11 there's been an increased use of generative AI because of
12 those technology advancements, and as a result of that we're
13 seeing more media, video clips and audio clips that are
14 either fake or altered. And if done well, we'll often hear
15 these referred to as deepfakes, and that makes it very
16 difficult for the average person to ascertain what is
17 truthful, what is in fact a fake, or has been altered.

18 This section of the assessment in particular,
19 I think, speaks to why, as both the CSIS representatives
20 mentioned, it's important for us as a task force to stay
21 connected and to continue to update the assessment, because
22 we want to make sure that as we're thinking through what
23 threats we might face in future general elections, they're
24 informed not only by what we've seen in the past Canadian
25 elections, but what trends we're seeing happening around the
26 world as well.

27 **MS. ERIN DANN:** Ms. Wettlaufer, you testified
28 at the *in camera* hearing about how the advancements in

1 generative AI have, as Mr. Macdonald just referred to, sort
2 of lowered the barrier for entry for information manipulation
3 and led to proliferation of threat actors. What impact has
4 that and the perhaps associated proliferation of social media
5 platforms and online platforms -- what impact has that had on
6 RRM Canada's work and contributions to the SITE task force?

7 **MS. ROBIN WETTLAUFER:** What I would say is it
8 has made the work of RRM Canada more challenging. There are
9 more actors to watch. There are more social media platforms
10 to watch. But I have to say, one of the benefits of having
11 the SITE construct is that we're not in it alone and that we
12 are able to work through some of these problems together, and
13 also able to puzzle through new technologies we see emerge.

14 And you know, if we don't have the expertise,
15 we can turn to our colleagues at CSIS, CSE, or RCMP, and kind
16 of puzzle through, what sense can you make of this? What can
17 we do about it? How can we better detect this?

18 **MS. ERIN DANN:** You mentioned the cooperation
19 with the other SITE agencies. Is there any cooperation or
20 coordination with civil society groups who are engaged in
21 monitoring the online environment?

22 **MS. ROBIN WETTLAUFER:** Sure, sure. There's a
23 handful of organizations both in Canada and elsewhere that we
24 engage with regularly. Ones at the top of mind is
25 DisinfoWatch, we engage regularly with the Atlantic Council
26 in D.C. and their DFR, their Digital Forensic -- I forget
27 what the R stands for -- the digital forensic lab of the
28 Atlantic Council, as well as Doublethink Lab in Taiwan.

1 **MS. ERIN DANN:** And Mr. Macdonald, you
2 mentioned the cyber centre's publication on cyber -- I
3 believe the one you're referring to is "Cyber Threats to
4 Democratic Processes" report?

5 **MR. RYAN MACDONALD:** Yes.

6 **MS. ERIN DANN:** And perhaps just for
7 everyone's benefit, Court Operator, could you pull up Can
8 598? This is a report that we have seen when your colleagues
9 from CSE testified. I'm not sure if it ---

10 **COURT OPERATOR:** Was that CAN 598 or COM 518?

11 **MS. ERIN DANN:** Thank you, Mr. Court
12 Operator. It is COM 598, you're right. And if you could go
13 to PDF page 18?

14 **--- EXHIBIT No./PIÈCE No. COM0000598.EN:**

15 Cyber threats to Canada's democratic
16 process 2023 Update

17 **MS. ERIN DANN:** And I just note at the very
18 last paragraph on that page -- actually, we can just scroll
19 up a bit higher. Thank you. We see here that the cyber
20 centre report -- and this is a public report, assessed that
21 it was very likely that the capacity to generate deepfakes
22 exceeds our ability to detect them, and further assess that
23 as SITE did that deepfakes could well play a role in future
24 electoral processes.

25 Mr. Macdonald, or others on the panel, can
26 you speak to the tools SITE -- the SITE task force has
27 together or as its member agencies, in how to detect this
28 type of deepfake, how to respond to the threats posed by

1 generative AI and deepfakes in the context of your work on
2 the SITE task force?

3 **MR. RYAN MACDONALD:** I can begin and have
4 others contribute. I think one think I would just note, that
5 when it comes to this subject it is a challenging space and
6 one that I would say I think none of us would put ourselves
7 into that space alone. It's something that many people are
8 looking at. Obviously, there's roles for many people to play
9 in this function.

10 So we have a role within the security
11 intelligence community, and as members of the SITE task
12 force, but media -- there's lots of research institutions,
13 obviously just in general, the public and the resiliency in
14 terms of trying to identify and perhaps be more inquisitive
15 about information that they're seeing online, will all help
16 to combat what is a growing space.

17 In terms of work that's going on, I would say
18 all of us have methods within the tools of being members of
19 the SITE task force to try and identify and detect, you know,
20 both disinformation and certainly disinformation that is now
21 using generative AI. In our case, from CSE's perspective,
22 obviously as through our mandate of foreign signals
23 intelligence, if we have the ability to acquire information
24 about foreign states generating this type of content or
25 disseminating this type of content, we will obviously make
26 that not only available to the SITE task force, but others as
27 required.

28 And it's also something that we work very

1 closely with other partners internationally in terms of how
2 they are approaching this situation and exchanging
3 information both in terms of the capabilities and what they
4 are seeing online as well.

5 Maybe I'll offer to others?

6 **CSIS REPRESENTATIVE NO. 1:** I can actually --
7 thanks, Mr. Macdonald.

8 From a sort of a concrete standpoint, so the
9 SITE task force is actively preparing for such threats to
10 shape up in bringing a pool of experts together and getting
11 them to exercise out of the tabletop examples, and are
12 unpacking what it means, you know, in terms of what we have
13 within our own agencies that actually -- can actually support
14 further analysis and assessment of such threats, and then how
15 can we actually best inform the government, and what we can
16 do about that when it's in front of us.

17 **MS. ERIN DANN:** Just to clarify, is that CSIS
18 Rep number 1?

19 **CSIS REPRESENTATIVE NO. 1:** It was CSIS Rep
20 number 1.

21 **MS. ERIN DANN:** Thank you very much.

22 And when you refer to tabletop exercises,
23 these would be -- am I understanding correctly that these
24 would be scenarios that the task force might consider in
25 order to practice or anticipate what might occur if
26 disinformation campaigns, generative AI resulting in
27 deepfakes, were to occur during an election period? These
28 are sort of exercises or practice scenarios. Is that right?

1 **CSIS REPRESENTATIVE NO. 1:** It is exactly
2 what this is. This is inspired by actual cases that the
3 separate agencies have been documenting and working on. And
4 so out of each agency from the SITE construct examples are
5 brought to the table, so they can be unpacked all together.

6 **MS. ERIN DANN:** Excuse me. Just before
7 moving away from this topic, Mr. Macdonald, you mentioned
8 that attributions or identifying who is responsible for
9 deepfakes is -- and disinformation campaigns, is one tool in
10 the toolkit in order to respond to these threats. But it's
11 not always necessary that there may be a value in identifying
12 inauthentic behaviour even where there can't be attribution.
13 Can you explain the value in that and why that can be
14 important?

15 **MR. RYAN MACDONALD:** Yeah. So I mean, I
16 guess first of all just to say for sure, attribution can be
17 useful, but it is difficult. This report in particular
18 points out, I believe the specific reference is in 2022 of
19 the cyber activity we had noted occurring in and around
20 election security, 85 percent of that was unattributed. So
21 for sure it's a difficult space. Again, we do have methods
22 by which we can go and try to identify that attribution, but
23 I think to your question, attribution isn't a dependency for
24 us to take action. Certainly, as I think you heard from the
25 CSE panel, should it be a cyber incident that's occurring,
26 the first action will be to actually defend and address that
27 incident, and that can all be done without attribution. If
28 it's online activity that is proven to be inaccurate, you

1 know, regardless of the attribution of that, there can be
2 means that can be taken to deter that activity as well.

3 **MS. ERIN DANN:** Ms. Wettlaufer, anything on
4 your end to add to that?

5 **MS. ROBIN WETTLAUFER:** I don't think so.

6 **MS. ERIN DANN:** Okay. Mr. O'Hayon, you
7 highlighted the blurred -- the sometimes-blurred line in the
8 cyber realm between ordinary criminal and foreign state
9 sponsored malicious activity. Can you help us understand
10 what you mean by that and what the RCMP is observing in that
11 area?

12 **MR. GREGORY O'HAYON:** So I think this is in
13 line with your question about attribution. So the tools,
14 techniques, methodologies that are available to carry out
15 certain acts online are available to everybody. And that's
16 what it -- that's what we mean by the bar being lowered. You
17 don't necessarily have to understand the ones and zeros or
18 the hardware in order to carry out this kind of activity.

19 And I think it speaks to what my counterpart
20 from GAC has spoken about, the increasing number of
21 platforms, the increasing number of data points that we have
22 to look at. And I think that's where, from an RCMP
23 perspective, we can bring the this is what we are seeing in
24 the criminal space. And I think if you are an ill-
25 intentioned actor, you often want to mask who you are and
26 where you're coming from. So in the online space, one way to
27 do that is to mask yourself as somebody that is profit
28 motivated, when in the background, maybe your motivation is

1 more political, or related to the subject matter at hand.

2 **MS. ERIN DANN:** In the 2021 After Action
3 Report following GE44, one of the lessons learned identified
4 in that report was an acknowledgement that foreign
5 interference and threats in the online space are complex and
6 challenging. Is it fair to say that that space remains a
7 challenging and complex area today?

8 **MR. RYAN MACDONALD:** I think that's fair.

9 **MS. ROBIN WETTLAUFER:** Yes.

10 **MS. ERIN DANN:** All right. And in your
11 interview and in-camera examinations, a number of the
12 panelists noted the lack of monitoring of the domestic online
13 information environment. Can I confirm that none of the SITE
14 Task Force member agencies have a mandate to monitor the
15 online domestic environment outside of election periods?

16 I just need someone to give a verbal yes so
17 we can ---

18 **MS. ROBIN WETTLAUFER:** That is correct.

19 **MS. ERIN DANN:** Thank you. And as a result
20 of that, or one result of that is that there is no sort of
21 baseline knowledge or baseline assessment of the domestic
22 online space, which can make it more difficult to detect
23 abnormal or unusual activity in the periods when you are
24 monitoring that space. Is that a fair summary?

25 **MS. ROBIN WETTLAUFER:** That is also correct.
26 Like, what I would say is when we're monitoring the
27 information environment and country or region X, Y, or Z,
28 monitoring on an ongoing basis provides us a good picture of

1 what constitutes normal behaviour. And so when something
2 happens that is not normal in that particular information
3 ecosystem, we're able to say, "This may be an indicator of
4 inauthentic behaviour." So not having that ongoing baseline
5 is obviously not optimal.

6 **MS. ERIN DANN:** CSIS Rep Number 1, you
7 expressed in the in-camera hearing summary that having a
8 specific agency tasked with monitoring the domestic online
9 space would help better position SITE for the future. Do you
10 have any view on who should play that role?

11 **CSIS REPRESENTATIVE NO. 1:** Thank for the
12 question. Obviously I'll leave it to the decision makers at
13 the Deputy Minister level to determine what's the optimal
14 posture or best department to actually accomplish this
15 important duty.

16 I would just add an interesting comment as an
17 example of the relevance of that. In the context of the SITE
18 Task Force monitoring of the by-elections, we have gone
19 through incidents that have been reported and from a SITE
20 monitoring capability, to the Government of Canada. So we do
21 have certain examples of actually what we could see if we get
22 to that point.

23 But to your questions...

24 Madame la Commissionnaire, je ne suis pas en
25 mesure d'identifier le département qui pourrait de façon
26 optimale se charger d'une telle tâche.

27 **MS. ERIN DANN:** And Ms. Wettlaufer, I know
28 you also deferred the question of what department or agency

1 could fill this role to that's a question at the Deputy
2 Minister level, and we'll no doubt have an ability to ask
3 those Deputy Ministers, but you indicated that you had --
4 concerns about RRM Canada playing a role had been conveyed.
5 What can you explain what are the concerns with RRM Canada
6 taking on a permanent role in monitoring domestic online
7 space?

8 **MS. ROBIN WETTLAUFER:** Sure. So I'd say
9 there's two primary concerns I have. One is opportunity
10 cost. You know, the world is vast. There is a lot taking
11 place in the global information domain and if we are
12 monitoring the domestic environment, we are no longer able to
13 do what we do on a -- you know, regarding the global context.

14 Second of all, what I would say is it's
15 pretty unusual for a foreign ministry to be undertaking this
16 work. In the G7, we are the only foreign ministry
17 responsible for domestic monitoring during elections, for
18 instance. Most of our counterparts have a separate part of
19 their government, it's structured a little bit different
20 everywhere, but have a separate entity from their government
21 that does the domestic monitoring. Often there's also a
22 global monitoring body often within the foreign ministry.

23 **MS. ERIN DANN:** Mr. O'Hayon, you -- I
24 understood your evidence at the in-camera hearing to be that
25 the question of who does this work is complicated, and you
26 noted that the agency or department has to have the right
27 mandate, the right authorities, and the right subject matter
28 experts. Is that a fair summary of your evidence on this

1 point and do you have any additional or further thoughts that
2 you wish to share?

3 **MR. GREGORY O'HAYON:** No. I stand by what I
4 said. I think I would agree with what my counterpart from
5 GAC has said. It does put them in a difficult position as a
6 foreign ministry to be looking at the domestic. And there is
7 an opportunity cost.

8 And I think in order to do this properly, you
9 need the right linguistic, cultural understanding for what it
10 is that you're actually looking at so that you're not -- it
11 doesn't -- you don't go down rabbit holes or conflate
12 something that is normal with a potential threat.

13 So I think it would take quite a bit of a
14 heavy lift to replicate what the RRM is and whether my agency
15 or someone else's, not to mention things like authorities and
16 mandates and things like that. But it would require, I would
17 say, a pretty heavy lift.

18 And knowing what some of our allied countries
19 are doing, for instance in France, I know that they have a
20 team of 60 or 70 people that are doing this.

21 So it is, you know, again, echoing what was
22 said before, the environment that you're looking at is broad
23 and you need to look at it consistently, because you need the
24 baseline, and in order to detect when the anomalies happen.
25 But you also need that linguistic and cultural understanding
26 as well.

27 **MS. ERIN DANN:** I want to turn now to the
28 SITE processes during the by-election. So this is something

1 of a change since your colleagues who were members of SITE
2 during GE43 and GE44. In May of 2023, there was an
3 announcement that SITE would provide enhanced monitoring and
4 assessments of foreign interference threats with respect to
5 by-elections, that four by-elections that were to be held in
6 -- and were held in June of 2023.

7 Could I ask, Court Operator, that you pull up
8 CAN31449?

9 --- EXHIBIT No./PIÈCE No. CAN031449 0001:

10 Security and Intelligence Threats
11 Task Force and the 19 June 2023
12 Federal By-Elections

13 **MS. ERIN DANN:** CSIS Representative No. 2, I
14 realize this is not a document that you prepared, but it
15 appears to set out how the SITE Task Force was expected to
16 put its efforts into practice in monitoring the by-elections.

17 Does this document reflect what actually
18 happened in terms of the scope of your work and can you
19 provide for us the description of what -- the scope of SITE's
20 work during its monitoring of those by-elections, the June
21 2023 by-elections?

22 **CSIS REPRESENTATIVE NO. 2:** Of course.

23 So this is CSIS Representative No. 2.

24 This was a document that was prepared by PCO
25 and did outline the expectation for the SITE Task Force in
26 terms of the work to monitor the by-election. Really, what
27 it establishes is that SITE would meet on a weekly basis and
28 produce daily situation reports to identify any foreign

1 interference that came to our attention through our
2 monitoring efforts.

3 The SITE Task Force did meet weekly and we
4 also connected daily through emails or phone calls in order
5 to pull together that daily content for the situational
6 reports.

7 We reported up through the Director-General
8 Elections Security Coordination Committee and the Assistant
9 Deputy Minister Elections Security Coordination Committee.
10 And given that these were by-elections and the caretaker
11 convention was not in place, the Panel of Five at the time
12 was not meeting. And so we would be reporting into the
13 Deputy Minister's Committee on Intelligence Response, and
14 this was because the Ministers maintained their regular
15 accountabilities and responsibilities.

16 So if anything came to our attention and DM
17 CIR's attention and needed to be further acted on or
18 communicated to the public, that would likely have gone up
19 through to the Minister responsible for that department.

20 So in addition to that reporting, we also
21 published a classified after-action report and, for the first
22 time, issued an unclassified public after-action report
23 relating to observations of SITE during the by-election.

24 **MS. ERIN DANN:** In terms of the daily sitreps
25 that you spoke about, I understand there was some back and
26 forth, but ultimately a decision not to disseminate those to
27 Ministers' offices. Do I understand, though, that Ministers
28 might become aware if there was anything in those sitreps

1 that needed to be addressed by a Minister's office that they
2 would eventually land there by some other means?

3 Can you describe how that occurred?

4 **CSIS REPRESENTATIVE NO. 2:** Of course.

5 So it was PCO's decision for the
6 dissemination list for our situational reports and,
7 ultimately, DM CIR determined that the reports should not be
8 provided to the Ministers' offices. However, should DM CIR
9 have been aware of something that they felt needed to be
10 addressed by Ministers, they'd have brought it to their
11 Minister's attention.

12 And separately, I would add that from a SITE
13 perspective or CSIS perspective, actually, all of our regular
14 reporting and I believe similarly to the other SITE
15 departments, that reporting was going out and being
16 disseminated through our regular reports as well. The SITE
17 sitreps were really just a mechanism to keep all of that
18 information about the by-elections in one place so if there
19 was a need, for example, for CSIS information to go out to
20 the Minister, it would be disseminated out and up to the
21 Minister as our normal reporting chain.

22 **MS. ERIN DANN:** I understand that producing
23 those sitreps on a daily basis was quite time consuming.
24 Even where there was sort of nil reports, nothing to report,
25 that CSIS Rep No. 2, nevertheless, nearly 100 percent of your
26 time was devoted to SITE TF related activities during this
27 period when SITE was stood up for the June 2023 by-elections.
28 Is that right?

1 **CSIS REPRESENTATIVE NO. 2:** Yes. So in
2 addition to ensuring I was reaching out to the CSIS
3 operational branches to collect any information that may have
4 come to our department's attention as well as reaching out to
5 the SITE Task Force other departments, the other
6 representatives to receive their contributions, I was also
7 preparing briefing products for the various committees that I
8 was briefing on the work of SITE and working towards those
9 after-action reports as well to identify everything.

10 So it was quite an intensive process during
11 that first by-election.

12 **MS. ERIN DANN:** We saw in the summaries that
13 the actor -- that the by-elections in 2023 when SITE was
14 later stood up in for a by-election in July of 2023 and again
15 for by-elections in 2024 that the sitreps are now distributed
16 on a weekly basis as opposed to a daily basis. Is that
17 right?

18 **CSIS REPRESENTATIVE NO. 2:** So I can add that
19 following the first by-election in June, the SITE Task Force
20 recommendation was that if there is nothing to report, those
21 sitreps could be disseminated on a weekly basis. And for
22 that July by-election that followed very closely behind, that
23 recommendation was taken and so, from then on, the sitreps
24 were issued on a weekly basis unless there was something
25 significant to report.

26 **MS. ERIN DANN:** Perhaps I'll turn to CSIS Rep
27 No. 1.

28 Have there been any other changes in terms of

1 the mechanisms or the efforts put forth by SITE in terms of
2 its monitoring of by-elections since you've become Chair of
3 the SITE Task Force?

4 **CSIS REPRESENTATIVE NO. 1:** One of the main
5 changes that actually occurred was the way this dissemination
6 was organized. So the change was, I think, somewhere
7 throughout 2024. We moved to a platform that actually
8 permits to track the readership of the SITE updates. It's
9 not only for the SITE updates, but all SITE related products
10 are now distributed over that platform.

11 Other developments actually occurred over the
12 year -- I would say starting January 2024 was requirement, as
13 stated, for preparing the Panel of Five.

14 So back in January, we had a first request to
15 make sure that we actually read the Panel of Five the stated
16 sitrep, and we would do that on a regular basis. So we've
17 been doing so over the, I would say, cadence of the month or
18 six weeks since last January.

19 On top of that, SITE has been engaging some
20 partners in the international field, and I think this would
21 presume the main developments from a SITE standpoint.

22 **MS. ERIN DANN:** That's helpful. Thank you.

23 I want to now just briefly review SITE's
24 observations from these various by-elections, and I'll try to
25 do that relatively quickly. But if we could have COM606.

26 **--- EXHIBIT No./PIÈCE No. COM0000606.EN:**

27 Security and Intelligence Threats to
28 Elections Task Force Threats to the

1 Canadian Federal By-elections June
2 2023

3 **MS. ERIN DANN:** This is the public after-
4 action report. CSIS Rep No. 2, you spoke about this
5 unclassified public after-action report.

6 This relates to four by-elections that were
7 held in June of 2023, one in Quebec, one in Ontario and two
8 in Manitoba. And my -- I understand from the conclusion in
9 the after-action report that SITE monitored those by-
10 elections and did not observe at that time any indication of
11 foreign interference directed at the by-elections. Is that
12 right?

13 **CSIS REPRESENTATIVE NO. 2:** That is correct.

14 **MS. ERIN DANN:** All right.

15 And then if we turn to -- oh, before moving
16 away from that by-election, the Commission has heard evidence
17 and I expect we may hear more evidence about a disinformation
18 campaign targeting MP Michael Chong, which RRM Canada tracked
19 on WeChat during the spring and summer months of 2023.

20 I understand that RRM Canada became aware of
21 that campaign as it was doing its monitoring of the domestic
22 online environment in the lead-up to these June 2023 by-
23 elections.

24 I'll start -- but Ms. Wettlaufer, I'll ask
25 you to confirm that SITE did not assess that campaign as
26 being directed at one of the by-elections.

27 **MS. ROBIN WETTLAUFER:** That's correct. So we
28 only saw the campaign because we'd turned our lens towards

1 the domestic environment for the by-election, however, it was
2 not related to the by-election.

3 **MS. ERIN DANN:** And I think it was CSIS Rep
4 Number 1, you mentioned this is an example of the type of
5 activity that may be observed when there is engagement or
6 monitoring of the domestic online space?

7 **CSIS REPRESENTATIVE NO. 1:** That is exactly
8 what I had in mind.

9 **MS. ERIN DANN:** All right. Turning then to
10 the next by-election that was monitored, that's the Calgary
11 Heritage by-election, which CSIS Rep Number 2, you mentioned
12 occurred in July of 2023.

13 And Court Operator, you don't need to pull it
14 up, but the After Action Report can be found at COM607. And
15 the French version is also available.

16 **--- EXHIBIT No./PIÈCE No. COM0000607.EN:**

17 Security and Intelligence Threats to
18 Elections Task Force - Threats to the
19 Canadian Federal By-elections - July
20 2023

21 **--- EXHIBIT No./PIÈCE No. COM0000607.FR:**

22 Groupe de travail sur les menaces en
23 matière de sécurité et de
24 renseignements visant les élections -
25 Menaces pour les élections partielles
26 fédérales du Canada - juillet 2023

27 **MS. ERIN DANN:** And similarly, in this After
28 Action Report, SITE indicated that it did not observe at the

1 time any indication of foreign interference directed at the
2 Calgary Heritage By-Election. I'll just ask you to confirm?

3 **CSIS REPRESENTATIVE NO. 2:** That's correct.

4 **MS. ERIN DANN:** All right. And then we move
5 to the Durham By-Election, which was in March of 2024.

6 And for the purposes of the record, the After
7 Action -- public After Action Report is available in French
8 and English at COM605.

9 **--- EXHIBIT No./PIÈCE No. COM0000605.EN:**

10 Security and Intelligence Threats to
11 Elections Task Force - Threats to the
12 Canadian Federal By-elections -
13 Durham March 2024.

14 **--- EXHIBIT No./PIÈCE No. COM0000605.EN:**

15 Groupe de travail sur les menaces en
16 matière de sécurité et de
17 renseignements visant les élections -
18 Menaces pour les élections partielles
19 fédérales du Canada - Durham mars
20 2024

21 **MS. ERIN DANN:** And again, SITE reached the
22 same conclusion, or described its observations as follows,
23 that it did not observe, at the time, any indication of
24 foreign interference directed at that by-election.

25 And I believe, CSIS Rep Number 1, you were
26 the Chair at that point?

27 **CSIS REPRESENTATIVE NO. 1:** That is correct.
28 CSIS Rep Number 1 here and I confirm, obviously, that we have

1 not been detecting foreign interference during that by-
2 election.

3 **MS. ERIN DANN:** And then we move to the
4 Toronto-St. Paul's, which was in June of this year, 2024.
5 And I understand that SITE did monitor that by-election, but
6 at least a public After Action Report has not yet been
7 published? Is that right?

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

9 **MS. ERIN DANN:** Okay. And then finally, most
10 recently, the by-election in Verdun, which I understand was
11 just in September. That SITE monitored that election and
12 that the assessment in relation to that by-election remains
13 ongoing, but that SITE anticipates producing a public After
14 Action Report once it has concluded its work in regard to
15 this by-election?

16 **CSIS REPRESENTATIVE NO. 1:** Yeah. CSIS Rep
17 Number 1 and I confirm that actually, yes, monitoring has
18 been ongoing and has now -- it's done and the -- we'll make
19 efforts, obviously, to publishing a After Action Report as
20 well.

21 **MS. ERIN DANN:** Thank you. I'll have a few
22 questions about those After Action Reports in just a moment,
23 but before I turn there, Court Operator, you can take down
24 that document.

25 I want to ask -- or confirm whether the
26 reporting that goes into the SITREPS and the briefings during
27 the SITE monitoring the by-election, what is the scope of
28 that reporting? Is it the same type of information or

1 intelligence as you would include during a general election?

2 **CSIS REPRESENTATIVE NO. 1:** Please, Mr.

3 Macdonald.

4 **MR. RYAN MACDONALD:** Yeah, I mean, I would
5 just confirm that, yes, it would be in the same variety.
6 Obviously there's a more scoped view when it's a by-election,
7 but we would be putting forward similar information.

8 **MS. ERIN DANN:** All right. And if I can just
9 ask the Court Operator to bring up CAN21341 at page 2?

10 **--- EXHIBIT No./PIÈCE No. CAN021341 0001:**

11 Security and Intelligence Threats to
12 Elections (SITE) Task Force Mandate
13 and Membership

14 **MS. ERIN DANN:** Under the heading "Clarifying
15 the mandate of the SITE Task Force for SITE members" --
16 again, I should say this is not a SITE produced document. I
17 believe it was produced by the PCO. But there's a note that
18 SITE -- and this is in relation to the June 2023 by-
19 elections:

20 "...SITE was left to decide what was
21 and [...] was not in scope. This needs
22 to be codified."

23 That's the second bullet under the heading.

24 I'll ask -- direct this to those of you who
25 were on the SITE Task Force in the spring of 2023. Was there
26 a lack of clarity on the scope of the Task Force's work when
27 it was stood up for the by-elections? And if so, has that
28 since been resolved?

1 Perhaps I'll start with CSIS Rep Number 2.

2 **CSIS REPRESENTATIVE NO. 2:** Well I can't
3 comment specifically on the context for this statement
4 particularly, as we didn't develop this product. As I know
5 we've mentioned in the past, foreign interference is kind of
6 an ongoing thing in Canadian society and does happen
7 consistently. We made an effort with the by-elections, at
8 the direction of PCO and our seniors, to really focus only on
9 the actual by-election that was happening in terms of our
10 reporting. I think that that would be kind of some of that
11 additional context for that.

12 **MS. ERIN DANN:** And in terms of the focusing
13 on the particular by-election, one of the activities that
14 SITE undertook was producing baseline threat assessments in
15 relation to the by-elections.

16 And I'll ask, Court Operator, that you pull
17 up CAN21563.

18 **--- EXHIBIT No./PIÈCE No. CAN021563 0001:**

19 Baseline Threat Assessment July 24,
20 2023 Calgary Heritage By-election -
21 CAB 2023-24/28

22 **MS. ERIN DANN:** This is the Baseline Threat
23 Assessment prepared for the Calgary Heritage By-Election. I
24 apologize, -- actually, give me a moment. This is the
25 Calgary Heritage By-Election. I know CSIS Rep Number 1, that
26 you were not involved in the preparation of this Baseline
27 Threat Assessment, but you provided some evidence in the in-
28 camera hearings about the -- how these Baseline Threat

1 Assessments are developed, and I wonder if you can speak to
2 the methodology, what factors or criteria SITE considers when
3 assessing the threat of foreign interference in a particular
4 riding or in relation to a particular by-election?

5 **REPRÉSENTANT DU SCRS NO 1:** Alors, lorsqu'on
6 prépare une évaluation comme celle-là, il y a essentiellement
7 quatre grands critères qu'on regarde.

8 Le premier critère réfère à une connaissance
9 antérieure. Donc, est-ce que, par exemple, lorsqu'on regarde
10 une circonscription comme Calgary Heritage, nous avons
11 documenté dans le passé des activités qui sont en lien à la
12 menace, et là on se réfère, en fait, à des consultations de
13 bases de données classifiées qui sont en notre possession.

14 Un deuxième critère concerne l'aspect
15 démographique de ces circonscriptions. Ce que je veux dire
16 par l'aspect démographique c'est que si dans l'hypothèse où
17 (inaudible) de résident qui sont potentiellement en lien avec
18 des efforts hostiles qui peuvent être perçus du point de vue
19 d'un État hostile, comme des ressources à mobiliser dans un
20 vecteur d'ingérence étrangère électoral, c'est quelque chose
21 également qui doit être considéré. On a parlé un peu plus tôt
22 aujourd'hui des efforts du point de vue de la Chine, de
23 l'Inde, et même du Pakistan là-dedans.

24 Par la suite, le troisième critère, il s'agit
25 évidemment des individus qui se présentent. Donc, ce qu'on
26 regarde encore une fois, ce sont certainement les individus
27 qui vont représenter les Canadiens et si, du point de vue des
28 États étatiques, on peut y voir une opportunité : est-ce que

1 ces individus-là à la limite pourraient être utiles pour les
2 États hostiles par un processus démocratique comme le nôtre.

3 Et le dernier critère est un critère très
4 pragmatique, ce serait, par exemple, la présence d'intérêts
5 étrangers dans la circonscription qui pourraient être
6 pertinents, encore une fois du point de vue des États
7 étrangers.

8 **MS. ERIN DANN:** Thank you. And just a
9 reminder, particularly for our CSIS reps who are testifying
10 remotely, to try to answer the questions as slowly as
11 possible. The quality of the audio is making it challenging
12 for our interpreters.

13 CSIS Site Rep Number 1, does SITE have the
14 capacity and would it be desirable, in your view, to produce
15 this kind of baseline assessment for every riding during a
16 general election? Is there anything you can tell the
17 Commission in this forum on how SITE might prioritize its
18 efforts during a general election, with reference to some of
19 those criteria that you just mentioned?

20 **CSIS REPRESENTATIVE NO. 1:** Yes. Thanks for
21 that question. I mean, in my view, if we were to have a
22 specific intelligence product that would inform decision
23 makers and prepare them in the lead for the general election,
24 such a document would likely be the most impactful. However,
25 we need to consider that with over 300 ridings for a general
26 election, it would be a substantial amount of work to be done
27 in the leads to that election.

28 However, if -- again, if we go to the four

1 criteria that we commented on, definitely the one that pivots
2 back to kind of history, what we know, what we've seen in the
3 past could be done in advance. Other criteria, documents,
4 commit a lot of work in advance for instance when you think
5 about the candidates. There's not much we know in advance,
6 but I think it would be definitely healthy for the SITE Task
7 Force to think through such a document and put it all
8 together, should resources and time permit.

9 **MS. ERIN DANN:** Thank you. In your interview
10 and examination summaries, you outlined -- a number of the
11 witnesses outlined the added benefits of SITE being stood up
12 for the by-election. It brought synergy between members, it
13 enhanced group coordination, it allowed for the development
14 of coordination that would have been difficult if SITE was
15 only stood up every four years for a general election. Are
16 there any other benefits or advantages from your perspective
17 in relation to the -- SITE being stood up for by-elections?
18 And then I'll turn to my second question, which you may
19 anticipate, whether -- what are some of the opportunity costs
20 or issues that arose from SITE's enhanced monitoring of the
21 by-elections?

22 But I'll ask you first to comment, is there
23 anything further you'd like to share in terms of the
24 advantages or benefits of having a more permanent -- or SITE
25 having more ongoing activities?

26 **MR. RYAN MACDONALD:** I could begin. I would
27 -- I think you touched on many of the elements as you
28 captured that we said in terms of having an actual exercise

1 to go to was healthy to do that and rehearse those
2 activities.

3 I think maybe one element you didn't say, but
4 obviously would be top of mind for us is just public trust in
5 the by-elections, as much as there is in the general
6 elections. So obviously that's something that as the Task
7 Force, we certainly strive to help to provide.

8 On the opportunity cost, I would say one of
9 the elements we captured, and I think you heard and it was
10 brought up earlier that at various times throughout the past
11 year, the Task Force had wanted to do tabletop exercises and
12 look at other scenarios coming about. We mentioned sort of
13 the generative AI examples. And some of those were put on
14 hold because of the activities that we entered into the by-
15 elections.

16 **MS. ERIN DANN:** Mr. O'Hayon, you noted that
17 the elections -- the by-elections were useful to allow you to
18 calibrate what resources would be needed during a general
19 election, and you mentioned concerns about burnout and
20 overburdening analysts on a small team. Do you anticipate
21 having adequate resources for the next general election to
22 mitigate those -- mitigate the risk of potential burn out or
23 overburdening your team?

24 **MR. GREGORY O'HAYON:** I'll answer your first
25 question. In terms of from where I sit, the benefit of
26 actually having SITE stood up for the by-elections is that
27 the -- you avoid the cold start problem; right? I think in
28 terms of protecting our electoral system and it is a -- you

1 almost start to see it as a relay race. And in a relay race,
2 when you pass the baton, the runner that's taking the baton
3 is already running. They're not standing still. And I think
4 that there really is something to be lost when you start
5 cold. And from -- and again, just to go back to my agency,
6 and where, in the areas that I work, this has allowed me to
7 connect to the different parts of the RCMP, such as our
8 National Security Program, our Protective Program, our
9 Technical Operations Program. You brought up artificial
10 intelligence. That's where our centers of excellence are.

11 It's developing those relationships and
12 getting them engaged in the conversation about the protection
13 of our elections early on so that when the next general
14 election comes, we know who to call, who to muster.

15 In terms of resources, I can't -- I'm not in
16 a position to tell you whether or not -- the short answer is
17 we never have enough. But we will answer the call. And yes,
18 the -- what SITE does allow, why we do this during by-
19 elections, is to calibrate, to build the muscle memory, and
20 also to get a sense as to what exactly -- what kinds of
21 resources are we going to need?

22 The challenge is that as these -- the threat
23 -- or as our After Action Reports have shown, the threat of
24 FI hasn't materialized, but that doesn't necessarily -- you
25 know, that -- we're not basing what we're going to -- how
26 we're going to position ourselves for General Election 45
27 based on that.

28 **MS. ERIN DANN:** And I think it may have been

1 CSIS Site Rep Number 1, you mentioned that we should be
2 careful to draw any conclusions about the overall sort of
3 general FI threat landscape from the results in individual
4 by-elections. Is that fair?

5 **CSIS REPRESENTATIVE NO. 1:** It is fair and
6 correct. And obviously I would also add comments on your --
7 or a question that Mr. Macdonald and O'Hayon commented on.
8 It's kind of a piggy back to the other comment.

9 At the end, we've been preparing ourselves
10 and staging sort of decisions, actions, and next steps for
11 the general election, and I think we are now more mature. So
12 one of the main things that comes to mind is maturity. Like,
13 we'll have a lot of things coming into practice. For
14 instance, I give you the example of the unclassified
15 products. This is huge for the intel community. I guess if
16 you don't belong to this community, you will not really
17 realize what's behind it. For instance, coming out with an
18 After Action Report that is unclassified, that speaks to the
19 accents of threat, may seem benign, but it's not. As a
20 matter of fact, there's tons of work behind the scenes that
21 has been done out of the SITE construct, and there's also
22 decisions that have been made including how best to engage
23 the Canadian audience. So this is what we actually have
24 acquired through the by-elections sort of dynamic.

25 But we also have to keep in mind that even
26 though there haven't been by-elections, we would have been
27 meeting monthly, and also the Panel of Five obviously was
28 very mobilized earlier this year. So this would have also

1 injected, you know, some requirements and some connectivity
2 within the group.

3 **MS. ERIN DANN:** In terms of the After Action
4 -- the public After Action Report that you just mentioned,
5 you described in your interview, and in-camera examination,
6 the challenge that presents, that even reporting that SITE
7 has not observed foreign interference, represents a very -- a
8 substantial increase in sharing information that would
9 generally have been viewed as classified, and that there is,
10 I think, a fine balance between being transparent with
11 Canadians and protecting national security.

12 Can you speak at all, CSIS Rep Number 1, to
13 how SITE has navigated that balance and whether -- what --
14 whether you anticipate a challenge in producing an After
15 Action Report in relation to the next general election?

16 **CSIS REPRESENTATIVE NO. 1:** Right. Je pense
17 qu'une des façons importantes de répondre à votre question,
18 Madame la Commissaire, est de se mettre dans les pattes de la
19 menace étatique hostile. Il faut toujours qu'on se pose cette
20 question lorsqu'on vient de la communauté du renseignement, à
21 savoir : ce qui vient d'être publié dans l'espace public
22 peut-il être un avantage stratégique du point de vue du pays
23 hostile quant à la nation canadienne? Et nous devons nous
24 assurer que lorsqu'on relâche un tel contenu, nous sommes
25 suffisamment solides pour vivre avec les résultats.

26 Donc, c'est vrai pour le travail qu'on a fait
27 durant les élections partielles, puis ce sera encore plus
28 vrai pour les analyses et les évaluations qui suivront la

1 prochaine élection générale.

2 Toutefois, je pense qu'avec le travail de la
3 Commission, tous mes collègues seront d'accord pour conclure
4 qu'on a appris énormément et qu'on a une masse critique
5 d'informations qui sont maintenant dans le public qui nous
6 permettra de construire un modèle qui sera nouveau également.

7 Et j'invite mes collègues également à fournir
8 leurs idées suivant votre question.

9 **MS. ERIN DANN:** Thank you. Just before
10 turning to some more questions about SITE's communications
11 sort of efforts and strategies, I did want to offer, Ms.
12 Wettlaufer, a chance for you to comment on the advantages for
13 RRM in terms of standing up for the by-elections and then
14 also ask you about some of the -- to expand on the
15 opportunity costs that you identified with respect to RRM
16 Canada's work.

17 **MS. ROBIN WETTLAUFER:** So in terms of
18 advantages, what I would say is as representatives of Global
19 Affairs Canada, we are not intelligence professionals and for
20 us it has been an enormous learning experience getting to
21 work alongside our S&I colleagues to learn how they operate,
22 and that has been very beneficial. But as CSIS
23 Representative 1 said, even without by-elections, we are
24 still meeting every month, usually for a half day, puzzling
25 through a lot of the policy questions, operational questions.
26 We are getting ready anyway. So I would just note that.

27 In terms of opportunity costs, the
28 opportunity costs are very high for us. The RRM is a small

1 team. So the Division as a whole is 18 people, which covers
2 a whole bunch of issues. Of that, eight are analysts, data
3 analysts looking at the information domain. So to look at a
4 by-election means that I'm asking probably half of the
5 analysts, half to two thirds of the analysts, to cease
6 looking at whatever it is they're looking at, whether it's
7 the Taiwan information environment, whether it's the
8 Ukrainian information environment, or elsewhere, in order to
9 turn the lens internally at Canada.

10 There's also an opportunity cost for me as
11 Chair of the G7 Rapid Response Mechanism. I have an
12 obligation to be coordinating the G-7 community and I've felt
13 during by-elections I've been concerned about being away from
14 Canada in case there's a domestic incident to which we need
15 to swing into action to respond. So I haven't conducted the
16 outreach and engagement with other G7 partners during the by-
17 elections.

18 **COMMISSIONER HOGUE:** And if I may, what will
19 be, for you, the best solution? Would it be to add some
20 resources to your group or would it be to give to another
21 organization the task of doing it?

22 **MS. ROBIN WETTLAUFER:** So what I would say is
23 as good public servants we will do whatever we are asked to.
24 That being said, it is abnormal for a foreign ministry to be
25 playing this domestic function. So I think the optimal
26 result would likely be for it to be situated elsewhere.

27 **MS. ERIN DANN:** On that note, I'll just ask
28 the Court Operator to bring up CAN31488 at page 2 of that

1 document.

2 --- EXHIBIT No./PIÈCE No. CAN031488 0001:

3 RE: RRM Canada within SITE - need to
4 evolve based on changing mandates

5 **MS. ERIN DANN:** This is -- Ms. Wettlaufer,
6 you're not the recipient of this email, but you were copied
7 on this email chain. This is dating back to May of 2023.
8 And we see in the second paragraph on that page, there's a
9 description of RRM Canada being involved in three to four
10 hours a day of meetings, fully consumed by the work for over
11 a week, all other work needing to stop, or there to be
12 significant overtime. There's an indication that the -- just
13 lost my spot here. A recognition at the DG level that it is
14 reasonable to review the mandates within SITE and that
15 there's ongoing discussion in this regard. The high quality
16 -- given the high quality of work by RRM to date, there may -
17 - there is a concern that others may not be willing to take
18 it on.

19 So you're doing too good a job, it sounds
20 like, Ms. Wettlaufer.

21 If we go to page 3 of that document, ---

22 **COMMISSIONER HOGUE:** I have just ---

23 **MS. ERIN DANN:** Yeah.

24 **COMMISSIONER HOGUE:** --- one question before
25 -- do you think it's an expertise that is difficult to
26 acquire?

27 **MS. ROBIN WETTLAUFER:** No. I do want to give
28 due respect to my team, who are superb. That being said, I

1 don't think it's impossible for someone else to develop.
2 We're always recruiting new officers and, you know, we manage
3 to bring them up to speed. It does require ongoing training,
4 just because the domain, the technology used by our
5 adversaries is moving and evolving, and the social media
6 platforms are themselves evolving. So it does require
7 constant learning. But there's no reason why, you know,
8 bright colleagues in other parts of the Canadian Government
9 couldn't do the same.

10 It requires -- we look for three things. We
11 look for the computer science capabilities, some basic coding
12 capabilities. Second, we look for the foreign language
13 capabilities in target languages, and third, a good analysis
14 of social science or international relations. So most of our
15 team have those three things together, but it's -- if we can
16 find it, others could too.

17 **COMMISSIONER HOGUE:** Thank you.

18 **MS. ERIN DANN:** If we just scroll to page
19 three? Towards the bottom of that page. Yes, thank you.

20 There's a description of the significant
21 opportunity costs for RRM in turning its attention to the by-
22 elections. And noted there is that there would need to be a
23 pause on police station monitoring and the associated risk of
24 digital footprints disappearing. There's also an indication
25 that there could be a pause on Russian and Chinese
26 disinformation in priority areas. Can you tell us whether
27 those anticipated opportunity costs, whether or not they in
28 fact arose? And you may have addressed that earlier, but

1 just to confirm?

2 **MS. ROBIN WETTLAUFER:** Yes, we did have to
3 pause the activity identified there and we did resume it
4 after the end of the by-election.

5 **MS. ERIN DANN:** Thank you. I want to speak
6 now about SITE's -- we can take that document down, Mr. Court
7 Operator. Thank you.

8 SITE's efforts to communicate. And I'll ask
9 broadly about communication strategy within the SITE Task
10 Force and then ask some questions about your engagement with
11 a particular group, the political parties.

12 The After Action Report from 2021 noted that
13 -- or one of the recommendations -- we can bring it up.
14 CAN2359. Page 12 of that document.

15 **--- EXHIBIT No./PIÈCE No. CAN002359:**

16 Security and Intelligence Threats to
17 Elections Task Force - After Action
18 Report (2021 Federal Election)

19 **MS. ERIN DANN:** Under the heading
20 "Communications as a Tool to Counter Foreign Interference".
21 This is under -- in the "Lessons Learned and Recommendations"
22 portion of the After Action Report. And there's a concern
23 expressed that the government did not proactively communicate
24 its plans to protect and to safeguard the election. There's
25 also a note that it is unclear how its incidents below the
26 threshold for an announcement, that would be by the Panel of
27 Five, but still worthy of public awareness might be
28 addressed. And the recommendation is to:

1 "Review the [Government of Canada's]
2 communications plan with a view to
3 being more strategic about both
4 proactive and reactive communications
5 with respect to election security..."

6 What, if anything, can you tell us about
7 whether this recommendation has been followed up and whether
8 there is a strategic communications plan for SITE currently
9 or in -- is one being considered for the next general
10 election?

11 **CSIS REPRESENTATIVE NO. 1:** Yeah, CSIS Rep 1.
12 I can actually comment on this question. As it stands right
13 now, I invite you to engage with the PCO on that specific
14 topic, given the plan has been worked through.

15 As a matter of fact, with the current posture
16 of the SITE Task Force, our communication efforts are limited
17 to the resources we have. We spoke about the resource
18 pressure, that we don't have a permanent secretariat that
19 could actually permit the more major, in terms of strategic
20 communication. Then again, it doesn't mean that because we
21 don't have that nothing is happening. So when you will meet
22 our colleagues in the next few days, you may want to raise
23 that question.

24 **MS. ERIN DANN:** I'll turn then to some
25 questions I hope you can address in my final minutes, which
26 is on engagement with a particular segment of the public, and
27 that is the political parties. Can you confirm that in
28 advance of each of the by elections since June of 2023 SITE

1 has offered unclassified briefings to political party
2 representatives?

3 **CSIS REPRESENTATIVE NO. 2:** So perhaps I can
4 start. It's CSIS Representative 2.

5 I can confirm that in advance of the June by-
6 elections, PCO offered political parties briefings and SITE
7 were the ones who attended and briefed in those meetings. It
8 was decided that the July by-election followed so closely to
9 the June one that an extra briefing for the July one was not
10 required. So my understanding for those first two by-
11 elections was that there was only the one briefing we
12 delivered for the June by election.

13 And I'll pass it over to my CSIS
14 Representative 1 to speak on the leaders.

15 **CSIS REPRESENTATIVE NO. 1:** Thank you very
16 much, CSIS Rep number 2.

17 As a matter of fact, the briefings were
18 offered to my knowledge, through all by-elections and the
19 engagement was organized by PCO DI, but we did have like a
20 standard offer to brief representatives of political parties.

21 **MS. ERIN DANN:** All right. And you
22 anticipated my next question. But can you confirm that --
23 we've heard some evidence from the political party
24 representatives that some were unaware of whether they had
25 been invited. Am I right that the task force is not sending
26 out email invitations, this is something coordinated through
27 PCO DI?

28 **CSIS REPRESENTATIVE NO. 1:** You're absolutely

1 right. So and the way briefings are offered does not permit
2 the SITE members to have a full understanding of the
3 representatives of political parties that are on the other
4 line if a briefing has been organized over MS Teams, since we
5 would not know who's there.

6 **MS. ERIN DANN:** All right. And I think --
7 I'm sorry CSIS Rep number 1, I just wanted -- there's some
8 audio difficulty there. So I think you were just saying that
9 the task force doesn't always have complete visibility over
10 which political parties are attending the briefings, if for
11 example they occur over MS Teams or online?

12 **CSIS REPRESENTATIVE NO. 1:** Correct.

13 **MS. ERIN DANN:** All right. Thank you.

14 We've heard some feedback from the political
15 parties that the briefings did not necessarily meet their
16 expectation. The NDP representative who has attended a
17 number of the briefings described them as positive for
18 relationship building, but not otherwise particularly useful
19 from an informational perspective.

20 I wonder if perhaps, CSIS Rep number 1, if
21 you can comment on that and also describe SITE's efforts to
22 adapt its materials to respond to the feedback it has
23 received?

24 **REPRÉSENTANT DU SCRS NO 1:** Oui, merci,
25 Madame la Commissionnaire.

26 Du point de vue de SITE, c'est certainement
27 très important d'améliorer l'engagement avec les partis
28 politiques. Dans cette perspective, si on regarde les

1 produits qui ont été développés pour rester (phon.) les
2 partis politiques au niveau non-classifié, on verra que
3 chacun des briefings qui ont été fournis durant les dernières
4 trois ou quatre élections partielles a évolué suite à la
5 rétroaction qui nous a été fournie par le Conseil privé,
6 lequel était en contact avec les représentants des partis
7 politiques.

8 Par exemple, le briefing qu'on a donné durant
9 l'élection partielle de Durham fournissait des exemples
10 concrets d'ingérence étrangère électorale qu'on avait été
11 chercher à l'étranger, qu'on avait (inaudible) aux États-
12 Unis, nous avons également un (inaudible) au Royaume-Uni.
13 Lorsqu'on a mis en place le briefing pour l'élection
14 partielle de Toronto-St. Paul, on a eu recours au travail de
15 la Commission pour fournir des exemples concrets.

16 Alors, ce que nous avons fait pour Toronto-
17 St. Paul, c'est de revenir aux tactiques et aux techniques
18 d'ingérence étrangère pour attribuer des événements ou des
19 cas d'ingérence étrangère qui sont maintenant du domaine
20 public suite aux travaux de la Commission et à la publication
21 de son rapport, le premier rapport il y a de ça plusieurs
22 mois.

23 Enfin, plus récemment, bon, la demande qu'on
24 a eue était de nature plus technique sur l'intelligence
25 artificielle générative et le briefing a été adapté en
26 conséquence.

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

28 And Commissioner in the interests of time, I

1 won't ask any further questions about that, but just for the
2 parties' benefit and everyone, the briefing notes and
3 briefing PowerPoints are available, and they can be found at
4 -- in relation to the briefing notes for the briefing in May
5 of 2023, that's found at CAN44590.

6 **--- EXHIBIT No./PIÈCE No. CAN044590:**

7 SITE TF Briefing to Unclassified
8 Political Parties

9 **MS. ERIN DANN:** For the Durham by-election
10 the speaking notes are at CAN44569, and the PowerPoint is at
11 CAN44568. And for St. Paul, Toronto St. Paul, that is
12 CAN47436 and CAN47437. And I'd just point those out as they
13 capture, I think, what CSIS SITE Representative 1 had
14 indicated in terms of the evolution of those briefings.

15 Those are all my questions.

16 **--- EXHIBIT No./PIÈCE No. CAN044569:**

17 Key Points for SITE Briefing to
18 Political Parties

19 **--- EXHIBIT No./PIÈCE No. CAN044568 0001:**

20 Security and Intelligence Threats to
21 the Elections Task Force (SITE TF) -
22 Foreign Interference: A Threat to
23 Canada's National Security

24 **--- EXHIBIT No./PIÈCE No. CAN047436 0001:**

25 Key Points for SITE Briefing to
26 Political Parties

27 **--- EXHIBIT No./PIÈCE No. CAN04737 00001:**

28 Security and Intelligence Threats to

1 the Elections Task Force SITE TF

2 **COMMISSIONER HOGUE:** Thank you.

3 So we will break for, as usual, 20 minutes.
4 So it means that 10 to 4:00.

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

7 This sitting of the Commission is now in
8 recess until 3:50 p.m. Cette séance de la Commission est
9 maintenant suspendue jusqu'à 15 h 50.

10
11 --- Upon recessing at 3:27 a.m./

12 --- L'audience est suspendue à 15 h 27

13 --- Upon resuming at 3:51 p.m./

14 --- L'audience est reprise à 15 h 51

15 --- MR. ROBIN WETTLAUFER, Resumed/Sous la même affirmation:

16 --- MR. RYAN MACDONALD, Resumed/Sous le même serment:

17 --- MR. GREGORY O'HAYON, Resumed/Sous la même affirmation:

18 --- CSIS REPRESENTATIVE NO. 1, Resumed/Sous la même
19 affirmation:

20 --- CSIS REPRESENTATIVE NO. 2, Resumed/Sous la même
21 affirmation:

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

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

28 The time is 3:51 p.m. Il est 15 h 51

1 **COMMISSIONER HOGUE:** So the first counsel is
2 Me Choudhry for Jenny Kwan.

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

4 **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./PIÈCE 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 **MS. ROBIN WETTLAUFER:** Yeah.

14 **MR. RYAN 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 And there's the caveat in sentence 3:
2 "...SITE's mandate is to monitor FI
3 in federal elections."

4 But:
5 "Nevertheless, SITE's assessments
6 include reporting on FI at the
7 [subnational level]."

8 So I just want to ask some questions about
9 this paragraph. The questions are principally directed at
10 CSIS representative 1, but anyone could answer if they --
11 who's a member of the panel.

12 And so I want -- it would help us to
13 understand how systematic is SITE's monitoring of foreign
14 interference at the subnational level, as defined here? CSIS
15 representative 1, that -- I think it's principally a question
16 to you, but I'd invite other member of the panel to answer
17 after you do, if you could.

18 **CSIS REPRESENTATIVE NO. 1:** Thank you very
19 much. So I'll bring to the terms of reference for the SITE
20 Task Force. So as a matter of fact, how SITE operates
21 relates to general, sorry about that, the general federal
22 elections and the by-election. But the current scope is
23 obviously not to do inactive monitoring of subnational
24 elections. However, when we are putting together our SITE
25 assessment or different things, we have to factor through
26 intelligence that relates to foreign interference outside the
27 federal remit to inform in terms of friends, and so on and so
28 forth.

1 But certainly, as it stands, we are not
2 mobilizing SITE resources to cover the subnational electoral
3 processes. So that's one thing.

4 The second thing on your question on C-70, if
5 I go that (indiscernible) is thinking through and
6 implementing (indiscernible), and from there, obviously we're
7 hopeful that SITE will be in a position to (indiscernible)
8 authority.

9 And lastly, when it comes to the intelligence
10 through law enforcement potential that you have actually have
11 that is created, we have the specific mechanism to make sure
12 that the intelligence community is in a position to provide
13 what's required for law enforcement to execute their mandate.

14 **MR. SUJIT CHOUDHRY:** Okay. That's helpful.

15 And because we're pressed for time I just
16 have a couple of quick questions on this theme before I move
17 on. But did anyone else want to offer an answer on that
18 particular point? I'm sorry.

19 **MR. RYAN MACDONALD:** I'm sorry, just maybe to
20 offer, I would echo my CSIS colleagues on one hand, but just
21 make another point there. When it comes to the work we're
22 doing on the SITE panel, we think that it's really important
23 to know all of the threat surface, and so not only actually
24 at the subnational level when it comes to electoral
25 interference that we're seeing. Obviously we think those
26 tactics could then translate to something that happens at the
27 federal election, which is within our mandate and purview.
28 But really all forms of foreign interference because there

1 may be tactics they're doing in a non-electoral process that
2 might be relevant and employed in other things.

3 So from an awareness perspective, we do our
4 best to try and monitor all of that. Though the one point
5 that I would just make on that I think is important and
6 perhaps not said here is SITE is a body that is brought
7 together, the government puts in place to monitor federal
8 elections, by definition of that terms of reference. It
9 doesn't provide us with any new mandate or direction or
10 authorities. And it's really about having an enhanced
11 coordination among the members of SITE.

12 When it comes to each of our respective
13 mandates, obviously we are looking at things beyond just
14 federal elections, right? So for those other subnational or
15 other elements, there's activities all of us are doing as
16 departments.

17 **CSIS REPRESENTATIVE NO. 2:** Thank you. CSIS
18 Representative 2.

19 And so building off of that, I just wanted to
20 explain that CSIS does look at foreign interference at all
21 levels, at all times throughout the year. And it's that
22 information that can be provided to SITE to inform SITE's
23 understanding.

24 **MR. SUJIT CHOUDHRY:** Interesting. So let me
25 just ask a follow-up question. Has SITE ever offered an
26 unclassified briefing to a provincial political party?

27 **CSIS REPRESENTATIVE NO. 1:** This is
28 Representative 1 here.

1 To my knowledge SITE has not. And again, if
2 we go back to SITE's mandate it would not have been
3 technically under the current terms of reference to do so.
4 However, it doesn't mean that obviously agencies that are
5 part of the SITE construct are not doing so under their own
6 authorities and mandate.

7 **MR. SUJIT CHOUDHRY:** But SITE itself hasn't
8 yet?

9 Mr. Macdonald?

10 **MR. RYAN MACDONALD:** I mean, I again, echo,
11 but correct, it's not within our mandate to do so, but to
12 echo the comment made as agencies we would, right? And
13 certainly CSE as an example, when it comes to cybersecurity
14 advice and guidance, it's doing that not just to federal
15 parties, they've engaged with provincial and municipal
16 entities as well.

17 **MR. SUJIT CHOUDHRY:** Are you able to give us
18 some sense of how much -- that's interesting to learn. Are
19 you able to give us a sense of the number of times, the
20 frequency, when, or is that not information you're able to
21 share?

22 **MR. RYAN MACDONALD:** I'm speaking for my
23 department, I guess for that portion not really. We would
24 monitor in the SITE aspect of that, so it would be -- I
25 wouldn't know the exact information.

26 **MR. SUJIT CHOUDHRY:** And just -- sorry,
27 ma'am, go ahead.

28 **CSIS REPRESENTATIVE NO. 1:** CSIS

1 Representative 1.

2 And just to your question, obviously out of
3 this engagement today, we're not -- that question should have
4 been addressed to the CSIS panel, not me.

5 **MR. SUJIT CHOUDHRY:** Okay. And so -- but I
6 think it's fair to say that what we're hearing is that
7 individual agencies might engage in advice or provide
8 briefings, but SITE per se as an institution or as a body
9 doesn't engage in that work, and its monitoring is really
10 incidental to the threat environment for its core mandate
11 which is federal electoral processes; is that fair?

12 **MR. RYAN MACDONALD:** I don't know if I would
13 use the word, "Incidental" because I think we purposefully
14 look for any of the intelligence we have that will help
15 inform how we get ready for the federal election. And the
16 information they (indiscernible) is not incidental for the
17 mandates of the member departments that are doing that
18 collection. But I would agree with you that it's really for
19 us understanding the threat landscape more than raising that
20 for the purpose of what we're monitoring through the federal
21 election.

22 **MR. SUJIT CHOUDHRY:** Right, and for the
23 protocol purposes.

24 **MR. RYAN MACDONALD:** Yes.

25 **MR. SUJIT CHOUDHRY:** All right. Okay.

26 So one last kind of topic which is under
27 WIT139. If you could go to paragraphs 23 and 20 -- actually
28 23. So this is a theme regarding loopholes in nomination

1 processes, and we've kind of discussed this, I think,
2 already, and also paragraph 24 explores this theme.

3 And so what I want to put to you is this;
4 that it seems that the evidence that was given here turns on
5 distinctions. And so it turns on two sets of distinctions.
6 The first set of distinctions is between activities that
7 occur in and around the federal electoral cycle and
8 activities that occur outside of it. And that distinction's
9 already been, in a sense, exploded a bit by by-elections and
10 SITE's activity on by-elections.

11 But the other distinction is between
12 political party processes that are internal, and then
13 electoral processes that are run by state institutions. And
14 what I want to suggest to you and ask for your reaction to is
15 this; foreign interference doesn't respect those boundaries.
16 You'd agree that it doesn't confine its activities to the
17 writ period; it doesn't confine its activities to formal
18 electoral processes as opposed to political parties'
19 processes. Would you agree with that statement?

20 **MR. GREGORY O' HAYON:** Yes.

21 **MR. RYAN MACDONALD:** Yes.

22 **MS. ROBIN WETTLAUFER:** Yes.

23 **MR. SUJIT CHOUDHRY:** So all the members here.

24 And, sorry, the CSIS members, did you agree
25 with that statement as well.

26 **CSIS REPRESENTATIVE NO. 1:** CSIS
27 Representative 1; I would agree with that statement.

28 **MR. SUJIT CHOUDHRY:** Okay. And CSIS Rep 2?

1 CSIS REPRESENTATIVE NO. 2: Yes, I would also
2 agree.

3 MR. SUJIT CHOUDHRY: And so I just would want
4 to close by, again, going back to Bill C-70. C-70 doesn't
5 recognize those distinctions either. And so I'd want to
6 suggest that perhaps the SITE process and the protocol might
7 have to evolve in lockstep.

8 Thank you.

9 COMMISSIONER HOGUE: Thank you. Counsel for
10 Michael Chung.

11 MR. FRASER HARLAND: Good afternoon,
12 Commissioner.

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

14 MR. FRASER HARLAND:

15 MR. FRASER HARLAND: My questions have to do
16 with the Rapid Response Mechanism, or RRM. So I'll be
17 directing my questions mostly to you, Ms. Wettlaufer.

18 So first I want to touch on what you called
19 the opportunity cost, and you explained that during elections
20 or by-elections when RRM has to shift its focus from the
21 international to the domestic, its international work has to
22 be stopped, paused, or reduced in order to conduct the
23 domestic monitoring; is that a fair statement?

24 MS. ROBIN WETTLAUFER: That is a fair
25 statement.

26 MR. FRASER HARLAND: Okay. And that was the
27 case of its monitoring of PRC's overseas police stations, if
28 I have that right from your witness statement; is that fair?

1 **MS. ROBIN WETTLAUFER:** That activity paused
2 but did not stop.

3 **MR. FRASER HARLAND:** Right.

4 **MS. ROBIN WETTLAUFER:** Yeah.

5 **MR. FRASER HARLAND:** And were there other
6 areas of RRM monitoring work that were paused or stopped
7 because of the shift towards the domestic?

8 **MS. ROBIN WETTLAUFER:** Quite a bit of our
9 monitoring of the Ukrainian information environment at that
10 time.

11 **MR. FRASER HARLAND:** Okay, thank you.

12 Next I have a few questions on RRM's
13 resources. We heard from Stéphane Perrault, who's the Chief
14 Electoral Officer of Elections Canada, that Elections Canada
15 does monitoring of social media during elections, but it's
16 strictly focused on disinformation about the electoral
17 system. And I'm wondering if you'd agree with me that RRM
18 has a broader mandate and is looking at disinformation writ
19 large and not just about the electoral system as Elections
20 Canada does?

21 **MS. ROBIN WETTLAUFER:** So the -- maybe I can
22 just explain in brief what the RRM mandate is during election
23 cycles. So it is to monitor for indicators of foreign
24 information manipulation regarding the election writ large,
25 yes.

26 **MR. FRASER HARLAND:** Okay.

27 **MS. ROBIN WETTLAUFER:** Exclusively in the
28 open-source domain.

1 **MR. FRASER HARLAND:** That's right. And my
2 understanding is that Elections Canada is also open sourced
3 but they're really just looking for, you know, is there
4 information about the ballot that is -- whereas RRM's is
5 broader than that; is that fair?

6 **MS. ROBIN WETTLAUFER:** Yeah.

7 **MR. FRASER HARLAND:** Yeah.

8 **MS. ROBIN WETTLAUFER:** Yeah.

9 **MR. FRASER HARLAND:** And so Mr. Perrault
10 advised that Elections Canada had 27 employees to do this
11 monitoring in the last election, and he'll have 41 for the
12 next election. And I take your evidence and understand that
13 in your view, RRM might not be the right organization to do
14 this work. And I'm not asking you to make the DM's decision
15 about who should do the work, but what I am wondering is if
16 you'd agree that whether it's RRM or another agency,
17 resources closer to the level that Elections Canada has are
18 necessary if we want to have effective monitoring of both
19 domestic space and the international space? Is that fair?

20 **MS. ROBIN WETTLAUFER:** So I don't think I can
21 answer the question of the overall prioritization of
22 resources. You know, I think for all of us, if we had more,
23 we'd do more. But I also don't think it's fair to say that
24 we are not effective, either RRM or SITE, in monitoring the
25 elections.

26 **MR. FRASER HARLAND:** No, and I'm not trying
27 to suggest that RRM's not effective. I think the evidence is
28 clear that RRM does excellent work, and my client was happy

1 in a specific case that we'll get to. But we -- you've just
2 said that there's a turn away from the international to the
3 domestic, and that ---

4 **MS. ROBIN WETTLAUFER:** Yeah.

5 **MR. FRASER HARLAND:** --- the international is
6 paused. So my question is if you want to do the
7 international properly as well, as you typically do, and
8 monitor the domestic, there is a resources problem, you need
9 more resources; do you not?

10 **MS. ROBIN WETTLAUFER:** In order to do both
11 simultaneously, you would need more resources.

12 **MR. FRASER HARLAND:** Okay.

13 **MS. ROBIN WETTLAUFER:** Or you would need
14 someone else to take on one of those functions, yeah.

15 **MR. FRASER HARLAND:** Thank you. And so now I
16 want to turn to a specific disinformation campaign that
17 involved Mr. Chong. And if we can pull up CAN24019, please?

18 **--- EXHIBIT No./PIÈCE No. CAN024019:**

19 WeChat account activity targeting
20 Canadian parliamentarian suggests
21 likely foreign state involvement

22 **MR. FRASER HARLAND:** So this is an RRM
23 report, as I understand it. And just a few key points to
24 pull out of it. The second paragraph, this happened between
25 May 4th and 13th, 2023.

26 And if we can scroll down a little bit?
27 That's great. Thanks.

28 "Following an analysis of the network

1 and the operation, Global Affairs
2 Canada assesses [that] it is highly
3 probable that China played a role in
4 the information operation."

5 You'd agree this accurately sets out RRM's
6 conclusion about this event?

7 **MS. ROBIN WETTLAUFER:** Yes.

8 **MR. FRASER HARLAND:** And RRM briefed Mr.
9 Chong and also made available to the public a public version
10 of these events? Is that right?

11 **MS. ROBIN WETTLAUFER:** Yeah, so the Associate
12 Deputy Minister of Global Affairs Canada briefed member of
13 Parliament Chong, and yes, we issued a public disclosure on
14 the incident.

15 **MR. FRASER HARLAND:** And in your discussion
16 with Ms. Dann, I believe that you said that this
17 disinformation campaign occurred during a by-election, but it
18 was unrelated to the by-election, if I can put it that way?

19 **MS. ROBIN WETTLAUFER:** Yes.

20 **MR. FRASER HARLAND:** Is that fair?

21 **MS. ROBIN WETTLAUFER:** Yeah.

22 **MR. FRASER HARLAND:** Yeah. Okay. So my
23 question arising out of that is I want to suggest to you that
24 if this disinformation campaign had happened outside of a by-
25 election or outside of an election, there's a strong
26 probability that RRM would not have identified it. Is that
27 fair?

28 **MS. ROBIN WETTLAUFER:** That's possible.

1 **MR. FRASER HARLAND:** It's possible?

2 **MS. ROBIN WETTLAUFER:** Yeah.

3 **MR. FRASER HARLAND:** And if they hadn't
4 identified it, they obviously wouldn't have been able to
5 inform Mr. Chong or the public?

6 **MS. ROBIN WETTLAUFER:** That is also possible,
7 yeah.

8 **MR. FRASER HARLAND:** Okay. And I want to
9 suggest that the only way to ensure that these kinds of
10 disinformation campaigns are caught at all times outside of
11 elections as well is to mandate either RRM or another body to
12 do consistent monitoring of the domestic social media
13 environment at all times? Would you agree?

14 **MS. ROBIN WETTLAUFER:** So you know, there's
15 broader discussions under way, both in the context of this
16 Inquiry and within the Government of Canada on how to address
17 the issue of domestic monitoring on an ongoing basis. I
18 think there's recognition that it is something that
19 collectively, as the Government of Canada, we would like to
20 be doing, but those discussions on who would be responsible
21 for that are above my paygrade.

22 **MR. FRASER HARLAND:** That's fair. And I
23 understand that. I think I have what I was looking for, so
24 that's very helpful. Thank you very much.

25 **COMMISSIONER HOGUE:** Thank you.

26 Counsel for Erin O'Toole?

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

28 **MR. THOMAS JARMYN:**

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

2 My name is Tom Jarmyn. I represent Erin
3 O'Toole. My colleagues have asked a number of questions that
4 I had been considering, so I'm going to hop around a little
5 bit.

6 And so the first question I have is, the SITE
7 Task Force, I take it, was established -- each of you -- each
8 agency has unique mandates and unique authorities to pursue
9 aspects of foreign interference, but the SITE Task Force was
10 established because the Government of Canada determined there
11 was a value to having a coordinating body to deal with the
12 response to each one of those things and the assessment of
13 each one of those things? Is that correct?

14 **MR. RYAN MACDONALD:** I think that's put
15 forward in the terms of reference that, yes, the benefit was
16 not -- was to allow better coordination of that and -- yes.

17 **MR. THOMAS JARMYN:** And so in the course of
18 performing that function, you carried out an analysis in 2023
19 and subsequently in 2024, of foreign interference and the
20 threat environment. And there's reference in each of those
21 reports to the concept of manipulation of internet-based
22 media. What exactly do we mean by internet-based media? And
23 I don't need a detailed answer, but just sort of get the sort
24 of slots.

25 **MS. ROBIN WETTLAUFER:** So we would not use
26 that terminology typically in most of our documents, but I
27 assume that means social media or other online platforms.

28 **MR. THOMAS JARMYN:** So social media, the news

1 -- the various news sites that some organizations use.

2 And later on in those same reports, they talk
3 about the domination of online media outlets and social media
4 by the PRC as an observed characteristic. Is that still an
5 accurate statement?

6 **MS. ROBIN WETTLAUFER:** The domination of the
7 PRC of all internet ---

8 **MR. THOMAS JARMYN:** Online media outlets and
9 social media focused on the Chinese diaspora community.

10 **MS. ROBIN WETTLAUFER:** So focused on diaspora
11 media, I think that's a fair assessment.

12 **MR. THOMAS JARMYN:** Okay. And each one of
13 those documents also talks about problems with the nomination
14 races. Is that based upon observed events or is it based
15 upon just a conceptual understanding of what's going on in
16 nomination races?

17 **CSIS REPRESENTATIVE NO. 1:** CSIS
18 Representative 1. It is actually based on previous
19 assessments.

20 **MR. THOMAS JARMYN:** Okay. Thank you. And I
21 guess I put it to you that if there is a value in ongoing
22 monitoring and nomination races, as Mr. Choudhry points out,
23 are one of the political processes in C-70, electoral --
24 federal elections are part of the processes in C-70, the by-
25 elections are part of the processes in C-70.

26 And Mr. O'Hayon, you've talked about the
27 problems with a cold start when the SITE Task Force is stood
28 up, and also talked about the need for a consistent cultural

1 and linguistic understanding.

2 And I realize none of you have any authority
3 to make any commitments, but wouldn't there be an intrinsic
4 value in having a permanent -- SITE being a permanent thing
5 that reports on an ongoing basis?

6 **CSIS REPRESENTATIVE NO. 1:** CSIS
7 Representative 1. Obviously -- and again, as you already
8 alluded to, it's not up for the current SITE members to make
9 decisions in that space.

10 However, I think the discussions we had today
11 definitely speaks to the benefit of having this permanent
12 opportunity, to actually provide the baseline understanding
13 of the threat throughout the year that could actually speak
14 to events that could not have been detected when monitoring
15 is off, which means outside general election periods and by-
16 elections.

17 On top of that, we could also foresee
18 different actions that could be operated, the scope that
19 could be very interesting. But there's a larger discussion
20 for seniors to have when it comes to how best to shape a
21 permanent SITE.

22 **MR. THOMAS JARMYN:** Would either of you or
23 any of you have any other comments?

24 **MR. GREGORY O' HAYON:** I would agree with CSIS
25 Representative 1.

26 **MR. THOMAS JARMYN:** And in fact, SITE in
27 itself is building up a body of expertise because it's
28 engaged its ongoing process that would likely assist each one

1 of your agencies in enforcing other aspects of Bill C-70
2 related to provincial governments, municipal governments, and
3 Indigenous government organizations, which are all governed
4 political processes. Does that seem fair?

5 **MR. RYAN MACDONALD:** I could offer that, I
6 think. Certainly all of us as SITE members, in the
7 coordination we do, we take that information and bring it
8 back to the areas that we're working within our organizations
9 and I think there is an added value there. Yes.

10 **MR. THOMAS JARMYN:** And I'm just going to
11 take a short move over to WeChat. Does RRM monitor WeChat on
12 an ongoing basis?

13 **MS. ROBIN WETTLAUFER:** The RRM does monitor
14 WeChat on an ongoing basis, but not in Canada.

15 **MR. THOMAS JARMYN:** Okay. And do you --
16 we've seen a various number of documents that talk about the
17 use by the PRC of WeChat as a tool for repression, censorship
18 of alternate views. Would that be consistent with RRM's
19 understanding?

20 **MS. ROBIN WETTLAUFER:** So that is not exactly
21 how we would characterize WeChat. WeChat is a vast social
22 media platform that does many things. So it has, like,
23 almost like a WhatsApp type function, but it also has online
24 banking. It also has an array of different in-app news
25 sites, et cetera. So WeChat is many things. And I think for
26 many in the diaspora community, WeChat is also an invaluable
27 mode of communication with family and friends. It is a way
28 to get news in the Chinese language. It's many things. But

1 WeChat does, we believe, is subject to a high degree of
2 government control in terms of the news that appears on it.

3 **MR. THOMAS JARMYN:** Okay. And if we could
4 bring up CAN11293, please?

5 **--- EXHIBIT No./PIÈCE No. CAN011293:**

6 China: Domination of Chinese-Language
7 Media in Canada Poses National
8 Security Threats - IM 30/2023

9 **MR. THOMAS JARMYN:** And we'll go down to the
10 very last page, please. Sorry. If we could stop there?

11 And I believe, if you look at that first
12 paragraph, it --

13 "...use the app to maintain links to
14 family and friends in the PRC. [But]
15 this facilitates CPC surveillance,
16 repression, and influence
17 [operations] overseas..."

18 Is that an accurate statement, to your
19 knowledge?

20 **MS. ROBIN WETTLAUFER:** So I would just say we
21 were not involved in the production of this particular
22 report, but I do not disagree with that sentence.

23 **MR. THOMAS JARMYN:** And if we could then --
24 if you go to the middle of the column on the right:

25 "...open source reporting notes a
26 coordinated disinformation campaign
27 on WeChat aimed at dissuading voters
28 from supporting parliamentary

1 candidates with anti-China views..."

2 Does that condition persist today?

3 **MS. ROBIN WETTLAUFER:** So we haven't had a
4 federal election since 2021. What I would say is that we
5 have not witnessed that in the by-elections we have
6 monitored.

7 **MR. THOMAS JARMYN:** Okay. And the by-
8 elections actually have been monitored -- from what I
9 understand, those ridings have a very limited Chinese
10 diaspora community. Is that an accurate statement?

11 **MS. ROBIN WETTLAUFER:** I would defer to CSIS
12 Representative 1 on that question.

13 **MR. THOMAS JARMYN:** CSIS Representative 1,
14 could you help us there?

15 **CSIS REPRESENTATIVE NO. 1:** I think it's a
16 fair assessment to say that the diaspora groups of the recent
17 by-elections, there was not a heavy Chinese footprint.

18 **MR. THOMAS JARMYN:** Okay. Thank you. If
19 such a campaign were observed, and I appreciate I'm asking
20 you to speculate in a hypothetical during the next general
21 election on WeChat, is there any way to -- first of all, can
22 you speak to your ability to check and is there any way to
23 deter such a campaign?

24 **MS. ROBIN WETTLAUFER:** I can talk about
25 detection. Assuming that SITE is monitoring the next
26 election in the current construct, which we expect it to be,
27 I expect that if there were a major campaign on WeChat, we
28 would likely be able to detect it, yes.

1 **MR. THOMAS JARMYN:** And CSIS Representative
2 1, could you speak to deterrence?

3 **CSIS REPRESENTATIVE NO. 1:** Deterrence
4 obviously out of the SITE agencies, there's accurate things
5 that could be done to deter. So that's one piece. But
6 obviously SITE, the tactical construct side, will report FI
7 actors and a decision would be made a higher level when it
8 comes to make a final decision on the deterrence.

9 **MR. THOMAS JARMYN:** Okay. Thank you.
10 Thank you, Commissioner. Those are all my
11 questions.

12 **COMMISSIONER HOGUE:** Thank you.

13 Me Sirois for RCDA.

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

15 **MR. GUILLAUME SIROIS:**

16 **MR. GUILLAUME SIROIS:** Guillaume Sirois.
17 Counsel for the Russian-Canadian Democratic Alliance. Good
18 afternoon.

19 I want to ask the Court to pull RCD20,
20 please.

21 **--- EXHIBIT No./PIÈCE No. RCD0000020:**

22 Tenet Youtube videos

23 **MR. GUILLAUME SIROIS:** Did I understand
24 correctly that SITE did not detect significant foreign
25 interference during the last four by-elections?

26 **COMMISSIONER HOGUE:** Just speak a bit more
27 slowly.

28 **MR. GUILLAUME SIROIS:** Oh, thank you. I'm

1 sorry about that.

2 So SITE did not detect any significant
3 foreign interference during the last four by-elections? Is
4 that right?

5 **CSIS REPRESENTATIVE NO. 1:** CSIS
6 Representative 1.

7 En effet, on peut effectivement... c'est ce que
8 montrent les rapports non classifiés qui ont été publiés au
9 sujet des élections partielles en décembre.

10 **MR. GUILLAUME SIROIS:** Merci. You're
11 probably aware... (inaudible) vous êtes probablement au courant
12 des opérations de Tenet Media qui ont été initiées en
13 novembre 2023 et qui ont été arrêtées par les États-Unis le
14 5 septembre 2024.

15 During that time, more than 50 videos
16 specifically targeting Canadian political issues,
17 specifically the Prime Minister, were produced by Tenet Media
18 and viewed half a million times. I'm talking about the
19 Canadian videos.

20 We have here some examples from the YouTube
21 channel of Tenet Media that I want to show you for
22 illustrative purposes.

23 Can we scroll down a little bit? I just want
24 to show some examples of the videos.

25 So we see the videos target inflation in
26 Canada, immigration as part of control, we see that there's -
27 - yeah, we can stop here. Most of the videos target Prime
28 Minister Trudeau as well.

1 Do you agree that this operation was active
2 during the writ period of the last four by-elections?

3 **REPRÉSENTANT DU SCRS NO 1:** Le représentant
4 numéro 1 du SCRS.

5 C'est pas des informations qui ont été
6 portées à notre attention. Je rappellerais, Madame la
7 Commissaire, le mandat du groupe SITE qui est spécifiquement
8 de s'intéresser à l'ingérence étrangère dans la mesure où
9 elle concerne les élections, la livraison des (inaudible) des
10 institutions démocratiques.

11 **Me GUILLAUME SIROIS:** Et, avec respect, des
12 vidéos de ce genre-là qui visent spécifiquement le premier
13 ministre, le chef du Parti libéral dans des élections très
14 contestées ou que les Libéraux ont perdues par 200 ou 600
15 votes, si on pense à Toronto— St. Paul ou Verdun, c'est pas
16 de l'élection... c'est pas de l'interférence qui vise
17 spécifiquement les élections?

18 **REPRÉSENTANT DU SCRS NO 1:** Le représentant du
19 SCRS numéro 1.

20 J'ai pas d'autres informations à fournir à ce
21 sujet. J'invite mes collègues des agences de SITE à en
22 fournir, si c'est le cas.

23 **MR. RYAN MACDONALD:** I mean, one of the
24 things I would offer is I think you're making an inference
25 that the posting of the videos would have an impact on that,
26 which is a difficult assessment to make, in terms of
27 viewership and whether that changed anyone's opinion in terms
28 of how they were voting during the by-elections.

1 **MR. GUILLAUME SIROIS:** Well I go there. I
2 will go to the impact a bit later, but right now I really
3 want to focus on the fact that this was not detected, because
4 if it had been detected and RRM Canada or the SITE could have
5 discussed, "Okay, that's happening in Canada. There's
6 hundreds of thousands of Canadians that are seeing those
7 videos that are targeting the Prime Minister during a by-
8 election period," then we can discuss whether or not these
9 videos have an impact on those by-elections. But we are not
10 even about impacts yet. The question is why was this not
11 detected during the by-elections?

12 **MS. ROBIN WETTLAUFER:** What I would say, I
13 would echo what my colleagues have said, in that, you know,
14 it is not clear to us that these were specifically targeting
15 the ridings or electorates in question.

16 **MR. GUILLAUME SIROIS:** So would you say it's
17 a good strategy for Russia to target the Prime Minister of
18 the Liberal Party, or political issue -- hot button political
19 issues during a by-election and that would go completely
20 under the radar of SITE or RRM Canada during by-elections --
21 for by-elections?

22 **REPRÉSENTANT DU SCRS NO 1:** Le représentant du
23 SCRS numéro 1.

24 On va également suggérer que les leaders
25 politiques feront l'objet de ciblage de pays hostiles durant
26 pas mal toute l'année également, comment discriminer l'impact
27 sur les élections partielles?

28 **MR. GUILLAUME SIROIS:** I'm not saying it is

1 easy. I'm just saying that this is happening under the
2 radar. You agree that it did -- this happened, this is
3 Russian interference, during four by-elections, and it
4 happened under the radar? You'd agree with that statement?
5 I'm not saying it's ---

6 **REPRÉSENTANT DU SCRS NO 1:** Le représentant du
7 SCRS numéro 1.

8 J'ai pas... je suis pas en accord avec
9 l'affirmation.

10 **MS. ROBIN WETTLAUFER:** But what I would say
11 is there's a lot happening on the internet at any one point
12 in time. What we do not do is monitor everything taking
13 place everywhere on the internet. And when we mobilized
14 monitor by-elections, we are monitoring particular ridings
15 and things pertaining to those candidates in those by-
16 elections.

17 **MR. GUILLAUME SIROIS:** Thank you. That's
18 helpful. I'm wondering if after those -- I think we can pull
19 the document down. I don't -- I won't be referring to the
20 videos themselves anymore.

21 After the allegations were made public at the
22 beginning of September, did RRM Canada or the SITE Taskforce
23 conduct any after action review of what went wrong? Why this
24 was not detected during all four by-elections?

25 **MS. ROBIN WETTLAUFER:** No.

26 **MR. GUILLAUME SIROIS:** Do you think it would
27 be relevant to do such an after action review?

28 **MS. ROBIN WETTLAUFER:** No.

1 **MR. GUILLAUME SIROIS:** Why not?

2 **MS. ROBIN WETTLAUFER:** Because there is a
3 great deal of information that is present on the global
4 internet at any point in time, our function in monitoring
5 by-elections is not to see everything and summarise
6 everything that is happening outside of the by-election
7 context. I will RRM Canada does monitor Russian information
8 on an ongoing basis, in particular, as it pertains to
9 impacted partners in Europe, in particular, as it pertains to
10 the Ukrainian information ecosystem, but we do not have the
11 capacity to track every site everywhere all the time.

12 **MR. GUILLAUME SIROIS:** And what message is
13 this sending to Russia or other autocratic states that may
14 want to use the same techniques during by-elections or during
15 general elections?

16 **MS. ROBIN WETTLAUFER:** I could not answer
17 that.

18 **MR. GUILLAUME SIROIS:** Okay. I want to focus
19 on the impacts now. So I want to focus on the two most hotly
20 contested by-elections, Toronto St. Paul's and Verdun. We
21 know that both of these ridings were Liberal strongholds.
22 Toronto St. Paul's was held since -- by Liberals since 1993,
23 and Verdun for close to a century by Liberals. And you'd
24 agree that Liberals lost both by-elections when they were the
25 incumbents.

26 Are you aware that the last time an incumbent
27 party lost a by-election was during the 42nd parliament in
28 May 2019? Were you aware of that?

1 **MR. RYAN MACDONALD:** I recall hearing
2 something.

3 **MS. ROBIN WETTLAUFER:** Yeah.

4 **MR. RYAN MACDONALD:** Go ahead.

5 **MS. ROBIN WETTLAUFER:** I was not in my
6 position in 2019.

7 **MR. GUILLAUME SIROIS:** But -- Mr. MacDonald,
8 you want to ---

9 **MR. RYAN MACDONALD:** I recall hearing the
10 media around that.

11 **MR. GUILLAUME SIROIS:** Thank you. And I put
12 to you that after that, nine by-elections were held before
13 the Toronto St. Paul's, and all were won by the incumbent
14 party.

15 And you're -- are you aware also that both
16 by-elections, Toronto St. Paul's and Verdun, were lost by a
17 very small margin?

18 **MR. RYAN MACDONALD:** Well, I believe that's
19 what was reported in the news, yes.

20 **REPRÉSENTANT DU SCRS NO. 2:** Nous sommes du
21 point de vue du représentant du SCRS numéro 1.

22 **MR. GUILLAUME SIROIS:** Sorry, I think I
23 missed that last part.

24 **COMMISSIONER HOGUE:** Yeah.

25 Can you repeat what you just said?

26 **CSIS REPRESENTATIVE NO. 1:** Le représentant
27 numéro 1 serait en accord avec ce que monsieur avait
28 mentionné.

1 **MR. GUILLAUME SIROIS:** Okay. Merci.

2 So I put to you that these massive propaganda
3 campaigns, we're talking about, like, 50 videos in Canada,
4 thousands of videos across the board, were viewed by millions
5 of people in total, but half-a-million people in Canada. The
6 Canadian videos were seen by half-a-million people. I put to
7 you that it did have an impact on those two by-elections. If
8 not the videos themselves, then the conversations that were
9 held by people that viewed these videos with their friends,
10 which they repost on social media, or the conversations they
11 had with their neighbours, for instance.

12 **MR. MATTHEW JOHNSON:** Madam Commissioner, I
13 think I have to object. There is a number of assumptions
14 based into the -- baked into the question that have not --
15 that there's no foundation for the number of Canadians who
16 viewed it, how frequently, who they talked to. I don't think
17 it's fair to put to these witnesses numbers such as that with
18 zero foundation on the record about it.

19 **COMMISSIONER HOGUE:** Do you want to ---

20 **MR. GUILLAUME SIROIS:** Well, it's been widely
21 reported in the media ---

22 **COMMISSIONER HOGUE:** --- say something?

23 **MR. GUILLAUME SIROIS:** --- that these videos
24 have been viewed half-a-million times. I repeated this
25 countless of times to various witnesses so far. I can
26 present evidence about that. I don't think there is the need
27 to do this, but if my friend really wants to maintain his
28 objection I can do that.

1 **COMMISSIONER HOGUE:** What is the question
2 exactly?

3 **MR. GUILLAUME SIROIS:** I am asking whether
4 they disagree that this propaganda campaign had an impact on
5 the two by-elections.

6 **COMMISSIONER HOGUE:** Had an impact?

7 **MR. GUILLAUME SIROIS:** Yeah, exactly.

8 **COMMISSIONER HOGUE:** Do you know?

9 **MS. ROBIN WETTLAUFER:** So if I may. Human
10 psychology is complex, but I would also say that Canadians
11 are very resilient. It's very difficult to determine whether
12 this article or this video that an individual viewed once has
13 completely altered their mindset on something. I would say
14 in the vast majority of cases the answer is it doesn't. And
15 again, we have a strong society, Canadians are critical
16 thinkers, et cetera.

17 At the same time, the reason we do the work
18 we do is because we know our adversaries do invest in
19 information manipulation and interference, and they wouldn't
20 invest in it if they didn't think that it could be impactful
21 in the future. So I don't want to diminish the prospects of
22 it having an impact, but what I would say is I would
23 absolutely not assume, based on the fact that a fringe media
24 video may have been viewed by someone that it would
25 automatically change in, you know, their wealth of lifelong
26 experience and change their mind in that way.

27 **MR. GUILLAUME SIROIS:** And considering that,
28 again, that this is evidence that we've heard about countless

1 times with these proceedings, but there is -- Russia has been
2 promoting or amplifying an anti-Trudeau campaign since at
3 least 2018. It was listed at -- in the Top 10 Russophobes in
4 RT and so on, especially during the Freedom Convoy.

5 And do you believe that the accumulative
6 impact of this propaganda campaign over the years, or like
7 close to a decade, could change someone's perspective on
8 certain issues and influence how they vote, including during
9 both these by-elections?

10 **MS. ROBIN WETTLAUFER:** I do not have evidence
11 to draw that conclusion.

12 **MR. GUILLAUME SIROIS:** Okay.

13 **CSIS REPRESENTATIVE NO. 1:** This is rep 1.
14 As well, I mean, I don't think in terms of our proposal, we
15 have a methodology, and I think we have what we need to make
16 such a conclusion.

17 **MR. GUILLAUME SIROIS:** I'd like to pull
18 CAN.SUM 6, please, at page 2.

19 **--- EXHIBIT No./PIÈCE No. CAN.SUM.000006:**

20 Country Summary: Russia

21 **MR. GUILLAUME SIROIS:** The statement -- this
22 is a summary about Russia that was prepared in this
23 Commission's proceedings. At page 2, we see a statement that
24 says:

25 "The Russian Federation continues to
26 pose an FI threat to Canada, although
27 it is likely not currently a
28 significant FI actor in relation to

1 Canadian federal elections."

2 So this summary was prepared in the spring or
3 end of winter of this year; right?

4 **COMMISSIONER HOGUE:** I think there's a date
5 at the top.

6 **MR. GUILLAUME SIROIS:** I just want an
7 approximate.

8 **COMMISSIONER HOGUE:** Is there?

9 **MS. ROBIN WETTLAUFER:** It's a country
10 summary.

11 **MR. GUILLAUME SIROIS:** It was prepared in
12 this Commission's proceedings?

13 **MS. ROBIN WETTLAUFER:** Yeah.

14 **MR. RYAN MACDONALD:** We didn't prepare it
15 though.

16 **MR. GUILLAUME SIROIS:** Okay. I just want to
17 draw your attention to the statement specifically. So this
18 statement was prepared during this Commission's proceedings
19 right in the middle of the Tenet Media operation. It was
20 also prepared close to the Toronto St. Paul's by-election.
21 I'm wondering whether you think that the statement that
22 Russia is not currently a significant foreign interference
23 actor in relation to Canadian federal elections is still true
24 in light of the Tenet Media operation that has come to light?

25 **REPRÉSENTANT DU SCRS NO 1:** Représentant du
26 Service numéro 1. Je voudrais porter à l'attention de Madame
27 la Commissionnaire l'évaluation qui est faite concernant
28 l'ingérence étrangère russe du point de vue également des

1 priorités de cet acteur étatique, il est pris avec les
2 guerres en Ukraine, entre autres, à gérer et aussi il était
3 dans un effort d'ingérence étrangère électorale, il a eu des
4 gros dossiers à gérer en Europe, il y a un immense dossier
5 qui s'en vient aux États-Unis en comparaison avec des
6 élections partielles au Canada.

7 **MR. GUILLAUME SIROIS:** Do you have anything
8 to add?

9 **MR. RYAN MACDONALD:** I would just say I think
10 that was the summary that was prepared. I think as many
11 witnesses have said, we are constantly monitoring the tactics
12 and activities of Russia and their intent and capabilities.
13 Changing assessments like that and making inferences from the
14 specific sample you give would be a matter of a high degree
15 of assessment that we would want to undertake, and so I think
16 we would stand by that the evidence we have seen thus far
17 remains accurate to what's stated there.

18 **MR. GUILLAUME SIROIS:** I want to read you a
19 statement by Richard Fadden, former Director of CSIS, that he
20 made to the media shortly after the Tenet Media operation
21 became public. He said:

22 "If you think naively that the
23 Russians don't care as much about
24 influencing Canadian thought,
25 penetrating the Canadian government
26 at all levels, I'm here to tell you
27 that they care deeply about shaping
28 how you think, how you vote, and

1 sewing chaos and discord." (As read)

2 That's Richard Fadden, former Director of
3 CSIS.

4 Do you disagree with that statement?

5 **CSIS REPRESENTATIVE NO. 1:** CSIS

6 Representative 1. Obviously SITE carries on active
7 monitoring on the threats emanating from Russia, obviously,
8 the way assessments being made with other state actors up
9 front. However, if anything exists in terms of intent to
10 threat assessment, it remains what it is as done by Mr.
11 Macdonald.

12 **MR. GUILLAUME SIROIS:** So you disagree with
13 that statement? I just -- it was a simple question and a not
14 so simple answer. So I just want to know if you agree or
15 disagree with that statement?

16 **CSIS REPRESENTATIVE NO. 1:** I have no further
17 comments.

18 **MR. RYAN MACDONALD:** And I would suggest
19 there's elements of that statement that we would agree with
20 that match the summary provided, but there are elements that
21 are not based on the evidence that we've seen to date.

22 **MR. GUILLAUME SIROIS:** What ---

23 **MR. RYAN MACDONALD:** The specifically
24 targeting electoral voting and the like, something that as
25 you have in front of you, is different than the statement as
26 provided.

27 **MR. GUILLAUME SIROIS:** Do you think that the

28 ---

1 **MS. ERIN DANN:** Commissioner -- apologies,
2 Mr. Sirois.

3 I just wanted to clarify for the record that
4 the summary that's on the screen at the moment, CAN.SUM6, was
5 the summary prepared for Stage 1 of the proceedings. There
6 is a further country summary available at CAN.SUM30.

7 **--- EXHIBIT No./PIÈCE No. CAN.SUM.000030:**

8 Country Summaries: People's Republic
9 of China, Russia, India, Iran and
10 Pakistan

11 **COMMISSIONER HOGUE:** Thank you.

12 **MR. GUILLAUME SIROIS:** We can pull it down.
13 I only have one question remaining considering my amount of
14 time.

15 Do you believe that the distinction between
16 influencing how Canadians think about certain issues and the
17 influence of votes or elections is too superficial to be of
18 any relevance?

19 **MR. RYAN MACDONALD:** I'm not sure I entirely
20 understand the question. If you could restate it?

21 **MS. ROBIN WETTLAUFER:** Yeah.

22 **MR. GUILLAUME SIROIS:** Just difficult to
23 understand why you say that Russia is -- wants to influence
24 how people think, but not how they vote. That's something
25 that's very difficult to understand. Do you think that this
26 distinction is relevant and useful?

27 **CSIS REPRESENTATIVE NO. 1:** CSIS Rep 1.
28 Obviously I'll bring you back to the mandate of the SITE Task

1 Force, which is obviously focused on electoral processes
2 related to federal elections and by-elections. And what you
3 seem to be referencing is a larger scope that you may be
4 better positioned to comment on than for us to respond.

5 **MR. GUILLAUME SIROIS:** It's out of your
6 mandate? Is that what I understand?

7 **MS. ROBIN WETTLAUFER:** As SITE.

8 **MR. GUILLAUME SIROIS:** SITE, yeah.

9 **MS. ROBIN WETTLAUFER:** What I would offer is
10 that all of our departments are very focused on the future
11 risks of Russian interference and we all have capabilities
12 and we are all monitoring closely.

13 At the same time as the Tenet Media
14 indictment, we also came out with a public statement
15 regarding our particular concerns with Russia Today. And I
16 can say that we have put together, as has been referenced in
17 previous public statements from my department, we have been
18 putting together sanctions packages regarding Russian
19 disinformation actors. So I know this isn't answering your
20 particular questions, but what I would say is as the SITE
21 Task Force and as -- and its component parts, we are watching
22 very closely for risks around Russian interference.

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

24 **COMMISSIONER HOGUE:** Me Sirois, your time is
25 over.

26 **MR. GUILLAUME SIROIS:** I know. I'm sorry.
27 And I appreciate the indulgence.

28 **COMMISSIONER HOGUE:** Thank you. Next one is

1 counsel for the Sikh Coalition.

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

3 MR. PRABJOT SINGH:

4 MR. PRABJOT SINGH: Thank you, Commissioner.

5 And to our panelists, my name is Prabjot
6 Singh, I'm counsel for the Sikh Coalition. I'm going to be
7 directing most of my questions to CSIS Representative 1, as
8 the Chair of the SITE Task Force, but if any of your
9 colleagues want to jump in and add anything to any of the
10 questions, please feel free.

11 Can we bring up CAN40229, please, and go to
12 page 7?

13 --- EXHIBIT No./PIÈCE No. CAN040229 0001:

14 SITE TF Assessment of Foreign
15 Interference Threats to Canadian
16 Democratic Institutions - 2023

17 MR. PRABJOT SINGH: And I believe this is the
18 June 2023 SITE Update that was referred to earlier.

19 If we look at paragraph 17, it states that:

20 "Government of India Officials remain
21 particularly concerned with India's
22 image abroad, so a priority in its
23 foreign interference strategy is
24 countering all activities and
25 narratives it considers anti-India."

26 (As read)

27 Would you agree with that assessment today?

28 CSIS REPRESENTATIVE NO. 1: I think the

1 assessment remains accurate.

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

3 And if we can bring up CAN47436? And go to
4 page 7 again, please.

5 And this is another SITE Update. I don't
6 believe that there's a date on this document.

7 And if you just -- yeah, right there is
8 perfect.

9 So this document talks about Indian foreign
10 interference approaches:

11 "...particularly in attempts at
12 creating a single narrative or a
13 consistent message that helps to
14 ensure the survival and prosperity of
15 the foreign state." (As read)

16 So would foreign interference tactics
17 amplifying a single narrative be characterized as some form
18 of information manipulation or disinformation?

19 **CSIS REPRESENTATIVE NO. 1:** In terms of
20 disinformation, I think as well you'll see in the official
21 document at your disposal that we mentioned that the
22 Government of India is using disinformation as component of
23 practice against Canada to pressure Government of Canada
24 officials that counter all activities that they consider
25 anti-India and to support the election of pro-Government of
26 India candidates and undermine the campaigns of those they
27 perceive as anti-India candidates.

28 **MR. PRABJOT SINGH:** And thank you for adding

1 some of that context. I want to note in this document
2 specifically, when it talks about countering activities by
3 diaspora communities, it specifically references protests
4 against agricultural reforms in India in late 2021 and lawful
5 advocacy for issues such as an independent Khalistan.

6 So protesting government policies or engaging
7 in lawful advocacy are not considered extremism or illegal in
8 Canada; correct?

9 **CSIS REPRESENTATIVE NO. 1:** Correct.

10 **MR. PRABJOT SINGH:** But it is something that
11 India seeks to disrupt or undermine somehow? Is that fair?

12 **CSIS REPRESENTATIVE NO. 1:** I will also
13 provide that through the document at your disposal that the
14 Government of India does not differentiate between the laws
15 throughout Khalistan and prophecy and the (Indiscernible)
16 Pakistani violent extremism. So yeah.

17 **MR. PRABJOT SINGH:** Thank you for that. And
18 if we can bring up CAN44584?

19 **--- EXHIBIT No./PIÈCE No. CAN044584 0001:**

20 SITE Briefing to P5

21 **MR. PRABJOT SINGH:** And this is a March 2024
22 SITE Briefing to the Panel of Five. I believe it was
23 conducted by Vanessa Lloyd and Bo Basler.

24 If we could scroll down to page 3, please?
25 Right there is good. If we can scroll down further? Back up
26 to the top, please. Maybe scroll up a little bit higher.
27 Actually, no, sorry, I just caught it. If you scroll down
28 one last time? I found it this time, I promise.

1 So in that second paragraph, or that last
2 line, it says that:

3 "SITE continues to assess that the
4 [Government of India] seeks to
5 covertly influence Canadian officials
6 at all levels [...] to take positions
7 and decisions that are favourable to
8 the [Government of India]."

9 And CSIS Representative 1, I think you spoke
10 to this earlier when you were answering questions with
11 Commission counsel. Do you agree with that statement and see
12 that as an accurate statement today?

13 **CSIS REPRESENTATIVE NO. 1:** The statement
14 remains accurate as to today.

15 **MR. PRABJOT SINGH:** Thank you. And it talks
16 about the:

17 "...use of disinformation as a key
18 [foreign interference] tactic against
19 Canada to pressure [Government of
20 Canada] officials to counter all
21 activities the [Government of India]
22 considers anti-India..."

23 Do you agree with that assessment?

24 **CSIS REPRESENTATIVE NO. 1:** This assessment
25 remains accurate today.

26 **MR. PRABJOT SINGH:** Thank you. So India uses
27 disinformation or amplifies certain narratives in order to
28 create pressure on Canadian officials to make certain policy

1 decisions and certain steps against criticism against the
2 Government of India? Is that correct?

3 **CSIS REPRESENTATIVE NO. 1:** I'll stay with
4 the actual content in front of us.

5 **MR. PRABJOT SINGH:** Thank you. And if we
6 scroll to the bottom of the page? That last paragraph?
7 Thank you.

8 So that last paragraph talks about efforts of
9 the Government of India geared towards influencing Canadian
10 policy and messaging, which includes countering the influence
11 of Sikhs in Canadian politics writ large. So activities of
12 this nature that are specifically targeting democratic
13 participation of an ethnic community and a vulnerable
14 minority, would you agree that that constitutes a pervasive
15 attack against Canada's democratic institutions and *Charter*
16 protections in Canada?

17 **CSIS REPRESENTATIVE NO. 1:** You bring
18 specific language to the discussion. I will not make that
19 extra step. I will stay with the actual contents and
20 assessment that we saw in that statement today.

21 **MR. PRABJOT SINGH:** Sure. So what I'm asking
22 is, with that assessment that the Government of India is
23 trying to counter the influence of Sikhs in Canada, I'm
24 asking for your assessment whether that would constitute an
25 attack against Canada's democratic institutions and *Charter*
26 rights?

27 **CSIS REPRESENTATIVE No. 1:** From our
28 assessment if this is foreign interference, that actually is

1 brought over to SITE under the five centres, and more
2 specifically out of the work that CSIS does under its
3 mandate.

4 **MR. PRABJOT SINGH:** Sorry, I wasn't able to
5 hear that clearly. Are you able to repeat that answer?

6 **CSIS REPRESENTATIVE No. 1:** I mean, what I
7 mentioned is that the actual information we have about
8 (inaudible) of the collection under the SITE banner, and CSIS
9 most specifically. If you can bring back your initial
10 question that would help me correctly bring back my thought.

11 **MR. PRABJOT SINGH:** The question was so this
12 document says that India seeks to counter the influence of
13 Sikhs in Canadian politics. And I just wanted your
14 assessment of that fact, if that's what the government of
15 India is seeking to do, whether you would consider that a
16 threat to Canada's national security and democratic
17 processes? Would you agree with that?

18 **CSIS REPRESENTATIVE NO. 1:** As far as the
19 CSIS mandate, foreign interference, foreign influenced
20 activities would be of interest of national security. That
21 would be my response to the question.

22 **MR. PRABJOT SINGH:** Thank you. I'm going to
23 move on. Mr. Macdonald, if you don't mind if I direct my
24 questions at you, just so you're in person so we can hear a
25 little bit more clearly?

26 **MR. RYAN MACDONALD:** That's fair. Yeah, I
27 mean it depends on your question I suppose. I'll do my best
28 to answer it.

1 **MR. PRABJOT SINGH:** So ---

2 **COMMISSIONER HOGUE:** Can you repeat the
3 answer that I've been given? No, no.

4 **MR. RYAN MACDONALD:** Well, I believe in terms
5 of your question there though, it's just that I think we
6 would agree this is an example of foreign interference, which
7 is really what our mandate is, right? And you've used some
8 other language around that, but ---

9 **MR. PRABJOT SINGH:** Sure. And so, given the
10 totality of the activities we've kind of were able to glean
11 from the SITE report, is it fair to say that India seeks to
12 discredit or otherwise undermine political dissidents or
13 critics of the Government of India in Canada?

14 **MR. RYAN MACDONALD:** I think we've pointed to
15 that evidence, yes.

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

17 And so, when we're talking about the
18 Government of India trying to covertly influence Canadian
19 policy and decision making, India particularly wants the
20 Government of Canada to somehow act against political speech
21 and expression by Sikhs in Canada. Is that something that
22 you would agree with? That's one of the goals and one of the
23 policy objectives that the Government of India is pushing
24 for?

25 **MR. RYAN MACDONALD:** I think it states that
26 in the document you have in front of us.

27 **MR. PRABJOT SINGH:** Okay. Thank you. Those
28 are all my questions.

1 **COMMISSIONER HOGUE:** Thank you. Attorney
2 General, do you have any questions? Yes.

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

4 **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 **CSUS 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 (inaudible)
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
2 with 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 that have been identified as threats -- as a
7 threat to foreign interference. That would be reported back
8 to CSIS. And then I'll let my colleague just speak about
9 (inaudible) 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 **REPRÉSENTANT DU SCRS NO 1:** Oui, merci. En
28 fait, pour rester actif et nourrir la communauté de pratiques

1 que Madame Wettlaufer a décrites, on doit quand même mettre
2 de la substance dans... on doit s'assurer en bonne partie que
3 la menace est à jour.

4 Donc, régulièrement, ce qu'on fait, on a amené
5 des experts pour parler de la menace; c'est une menace qui
6 peut être par rapport à un pays ou par rapport à certaines
7 tendances. Donc, on a parlé également, entre autres, de
8 l'impact de l'intelligence artificielle générative. On a
9 aussi des échanges avec des experts qui connaissent la
10 méthodologie pour faire des évaluations, donc plus d'un point
11 de vue stratégique, et on aussi présents tous ensemble pour
12 faire ce qu'on avait discuté un peu plus tôt aujourd'hui, des
13 tabletop exercise, donc ça fait partie de cette dynamique
14 mensuelle qui nous réunit tous ensemble durant... finalement,
15 sur une base mensuelle quand on n'est pas en élections
16 partielles.

17 **MR. MATTHEW JOHNSON:** Thank you.

18 Just given the time I have left I'm going to
19 ask one final question, and I'll ask each of the panel
20 members to answer. But my friend, Ms. Dann, Commission
21 counsel, took you through each of the after-action reports,
22 and you confirmed that in each of those you had not observed
23 any foreign interference.

24 I just want to ask, based on the observations
25 you had of the by-elections since May 2023, are you of the
26 view and would you agree that Canadians should and can have
27 confidence in the integrity of the elections that you've
28 monitored? And maybe I'll start with Mr. Macdonald.

1 **MR. RYAN MACDONALD:** Yes, I would for --
2 yeah.

3 **MR. MATTHEW JOHNSON:** Ms. Wettlaufer, any
4 concerns?

5 **MS. ROBIN WETTLAUFER:** Canadians can have
6 full confidence in the elections we monitored.

7 **MR. MATTHEW JOHNSON:** Mr. O'Hayon?

8 **MR. GREGORY LAURENT O' HAYON:** I agree with my
9 colleagues.

10 **MR. MATTHEW JOHNSON:** CSIS Representative
11 number 2?

12 **CSIS REPRESENTATIVE NO. 2:** Yes, this is CSIS
13 Representative 2. I would agree with that.

14 **MR. MATTHEW JOHNSON:** And CSIS Representative
15 number 1?

16 **CSIS REPRESENTATIVE NO. 1:** I will also agree
17 with that, 100 percent.

18 **MR. MATTHEW JOHNSON:** Thank you very much.
19 That's my time. Thank you very much, Madam Commissioner.

20 **COMMISSIONER HOGUE:** Thank you. Re-
21 examination, Ms. Dann?

22 **MS. ERIN DANN:** No, thank you.

23 **COMMISSIONER HOGUE:** So the day is over.
24 Again, tomorrow same time, 9:30.

25 **M. ZAKARIA MOUMNI:** Excusez-moi. Je suis
26 victime d'ingérence étrangère. Il faudrait que je témoigne,
27 si c'est possible parce que ma vie est menacée sur le sol au
28 Canada. Je ne sais pas si je repars (inaudible) mes jours,

1 ils sont presque finis. Je veux témoigner aujourd'hui. Je
2 suis venu de Montréal.

3 Vraiment, ce que je subis, c'est une torture
4 psychologique et je veux que ça s'arrête aujourd'hui pour
5 moi. Je veux témoigner, puis après (inaudible) mourir la
6 conscience tranquille. Je ne peux plus supporter cette
7 torture psychologique que je subie.

8 Je suis citoyen d'origine marocaine, je suis
9 citoyen français, je suis le premier Français à (inaudible)
10 administration canadienne à (inaudible)... J'avais renoncé à ma
11 citoyenneté marocaine le jour où je suis devenu citoyen
12 français. Je poursuis en France le secrétaire particulier du
13 Roi du Maroc, le directeur du contre-espionnage de
14 (inaudible) la police marocaine. J'ai été enlevé, séquestré,
15 torturé au Maroc. Je suis champion du monde du kickboxing
16 (inaudible).

17 Après cette affaire, mon cas est documenté
18 par toutes les ONG internationales : Amnesty Internationale,
19 United (inaudible)... la torture et par rapport à la
20 (inaudible) sur le sol français. Je suis devenu français,
21 puis après j'ai porté plainte contre ces personnes-là et les
22 menaces ont continué, les menaces de mort jusqu'à la
23 tentative d'assassinat sur le sol français avec arme à feu
24 (inaudible). Après, même les avocats en France et moi, on
25 avait demandé la protection même présidentielle, personne n'a
26 répondu. On a envoyé le (inaudible). Si la France n'est pas
27 capable de protéger ses citoyens sur le sol français, je suis
28 obligé d'aller demander la protection à un autre État, c'est

1 ce que j'avais fait le 5 avril 2017 (inaudible) l'aéroport de
2 Montréal, j'ai fait (inaudible) mon passeport français et
3 j'ai demandé l'asile politique.

4 Le (inaudible : chevauchement des paroles)...

5 **COMMISSAIRE HOGUE:** Monsieur...

6 **M. ZAKARIA MOUMNI:** ...le 26 mai...

7 **COMMISSAIRE HOGUE:** Monsieur...

8 **M. ZAKARIA MOUMNI:** ...2022...

9 **COMMISSAIRE HOGUE:** Monsieur, je vais juste
10 vous arrêter...

11 **M. ZAKARIA MOUMNI:** Oui.

12 **COMMISSAIRE HOGUE:** ...une minute. Ce que je
13 suggère, je vais... on va suspendre, je vais m'entretenir avec
14 les avocats de la Commission, et...

15 **M. ZAKARIA MOUMNI:** (Inaudible)

16 **COMMISSAIRE HOGUE:** Oui, mais je veux
17 m'entretenir avec eux et puis...

18 **M. ZAKARIA MOUMNI:** (Inaudible)

19 **COMMISSAIRE HOGUE:** ...et puis on va vous
20 laisser connaître...

21 **M. ZAKARIA MOUMNI:** (Inaudible) témoignage
22 parce que c'est vraiment... c'est de la torture psychologique
23 que je subis et c'est (inaudible) effectivement, c'est de
24 l'ingérence étrangère. C'est de l'ingérence étrangère.

25 **COMMISSAIRE HOGUE:** Laissez-moi m'entretenir
26 avec les avocats. Je vais suspendre et...

27 **M. ZAKARIA MOUMNI:** (Inaudible)

28 **COMMISSAIRE HOGUE:** ...je reviens pour vous dire

1 ce qu'on va faire.

2 **M. ZAKARIA MOUMNI:** (Inaudible)

3 **COMMISSAIRE HOGUE:** Merci.

4 So, thank you all. So we'll suspend for a few
5 minutes and we'll come back, but you're free to go.

6 **UNIDENTIFIED PERSON (male):** Merci.

7 **COMMISSAIRE HOGUE:** Thank you.

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

10 The sitting of the Commission is now in
11 recess until 5:20 p.m. Cette séance de la Commission est
12 maintenant suspendue jusqu'à 17 h 20.

13 --- Upon recessing at 5:07 p.m./

14 --- L'audience est suspendue à 17 h 07

15 --- Upon resuming at 5:18 p.m./

16 --- La séance est reprise à 17 h 18

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

19 This sitting of the Foreign Interference
20 Commission is now back in session. Cette séance de la
21 Commission sur l'ingérence étrangère est de retour en
22 session.

23 The time is 5:18 a.m. Il est 17 h 18.

24 **COMMISSAIRE HOGUE:** Monsieur Moumni, j'ai
25 demandé de m'entretenir avec les avocats parce que j'avais
26 souvenir d'avoir vu des échanges et, effectivement, je vois
27 que vous avez eu des échanges avec les avocats de la
28 Commission, que vous avez déjà donné un certain nombre

1 d'informations.

2 Ce que je vais vous inviter à faire, c'est de
3 nous transmettre toutes les informations additionnelles que
4 vous voulez nous transmettre par écrit rapidement et je
5 m'engage personnellement à lire ce que vous allez nous
6 transmettre et à prendre connaissance de tout ce dont je dois
7 prendre connaissance.

8 **M. ZAKARIA MOUMNI:** (Inaudible : hors micro) ...
9 ils ont trouvé... ils m'ont confirmé qu'il y avait une
10 (inaudible). Par contre, la GRC (inaudible). Moi, j'ai des
11 preuves matérielles que le complet que j'avais subi ici,
12 l'agression que j'avais subie sur le sol canadien, qu'il y
13 avait la complicité de certains policiers de Montréal avec la
14 preuve matérielle, vidéos, même la personne qui est très
15 proche des autorités marocaines, qui est très proche de
16 l'ambassade du Marco., il le dit clairement dans une vidéo
17 comme quoi il dit comme quoi moi je n'avais pas fait mes
18 calculs quand je suis parti voir ces policiers. Ces policiers
19 sont à eux et ils travaillent à eux.

20 **COMMISSAIRE HOGUE:** Regardez, si vous avez...

21 **M. ZAKARIA MOUMNI:** (Inaudible : chevauchement
22 des paroles)

23 **COMMISSAIRE HOGUE:** ...si vous avez des éléments
24 que vous souhaitez porter à ma connaissance qui sont... vous
25 pouvez les mettre sur une clé USB, les télécharger, je
26 m'excuse, c'est le mot que je cherchais, les télécharger sur
27 une clé USB.

28 **M. ZAKARIA MOUMNI:** Oui.

1 **COMMISSAIRE HOGUE:** Et ce que je suggère,
2 c'est que vous pouvez correspondre avec les avocats de la
3 Commission pour convenir de la meilleure façon de nous
4 transmettre la clé USB.

5 **M. ZAKARIA MOUMNI:** D'accord.

6 **COMMISSAIRE HOGUE:** Et moi, je vais prendre
7 connaissance de tout ça et... Ça va?

8 **M. ZAKARIA MOUMNI:** Merci beaucoup, Madame.

9 **COMMISSAIRE HOGUE:** Merci beaucoup.

10 Alors, on reprend demain matin 9 h 30.

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

13 This sitting of the Foreign Interference
14 Commission is adjourned until tomorrow, the 4th of October
15 2024 at 9:30 a.m. Cette séance de la Commission sur
16 l'ingérence étrangère est suspendue jusqu'à demain, le
17 4 octobre 2024 à 9 heures et demie.

18 --- Upon adjourning at 5:20 p.m./

19 --- L'audience est ajournée à 17 h 20

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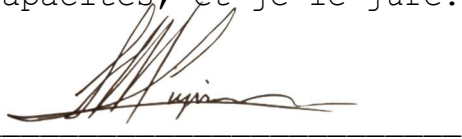
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C E R T I F I C A T I O N

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-hautes sont une transcription
conforme de mes notes/enregistrements au meilleur de mes
capacités, et je le jure.



Sandrine Marineau-Lupien