



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 9**

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Erin Dann  
Matthew Ferguson  
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Hannah Lazare  
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### **III**

## **Appearances / Comparutions**

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Ukrainian Canadian Congress	Donald Bayne Jon Doody
Government of Canada	Gregory Tzemenakis Barney Brucker
Office of the Commissioner of Canada Elections	Christina Maheux Luc Boucher Nancy Miles
Human Rights Coalition	Hannah Taylor Sarah Teich
Russian Canadian Democratic Alliance	Mark Power Guillaume Sirois
Michael Chan	John Chapman Andy Chan
Han Dong	Mark Polley Emily Young Jeffrey Wang
Michael Chong	Gib van Ert Fraser Harland
Jenny Kwan	Sujit Choudhry Mani Kakkar

## **IV Appearances / Comparutions**

Churchill Society	Malliha Wilson
The Pillar Society	Daniel Stanton
Democracy Watch	Wade Poziomka Nick Papageorge
Canada's NDP	Lucy Watson
Conservative Party of Canada	Nando de Luca
Chinese Canadian Concern Group on The Chinese Communist Party's Human Rights Violations	Neil Chantler
Erin O'Toole	Thomas W. Jarmyn Preston Lim
Senator Yuen Pau Woo	Yuen Pau Woo

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Ottawa, Ontario

--- Upon commencing on Wednesday, April 3, 2024 at 9:32 a.m.

L'audience débute le mercredi 3 avril, 2024 à 9 h 32

**THE REGISTRAR:** Order, please. 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 maintenant en cours. La Commissaire Hogue préside. The time is 9:32 a.m. Il est 9h32.

**COMMISSIONER HOGUE:** Good morning, everyone. Welcome, Mr. O'Toole.

**HON. ERIN O'TOOLE:** Good morning.

**COMMISSIONER HOGUE:** So I understand it's Me Rodriguez this morning.

**MS. NATALIA RODRIGUEZ:** Good morning, Mr. O'Toole.

**HON. ERIN O'TOOLE:** Good morning.

**MS. NATALIA RODRIGUEZ:** If we can have the witness sworn, please.

**THE REGISTRAR:** Good morning, Mr. O'Toole. May I please have your full name for the record, and spell your last name, please.

**HON. ERIN O'TOOLE:** Erin Michael O'Toole, O apostrophe, T-O-O-L-E.

**--- HON. ERIN O'TOOLE, Sworn/assermenté:**

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

**MS. NATALIA RODRIGUEZ:**

1                   **MS. NATALIA RODRIGUEZ:** Good morning again,  
2 Mr. O'Toole. As you know, I'm Natalia Rodriguez, Commission  
3 Counsel.

4                   And we're going to start with some  
5 preliminary matters. On February 23rd, 2024, you had an  
6 interview with Commission Counsel, and a follow-up interview  
7 on March 1st, 2024. Is that right?

8                   **HON. ERIN O'TOOLE:** That's correct.

9                   **MS. NATALIA RODRIGUEZ:** And an interview  
10 summary was generated from that -- from those interviews; is  
11 that right?

12                  **HON. ERIN O'TOOLE:** Correct.

13                  **COMMISSIONER HOGUE:** Ms. Rodriguez, can you  
14 just speak a bit louder?

15                  **MS. NATALIA RODRIGUEZ:** Oh, sure.

16                  **COMMISSIONER HOGUE:** Or closer to the mic.

17                  **MS. NATALIA RODRIGUEZ:** Yes.

18                  **COMMISSIONER HOGUE:** Thank you.

19                  **MS. NATALIA RODRIGUEZ:** All right, just  
20 checking.

21                  Okay. So I will call up the witness summary  
22 at WIT 24.EN.

23                  **--- EXHIBIT No./PIÈCE No. WIT 24.EN:**

24                                 Stage 1 Interview Summary: Erin  
25                                 O'Toole

26                  **MS. NATALIA RODRIGUEZ:** And Mr. O'Toole, what  
27 you're seeing there is the interview summary that was  
28 generated from your interviews with Commission Counsel. Is

1 that right?

2 HON. ERIN O'TOOLE: Yes.

3 MS. NATALIA RODRIGUEZ: And you've reviewed  
4 the summary for accuracy?

5 HON. ERIN O'TOOLE: I have.

6 MS. NATALIA RODRIGUEZ: And do you have any  
7 corrections, additions, or deletions to make at this time?

8 HON. ERIN O'TOOLE: I do not.

9 MS. NATALIA RODRIGUEZ: And do you adopt the  
10 contents of this witness summary as part of your evidence  
11 before the Commission today?

12 HON. ERIN O'TOOLE: Yes, I do.

13 MS. NATALIA RODRIGUEZ: Great. So we'll have  
14 that entered into evidence. And for the record, a French  
15 translation of the summary is at WIT 24.FR.

16 --- EXHIBIT No./PIÈCE No. WIT 24.FR:

17 Résumé d'entrevue de l'étape 1 : Erin  
18 O'Toole

19 MS. NATALIA RODRIGUEZ: Now, just to go over  
20 a little bit of your background. I understand you were a  
21 Conservative Member of Parliament for Durham from 2012 to  
22 2023. Is that right?

23 HON. ERIN O'TOOLE: That's correct.

24 MS. NATALIA RODRIGUEZ: And you served as  
25 party leader and leader of the official opposition from 2020  
26 to 2022. Is that right?

27 HON. ERIN O'TOOLE: Yes.

28 MS. NATALIA RODRIGUEZ: And under Prime

1 Minister Harper, you were Minister of Veterans Affairs.

2 HON. ERIN O'TOOLE: I was.

3 MS. NATALIA RODRIGUEZ: And you were named  
4 Foreign Affairs Critic in the Conservative Shadow Cabinet of  
5 party leader Andrew Scheer.

6 HON. ERIN O'TOOLE: I was, yes.

7 MS. NATALIA RODRIGUEZ: Now, can you tell us  
8 a little bit about your background before politics, and how  
9 that may have shaped your views as a politician?

10 HON. ERIN O'TOOLE: Well, my time in the  
11 military shaped my views on national security, on foreign  
12 affairs, defence. These issues, as far back as the early  
13 nineties, we were looking at the NATO and NORAD alliances  
14 that Canada had, but also potential flashpoints in the  
15 future, including at the Taiwan Strait. Things like this I  
16 was learning about as a young officer cadet at the Royal  
17 Military College. And so security issues and the need to be  
18 prudent and serious, with respect to influencing these sorts  
19 of things, we're all cultivated during my time as an officer  
20 in the Canadian Armed Forces, and so that coloured my time in  
21 politics. I'm a lawyer as well, so you know, that background  
22 was also very important to me as an MP on these issues of  
23 national security.

24 MS. NATALIA RODRIGUEZ: Thank you. Now, I  
25 understand you received a briefing by CSIS concerning foreign  
26 interference on May 26, 2023, in which you received  
27 classified information. Is that right?

28 HON. ERIN O'TOOLE: That's correct.

1                   **MS. NATALIA RODRIGUEZ:** Now, I'm going to  
2 take you to a document, CAN.DOC.22. And this is entitled  
3 Commission Request for Summary Information On Briefing To  
4 Mr., or to Erin O'Toole, rather.

5                   **--- EXHIBIT No./PIÈCE No. CAN.DOC 22:**

6                               Commission request for summary  
7                               information on briefing to Erin  
8                               O'Toole

9                   **MS. NATALIA RODRIGUEZ:** And so you've -- you  
10 understand that the Commission requested from CSIS an  
11 unclassified summary of the briefing that you received in May  
12 of 2023?

13                   **HON. ERIN O'TOOLE:** Yes.

14                   **MS. NATALIA RODRIGUEZ:** And this is a summary  
15 that was generated. Have you had a chance to review this  
16 summary?

17                   **HON. ERIN O'TOOLE:** I have.

18                   **MS. NATALIA RODRIGUEZ:** And now, I would ask  
19 that you not disclose any of the classified information you  
20 received in this briefing, but in general terms, does this  
21 summary accord with the general topics and information that  
22 you were provided with in that briefing? Without getting  
23 into specifics, obviously.

24                   **HON. ERIN O'TOOLE:** It does. In a very  
25 general way, it touches on themes. I also, in one of my  
26 final speeches in the House of Commons, referenced my  
27 briefing in a very careful way that I wasn't revealing any  
28 intelligence information or information that would reveal

1 sources to ensure that on the public record we could have  
2 some sharing with the public because I think transparency is  
3 important.

4 **MS. NATALIA RODRIGUEZ:** Thank you. And  
5 again, without giving any details of the content of that  
6 briefing, did you find the briefing to be useful in the sense  
7 that you were given information that you could put into  
8 action or you could do something with in order to better  
9 protect yourself from foreign interference?

10 **HON. ERIN O'TOOLE:** I would have appreciated  
11 the briefing a few years earlier, but yes, it was very  
12 helpful in understanding what was happening.

13 **MS. NATALIA RODRIGUEZ:** Thank you. So moving  
14 now to the 2019 election. I understand that your primary  
15 role in that election was one of candidate. Is that right?

16 **HON. ERIN O'TOOLE:** Yes, and in Ontario I did  
17 help a range of other candidates as kind of a prominent  
18 member of caucus, but I didn't have any national tour  
19 responsibilities as I had had in 2015.

20 **MS. NATALIA RODRIGUEZ:** Okay. So you weren't  
21 part of the national campaign in 2019.

22 **HON. ERIN O'TOOLE:** I was not.

23 **MS. NATALIA RODRIGUEZ:** Okay. And were you  
24 made aware of concerns in your role as candidate and  
25 assisting other candidates, as you said, regarding foreign  
26 interference during that election in 2019?

27 **HON. ERIN O'TOOLE:** I wasn't aware of any  
28 concerns in that election. As I've said in my statement, the



1 leadership that predated the 2019 election, I did see for the  
2 first time the influence of platforms like WeChat and the  
3 ability to organize cultural communities based on specific  
4 social media channels like WeChat.

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

6 And I'm being advised just for the sake of  
7 the translators that both of us need to speak a little bit  
8 more slowly in order to help them in their work.

9 Thank you.

10 And were you aware of any concerns regarding  
11 foreign interference prior to the 2021 election any time  
12 between 2019 and 2021?

13 **HON. ERIN O'TOOLE:** Yes, in limited fashion.  
14 Certainly the Chinese Ambassador made negative comments  
15 towards the Conservative opposition and myself, but in terms  
16 of seeing any orchestrated foreign interference, that was not  
17 really on our radar prior to the election.

18 We had taken pretty strong positions with  
19 respect to the Uyghur genocide, with respect to the Two  
20 Michaels, with respect to Belt Road initiative, a range of  
21 policies that we thought were not in our national interest  
22 that the Trudeau government was pursuing or supporting, but  
23 we didn't see evidence of foreign interference. There was  
24 just a sense that stronger positions with respect to China  
25 was probably being tracked closely by China.

26 **MS. NATALIA RODRIGUEZ:** And just to take you  
27 back to 2019 for a second, were you aware of the security and  
28 intelligence threats to Elections Task Force, which we've

1       been calling the SITE Task Force, in 2019 and were you aware  
2       of who the representative from the Conservative Party would  
3       have been to that entity?

4               **HON. ERIN O'TOOLE:** I was not aware of who  
5       our representative was and I only knew that a task force to  
6       look at the issue was formed. I did not know its structure,  
7       nor did we get any briefings or background information on it.

8               **MS. NATALIA RODRIGUEZ:** Okay. So you knew of  
9       the existence, but nothing more than that. Is that fair?

10              **HON. ERIN O'TOOLE:** That's correct.

11              **MS. NATALIA RODRIGUEZ:** Okay. So I want to  
12       take you now to the 2021 election, and maybe you can tell us  
13       a little bit about the discourse that was happening in  
14       Parliament before it ended for the summer in 2021, some of  
15       the issues that dominated the debate that, in your view, may  
16       be relevant to the issues that we're dealing with today.

17              **HON. ERIN O'TOOLE:** Certainly.

18              I referenced the genocide towards the Uyghur,  
19       Muslim and Turk populations in China. We had taken a very  
20       careful and deliberate approach to bringing the issue and the  
21       vote to declare it a genocide. I had waited until I saw  
22       evidence through both U.S. sources and UK sources that made  
23       me satisfied that we weren't being cavalier with the use of  
24       the term "genocide", and I think discourse today is far too  
25       cavalier with very, very important terms like that.

26              So that drew a lot of attention both in  
27       Canada and internationally. We were the second -- the first  
28       Parliament, the first assembly after the United States to

1 make such a declaration. And we knew that there was negative  
2 commentary in China as a result of that.

3 But right before the election was the  
4 Winnipeg lab situation which we had very, very serious  
5 concerns with and, quite frankly, the Trudeau government's  
6 handling of that entire episode was quite troubling. A  
7 senior civil servant was called to the bar of the House of  
8 Commons, something not done in a century. They were taking  
9 the Speaker of the House of Commons to Court in order to not  
10 comply with the Speaker's direction. So very, very  
11 concerning right on the eve of the election.

12 So the Winnipeg lab scandal, as we called it  
13 at the time, was probably the most pressing issue in the  
14 House of Commons before the summer break and, of course,  
15 there was not supposed to be an election that summer.  
16 Parliament had voted to say that the will of Parliament was  
17 that there should be an election only after COVID, the crisis  
18 was over.

19 So the Winnipeg lab controversy came just  
20 before the election.

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

22 And I understand some Conservative MPs in  
23 Parliament raised issues, concerns related to China-related  
24 issues. And can you tell us a bit about what the response  
25 was when these issues were raised in Parliament?

26 **HON. ERIN O' TOOLE:** Yes. You know, I should  
27 add, too, that the Private Members Bill from MP Kenny Chiu in  
28 terms of a foreign agent registry was also generating some

1 headlines and some debate in the House of Commons.

2 The troubling thing we found was that -- and  
3 I remember this is the case on several occasions in the House  
4 in my questioning of the Prime Minister is that the spectre  
5 of any questions on the Winnipeg lab or an issue like that  
6 was somehow contributing to anti-Asian discrimination or  
7 anti-Asian hate in the pandemic. I thought those responses  
8 were unfair at the time.

9 And then in the runup to the election, those  
10 responses inadvertently echoed propaganda from China with  
11 respect to any questions about the origin of COVID-19 or any  
12 questions about the -- our biological laboratory in Winnipeg  
13 were somehow fomenting hate and discrimination. And that was  
14 not only wrong and unfair, it set a bad tone heading into the  
15 election.

16 **MS. NATALIA RODRIGUEZ:** So what effect, if  
17 any, do you think that those comments in Parliament may have  
18 had? What's the connection that you're making there between  
19 those comments and then the subsequent messaging that was  
20 being circulated during the election?

21 **HON. ERIN O' TOOLE:** Well, certainly any time,  
22 you know, the Prime Minister or Ministers of the government  
23 use the term "racism" or "discrimination", there's an  
24 intention to create chill so that we wouldn't ask questions.  
25 We were being very, very careful about how we talked about  
26 these issues during a public health emergency, COVID-19.

27 My concern now, particularly in retrospect,  
28 is that approach the government was taking complemented

1 indirectly narratives that were being advanced by, you know,  
2 China and its agents in Canada. And I think in the election,  
3 we saw that explode into a campaign of misinformation on  
4 social media, but also in in-person miscommunication to  
5 intimidate voters, to mislead voters with respect to me, with  
6 respect to certain candidates, and to our policies in  
7 general. And I think it was an accidental connection, but it  
8 was something that, looking back, set the tone before the  
9 election. And it should have been something looked at a  
10 little closer by SITE, in my view.

11 **MS. NATALIA RODRIGUEZ:** Right. And by SITE,  
12 meaning the SITE Task Force.

13 **HON. ERIN O'TOOLE:** Yes.

14 **MS. NATALIA RODRIGUEZ:** So turning now to the  
15 campaign, I understand that in 2021, you were obviously the  
16 leader of the official opposition and so you were very much  
17 involved in the national campaign. And I understand the  
18 national campaign was using something called predictive  
19 modelling instead of polling data for the projections.

20 Can you tell us a little bit about your  
21 understanding of what the difference is between predictive  
22 modelling and polling?

23 **HON. ERIN O'TOOLE:** The predictive modelling  
24 really identifies groups of individuals, groups of Canadians,  
25 and then generally, if you really do the data and the  
26 research to understand those groups, you can be predictive of  
27 their reaction to certain questions or how they might vote or  
28 behave on certain issues.

1                   We used it very extensively to prepare for  
2                   the election and to see how to best communicate our policies.

3                   The Conservative Party -- I wanted to  
4                   modernize and use the same tools that the Liberal Party under  
5                   Mr. Trudeau had adopted, and they had followed the lead of  
6                   what the Obama campaign had done on behavioural predictive  
7                   modelling. Once you created the model, it was, in my  
8                   experience in the runup to the election and during the  
9                   election, extremely accurate and much more accurate than  
10                  polling because you saw those behaviours and those attitudes  
11                  in those voting blocks over time.

12                  So we were -- we were intensely focused on  
13                  four groups within this model of I think eight or nine groups  
14                  that we felt if we did well enough with those four that were  
15                  open to our message, we could win the election.

16                  **MS. NATALIA RODRIGUEZ:** So I want to take you  
17                  now to a document, EOT 4.

18                  **--- EXHIBIT No./PIÈCE No. EOT 4:**

19   EOT0000004

20                  **MS. NATALIA RODRIGUEZ:** And if we can scroll  
21                  down to the second page? Okay. So this is a document that  
22                  you produced.

23   And if we go to page three of that? Right.

24   So it says -- it's dated August 16, 2021 and  
25                  it says "CPC model". Is this an example of the modeling --  
26                  the output of what that modeling would have generated?

27                  **HON. ERIN O' TOOLE:** Yes. In terms of the  
28                  results aggregate, yes.

1                   **MS. NATALIA RODRIGUEZ:** Okay. Thank you.  
2                   And who produced this chart or this information that we see  
3                   here?

4                   **HON. ERIN O'TOOLE:** It would have been my  
5                   campaign team, which included Dan Robertson was one of our  
6                   leads on creating and working with the modelers. We went to  
7                   a firm based out of the United Kingdom for this type of  
8                   specialized work. Although now I see it's -- it has come to  
9                   Canada.

10                  So Dan Robertson, Justin Bumstead, a number  
11                  of people that were kind of my modeling and my numbers  
12                  people.

13                  **MS. NATALIA RODRIGUEZ:** M'hm. And I  
14                  understand that you provided this modeling information to the  
15                  independent Special Rapporteur David Johnston. Is that  
16                  right?

17                  **HON. ERIN O'TOOLE:** I did. I wanted to give  
18                  him some of the context for why, on election night, we were  
19                  very startled by a handful of riding that fell completely  
20                  outside of the ranges for the model.

21                  **MS. NATALIA RODRIGUEZ:** Right. And in fact,  
22                  you did put a package together that included not just this  
23                  information, but some memoranda as well that had been  
24                  prepared for you and for the party related to what you say  
25                  were irregularities in certain ridings? Is that right?

26                  **HON. ERIN O'TOOLE:** Yes. I gave Mr. Johnston  
27                  basically the same package that my team had given to the SITE  
28                  Taskforce after the election. We were very forthright in

1 sharing what limited information we had, because we didn't go  
2 into the campaign thinking that we needed to create an  
3 intelligence dossier on what we saw in the field. But as  
4 instances of interference were being flagged by the  
5 campaigns, my campaign team said, "Well, let's raise this  
6 with the SITE panel, but near the end, let's try and keep  
7 track of some of this information that our organizers are  
8 seeing."

9 I wish now that we'd had a much more careful  
10 approach and had documented everything, but we shared with  
11 the SITE Taskforce after the election what we did assemble,  
12 and I shared all of the information I still had and could  
13 share, I shared with Mr. Johnston.

14 **MS. NATALIA RODRIGUEZ:** Okay. So we'll go to  
15 that now. It's EOT1\_R. If we go to the second page? Okay.  
16 That's great right there.

17 **--- EXHIBIT No./PIÈCE No. EOT 1 R:**

18 EOT0000001\_R

19 **MS. NATALIA RODRIGUEZ:** So this is the  
20 briefing package that you prepared for the Special  
21 Rapporteur, and it looks like it was prepared by your office,  
22 and it's dated May 17, 2023. Is that right?

23 **HON. ERIN O'TOOLE:** Yes. And I gave Mr.  
24 Johnston and Ms. Block copies when they arrived. And my deep  
25 concern with the Special Rapporteur was I was giving him this  
26 package, and later in the meeting, he told me that his  
27 interim report was already in translation. So you could see  
28 how I did not feel the Special Rapporteur took the process



1 seriously when an evidentiary package that my office took  
2 time to prepare was a supplement to what they had already  
3 sent off as a report. I did not respond well to that.

4 **MS. NATALIA RODRIGUEZ:** So we'll go to page 4  
5 of this document just to see some of the information that was  
6 included in here.

7 So this is a memo. It's dated May 17, 2023.  
8 It's prepared by Justin Bumstead, who you referenced earlier.

9 And if we go to page 10?

10 This is another memo. It's to Jim Ross. And  
11 it's from Sadiq Valliani. And again, it's a memo, the  
12 subject line "Foreign Interference in our Election" and it's  
13 dated three days after the election, September 24<sup>th</sup>, 2021.  
14 Maybe four days.

15 And if we go to page 14?

16 This is the modeling that we saw earlier.  
17 And we'll look at this a little more closely in a little bit.

18 So we can take that down now.

19 So what was your understanding then, based on  
20 the modeling, on election day, of where the Conservatives  
21 would end up in terms of seats that day?

22 **HON. ERIN O'TOOLE:** Yeah, reliving those last  
23 few days of the campaign. Our -- we went from winning the  
24 seat count a week before the election, with a small modest  
25 minority, to, on election day, losing the seat count and  
26 still winning the popular vote. We saw the vote changing  
27 largely on the vaccine and the vaccine mandate issue.

28 But on election night, when we knew we were

1 going to lose, my campaign manager had said, "Our models and  
2 how the vote goes, you should end up with about 127/128  
3 seats, which will be a historic level for opposition." And  
4 when you consider it was a pandemic election, we were largely  
5 on the wrong side of public opinion on the vaccine mandate  
6 issue, which is, in my view, why the Prime Minister called  
7 the election. That was being briefed to me to say, "Calm  
8 down. You did okay. You'll be able to live to fight another  
9 day and stay on as leader."

10 So I went in that night feeling, "Okay.  
11 We're going to end up with 127/128 seats." And as returns  
12 were coming in, that night, not that I asked for any detail,  
13 but that night, there was already clear indication that a  
14 number of ridings were vastly outside of our modeling window  
15 and the ridings were the same ridings that we had been  
16 complaining about with respect to foreign interference.

17 We'd never connected the two, and even months  
18 after when I spoke about ranges, I always used to say, you  
19 know, between five and nine, six and nine, I would never be  
20 precise. But ---

21 **MS. NATALIA RODRIGUEZ:** Sorry, in terms of  
22 five and nine, in terms of what?

23 **HON. ERIN O'TOOLE:** Five to nine seats that I  
24 think were possibly changed as a result of foreign  
25 interference. Narrower margin seats where we had large  
26 numbers of people not voting and suspicions about voter  
27 suppression in those specific seats.

28 Certainly nowhere near enough to change the

1 results of the election, but for people in those seats, if  
2 they were undergoing intimidation or suppression measures,  
3 their democratic rights were being trampled on by foreign  
4 actors.

5 So certainly it was serious. And that's how  
6 I formulated that rough view in my mind, based on the  
7 modeling and from our anecdotal reports from the ground in  
8 the campaign about various forms of foreign interference.

9 MS. NATALIA RODRIGUEZ: And is that your view  
10 today? That six to nine ridings were lost due to foreign  
11 interference in 2021?

12 HON. ERIN O'TOOLE: I believe it's in that  
13 range, yes.

14 MS. NATALIA RODRIGUEZ: Okay. Thank you.  
15 Now, you believe that the Conservative Party became a target  
16 for the PRC in 2021 in the election? Is that right?

17 HON. ERIN O'TOOLE: Yes.

18 MS. NATALIA RODRIGUEZ: And in your view,  
19 what made the Conservative Party a target for the PRC?

20 HON. ERIN O'TOOLE: I believe our policies  
21 where were more in line with allies like the United States  
22 that were starting to take more aggressive trade positions  
23 with respect to the export of Chinese steel and aluminum,  
24 things like that, our positions on human rights issues, the  
25 Uyghurs in particular, but also Hong Kong and Tibet. Our  
26 positions were much stronger, and I believe reflected our  
27 values and interests as a country better than the policies of  
28 Mr. Trudeau.

1           The Trudeau Government was viewed by our  
2 allies, and I would hear this regularly from diplomats, we  
3 were seen as being offside with respect to a very ambitious  
4 agenda with China at a time that particularly the Five Eyes  
5 Allies were being far more cautious with respect to China.

6           So I think this recognition that had the  
7 Conservatives won, and if I was Prime Minister, we would have  
8 had a much more wide-eyed view and realistic view from a  
9 foreign policy perspective on China, that drove the interest  
10 for Beijing, certainly that status quo, that the Liberal  
11 Government was probably preferrable in their view to a change  
12 in government to Conservatives, given the vast difference in  
13 our policy positions.

14           **MS. NATALIA RODRIGUEZ:** And so just to  
15 clarify, the Uyghur Motion was brought by Mr. Chong, who is a  
16 member of the Conservative caucus, and the Foreign Agent  
17 Registry was also a Conservative Party member's -- member's  
18 bill; is that right?

19           **HON. ERIN O'TOOLE:** Yes, the Foreign Agent  
20 Registry, which other allies like the United States and  
21 Australia use such a registry in a similar way to a lobbying  
22 registry, that people have an obligation to register. That  
23 was Kenny Chiu's private member's bill. Michael Chong was  
24 the shadow minister for Foreign Affairs, so the issue on  
25 recognizing that the weaker genocide was under his mandate.  
26 And I would add that when I appointed Michael to become the  
27 shadow minister for Foreign Affairs, at the speech where I  
28 unveiled the caucus positions, I talked about how proud I was

1 that someone whose father immigrated to Canada from Hong  
2 Kong, Hong Kong having been defended by Canadian soldiers  
3 during World War II, it was truly the Canadian story that he  
4 could then take strong positions in Canada's interest and  
5 come from a diaspora community of China. I think that shows  
6 our country at its best and Michael continues to do a great  
7 job.

8 **MS. NATALIA RODRIGUEZ:** The 2021 CPC  
9 platform, the Conservative Party platform for 2021 did  
10 include numerous references to China. You accept that;  
11 right?

12 **HON. ERIN O'TOOLE:** Yes.

13 **MS. NATALIA RODRIGUEZ:** And it did take quite  
14 a hard stance against China's, it could be argued some would  
15 say?

16 **HON. ERIN O'TOOLE:** I wouldn't say against  
17 anything. It was an expression of our economic interest as a  
18 country and of our values as a country on issues like the  
19 treatment of the weaker population on issues related to Hong  
20 Kong or Tibet. As I said, I think -- and I think most of our  
21 allies thought at the time, the current government was a  
22 little offside on these issues. We were trying to course  
23 correct the country. It was not intended to be anti  
24 anything. It was intended to be a reflection of what our  
25 foreign policy should be.

26 **MS. NATALIA RODRIGUEZ:** So I'll take you to  
27 that now. It's EOT 12.

28 **--- EXHIBIT No./PIÈCE No. EOT 12:**

EOT0000012

**MS. NATALIA RODRIGUEZ:** And this is the 2021 platform. And so I'll just take you to page 54 of this document. If we go down? Okay. So under number four there you can see "Standing Up to China's Aggression". And there's a section there on China. And it's been reported, and I have confirmed, that there's 31 mentions of China in this platform. I'm sure you've heard this reported before.

**HON. ERIN O'TOOLE:** Yeah, the -- how the western world addresses the rise of China, the positives and negatives from that is the foreign policy challenge of our day, so it was quite comprehensive, but you do notice, right at the beginning we say our quarrel is not with the people of China and we talked about the incredible contributions China has made to the world. We always tried to make sure that that was part of our narrative, so that people could see our concerns were interest and values based, not anti anything. It was an expression of what we think we should be as a country.

**MS. NATALIA RODRIGUEZ:** So when you said -- when it says China's aggression there, what were you referencing? What was the platform referencing?

**HON. ERIN O'TOOLE:** Well, certainly, treatment of minorities in China is a very concerning aggression towards religious groups, and we list most of them there, or groups like Hong Kongers, conduct in the South China Sea as well, there's lots of tensions there, the Taiwan Strait. We thought that during the -- particularly during

1 the pandemic when Taiwan was giving us N95 masks and other  
2 things, we have to have strong relations with Taiwan,  
3 recognizing their democratic rights and have a mature  
4 approach to that relationship, which is hard when China was  
5 being quite aggressive with respect to Taiwan.

6 **MS. NATALIA RODRIGUEZ:** So given the emphasis  
7 that appears to be in the platform and the other issues that  
8 you mentioned with respect to the motion for the Uyghur  
9 genocide and the foreign registry, what is your response to  
10 the suggestion that, you know, perhaps the Conservatives lost  
11 in ridings with high concentration of Chinese Canadians not  
12 because of foreign interference but because of the platform  
13 and how that position with respect to China may have been  
14 viewed in those communities?

15 **HON. ERIN O' TOOLE:** Well, many of these  
16 positions were positions that we previously had. You know,  
17 the support for Hong Kong, you know, Conservative MPs have  
18 been meeting and advocating for Falun Gong practitioners and  
19 Tibetans going back to my time in the Harper government. So  
20 some of these policies were almost a reassertion of our  
21 foreign policy from the Harper government era, and we won  
22 those impacted seats quite handily, even in 2015 when Alice  
23 Wong held onto her seat. So particularly waves of  
24 immigration from China that were Hong Kongers, or were folks  
25 that were seeking religious freedom and things like this,  
26 there was a recognition that it was positive to have concerns  
27 with some of the positions of congress China. And that had  
28 never been a problem until more recent years, and I think

1       there's been a bit more of an aggressive foreign policy  
2       approach taken by China.

3               It's also why I think this inquiry is so  
4       important because it is hard to determine how much foreign  
5       interference will impact one person's voter intent. If one  
6       person is intimidated in this country with respect to  
7       exercising their democratic rights, that is concerning. The  
8       results of the election itself and how many seats are in the  
9       House of Commons, that's very important as well, but we  
10      shouldn't look past ridings that could be impacted. And I  
11      think in recent years there's been a ramping up of foreign  
12      interference operations. And that's why I think -- I don't  
13      think some of those seats were turned because we had a more  
14      traditional or a more aggressive foreign policy posture with  
15      respect to China. I think a lot of people did not vote  
16      because they were intimidated.

17             **MS. NATALIA RODRIGUEZ:** So you believe then,  
18      just to kind of summarize, that this was not -- that the  
19      ridings that were lost in those areas where the modelling was  
20      off was not due to some grassroots kind of Chinese community  
21      distaste perhaps for the platform. It was instances of  
22      foreign interference perpetrated by the PRC?

23             **HON. ERIN O'TOOLE:** I think that's a fair  
24      summary. And my position prior to being leader was the  
25      shadow minister for Foreign Affairs, so I had been talking  
26      about many of these policies for many years, several years  
27      before I became leader, and there had never been a ground  
28      swell of concern. In fact, in many cases, the Chinese



1 Canadian community wanted to make sure that the plight of the  
2 Uyghurs, Hong Kong, or other things were highlighted. And  
3 Kenny Chiu, a very prominent voice on these issues, was  
4 elected for the first time in 2019. So I think that's how I  
5 form my opinion on this, that the foreign interference was  
6 much more determinative than a policy platform that had 30  
7 references to China in it.

8 **MS. NATALIA RODRIGUEZ:** So I'll take you now  
9 to some of the documents we now have on the government side  
10 on some of these issues. CAN-5824.

11 **--- EXHIBIT No./PIÈCE No. CAN 5824:**

12 SITE TF Update On Foreign  
13 Interference Threats To Canadian  
14 Democratic Institutions - 2021

15 **MS. NATALIA RODRIGUEZ:** And so this is dated  
16 September 13, 2021, so it would be a week before the  
17 election. It's a SITE threat assessment. It's called "SITE  
18 Task Force Update on Foreign Interference Threats to Canadian  
19 Democratic Institutions 2021". So under the section  
20 "Information Environment", it says there,

21 "RRM Canada has observed what may be  
22 a Chinese communist party information  
23 operation that aims to discourage  
24 voters from voting for the  
25 Conservative Party of Canada." (As  
26 read)

27 And I understand you've now had a chance to  
28 see this document. You did not see it at the time ---

1 HON. ERIN O'TOOLE: No.

2 MS. NATALIA RODRIGUEZ: --- is my  
3 understanding?

4 HON. ERIN O'TOOLE: No.

5 MS. NATALIA RODRIGUEZ: Were you ever -- were  
6 you made aware at the time -- so this is again to situate us  
7 in time, a week before the election that RRM Canada, which is  
8 a Rapid Response Mechanism Canada had made this observation.

9 HON. ERIN O'TOOLE: No, this was not raised  
10 to our attention. And in fact, we were raising instances of  
11 foreign interference that we witnessed, and the SITE  
12 Committee tended to downplay them, and we were given the  
13 impression that there were no concerns about foreign  
14 interference, which is why these documents now are --  
15 contradict that.

16 MS. NATALIA RODRIGUEZ: And so when you say,  
17 "tended to downplay them", what do you mean by that?

18 HON. ERIN O'TOOLE: Well, I appointed one of  
19 my most trusted and accomplished friends to be my designate,  
20 Mr. Soliman, and when he was briefed at the outset, after  
21 having gotten security clearance to participate in the task  
22 force work, he said it started off with a briefing that there  
23 were no real problems from 2019, and they didn't expect any  
24 serious problems in '21, was how that task force started.

25 It -- we were kind of lulled into a sense of  
26 complacency, that everything should be fine, there was no --  
27 there were no problems in 2019. We now know that not to be  
28 the case. We now know from the Globe and Mail reporting, and

1 Sam Cooper, that there were issues in 2019 of financing and  
2 other things.

3 So our impression is that the SITE process  
4 was not as complete, not as professional, and not as  
5 transparent as it should have been when there were reports by  
6 this and CSIS-generated intelligence warning of attempts to  
7 interfere.

8 **MS. NATALIA RODRIGUEZ:** So I'm going to turn  
9 now to one of the RRM Canada daily briefs for the period of  
10 time during the campaign.

11 It's at CAN 124. And -- thank you, that's  
12 good.

13 **--- EXHIBIT No./PIÈCE No. CAN 124:**

14 RRM Canada Daily Brief

15 **MS. NATALIA RODRIGUEZ:** And if you look at  
16 where it says, "Scan performed", or sorry, "Scan covers",  
17 rather, it looks like it covers the time period between  
18 September 10 and September 12, 2021, so about 10 days before  
19 the election. And the last bullet point there:

20 "A *Global Times* WeChat article that  
21 suggested [that] CPC 'almost wants to  
22 break diplomatic relations with  
23 China' is now being actively shared  
24 among Canadian WeChat news accounts.  
25 The Canadian versions resemble the  
26 *Global Times* article in format and  
27 tone, and question whether Canadians  
28 of Chinese heritage should vote for

1 the CPC."

2 So again, this is talking about a Global  
3 Times article that seems to be spreading some misinformation  
4 about the CPC campaign.

5 Did you see this article that's being  
6 referenced here at the time?

7 **HON. ERIN O'TOOLE:** I did not see the article  
8 at the time, no.

9 **MS. NATALIA RODRIGUEZ:** And did anybody bring  
10 this article to your attention? Did anybody say, you know,  
11 "This is what we're" -- and when I say anyone, I mean someone  
12 in an official capacity, not from within your campaign, but  
13 from within a government agency or department?

14 **HON. ERIN O'TOOLE:** No one from a government  
15 agency or department, no.

16 **MS. NATALIA RODRIGUEZ:** And was this  
17 emblematic of the things that you were hearing on the ground  
18 in terms of misinformation in certain areas?

19 **HON. ERIN O'TOOLE:** Yes. Anecdotally, we  
20 heard things on three or four themes. One that I was going  
21 to sever ties; we were going to cancel the use of WeChat  
22 immediately if we formed government. There was one that we  
23 were going to require Chinese Canadians to register or limit  
24 their travel. There were also many horrific reports about  
25 Mr. Chiu, in particular, on a personal level, that he hated  
26 his race, and just horrific claims, were some of the  
27 anecdotal reports we heard both during the campaign and in  
28 our assessment afterwards.

1                   **MS. NATALIA RODRIGUEZ:** Thank you.

2                   Now, there are other daily RRM's. And just  
3 for the record, I don't need them brought up, just in the  
4 interest of time, CAN 126, CAN 130 and CAN 132.

5                   **--- EXHIBIT No./PIÈCE No. CAN 126:**

6                   RRM Canada Daily Brief

7                   **--- EXHIBIT No./PIÈCE No. CAN 130:**

8                   RRM Canada Daily Brief

9                   **--- EXHIBIT No./PIÈCE No. CAN 132:**

10                  RRM Canada Daily Brief

11                  **MS. NATALIA RODRIGUEZ:** And you have seen  
12 these; correct?

13                  **HON. ERIN O'TOOLE:** Yes.

14                  **MS. NATALIA RODRIGUEZ:** They cover the period  
15 from September 13 to September 15, 2021, and they reference  
16 different articles from Chinese state media taking an  
17 interest in the perceived China policies in the Conservative  
18 Party, an embassy spokesperson quoting some CPC related  
19 issues, saying that "The political party leaders have made  
20 unwarranted attacks on China's human rights", and others.

21                  So you've had a chance ---

22                  **COMMISSIONER HOGUE:** Ms. Rodriguez, can we go  
23 back to the document, please? I would just to see the origin  
24 of the document.

25                  **MS. NATALIA RODRIGUEZ:** Oh, sure. I wasn't  
26 going to put those up in the interest of time, but I can.

27                  **COMMISSIONER HOGUE:** No, but just the one  
28 that we looked to ---

1                   **MS. NATALIA RODRIGUEZ:** That we looked at;  
2                   124. So the last bullet point there.

3                   **COMMISSIONER HOGUE:** Okay. Thank you.

4                   **MS. NATALIA RODRIGUEZ:** And so the three  
5                   other dailies also talk about misinformation being circulated  
6                   in Chinese state media, and in Canadian media, Chinese  
7                   language media.

8                   And so my question to you is you've had a  
9                   chance to review those. I've put the doc IDs on the record.  
10                  Was any of that information conveyed to you by any official  
11                  within the government?

12                  **HON. ERIN O'TOOLE:** No, it was not.

13                  **MS. NATALIA RODRIGUEZ:** And did anybody let  
14                  you know that RRM Canada was flagging or had flagged this  
15                  kind of online content?

16                  **HON. ERIN O'TOOLE:** No, we were not informed  
17                  of that. And around the same time, because these documents  
18                  are dated, our participant, Mr. Soliman, and my chief of  
19                  staff, Tausha Michaud, were raising reports we were getting  
20                  from the field, so from various ridings in British Columbia  
21                  and in Ontario. These type of reports we were sharing and  
22                  getting no communication the other way. Clearly, they knew  
23                  some of the instances we were reporting were actually  
24                  occurring, but that was never confirmed to us in the campaign  
25                  ---

26                  **MS. NATALIA RODRIGUEZ:** Okay. And ---

27                  **HON. ERIN O'TOOLE:** --- or after.

28                  **MS. NATALIA RODRIGUEZ:** And so to be clear,

1 during the campaign some candidates and some ridings and some  
2 campaign staff saw disinformation circulated on social media  
3 regarding the Conservative Party, is that right, and you  
4 specifically as leader as well?

5 HON. ERIN O'TOOLE: Yes. Yes.

6 MS. NATALIA RODRIGUEZ: And ---

7 HON. ERIN O'TOOLE: And in some cases in  
8 person. Social media, and in some cases of in-person  
9 advertising and voters' intimidation.

10 MS. NATALIA RODRIGUEZ: Okay. And so those  
11 concerns were then raised during the campaign period, so  
12 during the writ period, to SITE through Mr. Solomon and  
13 Ms. Michaud; is that correct?

14 HON. ERIN O'TOOLE: That's correct, and as I  
15 said, we weren't actively preparing a dossier during the  
16 campaign, we did when it concluded because we wanted the  
17 cases looked into, but we were reporting anecdotal instances  
18 throughout the campaign.

19 MS. NATALIA RODRIGUEZ: And I understand you  
20 were also hearing from certain candidates about issues that  
21 they were receiving during their campaigns. Can you tell us  
22 a little bit about who you were sharing concerns from and  
23 what those concerns were?

24 HON. ERIN O'TOOLE: Yes. The one I remember  
25 the most is Kenny Chiu. The level and volume and tone of the  
26 misinformation towards Mr. Chiu was horrendous, and he was  
27 fearful for his own wellbeing and that of his family. And it  
28 -- it was a personal attack, as I said, of a racially

1 motivated nature, suggesting that he was a race traitor and  
2 that the simple thing of a foreign registry with some start  
3 of a plan to really hinder the ability for Chinese Canadians  
4 to visit family, to remain in family, it was.... So we  
5 heard, and I heard directly from him during the campaign, a  
6 little bit from the campaign of Mr. Bob Saroya in Ontario,  
7 and I think that wasn't through Bob but through one of his  
8 campaign workers. But we -- some of our organisers were on  
9 WeChat and also saw instances.

10 So we knew it was happening, we just weren't  
11 able to get a sense that the SITE and the government knew it  
12 was happening. And there was no -- there was no desire to  
13 put out a public warning about misinformation, and that's  
14 what I think needed to happen. Because I was informed in the  
15 run up to the campaign that there are 600,000 WeChat account  
16 users in British Columbia alone. And these are Canadians  
17 that don't want the evening news, and don't read the Globe  
18 and Mail or the National Post. So they're getting almost all  
19 of their information from channels that cannot be trusted.

20 **MS. NATALIA RODRIGUEZ:** So you mentioned  
21 right now about wanting to give a warning. Can you expand on  
22 that notion?

23 **HON. ERIN O'TOOLE:** We wanted a caution, a  
24 public notice to voters to be wary of information that they  
25 were obtaining from social media, particularly foreign  
26 controlled, foreign language social media. The SITE process  
27 has a threshold and, you know, was the threshold met for  
28 there to be some notice? We believe there was.



1           At times I thought about making some sort of  
2 statement, but I was fearful of that being perceived, or  
3 opponents in the campaign using that as some sort of wedge in  
4 a narrative that we were being discriminatory.

5           So the -- in my view, the process failed in  
6 this case, because a notice would have been helpful to  
7 Canadians that were being targeted, because these sites, with  
8 algorithms that are controlled by foreign governments, those  
9 are the people that are vulnerable and that are at risk, and  
10 that I think were failed by our system.

11           **MS. NATALIA RODRIGUEZ:** So to be clear, did  
12 you request that a warning be issued or was it your  
13 expectation that one would be issued?

14           **HON. ERIN O'TOOLE:** It was our expectation  
15 that one would be issued because it was in the sort of  
16 originating documents for the taskforce itself.

17           It was only afterwards, in the Rosenberg  
18 Report that I saw a discussion that they did not feel the  
19 threshold was met. But of course, my views on the Rosenberg  
20 Report was that it was not a proper report. But it was  
21 available to be used if there was evidence of misinformation.  
22 We now know there was evidence of misinformation, but there  
23 was no caution -- or no notice, no warning given.

24           **MS. NATALIA RODRIGUEZ:** Okay. And you  
25 considered doing that yourself. Why didn't you, in the end?

26           **HON. ERIN O'TOOLE:** I remember the last time  
27 I was in British Columbia during the campaign, I thought  
28 about it, because I was hearing from some of our organizers

1 saying, "We've got to do something about this. This is out  
2 of control. I heard from Kenny and his team just how  
3 targeted and how everyone was tense." Like, people were  
4 fearful with the amount of misinformation in the Richmond  
5 seats.

6 But our -- we were doing well at that point  
7 in the campaign, and so, you know, you're consciously -- they  
8 say in politics, don't get off message. So I would have  
9 thought that that might have seemed a little bit off message.  
10 And it might have contributed, if I started talking about  
11 foreign interference from China, portrayals of me being  
12 obsessed with China and mentioning 31 times in the platform,  
13 these sort of narratives, I might have been accidentally  
14 reinforcing that, which is why I think some of these  
15 safeguards for our system need to be out of the hands of  
16 politicians who are in the midst of a campaign. We need  
17 structural, and professional, and independent impartial  
18 organizations to determine safeguards to protect people's  
19 franchise.

20 MS. NATALIA RODRIGUEZ: So I'll take you to a  
21 document, CAN3781.

22 --- EXHIBIT No./PIÈCE No. CAN 3781:

23 Threats to Canadian Federal Election  
24 2021

25 MS. NATALIA RODRIGUEZ: So this one's -- this  
26 is a Security and Intelligence Threats to Election Taskforce  
27 summary. It's dated September -- December 17, 2021. And so  
28 this is now some months after the election. And if we go to

1 the "Summary of Key Observations" at the bottom there, the  
2 first bullet -- sorry, just up a bit more. Thank you. It  
3 says:

4 "The People's Republic of China [...]  
5 sought to clandestinely and  
6 deceptively influence Canada's 2021  
7 federal election."

8 So just to stop you there, was this something  
9 that after the election was conveyed to you?

10 **HON. ERIN O' TOOLE:** No.

11 **MS. NATALIA RODRIGUEZ:** And the next bullet  
12 point says:

13 "SITE [Taskforce] also observed  
14 online/media activities aimed at  
15 discouraging Canadians, particularly  
16 of Chinese heritage, from supporting  
17 the Conservative Party of Canada [...],  
18 party leader Erin O'Toole, and  
19 particularly former Stevenston-  
20 Richmond East candidate Kenny Chiu  
21 [in] GE44."

22 And then it goes on to say that they have:

23 "...observed indicators of potential  
24 coordination between various Canada-  
25 based Chinese language news outlets  
26 as well as PRC and CCP news outlets."

27 So again, was this ever confirmed to you,  
28 relayed to you, at any time during your time as leader, which

1 was until February of 2022?

2 **HON. ERIN O'TOOLE:** No. And in fact, as I  
3 mentioned earlier, we were always -- these issues were always  
4 downplayed, essentially, when we raised them with the SITE  
5 Taskforce. And you know, these conclusions so quickly after  
6 the election show that some people within intelligence and  
7 within government knew what we were raising were valid and  
8 real issues and shows why we're here today.

9 **MS. NATALIA RODRIGUEZ:** Right. And so if I  
10 understand your evidence earlier, you believe, or it's your  
11 understanding, that the party lost some seats in 2021 due to  
12 foreign interference? Is that right?

13 **HON. ERIN O'TOOLE:** It's my view ---

14 **MS. NATALIA RODRIGUEZ:** Yes.

15 **HON. ERIN O'TOOLE:** --- that a certain number  
16 of seats were lost. Yes.

17 **MS. NATALIA RODRIGUEZ:** But it is not your  
18 view that the election was lost by the Conservative Party due  
19 to foreign interference? Is that fair?

20 **HON. ERIN O'TOOLE:** That is fair. And I've  
21 always stated that as well.

22 **MS. NATALIA RODRIGUEZ:** Okay. And so what  
23 impact, if any, do you consider that foreign interference had  
24 with respect to your ouster as leader of the Conservative  
25 Party?

26 **HON. ERIN O'TOOLE:** Well the small number of  
27 seats would not have impacted the minority government that  
28 Canada has right now. But the difference of two, three, five

1       seats, may have allowed me more of a moral justification to  
2       remain as leader. There were other forces at play that may  
3       not have done that. But when I fell two seats below the  
4       threshold met in 2019, that became a very compelling  
5       narrative. And in fact, a petition was started within a day  
6       and a half of the election results, and the lower result than  
7       2019 was raised, as was the turning away of Chinese Canadian  
8       voters from me were raised as reasons for launching the  
9       petition to force my removal as leader.

10               **MS. NATALIA RODRIGUEZ:** Is there anything you  
11       would have done differently in 2021, either as leader or as a  
12       candidate, if you knew then what you know now?

13               **HON. ERIN O'TOOLE:** I wish I could have a do  
14       over. What I certainly would have done is made sure that we  
15       had a much more sophisticated approach to WeChat in  
16       particular, but Mandarin and Cantonese advertising  
17       publications and campaign workers to counter what was a  
18       deluge of misinformation against us. We were just not  
19       prepared on that platform period. You know, our social media  
20       strategies and our policy development was all still primarily  
21       focused at traditional media and the what you might call  
22       Silicone Valley platforms, like Facebook, and Twitter, and  
23       things like this. We did not have the capacity to really  
24       even understand what was going on on WeChat and some of the  
25       other, and I would have prepared in a very significant way  
26       had we known.

27               The other thing, I probably would have  
28       demanded a public warning of some sort. Now that I've seen

1 both the reporting that, in many ways, led to this inquiry,  
2 but even some of the limited disclosures here, folks within  
3 the government knew that there was a level of foreign  
4 interference occurring. And I think we owe it to the tens of  
5 thousands, hundreds of thousands of Canadians that it was  
6 targeted at, we owed it to them to warn them and to perhaps  
7 give them alternative sources for unbiased news or the  
8 ability to report instances of intimidation.

9 This is -- you know, one vote matters in our  
10 democracy, and I think we have to do a little bit more,  
11 particularly for the Chinese/Canadian population, but also  
12 some other diaspora organizations to make sure that they're  
13 not being intimidated to exercise their full rights here.

14 **MS. NATALIA RODRIGUEZ:** Now, you have said,  
15 and you've expressed the view that there was a failure of  
16 SITE to meaningfully consider the evidence of foreign  
17 interference that your party brought forward during the  
18 election and after the election. Can you expand on that?

19 **HON. ERIN O'TOOLE:** Yes. You know, the  
20 reporting, particularly from the Global Mail that revealed  
21 the financial and the problems in the 2019 election, in my  
22 view, that should have been the starting point for the 2021  
23 SITE Task Force and our participation in it, to say there  
24 were some problems of foreign interference in the last  
25 election; therefore, we have to do even more to safeguard our  
26 parliamentary democracy this time. Actually, the opposite  
27 happened. Our SITE Task Force, and my participants in it,  
28 were given a sense that everything was fine, that there were

1 no significant problems from 2019, and that the -- we were  
2 very confident in the fact that there would be minimal to no  
3 foreign interference in the 2021 election. And as I said, as  
4 we were raising issues, driving towards the need for public  
5 notice and a caution of some, our concerns were always  
6 downplayed by the task force. And, you know, Mr. Soliman has  
7 been on the record with having that concern. I have that  
8 concern. Even in the days after the election, we continued  
9 to work with the SITE Task Force and with the Public Safety  
10 and Intelligence officials on it, and we kept doing that  
11 right up until Mr. Trudeau formed his cabinet and the  
12 caretaker period ended, and then we were just cut off.

13 **MS. NATALIA RODRIGUEZ:** So I'll take you to  
14 CAN 6739.

15 **--- EXHIBIT No./PIÈCE No. CAN 6739:**

16 Fwd: Follow up

17 **MS. NATALIA RODRIGUEZ:** And just to pick up  
18 on that notion that it was not just during the election but  
19 afterwards. If we go to the bottom of the page, so it looks  
20 like it's an email from Tausha Michaud and it's dated  
21 September 30<sup>th</sup>, 2021, so this would be about a week after the  
22 election, or 10 days rather.

23 "As promised, I've attached a  
24 document that outlines some key  
25 concerns and includes a dropbox link  
26 to screenshots from WeChat."

27 And it looks like she sends it there to  
28 somebody with a PCO email address. And if we go up, so we

1 have some individuals there, I believe, members of SITE.

2 "Howdy SITE friends,

3 Just received the attached from CPC  
4 claiming it shows FI [foreign  
5 interference] by PRC in 9 ridings  
6 during the election.

7 As you know, we have been engaged by  
8 CPC in an ongoing dialogue around  
9 these issues. If you could take a  
10 look, and let [blank] and [me] know  
11 if there is anything in here it would  
12 be appreciated."

13 And so this is what you were referring to,  
14 that after the election, more information was provided to  
15 SITE. Did you receive a formal response to this submission  
16 that was done by Ms. Michaud on September 30<sup>th</sup>? Any -- a  
17 letter, some sort of concluding report or anything of that  
18 nature?

19 **HON. ERIN O'TOOLE:** No, we did not. It was  
20 generally a one-way communication. And as I said, we  
21 prepared this impromptu dossier the last few weeks of the  
22 campaign. I asked that we share that with the SITE process,  
23 even after we lost, to make sure that we could look into  
24 these things to safeguard our system.

25 **MS. NATALIA RODRIGUEZ:** And I will conclude  
26 with an opportunity to see if there's anything else that we  
27 have not covered today that you would like to tell us about  
28 the issues that we've been discussing, foreign interference



1 in the 2019 or 2021 elections.

2 **HON. ERIN O'TOOLE:** I think my witness  
3 statement goes into a few of the other experiences and  
4 perspectives I have from my time in public life. The one  
5 thing I would just add at the end is we did not raise any of  
6 this on election night or in the weeks after because our  
7 democratic result was clear, and it was more important to me  
8 to safeguard our institutions and our democracy rather than  
9 to express disappointment in the loss of a few seats. But as  
10 I said, I've seen enough to know that the process last time  
11 failed and failed a lot of Canadians, and so I really hope  
12 that we look to safeguard these institutions in a non-  
13 partisan way, and I really hope this inquiry can do that  
14 because I think this problem will only get worse, and so we  
15 have to create the tools to really have a robust system that  
16 values every single voter.

17 **MS. NATALIA RODRIGUEZ:** Thank you, Mr.  
18 O'Toole. Those are my questions for you.

19 Thank you, Commissioner.

20 **COMMISSIONER HOGUE:** I have one question for  
21 you Mr. O'Toole. Am I right in understanding that actually  
22 all the discussion that took place between any of your team  
23 members about foreign interference were with SITE and no  
24 direct -- no discussion took place with CSIS, or with the  
25 Panel of Five, or with any other agencies, or it was always  
26 with SITE and only with SITE?

27 **HON. ERIN O'TOOLE:** I believe so, yes. My  
28 challenge here is I had designates, I had two designates for

1 the SITE process, Mr. Soliman and Ms. Michaud, who would then  
2 report to me and I would share things I was hearing. I  
3 believe the SITE panel and task force did have a designate  
4 from CSIS involved, and I do believe from time to time some  
5 of the Group of Five may have been involved, but I don't know  
6 how frequently. And I know that most of the calls and the  
7 meetings were done with a group, and so you'd have to ask.

8 COMMISSIONER HOGUE: Okay. But it would have  
9 been through SITE?

10 HON. ERIN O'TOOLE: Through SITE, yes.

11 COMMISSIONER HOGUE: Okay. And you were not  
12 provided with any names, or phone numbers, or agency that you  
13 may call upon if you were encountering any foreign  
14 interference problems or nothing of that sort?

15 HON. ERIN O'TOOLE: No.

16 COMMISSIONER HOGUE: Thank you.

17 So we'll start the cross-examinations. The  
18 first one on the list today, let me see, is -- I think it's  
19 counsel for Michael Chong. Am I right, yes?

20 MR. GIB VAN ERT: Thank you, Commissioner.

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

22 MR. GIB VAN ERT:

23 MR. GIB VAN ERT: Good morning, Mr. O'Toole.

24 HON. ERIN O'TOOLE: Morning.

25 MR. GIB VAN ERT: You expressed the view in  
26 your testimony this morning that you fear a lot of people  
27 didn't vote in the 2021 election because they felt  
28 intimidated. In evidence yesterday, the National Director of

1 the Liberal Party, Mr. Ishmael, addressed that point in  
2 response to a question from counsel for the Human Rights  
3 Coalition, one of the parties to these proceedings. And her  
4 question was specifically around coercion of international  
5 students. And Mr. Ishmael expressed the view, I think I'm  
6 being fair to him, that that was not an urgent concern  
7 because of the secrecy of the ballot. He emphasized ballot  
8 secrecy. And I take it from your evidence that you don't  
9 share Mr. Ishmael's confidence that ballot secrecy is enough  
10 to encourage people to go to the polls without fear of  
11 foreign coercion. Would you just tell the Commissioner what  
12 your thoughts are about it? To what extent does the secrecy  
13 of the ballot in this country give us some reason to feel  
14 confident that foreign coercion of diaspora communities isn't  
15 going to be a problem here?

16 **HON. ERIN O'TOOLE:** It's a very good question  
17 and something that I think needs to be well understood by the  
18 inquiry. How someone votes is completely secret, and thank  
19 goodness for that. That's an essential element of our  
20 democratic right to vote. But whether you did vote in an  
21 election is publicly available, and so the political parties  
22 know whether a household has voted in all of the last four  
23 general elections federally or in none of them. So sometimes  
24 extra door knocking, extra literature can be directed towards  
25 people that they know vote. And so if you don't know if  
26 they're leaning your way or leaning to the other team's way,  
27 you may not spend the extra time to try and communicate with  
28 that voter. But if you know that they're a constant always

1 voting, parties spend time on them, that fact that whether  
2 you've voted or not, I believe, is something that has caused  
3 some concerns within diaspora communities, particularly the  
4 Chinese Canadian community because I heard anecdotal reports  
5 from some of our MPs that lost that voters said, "I didn't  
6 think you needed my vote. I thought you were fine. I'm  
7 sorry I didn't get out to vote." And in some cases, they  
8 were told that people didn't want to be seen on the voters'  
9 list if that riding stayed Conservative.

10 If people had family in China, business or  
11 economic interests that depended on favourable treatment.  
12 You know, I'm not sure that factored into how many people's  
13 decision, but some voters, from what I've been told, thought  
14 it was best to just not vote. That way if the vote -- if the  
15 riding stayed conservative no one could suggest that they  
16 were a part of voting for the Conservative.

17 So there is -- this fact that it is well  
18 known if people vote or not, I don't think is well understood  
19 because the secrecy is what everyone knows about voting. The  
20 secrecy is just who you mark the X by, it's not whether you  
21 showed up or not.

22 **MR. GIB van ERT:** Thank you. Also, in your  
23 statement, and I think you repeated it in your oral evidence  
24 this morning, you expressed concerns that the SITE but also  
25 the Critical Election Interference Public Protocol Panel,  
26 sometimes known as the Panel of Five, failed in their duty to  
27 inform and warn Canadians.

28 I anticipate that later in these proceedings,

1 the Commission will hear evidence of a meeting of the panel  
2 on the 9th of September 2019, where the panel decided that in  
3 its future deliberations it would assess potential  
4 interference activities for their impact on a single national  
5 election as opposed to potential impacts on 338 individual  
6 elections across the county. There will be evidence before  
7 this Commission that the panel decided to approach foreign  
8 interference as a national matter, rather than as a riding by  
9 riding basis.

10 Would you tell the Commissioner what you  
11 think of that approach to assessing whether there has been  
12 foreign interference in elections?

13 **HON. ERIN O'TOOLE:** Yeah. I think that was  
14 an improper decision to make because it doesn't recognise our  
15 first past the post system where a general election is 338  
16 individual elections, and our system is structured to support  
17 that, and that the composition of the House of Commons is  
18 separate from the election itself.

19 And what I think their decision did was  
20 discounted some ridings in the Lower Mainland and in the GTA  
21 as rounding error ridings, and I think that's unfair to those  
22 voters. And to suggest that an election is free and fair  
23 from foreign interference is not accurate if some people are  
24 impacted. Whether or not it flipped the result in a riding  
25 or in a few ridings, each vote matters.

26 So I do think that was a decision that was  
27 incorrect to make. I also think it doesn't reflect our  
28 history as a parliamentary democracy first past the post

1 system with its pros and cons. They should have taken the  
2 approach that if they knew several ridings were being heavily  
3 targeted, that that was sufficient under the protocol to have  
4 a public notice and warning. You could have constrained to  
5 media and the Lower Mainland of British Columbia or GTA  
6 or....

7 You know, there was a lot of ways to actually  
8 address this in a way that wasn't making it seem like the  
9 entire election in all ridings were at risk, but I think  
10 targeted warnings and messaging, particularly in Mandarin and  
11 Cantonese, and in the case of 2021, was warranted, and it was  
12 a mistake to not raise the alarm.

13 MR. GIB van ERT: Thank you, Mr. O'Toole.

14 HON. ERIN O'TOOLE: Thank you.

15 COMMISSIONER HOGUE: Thank you.

16 Next one is counsel for the Sikh Coalition.  
17 Mr. Singh.

18 MR. PRABJOT SINGH: Thank you, Commissioner.  
19 Again, for the record, it's Prabhjot Singh as counsel for the  
20 Sikh Coalition.

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

22 MR. PRABJOT SINGH:

23 MR. PRABJOT SINGH: Thank you, Mr. O'Toole.  
24 I just have a few questions for you.

25 Based on the testimony you've given so far,  
26 it sounds like your experience in terms of understanding  
27 foreign interference was mostly after the fact. After the  
28 election is when the briefings happened and you were informed

1 about potential targeting of yourself and your party. Is  
2 that correct?

3 **HON. ERIN O'TOOLE:** About how the targeting  
4 was done? Yes. The fact that, you know, there was the risk  
5 and potential of it, I was aware of for several years before  
6 becoming leader.

7 **MR. PRABJOT SINGH:** Okay. And it's your  
8 understanding that you have been targeted specifically  
9 because of the Conservative Party platform and positions  
10 taken around China and some of the messaging around that  
11 position; correct?

12 **HON. ERIN O'TOOLE:** Correct.

13 **MR. PRABJOT SINGH:** Do you recall the first  
14 time that you first heard about the threat of Indian foreign  
15 interference in Canadian elections?

16 **HON. ERIN O'TOOLE:** It has been a live issue.  
17 I'm trying to think of.... The first time was probably in  
18 relation to the Prime Minister's state visit to India. I was  
19 the Foreign Affairs shadow minister for the Conservatives at  
20 the time. There was a lot of discussion on how we needed to  
21 prosecute his trip in the House of Commons, and there was --  
22 there was debate on the issues where foreign interference and  
23 electoral, and even in the case of Mr. Atwal, who was on the  
24 trip, and had been convicted in a -- in an attack on an  
25 Indian politician in Canada. That was the first time I  
26 really heard of the subject in the case of the Indian  
27 diaspora.

28 **MR. PRABJOT SINGH:** And in that case, was it

1 your understanding that members of the intelligence community  
2 believed that state or non state actors from India engaged in  
3 a disinformation campaign against the Prime Minister at the  
4 time?

5 **HON. ERIN O'TOOLE:** Yes. That was -- that  
6 was the issue that I wanted to raise following the Prime  
7 Minister's trip. The National Security Advisor, Daniel Jean,  
8 did side briefings with the media with respect to the Prime  
9 Minister's trip. And his suggestion to some of the members  
10 of the media that the reason the trip had such terrible media  
11 coverage was a result of interference by the Indian  
12 Government.

13 And I took very serious issue with the fact  
14 that that sounded more like the job of a director of  
15 communications and not the job the national safety -- public  
16 safety and security advisor of the Prime Minister. I don't  
17 feel they should be spinning the media, and you know, I said  
18 that publicly with respect to Mr. Jean.

19 Mr. Scheer at the time, you know, took --  
20 wanted to bring another vote in the House of Commons on the  
21 United India, and we didn't raise the Daniel Jean issue, and  
22 I think that was a bit of a mistake because it upset many  
23 diaspora groups in Canada, that vote. It was -- as Foreign  
24 Affairs shadow minister, it was on my motion that was tabled.

25 Ultimately, the Daniel Jean issue came out  
26 and was prosecuted at the committee, but that whole issue I  
27 think was a bit misplayed and caused more tensions within  
28 diaspora communities rather than looking at the role of the



1 national security advisor and how the Prime Minister  
2 approached that state visit from invitation to prominent  
3 Canadians to attend these sorts of things.

4 So you know, the intersection of potential  
5 foreign interference and diaspora politics in Canada is  
6 something that I think this Inquiry really needs to dive into  
7 to make sure that regardless of how you came to Canada and  
8 where you worship, where you work, you should be able to  
9 exercise your franchise free from interference from other  
10 states or from coercion in Canada by a group.

11 **MR. PRABJOT SINGH:** I don't want to dwell on  
12 this for too long. You earlier gave testimony that your  
13 suggestion that non partisan bodies should advise about  
14 potential foreign interference activity potentially while  
15 it's happening in order to actually warn communities, but it  
16 sounds like you take issue with a public servant at a senior  
17 level within the intelligence community providing that kind  
18 of live intervention at that time.

19 **HON. ERIN O'TOOLE:** Well, his -- Mr. Jean's  
20 intervention was based on stopping the bleeding from media  
21 stories that were very negative on the Prime Minister.  
22 That's not the role of a National Security Advisor. That's  
23 the role of a Director of Communications.

24 I do think that the parties both in the House  
25 of Commons and their electoral parties that run nominations  
26 and that run general elections do need linkages directly with  
27 our security agencies so that issues can be flagged like the  
28 financing issue from 2019 and so that parties can be aware if

1       there's a security concern of any type before a nomination is  
2       completed, before someone gets elected to Parliament, before  
3       -- before that potential interference goes right into our  
4       Parliament.

5                       And so I think how these agencies have the  
6       ability to properly, professionally and discretely brief the  
7       House of Commons and the political parties is something I  
8       hope the Inquiry provides some recommendations on.

9                       **MR. PRABJOT SINGH:** So you provided some  
10      evidence about how you believe that China or the PRC targeted  
11      yourself because of policy positions your Party took and you  
12      didn't learn about these until after the fact.

13                      Is it possible that yourself or your caucus  
14      may have been targeted for Indian foreign interference  
15      because of policy positions that may have aligned with Indian  
16      interests without your knowledge, of course? Is that  
17      something that's possible that could have happened?

18                      **HON. ERIN O'TOOLE:** It is possible. I will  
19      say that when we did table the motion to vote on a united  
20      India and this was -- as I said, I wanted to pursue the  
21      Daniel Jean aspect of the Prime Minister's trip. That motion  
22      and the mere tabling of it upset the Sikh community a great  
23      deal. Several hundred of them called my offices in Ottawa  
24      and Bowmanville.

25                      And so I do know that these issues related to  
26      the potential for foreign interference really strike diaspora  
27      communities on an emotional level and so that the parties  
28      have to be professional and mature about how they address

1       them because they can really make a community feel  
2       marginalized or unheard. They can be seen to be ignoring  
3       obvious attempts to interfere. So this is why I'm saying I  
4       think the professionalization both for the House of Commons  
5       and our Parliament is separate from the electoral machines of  
6       the Party.

7                       And I think there needs to be a responsible  
8       way for both the electoral machines of the parties and the  
9       House of Commons to get timely, discrete briefings on  
10      intelligence issues in the hope that all parties will handle  
11      it responsibly.

12                   **MR. PRABJOT SINGH:** In the leadup to the 2021  
13      election, were you ever made aware of a potential  
14      disinformation campaign that targeted your Liberal and NDP  
15      counterparts that was mutually amplified by Indian  
16      disinformation networks as well as far right Canadian  
17      platforms?

18                   **HON. ERIN O'TOOLE:** I don't know of any  
19      specific campaign or any specific evidence. I do know that  
20      the farmers' protests in India that occurred, I think, in  
21      around 2020, 2021 drew quite a response politically in  
22      Canada. And I tried to, you know, raise food security and  
23      the issues of farming families in a way that was responsible  
24      and wasn't trying to exacerbate tensions.

25                   Each of the parties, I think, tried to  
26      approach that issue responsibly, but obviously that was --  
27      because of the farmers' protests were largely in Punjab, it  
28      was a natural issue that brought tensions between Sikh and

1 Hindu communities in Canada and so had no information on any  
2 possible foreign interference, but certainly there was  
3 diaspora concerns to approach the issue responsibly, and I  
4 tried to do that.

5 **MR. PRABJOT SINGH:** And would it surprise you  
6 if the -- some of these documents that you've mentioned from  
7 the SITE Task Force that you weren't privy to prior, would it  
8 surprise you if there was information that there was  
9 coordinated disinformation emanating from India trying to  
10 exacerbate potential tensions between communities in Canada?

11 **HON. ERIN O'TOOLE:** I don't want to speculate  
12 on what may or may not be there, but when I was living at  
13 Stornoway in the lockdown of COVID, we couldn't really go out  
14 much, I did notice at one point in the farmers' protest  
15 period of time the RCMP put close protection on the Higher  
16 Commissioner from India, who was my next-door neighbour. And  
17 I know that we only do that with diplomats if there's a  
18 perceived threat and Canada has an obligation to safeguard  
19 against threats. But I only saw that tensions were rising.  
20 I don't have any knowledge of any information or -- and I  
21 don't want to speculate.

22 But I am trying to share what I did see at  
23 the time.

24 **MR. PRABJOT SINGH:** And during the relevant  
25 electoral periods, were you ever briefed by security and  
26 intelligence on the potential Indian threat to foreign  
27 interference?

28 **HON. ERIN O'TOOLE:** No.

1                   **MR. PRABJOT SINGH:** Had you been adequately  
2 briefed by security and intelligence, would that have  
3 increased your situational awareness and your ability to more  
4 carefully take precautions for yourself and understand the  
5 possibilities of disinformation and the impacts on  
6 communities?

7                   **HON. ERIN O'TOOLE:** I do think these  
8 briefings should take place and I've said -- and I said this  
9 to CSIS when I received my briefing. Particularly now that  
10 Parliament has a permanent hybrid quality to it, there -- I  
11 think each MP should have more secure means of having virtual  
12 offices, whether it's VPNs or -- I think we need a far more  
13 sophisticated approach to signals and communications  
14 intelligence for Parliamentarians and more knowledge.

15                   Electors trust them to go to Parliament to  
16 represent their issues. We need to trust them to be able to  
17 weigh information knowing that intelligence is not evidence,  
18 but it's an indication that should help form smart decision-  
19 making.

20                   I think we need to trust our Parliamentarians  
21 more. That's why structures to allow for more of an  
22 interface with intelligence services where needed is, I  
23 think, prudent and important.

24                   **MR. PRABJOT SINGH:** And so ---

25                   **COMMISSIONER HOGUE:** Mr. Singh, you already  
26 exhausted your time, so I will ask you to conclude. You may  
27 ask the last question.

28                   **MR. PRABJOT SINGH:** This is my final

1 question.

2 COMMISSIONER HOGUE: Thank you.

3 MR. PRABJOT SINGH: So in terms of your  
4 suggestion or your observation and based on your experience,  
5 what you would like to see is more timely non-partisan  
6 briefings and information from the security and intelligence  
7 community to be able to inform the decisions of Members of  
8 Parliament. Is that fair?

9 HON. ERIN O' TOOLE: Yes.

10 MR. PRABJOT SINGH: Thank you. Those are all  
11 my questions.

12 Thank you, Commissioner.

13 COMMISSIONER HOGUE: Thank you.

14 Mr. Sirois, counsel for the RCDA.

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

16 MR. GUILLAUME SIROIS:

17 MR. GUILLAUME SIROIS: Good morning, Mr.  
18 O'Toole, madame la Commissaire.

19 HON. ERIN O' TOOLE: Good morning.

20 MR. GUILLAUME SIROIS: I'm Guillaume Sirois,  
21 counsel for the Russian Canadian Democratic Alliance. I'm  
22 going to ask you some questions regarding Russian  
23 interference specifically.

24 In your witness summary, you say that in the  
25 final days leading up to the 2021 election, the CPC saw its  
26 projected seat count drop and you attribute much of this drop  
27 to the COVID-19 issue but also to the gains by the People's  
28 Party of Canada. Is that right?

1                   **HON. ERIN O'TOOLE:** Yes.

2                   **MR. GUILLAUME SIROIS:** And why would gains by  
3 the PPC cause a drop in projected seats for CPC?

4                   **HON. ERIN O'TOOLE:** Our experience in the  
5 campaign and in our assessments afterwards was the seat  
6 makeup of the House -- so we maintained a slight win in the  
7 popular vote, but the seat makeup changed dramatically due  
8 largely to the vaccine mandate issue. That issue caused  
9 several repercussions for us.

10                   In the final 10 days of the campaign, the  
11 vaccine mandates provincially came into force in Ontario.  
12 Premier Kenny in Alberta changed his view on vaccine mandates  
13 when hospital ICUs were filling up. And what that did was  
14 two things.

15                   My position was I was very pro vaccine. I  
16 was not in favour of a mandate that would lead to people  
17 losing their jobs or their ability to travel. The splits  
18 that emerged were the PPC vote went up for people that were I  
19 might describe as vaccine hesitant or anti-vax. But the soft  
20 suburban vote in Ontario, some of the vote that was going to  
21 vote NDP went to the Government and to the Liberals in the  
22 final days. So we lost in part because some of our vote bled  
23 off to the right, and some of the centrist vote that we were  
24 getting midway through the campaign was lost on the vaccine  
25 issue in the final week.

26                   It was a range of factors, but that's largely  
27 why the dispersion of our votes was not sufficient to win the  
28 seat count.

1                   **MR. GUILLAUME SIROIS:** Okay. So you  
2 attribute most of this loss of seat to the PPC due to the  
3 covid -- your Covid-19 stance during the election. But in  
4 your summary also I saw that one in two or one in three  
5 voters for the PPC would have voted for the CPC. Is it  
6 something that you agree? Is there, like ---

7                   **HON. ERIN O'TOOLE:** Yes. The PPC vote was a  
8 live issue. I never mentioned Mr. Bernier at all in the  
9 campaign. You know, I am very disappointed in his conduct  
10 since leaving our party.

11                   But in the final week, I did make an appeal,  
12 in the last few days, to PPC voters that if they wanted to  
13 see the Liberal Government replaced, we were the vehicle, and  
14 that a vote for the PPC was actually indirectly helping Mr.  
15 Trudeau. That was as far as I would go to appeal to ardent  
16 PPC supporters.

17                   But why I say it was a real issue is most of  
18 the provinces, as I said, were the ones imposing  
19 restrictions. And the restrictions and vaccine mandates  
20 really caused that vote to go from two percent to six/seven  
21 percent. In some parts of southwestern Ontario, the vote  
22 went into double digits.

23                   In some cases, we still held on to those  
24 seats in Leamington and places like that. But in a lot of  
25 more suburban/ex-urban centers, that split was enough for us  
26 to lose.

27                   So our modelling showed on Friday I was  
28 winning the seat count, and on Monday I lost the seat count.



1 It was a tough weekend.

2 **MR. GUILLAUME SIROIS:** Understood. Thank  
3 you. I'm going to -- I will now show you three reports from  
4 the Rapid Response Mechanism of Canada, also known as the RRM  
5 Canada. The first of which will be CAN000125.

6 **--- EXHIBIT No./PIÈCE No. CAN 125:**

7 RRM Canada Weekly Trend Analysis

8 **MR. GUILLAUME SIROIS:** And for the benefit of  
9 the public, while the document is being pulled, RRM Canada  
10 was responsible for monitoring the digital information  
11 environment for foreign state sponsored disinformation during  
12 the 2021 election.

13 So this document is report number three, so  
14 the RRM Canada weekly trend analysis for the week of  
15 September 2 to 8.

16 I would like to go to the second page,  
17 please. The first full paragraph there under the two bullet  
18 points. I will read some excerpts from that paragraph.

19 "Yonder monitoring identified  
20 accounts that may be associated with  
21 Russian state-sponsored actors who on  
22 a very small scale have amplified  
23 content supportive of accounts of two  
24 candidates of the Peoples' Party of  
25 Canada. [...] RRM notes that both PPC  
26 posts involved anti-vaccine and anti-  
27 lockdown content."

28 Is this the first time you are hearing about

1 this?

2 HON. ERIN O'TOOLE: Yes.

3 MR. GUILLAUME SIROIS: More generally, have  
4 you witnessed amplification of PPC related content by a  
5 foreign state during the 2021 election before today?

6 HON. ERIN O'TOOLE: Yes. There was always a  
7 fear that some of the troll farms and some of the Russian  
8 influence was boosting some of the messages from the PPC,  
9 both on anti-LGBTQ type messaging, for example. But  
10 certainly when covid happened, the restriction/vaccine issue  
11 I believe was amplified by those channels. But I wasn't  
12 aware of any of the tracking of it.

13 MR. GUILLAUME SIROIS: Okay. And so I  
14 understand correctly your statement that it was not only just  
15 PPC related content, but also anti-vaccine and anti-lockdown  
16 that you heard before today that was being amplified by  
17 Russia?

18 HON. ERIN O'TOOLE: Yes.

19 MR. GUILLAUME SIROIS: Okay. I will go now  
20 to CAN000134

21 --- EXHIBIT No./PIÈCE No. CAN 134:

22 RRM Canada Weekly Trend Analysis

23 MR. GUILLAUME SIROIS: Which is the  
24 subsequent weekly report from RRM Canada for the September 9  
25 to 15 period. As you can see from the first page, this is  
26 the report for the week of September 9 to 15. I would like  
27 to go to the second page again, please.

28 It's the same kind of paragraph. Similar

1 information. I will read again some excerpts from that  
2 paragraph. The firm, being the Yonder firm that we  
3 discussed, which I assume is a firm that the Government  
4 contracted to conduct those analyses:

5 "The firm has seen less engagement  
6 from accounts that generally amplify  
7 Chinese state sources, but more  
8 engagement from accounts that  
9 generally amplify Russian state  
10 sources. [...] In general, Yonder  
11 reports that Chinese and China state-  
12 aligned accounts amplify messages by,  
13 or are supportive of, the LPC while  
14 Russia-friendly accounts amplify  
15 Peoples Part[y] of Canada-related  
16 content."

17 So according to this report, it's a bit like  
18 you said at the beginning of your testimony with me today.  
19 you have -- votes are being dragged on both sides. So the  
20 China is supporting the Liberals, and Russia is supporting  
21 the PPC. None of this helps the Conservatives; right?

22 **HON. ERIN O' TOOLE:** Well from -- and this is  
23 the first time that I've seen this document, but that was our  
24 impression from the field, that the lockdown and the vaccine  
25 issue had a support bleeding center-right and right, and you  
26 know, I do think the Chinese FI has been more localized and  
27 targeted, but it did affect some seats as well. This is  
28 talking about a broader support of the Liberal Party.

1           The gain the party, the Liberal Party, had in  
2     the final week, our tracking showed came a little bit at the  
3     expense of the NDP and less us, but a little bit to us.

4           At the end of the day, it was close until the  
5     end, and these splits, you know, are why I'm in the private  
6     sector, largely now, and not in Parliament, but it was a  
7     tough campaign. That's why I still believe we shouldn't have  
8     had one in the confines of a vaccine over health-related and  
9     restrictions of things that were necessary, but were going to  
10    be challenging in a civil society.

11           **MR. GUILLAUME SIROIS:** And the report says  
12    that the amplification from Russia increased during the  
13    period of September 9<sup>th</sup> to September 15<sup>th</sup>. Could you clarify  
14    if this timeframe aligns with the period during which the  
15    Conservative Party experienced a decline in projected seats  
16    at the final stages of the election?

17           **HON. ERIN O'TOOLE:** I can't say on a day-to-  
18    day basis where we were. We had a surge early in the  
19    campaign. Early in the campaign, covid was less of a  
20    concern. There was slight opening up. You know, there was  
21    the ability for the first time to publicly gather on limited  
22    bases. So people weren't worried as much about the measures  
23    and restrictions.

24           Later on in the campaign, it coincided with  
25    the early part of what was the Delta wave. There were  
26    pressures on the Alberta hospital system, a few provincial  
27    vaccine mandates came into force, like in Ontario and New  
28    Brunswick. So the second part of the campaign was much more

1 covid-centric, is when we lost our momentum. I can't track  
2 it on a daily basis, but that's generally how we saw it  
3 happening.

4 **MR. GUILLAUME SIROIS:** I understand, but does  
5 that generally align, September 9 to September 15, where  
6 September 15 is one -- approximately one week before the  
7 election?

8 **HON. ERIN O'TOOLE:** That's when our momentum  
9 stopped and we then -- well there were a range of other  
10 issues that we had, the gun issue and some other issues that  
11 were issues in the media, issues with some of our opponents.  
12 But generally, it's the same timeframe.

13 **MR. GUILLAUME SIROIS:** And so you said there  
14 was a bunch of issues during that time period. But just I  
15 want to make sure I understand properly. One of the  
16 important issues was the anti-vaccine and anti-lockdown  
17 content?

18 **HON. ERIN O'TOOLE:** That was the most  
19 important issue.

20 **MR. GUILLAUME SIROIS:** Okay. Thank you. And  
21 I want to, just for the record, pull the last report from the  
22 RRM on that point. It's CAN000141.

23 **--- EXHIBIT No./PIÈCE No. CAN 141:**

24 RRM Canada Weekly Trend Analysis

25 **MR. GUILLAUME SIROIS:** This one was issued  
26 after the election. It's for the period of September 16 to  
27 23. Again, I want to go to the second page, the same  
28 paragraph. That starts with Yonder again.

1                   So -- and this paragraph reads in part:

2                   "In general, Yonder reports that  
3                   Chinese and China state-aligned  
4                   accounts continued to amplify  
5                   messages by or supportive of the LPC,  
6                   while Russia-friendly accounts  
7                   continue to amplify Peoples Party of  
8                   Canada...related content."

9                   So I believe that means that since at least  
10                  September -- about September 2 to 8 period, until after the  
11                  election, this firm, Yonder, reported that there was a  
12                  foreign state, or at least Russia friendly accounts,  
13                  amplifying content related to the Peoples Party of Canada.  
14                  Is it information that would have been of interest to you had  
15                  it been communicated?

16                  **HON. ERIN O'TOOLE:** Yes. I think this is the  
17                  type of information that I thought was going to be shared on  
18                  a -- kind of a live rolling basis with my designate to the  
19                  SITE Committee Task Force, but it was not.

20                  **MR. GUILLAUME SIROIS:** And I want to go  
21                  briefly on your -- so the Peoples Party of Canada did not win  
22                  a seat but as you explained earlier, they did perform quite  
23                  well during the election. They're -- they tripled their vote  
24                  share from 1.6 percent to 4.9 percent. And I want to know  
25                  what, if you remember, what was the Conservative's position  
26                  regarding Russia during the 2021 election?

27                  **HON. ERIN O'TOOLE:** Well, I was banned to go  
28                  to Russia, as was the previous leader, Andrew Scheer. You

1 know, I'm wearing my Ukraine pin today. You know, we were  
2 very, very strongly opposed to the Putin regime going back to  
3 Mr. Harper, who probably his most famous comment as prime  
4 minister was confronting Vladimir Putin, asking him to get  
5 out of Ukraine during the illegal occupation of Crimea. So  
6 we were very, very strongly opposed to the Putin regime, as  
7 was the Trudeau Government, I might add, despite early on  
8 there was a -- Minister Dion wanted to warm relations with  
9 Russia. Ms. Freeland and other members of that caucus pushed  
10 to adopt a very strong position countering Putin's  
11 aggression.

12 So this was one area where I think the  
13 Liberals and Conservatives were generally on the same page,  
14 but we were probably known as the slightly stronger tone  
15 against -- in Operation Unifier and some of the missions in  
16 Latvia and Crimea and Ukraine were all initiatives of the  
17 Conservative Government, so we opposed the Putin regime and  
18 Russia under his control.

19 **MR. GUILLAUME SIROIS:** And I know -- do you  
20 remember the PPC's position regarding Russia or foreign  
21 policy generally?

22 **HON. ERIN O'TOOLE:** You know, I have a lot of  
23 concerns of PPC and some of the far right narratives in the  
24 United States, particularly with respect to funding the war  
25 in Ukraine, being very influenced by Russian propaganda and  
26 social media manipulation. I can't speak to, you know, the  
27 degree of it during the 2021 campaign, but it's certainly an  
28 issue that I've read about.

1 I've watched it unfold in the United States,  
2 where the Republican Party has virtually changed their  
3 original position, in my view, because of some of this  
4 influence. I've seen it in Canada as well, and I've spoken  
5 out against it. I do think Mr. Bernier tries to harness some  
6 of these forces. Whether accidentally or whether it's  
7 coordinated I can't speak to.

8 **COMMISSIONER HOGUE:** M. Sirois, your time is  
9 exhausted. So if you have a last question, I'm going to  
10 allow the last question, but after that, we'll take the  
11 break.

12 **MR. GUILLAUME SIROIS:** Maybe just one last  
13 question. Thank you, Madam Commissioner.

14 In your witness summary, you say that this  
15 SITE Task Force and the CIEPP failed. After hearing this  
16 evidence today, which I understand is the first time you are  
17 hearing about that, do you still hold that same belief?

18 **HON. ERIN O'TOOLE:** Yes, absolutely.  
19 Clearly, my focus during the campaign in 2021, and post, when  
20 we continued to work with the SITE Task Force, my concern  
21 primarily focussed on foreign interference coming from  
22 Beijing. I never really gave as much thought to the  
23 potential for Russian interference or other forms of  
24 interference, but that's what I think is a good thing about  
25 the mandate of this Inquiry is it can look broader than just  
26 the issue of China. Some of what I'm seeing now in the RRM  
27 reporting is equally concerning about Russia.

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



1 COMMISSIONER HOGUE: Thank you.

2 So we'll take 20 minutes break. So we'll  
3 come back at 11:35.

4 THE REGISTRAR: Order, please. À l'ordre,  
5 s'il vous plaît. The hearing is in recess until 11:45. La  
6 séance est en pause jusqu'à 11h45.

7 --- Upon recessing at 11:13 a.m./

8 --- La séance est suspendue à 11h13

9 --- Upon resuming at 11:43 a.m.

10 --- L'audience est reprise à 11 h 43

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

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

16 --- MR. ERIN O'TOOLE, Resumed

17 COMMISSIONER HOGUE: So next one is counsel  
18 for the Human Rights Coalition.

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

20 MS. HANNAH TAYLOR:

21 MS. HANNAH TAYLOR: Good morning, Mr.  
22 O'Toole.

23 HON. ERIN O'TOOLE: Good morning.

24 MS. HANNAH TAYLOR: You mentioned this  
25 morning that you had a sense that the Conservative Party's  
26 stronger positions on China were probably being tracked  
27 closely by the Chinese government prior to the 2021 election.  
28 You would agree that it's likely these stronger positions as

1 well as the Conservative Party's support of targeted diaspora  
2 communities such as the Falun Gong, Uyghur and Hong Kong  
3 communities in its 2021 platform, support of the Uyghur  
4 genocide motion and advocacy for the Foreign Influence  
5 Registry that likely made it a -- that likely made the Party  
6 a target of the Chinese government.

7 **HON. ERIN O'TOOLE:** Yes, that's correct.

8 **MS. HANNAH TAYLOR:** From your perspective,  
9 has your treatment by the Chinese government in the 2021  
10 election as well as the experiences of other politicians and  
11 leaders who've supported targeted communities created an  
12 environment in which other politicians, leaders and parties  
13 may feel they cannot take a stance against China without  
14 facing consequences?

15 **HON. ERIN O'TOOLE:** There is a risk of that  
16 chill, people not championing minority rights or human rights  
17 because of fear of interference or, you know, electoral  
18 challenge as a result. So I have more respect for people  
19 that do despite some of those risks.

20 **MS. HANNAH TAYLOR:** You mentioned this  
21 morning that the CSIS briefing you received in 2023 was  
22 helpful for understanding what was happening regarding  
23 foreign interference issues but that you would have  
24 appreciated getting the briefing a few years earlier.

25 Based on your interview summary, it's my  
26 understanding that you believe that if an intelligence agency  
27 develops a credible belief that a Party or candidate is the  
28 target of foreign interference then the agency should brief

1 the Party or candidate even if the threat posed by foreign  
2 interference is minimal. Is that correct?

3 HON. ERIN O'TOOLE: Yes. If they have some  
4 sort of a risk towards them or their family as a result of  
5 their public service and positions they're taking, I think if  
6 an agency of the federal government is aware of that, that  
7 Parliamentarian deserves to be notified and deserves support  
8 to make sure that risks are minimized or mitigated.

9 MS. HANNAH TAYLOR: And would you agree that  
10 members of targeted diaspora communities should be similarly  
11 briefed in a timely manner when an intelligence agency  
12 develops a credible belief that they or their family members  
13 are a target of foreign interference?

14 HON. ERIN O'TOOLE: Yes, I believe they  
15 deserve that same right.

16 MS. HANNAH TAYLOR: Thanks, Mr. O'Toole.

17 COMMISSIONER HOGUE: Thank you.

18 So government?

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

20 **MR. GREGORY TZEMENAKIS:**

21 MR. GREGORY TZEMENAKIS: Good morning, sir.

22 HON. ERIN O'TOOLE: Good morning.

23 MR. GREGORY TZEMENAKIS: My name is Gregory  
24 Tzemenakis. I'm counsel for the Attorney General of Canada  
25 and I just have some clarification questions.

26 So your evidence -- in your evidence this  
27 morning, you stated that the Conservative Party of Canada did  
28 not lose the general election in 2021 due to foreign

1 interference activities, but they may have lost somewhere  
2 between six to nine seats as a result of foreign interference  
3 activities; correct?

4 **HON. ERIN O'TOOLE:** That's correct.

5 **MR. GREGORY TZEMENAKIS:** And I also heard you  
6 to say, sir, that those seats may have also been impacted by  
7 other factors, such as the position taken by the party on  
8 motions in the House of Commons; possibly an understanding in  
9 relation to the party's platform, or a misunderstanding in  
10 relation to the party's platform; and positions taken in  
11 relation to vaccines and vaccine mandates. Is that a fair  
12 summary?

13 **HON. ERIN O'TOOLE:** All the issues that were  
14 germane in the '21 election would have applied to all those  
15 voters as well.

16 The modelling and the historic voting  
17 patterns of the Chinese-Canadian diaspora, in particular, is  
18 what helped formulate my opinion, but I've always said that  
19 seat range, up to nine, is my opinion, based on all these  
20 considerations.

21 **MR. GREGORY TZEMENAKIS:** Thank you.

22 I want to move to just a couple of questions  
23 on information flow and, in particular, from the party to the  
24 SITE Task Force.

25 So this morning -- and I'm going to start off  
26 with a general question, to make sure I understood exactly  
27 what you said this morning. I understood you to say that the  
28 foreign interference activities that the party was monitoring

1 were raised by your representatives to the SITE Task Force  
2 during the writ period in the 2021 election, is that right?

3 HON. ERIN O'TOOLE: No. I wouldn't use the  
4 term, "Monitoring"; we were not set up to monitor foreign  
5 interference in the 2021 election. What I did say on a few  
6 occasions was that we developed an informal dossier and  
7 started sharing examples that our field organizers, our  
8 candidates, and our party officials were seeing on an *ad hoc*  
9 basis, but the monitoring we thought was being done and was  
10 being done by RRM ---

11 MR. GREGORY TZEMENAKIS: So ---

12 HON. ERIN O'TOOLE: What we were doing was  
13 sharing kind of anecdotal reports to counter the sort of  
14 impression being left by SITE that there were no issues of  
15 concern. We were seeing issues of concern, and we were  
16 flagging them.

17 MR. GREGORY TZEMENAKIS: So I'm going to  
18 rephrase my question. The point that I'm trying to make is  
19 your evidence this morning was that there was sharing of  
20 information b the party to a SITE Task Force ---

21 HON. ERIN O'TOOLE: Yes.

22 MR. GREGORY TZEMENAKIS: --- during this  
23 period. And would it surprise you to learn that this may not  
24 actually have been done by the party during the writ period?

25 HON. ERIN O'TOOLE: Some of the sharing would  
26 have been verbal in meetings that we were seeing cases. Some  
27 of the evidentiary record, like photographs of the Foodmart  
28 and things like that, were shared afterwards, yes.

1                   **MR. GREGORY TZEMENAKIS:** To be fair, I expect  
2                   that the evidence that will come on Friday by the SITE Task  
3                   Force in 2021 will be that there were concerns shared, but  
4                   that they were only shared after the writ period and after  
5                   the election result. And so I want to give you the  
6                   opportunity to help us, if that accords with your  
7                   recollection or if your understanding -- you're still  
8                   confident in your position that some information was shared  
9                   during the writ period?

10                  **HON. ERIN O' TOOLE:** Our party was raising  
11                  instances of what we believed was FI. In terms of  
12                  evidentiary sharing, that happened after the election.

13                  I must specify that I was not directly  
14                  involved with the Task Force, my designates were, Mr. Soliman  
15                  and Ms. Michaud. From what I understand, in the tail end of  
16                  the campaign, we were raising reports from the ground that we  
17                  were hearing with respect to FI. We formalized those into  
18                  the dossier after.

19                  **MR. GREGORY TZEMENAKIS:** Thank you. And I  
20                  heard you to -- just coming back to the point of formalizing  
21                  those activities into the dossier, and you were taken earlier  
22                  -- we don't need to pull this up -- to CAN 6739, which was an  
23                  email from Ms. Michaud forwarding information to the SITE  
24                  Task Force for consideration. Do you recall that discussion  
25                  you had ---

26                  **HON. ERIN O' TOOLE:** Yes.

27                  **MR. GREGORY TZEMENAKIS:** --- with Commission  
28                  counsel? And did I understand correctly, sir, you to say

1       that you did not receive a response to that inquiry? And I'm  
2       just trying to understand, when you say, "You" is it you in  
3       your personal capacity as leader, or are you suggesting that  
4       the party did not receive a response to those inquiries?

5               **HON. ERIN O'TOOLE:** I did not receive a  
6       response, nor was I offered an opportunity to meet with the  
7       Task Force or the group of five. And I'm assuming that my  
8       chief of staff did not either, but she may have. I can't be  
9       certain of that.

10              **MR. GREGORY TZEMENAKIS:** To be fair, the  
11       evidence that will come a little bit later is that there was  
12       a verbal briefing given to both Mr. Soliman and Ms. Michaud  
13       on October 22<sup>nd</sup>, 2021 in response to the allegations. Does  
14       that date ring a bell?

15              **HON. ERIN O'TOOLE:** No. Because I think  
16       we've -- our recollection is that on several occasions when  
17       things were said, the National Security Advisor to the Prime  
18       Minister told a Parliamentary Committee that she had  
19       responded to Mr. Soliman, when she had not.

20              So I would love to see the evidentiary  
21       record, but my own experience was that our communication with  
22       the SITE Task Force was generally a one-way street.

23              And my concern when you use the term,  
24       "Monitoring" our monitoring from the election, we weren't set  
25       up to monitor the election for foreign interference, but the  
26       SITE Task Force was. And the sharing we did with the Task  
27       Force was, again, one way. We didn't get the rapid response  
28       mechanism reports; we didn't get what I'm seeing now in real

1 time during the campaign, and I think that's a fundamental  
2 failure of the system.

3 **MR. GREGORY TZEMENAKIS:** Let me just touch on  
4 that point. So your evidence today is that there was a  
5 failure in the system because the SITE Task Force or the  
6 panel of five should have made an announcement during the  
7 writ period, based on the alleged foreign interference  
8 activities that were being shared with them; is that fair?

9 **HON. ERIN O'TOOLE:** That's -- the protocol, I  
10 think, warranted some sort of warning to diaspora communities  
11 relying on WeChat, for example, yes. But as I said in my  
12 earlier testimony, when my designates in the first meeting  
13 regarding the '21 election were told that there were no  
14 problems with the 2019 election, and a year after the  
15 election I read that there were instances of problems in the  
16 2019 election; in my view, that should have been the starting  
17 point for the Task Force. We knew there were some problems  
18 in 2019. We're going to be more vigilant in '21 to make sure  
19 that the interference, whether it's significant or not, plays  
20 no role in any of the ridings in the country.

21 **MR. GREGORY TZEMENAKIS:** And did I understand  
22 correctly that as leader of the party you could have made a  
23 public announcement yourself, but after careful consideration  
24 you chose not to make an announcement, based on the foreign  
25 interference -- alleged foreign interference activities that  
26 were being brought to your attention?

27 **HON. ERIN O'TOOLE:** I did make that decision  
28 not to formally say anything because of what I perceived to



1 be negative ramifications of that. I also thought the system  
2 was working and if there was knowledge of the reports we were  
3 hearing that the protocol would indicate the need for some  
4 sort of warning.

5                   You know, looking back, I might have made a  
6 different decision if I'd been seeing the RRM reports on a  
7 daily basis.

8                   **MR. GREGORY TZEMENAKIS:** And the question  
9 that I have, sir, is when you say there was an alleged  
10 failure in the system, is that your -- when did you formulate  
11 that view? Did you formulate that view during the writ  
12 period, or did you formulate that view with the benefit of  
13 retrospection and further consideration looking back?

14                   **HON. ERIN O' TOOLE:** In the final week of the  
15 campaign, when some of our candidates and volunteers were  
16 very worried about the level of foreign interference and some  
17 of the narratives on WeChat, including narratives about me,  
18 that's when I determined that we were not prepared as a  
19 country for the level and methods of foreign interference.

20                   And I'll use an example. I don't believe our  
21 agencies have adequate line of sight into WeChat. There are  
22 two different platforms of WeChat; one for mainland China,  
23 one for the diaspora globally. If you monitor it as a  
24 foreign account, you may not get the same algorithmic flow  
25 that some other users get.

26                   Does CSE, do our intelligence agencies even  
27 know what's really happening here? I don't think they do.  
28 And what I do know is a lot of Canadians, hundreds of

1 thousands of Canadians, now rely on these channels. TikTok  
2 is now included in that. That wasn't as big of a concern in  
3 2021.

4 So I think that we have to make sure that  
5 we're giving our intelligence agencies the resources to  
6 properly monitor this, and if we don't have the ability to  
7 properly monitor, perhaps there should be some restrictions  
8 as we've been seeing with TikTok.

9 **MR. GREGORY TZEMENAKIS:** So I appreciate that  
10 my time is coming to an end. Thank you for that answer.

11 I have just one more question and it's about  
12 the public announcement. In hindsight, do you agree that an  
13 announcement by yourself as leader might have afforded an  
14 opportunity to address the concerns you discussed this  
15 morning regarding misinformation, whether it be in the riding  
16 of Mr. Chiu -- apologies, it's not my phone -- whether it be  
17 in the riding of Mr. Chui or in the ridings in the lower  
18 mainland or in the GTA?

19 **HON. ERIN O'TOOLE:** I regret that I didn't  
20 make a statement, because I do feel Mr. Chiu, Mr. Sirois, and  
21 a few other candidates, were exposed to a level of  
22 misinformation that I think was profoundly unfair.

23 I will say this. The Winnipeg lab  
24 experience, which I talked about earlier, is how the House of  
25 Commons wrapped up before the election. When we were  
26 bringing up valid public policy questions about potential  
27 espionage, potential partnerships with the Wuhan Virology  
28 Institute, the Prime Minister and the Government would

1 respond by saying, "Make sure you're not perpetuating anti-  
2 Asian hate or discrimination."

3 It was that inadvertent chill around any  
4 conversation of this that led me not to say anything publicly  
5 and why I'm in favour of an inquiry and mechanisms so that  
6 these decisions are taken out of the crucible of electoral  
7 politics and are administered and delivered by trusted sort  
8 of agencies and public officials so that the politics  
9 doesn't, you know, stop or prevent a message from getting to  
10 voters.

11 But it is a regret I have, that now that I  
12 see everything, I didn't err on the side of making the  
13 message, even if it was going to be construed as, you know,  
14 our attempts to save the campaign or whatever the political  
15 spin might have been. I regret not doing that for those  
16 candidates that ended up losing, I feel because of the level  
17 of foreign interference.

18 **MR. GREGORY TZEMENAKIS:** Thank you for your  
19 time, Mr. O'Toole.

20 **COMMISSIONER HOGUE:** Thank you.

21 **MR. GREGORY TZEMENAKIS:** Merci, Madam.

22 **COMMISSIONER HOGUE:** It's now for Mr.  
23 O'Toole's counsel. Mr. Jarmyn.

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

25 **MR. THOMAS JARMYN:**

26 **MR. THOMAS JARMYN:** Mr. O'Toole, I've just  
27 got one question. You finished off discussing with my friend  
28 the impact -- or that the chill was one of the reasons you

1 didn't make a statement. Were there any other reasons that  
2 factored into your choice not to make a statement with  
3 respect to the potential foreign interference?

4 **HON. ERIN O'TOOLE:** The strength of our  
5 institutions and our democracy is something that's very  
6 important to me, and the pandemic put a strain on a lot of  
7 public confidence in institutions and I was very much worried  
8 that if we were suggesting some seats were lost or that our  
9 electoral fortunes were being impacted by a foreign actor,  
10 that some people in the political realm would suggest I was  
11 following the approach of the United States and that the  
12 election was stolen and all these sorts of things. That's  
13 why I never mentioned it period while I was leader of the  
14 Party. We worked with the mechanisms, we worked with SITE,  
15 worked with Mr. Johnston. And why I'm so hopeful that this  
16 Inquiry can take a proper look at this, so that it doesn't  
17 become politicized and that we can start restoring our trust  
18 in some of these institutions. That's part of the reason I  
19 was so cautious, but also part of the reason why I'm so  
20 hopeful that this Inquiry really makes some strong  
21 recommendations on how we can safeguard things going forward.

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

23 Thank you, Commissioner.

24 **COMMISSIONER HOGUE:** Thank you.

25 Any re-examination, Maître Rodriguez?

26 **--- RE-EXAMINATION BY/RÉ-INTERROGATOIRE PAR**

27 **MS. NATALIA RODRIGUEZ:**

28 **MS. NATALIA RODRIGUEZ:** Just very briefly.

1                   Mr. O'Toole, I just want to clarify some of  
2 the evidence that you gave in cross-examination in response  
3 to my friend the counsel for the Attorney General's  
4 questions.

5                   I just wanted to understand your evidence.  
6 Is it your evidence that you passed on concerns about what  
7 you were seeing on the ground during the writ period to your  
8 SITE designates? Is that accurate?

9                   **HON. ERIN O' TOOLE:** There was -- as we were  
10 seeing instances and hearing reports on the ground from the  
11 campaign, kind of our central campaign team was talking about  
12 it: myself, my chief of staff, the national campaign manager.  
13 And the national campaign chair, Mr. Soliman, was also my  
14 SITE designate, as was Ms. Michaud. So it was these  
15 discussions that I believe Mr. Soliman took to the Taskforce  
16 meetings.

17                   I was very proud of the professionalism and  
18 approach of our team, so I have full trust that they would  
19 raise these issues as the SITE process went on.

20                   The dossier we talked about was after the  
21 campaign, we still had a window when the Government was still  
22 in caretaker mode, where we were wanting them to look at  
23 things that I don't think they looked at during the writ. We  
24 never mentioned publicly that this was going on, but that was  
25 still being conducted by largely those four people, with data  
26 people and modeling people providing input as well.

27                   **MS. NATALIA RODRIGUEZ:** Did you ask either  
28 one of them to pass on those concerns to site? Or was it

1 simply your expectation that they would do so?

2 **HON. ERIN O'TOOLE:** It was my expectation  
3 from the commentary and what we were hearing and discussing  
4 on the ground.

5 **MS. NATALIA RODRIGUEZ:** And did you receive  
6 any information from them that they had in fact passed  
7 information on to SITE during that time?

8 **HON. ERIN O'TOOLE:** It was only after the  
9 fact, after I was leader, when some of the media reports were  
10 coming out in the Globe and Mail, that I said we were  
11 flagging these issues and was told, yes, we had been.

12 **MS. NATALIA RODRIGUEZ:** And so to your  
13 knowledge though, were those concerns in fact passed on to  
14 SITE?

15 **HON. ERIN O'TOOLE:** I certainly know when we  
16 prepared the dossier, we provided evidence of the WeChat,  
17 evidence of some of the other instances of foreign  
18 interference. But I don't know which ones were communicated  
19 verbally during the writ itself. That'd be a question for  
20 Mr. Soliman.

21 **MS. NATALIA RODRIGUEZ:** Okay. Thank you very  
22 much.

23 **COMMISSIONER HOGUE:** Just I have one question  
24 for you. Can you tell me if, at the best of your knowledge  
25 for sure, the terms of the Critical Election Incident Public  
26 Protocol were discussed with the various political parties  
27 before they'd be drafted and implemented?

28 **HON. ERIN O'TOOLE:** No, not with me. They

1 may have been in 2019, but I wasn't part of that election  
2 team. But there was no discussion of the protocol when I was  
3 leader.

4 **COMMISSIONER HOGUE:** And have you been  
5 consulted, when I say you, I mean your Party, have been  
6 consulted about the composition of the panel of five?

7 **HON. ERIN O'TOOLE:** No, we were not.

8 **COMMISSIONER HOGUE:** Thank you. Thank you  
9 very much for your time.

10 **HON. ERIN O'TOOLE:** Thank you.

11 **COMMISSIONER HOGUE:** And you're free to go,  
12 or to stay if you wish.

13 **HON. ERIN O'TOOLE:** Thank you very much.

14 **COMMISSIONER HOGUE:** So do we have to break  
15 for a few minutes for the five minutes? Just the time to  
16 have the next witness with us.

17 **THE REGISTRAR:** Order. The sitting will take  
18 a recess for five minutes. La séance est en pause pour cinq  
19 minutes.

20 --- Upon recessing at 12:05 p.m./

21 --- La séance est suspendue à 12 h 05

22 --- Upon resuming at 12:17 p.m./

23 --- La séance est reprise à 12h17

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

26 This sitting of the Foreign Interference  
27 Commission is back in session. Cette séance de la Commission  
28 sur l'ingérence étrangère a reprise.

MR. KENNY CHIU: (Off mic)

MR. KENNY CHIU: My name, it's Kenny Chiu,  
C-H-I-U.

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

**MR. MATTHEW FERGUSON:** Good day, Mr. Chiu.

MR. KENNY CHIU: Hello.

**MR. MATTHEW FERGUSON:** You were interviewed by Commission Counsel in person on February 26, 2024, and again on March 5th, 2024, via video link. Do you remember that?

MR. KENNY CHIU: Yes.

**MR. MATTHEW FERGUSON:** A summary of that interview was prepared.

And Mr. Court Operator, I'll call that document. It is WIT 14.

--- EXHIBIT No./PIÈCE No. WIT 14.EN:

## Stage 1 Interview Summary: Kenny Chiu

--- EXHIBIT No./PIÈCE No. WIT 14.FR:



Résumé d'entrevue de l'étape 1 :

Kenny Chiu

**MR. MATTHEW FERGUSON:** Now, I've called the document on the screen. Mr. Chiu, have you reviewed this document, which is the interview summary, for accuracy?

**MR. KENNY CHIU:** Yes, I have.

**MR. MATTHEW FERGUSON:** Okay. have you had an opportunity to make corrections or changes to the summary?

**MR. KENNY CHIU:** Yes, I have.

**MR. MATTHEW FERGUSON:** Okay. Are there any amendments or changes you would like to make at this time?

**MR. KENNY CHIU:** No.

**MR. MATTHEW FERGUSON:** And do you adopt this interview summary as part of your evidence here today?

**MR. KENNY CHIU:** Yes.

**MR. MATTHEW FERGUSON:** I'll now enter the witness summary into evidence, as well as WIT 14.FR, which is the French translation of the summary.

I'll now call another document on the screen, which is CAN.DOC 24, C-A-N-D-O-C 2-4.

**--- EXHIBIT No./PIÈCE No. CAN.DOC 24:**

Summary information on briefing to

Kenny Chiu

**MR. MATTHEW FERGUSON:** Now, Mr. Chiu, I understand that you received a briefing from CSIS on September 18, 2023?

**MR. KENNY CHIU:** That is correct.

**MR. MATTHEW FERGUSON:** Okay. At the request

1 of the Commission, the Government of Canada has produced a  
2 summary of that briefing in a format suitable for public  
3 disclosure. We will be reviewing parts of that summary  
4 today. In accordance with the Commission's obligations to  
5 prevent the disclosure of information protected by national  
6 security confidentiality, I will ask -- I will not ask  
7 questions intended to elicit information that remains  
8 classified. I understand that you may not be able to answer  
9 aspects of my questions. Please simply indicate that that's  
10 the case where you cannot answer for this reason, and I will  
11 move on.

12 In this particular case, have you reviewed  
13 this document?

14 **MR. KENNY CHIU:** Yes, I have.

15 **MR. MATTHEW FERGUSON:** Do you accept -- I  
16 understand you also accepted that the document be  
17 declassified and your witness -- your names -- your name be  
18 mentioned in the summary.

19 **MR. KENNY CHIU:** That is correct.

20 **MR. MATTHEW FERGUSON:** Okay. And without  
21 getting into specifics of the briefing you received, does the  
22 document provide an accurate general description of that  
23 briefing?

24 **MR. KENNY CHIU:** Yes.

25 **MR. MATTHEW FERGUSON:** Then I will enter this  
26 as well into evidence.

27 Now, Mr. Chiu, you are the former MP for  
28 Steveston East Richmond?

1                   **MR. KENNY CHIU:** Steveston-Richmond East.

2                   **MR. MATTHEW FERGUSON:** I was going to ask you  
3 to correct me if I got that wrong. So it's Steveston East  
4 Richmond.

5                   **MR. KENNY CHIU:** Steveston-Richmond East.

6                   **MR. MATTHEW FERGUSON:** Richmond East. Okay,  
7 I'm going to make a note of that, not just a mental note.  
8 Thank you.

9                   From 2019 to 2021?

10                  **MR. KENNY CHIU:** Correct.

11                  **MR. MATTHEW FERGUSON:** You were born in Hong  
12 Kong and raised there as well?

13                  **MR. KENNY CHIU:** Correct.

14                  **MR. MATTHEW FERGUSON:** You immigrated to  
15 Canada in 1982 to complete Grade 12 as an international  
16 students in Winnipeg?

17                  **MR. KENNY CHIU:** Correct.

18                  **MR. MATTHEW FERGUSON:** You are fluent in  
19 Cantonese, English and Mandarin?

20                  **MR. KENNY CHIU:** Yes.

21                  **MR. MATTHEW FERGUSON:** And you hold a  
22 Bachelor of Science from the University of Saskatchewan.

23                  **MR. KENNY CHIU:** Correct.

24                  **MR. MATTHEW FERGUSON:** You then returned to  
25 Hong Kong after university and -- after university, and you  
26 came back to Canada with your parents in 1989.

27                  **MR. KENNY CHIU:** Correct.

28                  **MR. MATTHEW FERGUSON:** Can you briefly

1 summarise how, if we look at how you got into politics now.  
2 I understand that at some point in time you became a  
3 schoolboard trustee in Richmond.

4 **MR. KENNY CHIU:** June 4th Tiananmen Square  
5 massacre in 1989 was the watershed moment for myself. That  
6 is when I have decided that I'm not going to be one of those  
7 Canadians who take advantage of Canada, while, after becoming  
8 a citizen, continue to make better income by staying behind.  
9 I have decided at that moment, '89, before I became the --  
10 landed immigrant, to be a full-fledged Canadian citizen. And  
11 that's when I started my journey in Canada.

12 So when I came to Canada, I pay very close  
13 attention to what happens, particularly to the national  
14 political situation. I have had a very high regard of  
15 Canada's political system, be it a democracy, and so I pay  
16 very close attention to what's transpired, the discussion of  
17 the Charlottetown Accord, Meech Lake Accord.

18 And then later on, when I -- on the day of  
19 wedding, I was actually in Hong Kong doing the banquet  
20 circuits, and -- but it was exactly the time when Quebecers  
21 were deciding whether to leave Canada, the referendum. And  
22 so I was so concerned that I actually have my colleague back  
23 then in Richmond send me in an email, email was actually  
24 quite, you know, not as popular as then, to let me know  
25 whether I have a country to come back to. So that's the  
26 level of concern that I have for Canada.

27 And when my wife and I had a family and then  
28 the -- they enter into the public school system, we decided

1 that rather than sitting on the side, be a spectator, we  
2 decided to move forward and be a contributor. And so I put  
3 my name forward to be a Richmond Schoolboard trustee, and in  
4 2011, I was elected one.

5 **MR. MATTHEW FERGUSON:** Okay. And you also, I  
6 understand, have -- were a frequent commentator on Chinese  
7 language TV and radio throughout the 2000s, giving a  
8 conservative perspective on Mandarin and Cantonese language -  
9 --

10 **MR. KENNY CHIU:** Yes.

11 **MR. MATTHEW FERGUSON:** --- TV and radio.

12 **MR. KENNY CHIU:** That is correct. And coming  
13 from Saskatchewan, when I was living in Hong Kong, I became  
14 very critical of the lack of welfare system. So I was a bit  
15 of a Hong Kong socialist. But then when I came to Canada, I  
16 realised the tax burden, on the middle class especially, had  
17 mandated me to be a more right of centre person. So I have  
18 decided then that I would support a right of centre political  
19 thinking and party and philosophy, and at that time, I choose  
20 that path, yeah.

21 **MR. MATTHEW FERGUSON:** Okay. And you then --  
22 after your tenure as the -- as schoolboard trustee, you ran  
23 as a Conservative in Steveston-Richmond East ---

24 **MR. KENNY CHIU:** Yes.

25 **MR. MATTHEW FERGUSON:** --- in 2015, and at  
26 that time you lost to the Liberal candidate. Is that  
27 correct?

28 **MR. KENNY CHIU:** That is correct. I lost to

1 Mr. Joe Peschisolido. He was originally a Conservative MP  
2 under Canadian Alliance. He changed to the Liberal caucus in  
3 2002. I was the -- one -- I was one of them, the campaign  
4 team that helped him get elected in year 2000. So it was a  
5 yes to versus Peschisolido campaign in 2015.

6 **MR. MATTHEW FERGUSON:** Okay. And you had a  
7 rematch in 2019; is that correct?

8 **MR. KENNY CHIU:** That is correct.

9 **MR. MATTHEW FERGUSON:** Okay. And you ran  
10 again in Steveston-Richmond East, and this time you took the  
11 seat. You were elected MP.

12 **MR. KENNY CHIU:** Correct.

13 **MR. MATTHEW FERGUSON:** Now, Steveston-  
14 Richmond East I understand is a riding with a large  
15 concentration of Chinese Canadians which make up roughly 50  
16 percent of the electoral district. Is that correct?

17 **MR. KENNY CHIU:** That's what I found, too,  
18 yes.

19 **MR. MATTHEW FERGUSON:** Okay. Now, if we just  
20 touch on the 2019 campaign, what I'd like to get to focus  
21 more with you is the 2021 election campaign. But so we could  
22 have maybe a point of reference or perspective of the  
23 differences with 2021, can you briefly describe how that  
24 campaign was run in 2019?

25 **MR. KENNY CHIU:** It was a little bit  
26 different from 2015. In 2015, much like my 2011 school board  
27 trustee campaign, around me I have many supporters and  
28 friends who would come to help me campaign. I remember being

1 invited after I was elected as a school board trustee to a  
2 Canadian Association or Alliance of Canadian Associations  
3 gathering.

4 **MR. MATTHEW FERGUSON:** Is that the acronym  
5 CACA that we see in your witness statement?

6 **MR. KENNY CHIU:** I believe so, yes.

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

8 **MR. KENNY CHIU:** And in attendance are all  
9 the ethnic Chinese elected officials, mostly our school  
10 boards and city councillors. And they presented me a plaque  
11 which I'm still keeping. And that was 2011.

12 In 2015, I noticed that a few of them has  
13 faded off, but by and large they're still very supporting.  
14 Through their connection, I was able to rent a campaign  
15 office, for example. But that has dramatically changed in  
16 2019.

17 I noticed that not too many of them had come  
18 out in support of me any more. They would try not to be, you  
19 know, seen as with me campaigning, going door knocking,  
20 volunteering services, et cetera. I attribute that to my  
21 commentary with media such as Radio Free Asia in support of a  
22 more open situation in Hong Kong, but I didn't pay too much  
23 attention to it. And that was 2019.

24 **MR. MATTHEW FERGUSON:** And in 2019, were you  
25 talking about issues as related to the People's Republic of  
26 China?

27 I understand there was the Hong Kong ---

28 **MR. KENNY CHIU:** Yeah.

1                   **MR. MATTHEW FERGUSON:** --- anti-extradition  
2 law protest in 2019 as well.

3                   **MR. KENNY CHIU:** Yeah.

4                   **MR. MATTHEW FERGUSON:** Were you addressing  
5 those things on the campaign trail?

6                   **MR. KENNY CHIU:** No. It was intentional. We  
7 are running a Canadian election in Canada in October 2019 and  
8 it is not -- it's not -- the Chinese Communist Party, it's  
9 not one of the parties that is running in Canadian election,  
10 so I deliberately control myself to not to comment in  
11 something that has happened in Hong Kong in 2019.

12                   Even though there is a lot of pressure coming  
13 from constituents of Chinese Hong Kong background advocating  
14 and, you know, asking me to take a public stand, I decided  
15 not to so, therefore, throughout the entire campaign, you  
16 would not find any commentary that are proactively giving out  
17 from me.

18                   **MR. MATTHEW FERGUSON:** And what about your  
19 access to the local media in Richmond or the Greater  
20 Vancouver Area during the 2019 election campaign?

21                   **MR. KENNY CHIU:** Unless they ask me for my  
22 position and comment, I would honestly provide them, but  
23 otherwise, I would not proactively -- Canada has ---

24                   **MR. MATTHEW FERGUSON:** Sorry. Perhaps my  
25 question wasn't clear.

26                   I'm not just speaking about China-related  
27 issues, but what was your access like -- what was your access  
28 like to the local media in Greater Vancouver Area in the 2019



1 year just at large?

2 **MR. KENNY CHIU:** It's pretty good, especially  
3 I've, you know, developed a little bit of a rapport with the  
4 local media, Richmond News, and also many of the Chinese  
5 media, printed media, for example. They are still -- they  
6 are aware of me and where I stand, so yes, I have a good  
7 relationship with them.

8 **MR. MATTHEW FERGUSON:** So after -- as of  
9 October 2019, you were elected to the House of Commons. Do  
10 you remember the first thing you did after you were elected  
11 to the House of Commons?

12 **MR. KENNY CHIU:** I received an invitation --  
13 again, I'm -- Madam Commissioner, I'm a very opinionated  
14 person and so I have my ---

15 **MR. MATTHEW FERGUSON:** As a politician?

16 **MR. KENNY CHIU:** View on what happened and  
17 what is the problem with Hong Kong. From my perspective,  
18 it's because the government there was trying to resolve a  
19 political problem using police brute force and not a  
20 political solution. And that's why I had taken up the  
21 invitation to join in international election observation  
22 mission in Hong Kong because there is -- there was a  
23 municipal election. It's called a district council election  
24 in Hong Kong.

25 And in my view, the open and fair election  
26 conducted there would have been a great testimony how they  
27 can pacify, how can they resolve many of the political  
28 problems.

1                   **MR. MATTHEW FERGUSON:** And in Hong Kong at  
2 the time, there was the protests, the demonstrations that  
3 were occurring in relation to the anti-extradition laws. Is  
4 that correct?

5                   **MR. KENNY CHIU:** Yes. It's -- it entered  
6 into a vicious cycle to the point that, you know, Molotov  
7 cocktails were being used against police, you know, against  
8 the police brutality, so yeah.

9                   **MR. MATTHEW FERGUSON:** And when you came back  
10 to Canada after that trip, did you receive any feedback from  
11 your constituents with regard to your trip to Hong Kong?

12                   **MR. KENNY CHIU:** Yes, I have.

13                   I have volunteers, you know, only a month,  
14 month and a half ago in my campaign telling me that they will  
15 not volunteer for me in the next campaign. They will not  
16 even vote for me. Whether they will vote for me or not, they  
17 will have to have a deep thought about that.

18                   It was because they believe, in their view,  
19 that I was in support of rioters in Hong Kong.

20                   **MR. MATTHEW FERGUSON:** When you use the term  
21 "rioters", is that your term or is it the term that someone  
22 else is using to describe the people that were demonstrating  
23 to ---

24                   **MR. KENNY CHIU:** I do not agree with that  
25 term. That term is used by those who are pro Hong Kong  
26 government, pro China seeing what happened in Hong Kong,  
27 especially toward the later part of the protest. Yes, that's  
28 the term that they have used.

1                   **MR. MATTHEW FERGUSON:** Okay. And moving on  
2 to some of your work in the House of Commons during the 43rd  
3 Parliament, obviously there was the COVID-19 pandemic that  
4 struck in March of 2000 (sic) but when things got up and  
5 running again, I understand that at some point you became  
6 involved in the subcommittee on International Human Rights of  
7 the Standing Committee on Foreign Affairs and International  
8 Development.

9                   **MR. KENNY CHIU:** Correct.

10                  **MR. MATTHEW FERGUSON:** Okay. Can you speak  
11 to your time on that subcommittee?

12                  **MR. KENNY CHIU:** Mr. O'Toole, the then  
13 Conservative leader, appointed me after he became a leader.  
14 And when I joined the subcommittee of International Human  
15 Rights, it had already completed a thorough study, and the  
16 study lasted over a year and a half. And they were ready to  
17 publish a report on how the Uyghur Muslim has been treated in  
18 Xinjiang.

19                  And so I joined them at that moment and they  
20 then released the report to the House of Commons to, I think,  
21 Foreign Affairs Committee and committee tabled that to the  
22 House of Commons. Yeah. And that's the background of it,  
23 yeah.

24                  We also study many other human rights issues,  
25 of course, as that's the committee's mandate.

26                  **MR. MATTHEW FERGUSON:** It wasn't just focused  
27 on China.

28                  **MR. KENNY CHIU:** No.

1                   **MR. MATTHEW FERGUSON:** Okay. And on March  
2 27, 2021, the People's Republic of China sanctioned Mr.  
3 Michael Chong individually and the subcommittee generally.  
4 As a member of the subcommittee, what did you take that to  
5 mean, that you were sanctioned as a member of the  
6 subcommittee?

7                   **MR. KENNY CHIU:** I guess understandably that  
8 is a very confusing signal because sanctions -- international  
9 sanctions are very seldomly applied to a Parliamentary  
10 committee. And I remember there were committee members who  
11 actually stepped down officially as a community member, only  
12 to be replaced by somebody else, but in all future committee  
13 meetings, he would actually attend as a substitute of that  
14 substitute. My reading of that is this is how fearful people  
15 are. These are Canadian parliamentarian of the Chinese  
16 sanction. And coming from Hong Kong and understanding the  
17 Chinese Communist Parties, People Republic of China, I do  
18 understand where they're coming from.

19                   **MR. MATTHEW FERGUSON:** And did you take that  
20 to mean as -- did you take that to mean that you could not  
21 return or travel to China?

22                   **MR. KENNY CHIU:** Only the Chinese state would  
23 be able to answer your question in black and white.

24                   **MR. MATTHEW FERGUSON:** But did you take that  
25 to mean that you couldn't?

26                   **MR. KENNY CHIU:** I -- yes. I -- that's how I  
27 interpret it, yes.

28                   **MR. MATTHEW FERGUSON:** I'd like to move on to

1 a piece of legislation that you tabled during the 43<sup>rd</sup>  
2 Parliament. Bill C282, an Act to establish the Foreign  
3 Influence Registry, that is at -- I'll call the doc ID KCH  
4 finishing with 69.

5 **--- EXHIBIT No./PIÈCE No. KCH 69:**

6 Bill C-282 An Act to establish a  
7 Foreign Intfluence Registry

8 **MR. MATTHEW FERGUSON:** And we could just  
9 scroll through the document. So this is Bill C282 -- excuse  
10 me, just go back to the first page. An Act to establish the  
11 Foreign Influence Registry, the first reading on April 13,  
12 2021. And we can go now to the next page. Okay, the next  
13 page. Right. Thank you.

14 Now, Mr. Chiu, I understand that this was a  
15 private member's bill that you tabled in the House of Commons  
16 in April of 2021?

17 **MR. KENNY CHIU:** Correct.

18 **MR. MATTHEW FERGUSON:** Okay. Can you speak a  
19 bit about this bill. What was it -- what was it designed to  
20 do? What was the purpose of this particular bill?

21 **MR. KENNY CHIU:** This is actually the result  
22 of a year-and-a-half study of my staff and myself. I believe  
23 Canada needs transparency into foreign influencers ---

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

25 **MR. KENNY CHIU:** --- and to protect our  
26 interest. So at first we were modelling a legislative  
27 proposal under the U.S. FARA Scheme, but we noticed that, you  
28 know, countries such as the Chinese Communist Party

1 controlled China, and also the general public in Canada has a  
2 innate anti-Americanism built in. So we decided not to do  
3 that. Besides the FARA Scheme perhaps is too thorough as a  
4 lowest hanging fruit to deploy, so we decided to model,  
5 switch ourselves and model after the Australian model  
6 instead. In Australian, it's called the Foreign Influence  
7 Transparency Scheme. And that's how we model what we propose  
8 eventually after.

9 **MR. MATTHEW FERGUSON:** Okay. And what was  
10 your particular goal or -- in bringing this bill?

11 **MR. KENNY CHIU:** My observation, you know,  
12 having lived in Canada for several decades, is that there  
13 have been a lot of shadowy activities happening under table.  
14 And there has also been signs that I read that are increasing  
15 foreign influence in our country. I do not want to deny  
16 people's rights to carry out those political activity, mostly  
17 our political lobbying. So that's why I think, you know, the  
18 best would be -- some light would be the best disinfectant,  
19 so, you know, keep on doing what you do, just as long as you  
20 disclose it, then it's all fine.

21 **MR. MATTHEW FERGUSON:** So your bill wasn't  
22 designed to prohibit lobbying ---

23 **MR. KENNY CHIU:** No.

24 **MR. MATTHEW FERGUSON:** --- on behalf of  
25 foreign governments ---

26 **MR. KENNY CHIU:** Of course, I would not want  
27 to do that.

28 **MR. MATTHEW FERGUSON:** Okay. And did your --

1 does the bill mention any specific countries?

2 **MR. KENNY CHIU:** No, it was by design not to  
3 mention any specific country, to remove politics from the  
4 whole thing. I have to sign the bill to let the Privy  
5 Counsel officers and also the bureaucrats, basically, to  
6 define which countries that Canada are subjected to foreign  
7 interference and the foreign influence; and, therefore,  
8 mandate, you know, in that appendix the list of countries  
9 that would -- they would add those name to it and it would  
10 enforce the law against them.

11 **MR. MATTHEW FERGUSON:** Okay. And does your  
12 bill make any reference or employ the terms foreign --  
13 hostile foreign state?

14 **MR. KENNY CHIU:** I don't remember that we  
15 have.

16 **MR. MATTHEW FERGUSON:** Okay. And I  
17 understand you brought this bill as a private member's bill?

18 **MR. KENNY CHIU:** Right.

19 **MR. MATTHEW FERGUSON:** And I understand when  
20 you brought this bill your party was not the governing party?

21 **MR. KENNY CHIU:** Correct.

22 **MR. MATTHEW FERGUSON:** Okay. Did you have  
23 the support of your party's caucus?

24 **MR. KENNY CHIU:** Yes.

25 **MR. MATTHEW FERGUSON:** Okay. And what  
26 happened with this bill? It was tabled in April of 2021, and  
27 went to first reading. What happened after that?

28 **MR. KENNY CHIU:** The dissolution of the 43<sup>rd</sup>

1 Parliament pretty much puts an end to it.

2 **MR. MATTHEW FERGUSON:** With respect to this  
3 particular bill, did you solicit the views of your  
4 constituents before or after you presented it?

5 **MR. KENNY CHIU:** It was the first reading, so  
6 the initial proposal no, but I actually have a press  
7 conference, a virtual press conference called when I tabled  
8 that, and there have been very few feedback coming from, you  
9 know, constituents on that.

10 **MR. MATTHEW FERGUSON:** Okay. Now if I move  
11 to the 2021 general election, the writs of election were  
12 dropped on August 15, 2021. And can you talk to us about  
13 getting your campaign up and running and the experiences that  
14 you encountered during that campaign in 2021?

15 **MR. KENNY CHIU:** Well, it was during the  
16 pandemic.

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

18 **MR. KENNY CHIU:** And I remember it was just  
19 months before that, before the Parliament rises or arose, we  
20 started the discussion and the trying to find facts -- fact  
21 finding on the Winnipeg National Microbiology Lab, what  
22 happened, under what circumstances the scientists were  
23 dismissed, their security clearance removed. And there were  
24 a lot of talk about anti-Asian racism even coming from the  
25 government MPs and even the Prime Ministers in response to  
26 our questioning. And as I explained to you, Madam  
27 Commissioner, I have a very high regard of Canada's democracy  
28 and it was a very disillusion moment when I see that the



1 Parliament of Canada had asked four times for documents for  
2 the National Microbiology Lab situations and the government  
3 keep on ignoring it and even took the Parliament represented  
4 by the speaker to court. And then when that didn't work, the  
5 government decided -- or the governing party decided to pull  
6 the plug and call an election on that in the midst of a  
7 COVID-19 pandemic that we were suffering. So it was a very  
8 chaotic moment. It was also a very polarized moment. People  
9 -- you know, there have been supportive of a mandate, you  
10 know, against mandates, masking and all that.

11 **MR. MATTHEW FERGUSON:** Okay. And when the --  
12 so if I go directly to the result and then we can maybe ---

13 **MR. KENNY CHIU:** Sure.

14 **MR. MATTHEW FERGUSON:** --- move back from  
15 there, you ran for re-election in Steveston-Richmond East and  
16 lost to the Liberal candidate by a margin of almost nine per  
17 cent.

18 **MR. KENNY CHIU:** Yes.

19 **MR. MATTHEW FERGUSON:** Obviously, you lived  
20 through that campaign and have had time to reflect and  
21 conduct a postmortem on the campaign loss.

22 **MR. KENNY CHIU:** Yeah.

23 **MR. MATTHEW FERGUSON:** Can you speak to what  
24 you believe are the factors that led you -- or led you losing  
25 your seat by a 9 per cent margin only 23 months after you  
26 were elected?

27 **MR. KENNY CHIU:** It was surreal. But when we  
28 looked at the voter turnout rate and also in light of some of

1 the misinformation that has been grounding many of the  
2 constituents, we understand what happened a little bit  
3 better. The voter turnout rate in Steveston-Richmond East in  
4 the past three elections has been continuously dropping; from  
5 2015's 60.25 percent to 2019's 56.94 percent, to 2021's 52.77  
6 percent. In other words, over 3,000 eligible voters did not  
7 vote in 2021 when they had voted just a mere 23 months ago.

8 And my opponent garnered -- the number of  
9 votes that he garnered was actually lower than the vote that  
10 I had in the 2015 election.

11 **MR. MATTHEW FERGUSON:** The 2015 election  
12 which you lost?

13 **MR. KENNY CHIU:** Yes, that's right.

14 **MR. MATTHEW FERGUSON:** Right.

15 **MR. KENNY CHIU:** But I had 16,630.

16 **MR. MATTHEW FERGUSON:** Okay. So what you're  
17 saying is you had a higher vote count in 2015 during an  
18 election loss than your opponent had in 2021 for an election  
19 victory?

20 **MR. KENNY CHIU:** Correct.

21 **MR. MATTHEW FERGUSON:** Okay.

22 **MR. KENNY CHIU:** It was very unusual and  
23 surreal, but, you know, given the polarized opinions in  
24 China, Hong Kong, the Covid-19 pandemic and all that, and  
25 also with my experience, my observation of China getting  
26 involved, I wasn't surprised.

27 My staff, however, they were. My English-  
28 speaking staff, ---

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

2                   **MR. KENNY CHIU:** --- campaign staff. They  
3 were shocked.

4                   **MR. MATTHEW FERGUSON:** And obviously we'll be  
5 talking about the misinformation and disinformation, the  
6 false allegations that were spreading on social media.

7                   I will tender, at this time, I'll call up  
8 documents -- well I'll tender at this time, KCH1 through 27.

9                   **--- EXHIBIT No./PIÈCE No. KCH 1-27:**

10                                 Chat screenshots: Current Events  
11                                 Discussion. News Coverage. (24/7)

12                   **MR. MATTHEW FERGUSON:** And we'll go through  
13 some of those. Those are essentially messages that you've  
14 provided to -- or screenshots of messages you've provided to  
15 the Commission.

16                   And just for everyone's reference, there is a  
17 document that translates much of these -- or all of these  
18 Chinese language texts, and it's KCH 70.

19                   **--- EXHIBIT No./PIÈCE No. KCH 70:**

20                                 Translation of KCH 1-27

21                   **MR. MATTHEW FERGUSON:** So if we go to KCH1 to  
22 start with? And can we just scroll -- maybe zoom out a  
23 little bit so we can have a bigger -- okay.

24                   And Mr. Chiu, obviously you've provided these  
25 to the Commission. Can you -- I understand that these are  
26 dated -- or there's no date on them, but you've indicated  
27 that it was around September 3<sup>rd</sup> or September 5<sup>th</sup> that these  
28 messages were captured?

1                   **MR. KENNY CHIU:** Correct.

2                   **MR. MATTHEW FERGUSON:** Okay. Now, if I look  
3 at the first message -- and I won't impress anyone with my  
4 Chinese reading skills. I'm referring to the translations at  
5 KCH70. But that first message at top, it says -- it  
6 translates to:

7                                "It would be so ironic if the Chinese  
8                                elect an anti-Chinese political  
9                                party, wouldn't it?"

10                   And then it goes on to say, the next message,  
11 at -- by the individual Anthony -- no, just the next message:

12                                "Conservative Party- anti-Chinese [...]  
13                                anti-China, a garbage political party  
14                                that discriminates against the  
15                                Chinese!!!"

16                   When did you first start -- when did you or  
17 your campaign staff first notice these messages circulating  
18 on Chinese language social media?

19                   **MR. KENNY CHIU:** At the beginning of  
20 September. That's when I started receiving screenshots such  
21 as this.

22                                Understandably, of course, I would not be  
23 privileged to be on the receiving end directly of these  
24 messages. I'm not members of these chat rooms and groups.  
25 So there's zero opportunity for me to counter, and disprove,  
26 and argue.

27                                I think that is by design, of course.

28                   **MR. MATTHEW FERGUSON:** What do you mean by

1       you think it's by design?

2                   **MR. KENNY CHIU:** Well I don't believe, you  
3       know, people who would like me to present them evidence why  
4       we are not, and why I believe there has been a lot of  
5       disinformation being used against my Party leader then, Mr.  
6       O'Toole, like, the Conservative Party, and also myself. So,  
7       you know, if they give me a chance because I read the  
8       language, I speak the language, I would be very effective in  
9       countering this disinformation.

10                  **MR. MATTHEW FERGUSON:** Okay. So you had no  
11       line of sight into these chat groups?

12                  **MR. KENNY CHIU:** Correct. And what I have  
13       provided to the Commission, it's only a sample that has been  
14       reported to me ---

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

16                  **MR. KENNY CHIU:** --- by my campaign  
17       volunteers, who happen to be also ethnic Chinese and were in  
18       this group.

19                  **MR. MATTHEW FERGUSON:** Right. So it's beyond  
20       the messages that -- the one to 27? There's many more  
21       messages and this is just ---

22                  **MR. KENNY CHIU:** That's right.

23                  **MR. MATTHEW FERGUSON:** --- a sampling?

24                  **MR. KENNY CHIU:** Yes.

25                  **MR. MATTHEW FERGUSON:** Okay. If I continue  
26       on to KCH4?

27                               And at KCH4, the first message at the top,  
28       and in the lighter text at 7:47 p.m. reads:

1 "What matters is [that] O'Toole  
2 (vomiting) from Conservative Party is  
3 just Trump's follower. Putting him  
4 in power is detrimental to Chinese  
5 Canadians and to the country's long-  
6 term interests."

7 Is that correct?

8 **MR. KENNY CHIU:** Yes. That's approximately  
9 correct for the translation.

10 **MR. MATTHEW FERGUSON:** Okay. And it goes --  
11 if I go on to KCH18? I'm sorry, KCH11. And this text -- if  
12 we just scroll out a little bit?

13 And it indicates near the top, "It is too  
14 ironic..." And part of the text -- an excerpt of the text I'm  
15 reading is:

16 "It is too ironic that in the federal  
17 election, the Chinese vote for an  
18 anti-Chinese Party (Conservative  
19 Party), which is unacceptable to me  
20 personally. China is the motherland  
21 of the Chinese..."

22 What do you take that to -- how do you  
23 interpret that, Mr. Chiu, as a Chinese Canadian?

24 **MR. KENNY CHIU:** That fits very well of a  
25 global narrative that the Chinese Communist Party has been  
26 using around the world.

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

28 **MR. KENNY CHIU:** Not just in Canada, but also

1 in Australia, the U.S., U.K., New Zealand, that they are the  
2 only legitimate representative of the welfare of ethnic  
3 Chinese around the world, regardless whether you're from Hong  
4 Kong, Taiwan, or China, or South East Asia, other places.  
5 People such as myself, who has not lived one day under their  
6 rule, they still believe they are the legitimate  
7 spokesperson, advocate, for our benefit. So it fits very  
8 well with that narrative.

9 **MR. MATTHEW FERGUSON:** And then if I go to  
10 KCH16? We'll start with KCH16. Just scroll out a little  
11 bit. This message by a user named Patrick. And then through  
12 17, 18, and 19. Go down to 18 -- 17. And I understand here  
13 -- yeah, so it's at 17 -- or 18, rather.

14 This is -- the last two text messages were  
15 referring to matters of Parliament and beginning to discuss  
16 your Foreign Influence Bill. Is that correct?

17 **MR. KENNY CHIU:** That is correct.

18 **MR. MATTHEW FERGUSON:** Okay. And these --  
19 again, these are messages that are dated around September 3<sup>rd</sup>  
20 or September 5<sup>th</sup>?

21 **MR. KENNY CHIU:** That is correct.

22 **MR. MATTHEW FERGUSON:** Okay. What -- if --  
23 before I get into your attempts to counter or -- attempts to  
24 counter the narrative, can you speak to your experience on  
25 the ground? There obviously wasn't just an online campaign  
26 against you. What was your experience like going door to  
27 door, for example? Meeting with the constituents?

28 **MR. KENNY CHIU:** It was very confusing. Like

1 I said, the pandemic, COVID-19, masking mandates, all these  
2 are polarising issues, but as an ethnic Chinese, I have no  
3 problem wearing a mask myself. Even when go door knocking.  
4 Doors that have been opened to me near 20-some months ago, as  
5 soon as they heard my Chinese name, (speaking Chinese), they  
6 would shut the door in my face.

7 And there have been families, a house I  
8 vividly remember door knocking, and they were very supportive  
9 in 2019, that they will vote for me, that they would actually  
10 allow us to put a lawn sign on their property. This time,  
11 when we knock on the door, the lady who opened the door, I  
12 even remember her face, she had become emotional, with a deep  
13 sense of hurt and hate, and she -- I mean, we didn't bother  
14 asking for a lawn sign because she said she is not going to  
15 vote for us "because we hate China, because we hate them."

16 **MR. MATTHEW FERGUSON:** Now, if we could speak  
17 a bit about how you attempted to counter the narrative and  
18 respond to these allegations that surrounded your private  
19 members bill and the maligning of you and your party as anti  
20 China, I understand you reached out to media.

21 **MR. KENNY CHIU:** Correct.

22 **MR. MATTHEW FERGUSON:** Okay. And perhaps in  
23 the interest of time, I won't call up the document on the  
24 screen, but I'll reference it as CCC ending in 10.

25 **--- EXHIBIT No./PIÈCE No. CCC 10:**

26 Article: Conservatives face ugly  
27 barrage over party's China policy  
28 [Vancouver Sun]



1                   **MR. MATTHEW FERGUSON:** It's a Richmond News  
2 article titled Richmond Candidate Attacked on WeChat for  
3 Proposed Foreign Influence Legislation, dated September 7,  
4 2021.

5                   And it cites one of the posts circulating on  
6 WeChat as stating:

7                   "'This bill is going to have  
8 extremely negative consequences for  
9 immigrants from mainland China. It  
10 will also harm economic, cultural and  
11 technological exchanges between  
12 Canada and China...'"

13                  And:

14                  "'Although the bill [does not] list  
15 which countries belong to the foreign  
16 forces, considering the [sourced]  
17 relationship between Canada and  
18 China...(and Chiu's) anti-China  
19 background, undoubtedly this bill is  
20 targeting mainland Chinese  
21 associations and aims to control or  
22 monitor mainland Chinese speech and  
23 behaviours...'"

24                  Why did you reach out to the English language  
25 media in regards to these social media posts on WeChat in  
26 Chinese language?

27                  **MR. KENNY CHIU:** It was a campaign  
28 calculation because of lack of support, and also means to

1 counter foreign interference in our riding, particularly  
2 targeting Mainland Chinese and also Hong Kong Chinese  
3 Canadians, we have decided to appeal to the non Chinese  
4 speaking population in Richmond. The more we exposed this,  
5 we were hoping that we would be able to earn some votes that  
6 would compensate what we have lost in the Chinese speaking  
7 side that actually is subject to foreign interference.

8 **MR. MATTHEW FERGUSON:** In another article,  
9 this time the Vancouver Sun, later on on September 14th, you  
10 are reported as saying in relation to the social media  
11 attacks that "The barrage and falsification, disinformation  
12 and personal attacks, it's beyond" your expectation.

13 That's a document at -- I'm sorry, that was  
14 CCCC010. I made a mistake in calling up the last document.  
15 I'll just reference it. The Richmond News article was KCH  
16 68.

17 **--- EXHIBIT No./PIÈCE No. KCH 68:**

18 Article: Richmond candidate attacked  
19 on WeChat for proposed 'Foreign  
20 Influence' legislation

21 **MR. MATTHEW FERGUSON:** So going back to the  
22 Vancouver Sun article, you -- it's mentioned that you -- the  
23 barrage and falsification, disinformation and personal  
24 attacks was beyond your expectation. Why was it beyond your  
25 expectation?

26 **MR. KENNY CHIU:** I -- my experience in the  
27 House of Commons had led me to believe that the Government of  
28 Canada has set up, you know, all these mechanisms to monitor

1 irregularities during the elections. I was a rookie MP, so  
2 I'm not, you know, at -- an expert in SITE Task Force, in  
3 CIEPP. You know, even the fact that I understand what NSICOP  
4 means, NSIRA means, it's already, you know, top marks from my  
5 perspective. So I have a very high expectation that I will  
6 be protected. And when things come like a tsunami, to me, I  
7 was caught by surprise that things like that would allow, and  
8 the Government of Canada did not have any clarification to  
9 clear my names.

10 **MR. MATTHEW FERGUSON:** Okay. I'm going to  
11 get to some of that a bit later, but I just want to stay with  
12 this article for a second. Because it -- in the article, it  
13 goes on to cite you as refusing to speculate whether the  
14 Chinese Government or its agents are behind the campaign.  
15 And you are quoted as saying:

16 "By observation, the message is the  
17 same...[b]ut I have no evidence....  
18 They..." (As read)

19 Referring to China:

20 "...and its agents) are the  
21 most...."

22 "But I have no evidence":

23 "They (China and its agents) are the  
24 most experienced infiltrators. They  
25 have done it for so many years.  
26 They're not going to get caught."

27 So I understand this, is that at this point  
28 you're refusing to speculate whether there was a state-

1 sponsored campaign, but in your interview summary, and  
2 elsewhere, you have stated that foreign interference by China  
3 was a significant factor in your election loss.

4 Has your view as to whether there was PRC  
5 Government-sponsored disinformation campaign against you, has  
6 that evolved?

7 **MR. KENNY CHIU:** Well, as we go into election  
8 more and longer, and when I start collecting a collection of  
9 these screenshots and see how some of the argument, how  
10 ridiculous some of the argument is, how hurtful it is, yeah,  
11 I understand that somebody is activating using emotion,  
12 weaponizing emotions of our -- of my electorates. And my  
13 understanding of the geopolitical situations that Canada is  
14 in, by elimination it's unlikely that other country --  
15 hostile country would be doing that, and it would likely be  
16 China. And you know, the fact that I stopped having  
17 volunteers coming from that background, it's also a sign to  
18 me that somebody behind the scenes has actually warned them.

19 If I may actually put on one point about the  
20 Richmond News article.

21 **MR. MATTHEW FERGUSON:** Sure.

22 **MR. KENNY CHIU:** You notice Richmond News  
23 article was written by a reporter, her name is Nono Shen.  
24 She is actually a Mainland Chinese, and she has also been  
25 privy to many of this information. She even receives some of  
26 them. That's why when I speak to her and I ask for  
27 clarification opportunity, I do not have to explain any of  
28 the background, and right away she would start interviewing

1 me and asking me valid and relevant questions.

2 Daphne from Vancouver Sun, for example, there  
3 is a lot of background explanation that I have to go through.  
4 And that highlights the difference of, and the powerfulness,  
5 and effectiveness of segregated disinformation campaign.

6 **MR. MATTHEW FERGUSON:** In your witness  
7 summary, there was a mention that while this -- these false  
8 allegations maligning your bill and as well as maligning the  
9 Conservative Party were circulating, you referred to sort of  
10 a media shunning of you in the ---

11 **MR. KENNY CHIU:** Yes.

12 **MR. MATTHEW FERGUSON:** --- Greater Vancouver  
13 area. Can you speak to that?

14 **MR. KENNY CHIU:** The distancing of my friends  
15 and also former colleagues when I was a commentator at the --  
16 at these radio stations, newspapers, outlets, and also online  
17 form TVs, did not start during the election, it was actually  
18 started. You know, when the Uyghur votes was conducted, for  
19 example, that had already happened. It -- you know, I was  
20 not given a chance to go live on air to explain myself. So  
21 during the election, when I -- when I call up on a press  
22 conference, it was actually very poorly attended. Whoever  
23 attended didn't come. I don't even know if they actually  
24 have reported what we have asked.

25 **MR. MATTHEW FERGUSON:** So you tried to reach  
26 out to Chinese language media in Canada, and they did not  
27 pick up the story or give you a platform?

28 **MR. KENNY CHIU:** In Greater Vancouver. News

1 medias in Greater Vancouver. Ethnic news media in Greater  
2 Vancouver.

3 **MR. MATTHEW FERGUSON:** Okay. I'm going to  
4 refer you another -- now to a document, CCC 4.

5 **--- EXHIBIT No./PIÈCE No. CCC 4:**

6 Article [Today Commercial News]

7 **MR. MATTHEW FERGUSON:** Do you recognize this  
8 document, Mr. Chiu? Have you seen this before? This is a  
9 ---

10 **MR. KENNY CHIU:** Can you slow down a little  
11 bit, ---

12 **MR. MATTHEW FERGUSON:** Yeah.

13 **MR. KENNY CHIU:** --- so that I can see the  
14 title?

15 **MR. MATTHEW FERGUSON:** This is an article in  
16 the *Today Commercial News* ---

17 **MR. KENNY CHIU:** Yeah.

18 **MR. MATTHEW FERGUSON:** --- that appeared on  
19 September 9, 2021 titled, "Conservative MP Chiu introduced  
20 the registration of foreign forces bill. The registration of  
21 foreign forces bill to suppress the Chinese community." The  
22 article states, as in the title, that you introduced this  
23 bill to suppress the Chinese community in Canada.

24 Did you see this article at the time?

25 **MR. KENNY CHIU:** Yes, I have. It's hard not  
26 to. Yeah, I have.

27 **MR. MATTHEW FERGUSON:** And can you tell us  
28 what this bill gets wrong about -- sorry; what this article

1 gets wrong about your bill? Was your intent to suppress the  
2 Chinese community?

3 **MR. KENNY CHIU:** Never. As a Chinese-  
4 Canadian, I understand how difficult it is to be involved, or  
5 to involve with Canadian political activities. And I also  
6 understand the close relationship with your birthplace, your  
7 place of origin. It would not be morally correct to prevent  
8 people from engaging in activities such as, you know, keeping  
9 in touch with the former schools and the alumni association  
10 and all that. So it was never my intent.

11 In fact, by not having a transparency scheme  
12 for those special interest people who've been conducting  
13 their business under table, it actually hurts the diaspora  
14 community's reputation, you know, as a whole. So my thought  
15 was by having transparency, by putting everything under the  
16 sunlight, you know, we would be able to safeguard our future  
17 in Canada.

18 **MR. MATTHEW FERGUSON:** The article also  
19 mentions -- refers to you as being anti-China. How do you  
20 respond to being called anti-China?

21 **MR. KENNY CHIU:** I do not believe I am anti-  
22 China. I do not support the Chinese Communist Party because  
23 of the historical reasons since they got into power in 1949.  
24 That is a matter of fact. But China, it's a country  
25 representing many people. You know, billion -- over one  
26 billion of them, 1.4, I believe. And you know, it's where my  
27 cultural heritage is, and why would I be hating China?

28 **MR. MATTHEW FERGUSON:** I'd like to walk you

1 now through some of the Government of Canada directions we  
2 received in the last days and weeks -- that the Commission  
3 has received. I'll turn now to CAN 00144.

4 **--- EXHIBIT No./PIÈCE No. CAN 144:**

5 RRM Canada Open Data Analysis October  
6 8, 2021

7 **MR. MATTHEW FERGUSON:** This is a document,  
8 Mr. Chiu, that received a public release, and it relates to  
9 the Rapid Response Mechanism of the Global Affairs Canada.  
10 This is an Open Data Analysis report. It's titled, "Chinese  
11 state media and Canadian WeChat News Accounts Spread False  
12 Narrative about the Conservative Party and Former Candidate  
13 Kenny Chiu." It states at page one, I think it's the second  
14 bullet:

15 "We do not have clear evidence of a  
16 PRC-directed operation, but we have  
17 observed strong indicators of a  
18 coordinated campaign as well as [the]  
19 links between the campaign and the  
20 PRC."

21 First of all, have you seen this report  
22 before today?

23 **MR. KENNY CHIU:** No.

24 **MR. MATTHEW FERGUSON:** The fourth bullet on  
25 the first page refers to:

26 "Three of the Chinese-language news  
27 accounts that first circulated a  
28 false narrative about Chiu are



1 members of a media partnership with  
2 the Chinese state-run media agency,  
3 China News Service..., which  
4 [according to the RRM] may be under  
5 the direct control of the United  
6 Front Work Department..., [which is]  
7 China's main department for gathering  
8 intelligence and influencing diaspora  
9 Chinese communities overseas."

10 Can I just stop here, at the small  
11 parentheses, and refer to the document CAN 4821?

12 **--- EXHIBIT No./PIÈCE No. CAN 4821:**

13 SITE TF Analysis 25 October 2021

14 **MR. MATTHEW FERGUSON:** Scroll down a bit to  
15 -- keep going, please. Right. Now stop here at "For  
16 example".

17 So if you see the -- yes, that bullet there.  
18 "At least three of these Chinese..." Sorry; this is from the  
19 SITE Task Force. It's the same month but from a different  
20 entity:

21 "At least three of these Canadian  
22 Chinese-language news sites that  
23 first circulated a false narrative  
24 about Chiu are very likely members of  
25 a media partnership with the Chinese  
26 state-run media agency, *China News*  
27 *Service...*"

28 And here's the distinction:

1                    "...which is under the direct control  
2                    of the CCP's United Front Work  
3                    Department..."

4                    Were you aware of this, Mr. Chiu?

5                    **MR. KENNY CHIU:** No.

6                    **MR. MATTHEW FERGUSON:** Okay. I'll go back to  
7                    the last document, CAN 144.

8                    We can scroll down to page -- I believe it's  
9                    page 2. And at page 2 -- keep going, please. Keep scrolling  
10                   down. Right.

11                   Now it's a "Timeline of events," and I'll go  
12                   -- I'll jump, in the interests of time, to page 7. Here we  
13                   go. So on page 7 on -- it is mentioned in this report by the  
14                   RRM:

15                   "On September 6, 105.9 Yes My Radio, a  
16                   Greater Toronto Area radio station  
17                   that broadcasts in Mandarin,  
18                   published an anonymous blog post on  
19                   the open web titled 'please pay  
20                   attention to Kenny Chiu's 'foreign  
21                   power registration act/'..."

22                   Were you aware of this article of blog post  
23                   on 105.9 Yes My Radio?

24                   **MR. KENNY CHIU:** No.

25                   **MR. MATTHEW FERGUSON:** Okay. Do you have any  
26                   idea why a radio station or a media in the Greater Toronto  
27                   Area would be interested in you as a candidate in the Greater  
28                   Vancouver Region?

1                   **MR. KENNY CHIU:** No, I don't understand that,  
2                   why they would have a focus on a candidate on Steveston-  
3                   Richmond East in British Columbia.

4                   **MR. MATTHEW FERGUSON:** Okay. The -- so you  
5                   were not aware of this at the time. It's mentioned in this  
6                   report -- if we keep going down the page, it's mentioned:

7                                 "The content of the 105.9 Yes My  
8                                 Radio post bear some similarities to  
9                                 the content of the third WeChat group  
10                                message reported by *Glacier Media*,  
11                                and they are likely one in the  
12                                same,..."

13                   It then mentions a series of articles that  
14                   were circulating in Chinese-language media in Canada on 105.9  
15                   Yes My Radio, then another news site, another Chinese news  
16                   site, *Global Chinese Convergence Media* CGC TV. Are you aware  
17                   of CGC TV?

18                   **MR. KENNY CHIU:** No, never heard of it.

19                   **MR. MATTHEW FERGUSON:** Okay. And the last  
20                   one was the *Today Commercial News*, and you mentioned that  
21                   that you saw at the time.

22                   **MR. KENNY CHIU:** Correct.

23                   **MR. MATTHEW FERGUSON:** Okay. And so you  
24                   weren't aware of any of these reportings -- reports at the  
25                   time?

26                   **MR. KENNY CHIU:** No.

27                   **MR. MATTHEW FERGUSON:** It goes on to page 9,  
28                   that's page -- and it mentions at page 9 -- if you go down

1       there just a bit -- that there's also, "...a WeChat account  
2       called "CouponKing54.ca [sic]," which had 60,000 subscribers,  
3       that:

4                       "...shared an anonymous article  
5                       titled 'Why should Chinese oppose  
6                       Conservative MP Kenny Chiu'?"

7       And it mentions that it contains:

8                       "The content of the article is nearly  
9                       identical to the one published by  
10                      *Today Commercial News*,..."

11       I understand that CouponKing51.ca that's  
12       something that you saw; is that correct?

13                      **MR. KENNY CHIU:** I'm not aware of their  
14       existence.

15                      **MR. MATTHEW FERGUSON:** Okay. It's not a site  
16       that you visit?

17                      **MR. KENNY CHIU:** No.

18                      **MR. MATTHEW FERGUSON:** Okay. I understand  
19       you've had a chance to review this report today?

20                      **MR. KENNY CHIU:** Correct.

21                      **MR. MATTHEW FERGUSON:** Is there anything in  
22       the report that is news to you, besides these last mentions  
23       of the media reporting around that time?

24                      **MR. KENNY CHIU:** There's an observation that  
25       I would like to draw your attention to.

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

27                      **MR. KENNY CHIU:** In the *Today Commercial*  
28       *News*, the official publication of that attack piece, you'll

1 notice that they have a link to the private member bill C-  
2 282.

3 **MR. MATTHEW FERGUSON:** Right.

4 **MR. KENNY CHIU:** But there was a typo. There  
5 was a missing dot, "ww." and the dot was missing.

6 **MR. MATTHEW FERGUSON:** So it was a broken  
7 link.

8 **MR. KENNY CHIU:** It's broken link, so anybody  
9 who's interested to find the truth, they would not find that.

10 Secondly, if you go back to some of the  
11 screenshots that I provided you, similar lines of attack were  
12 used with that same broken link that was embedded. Maybe  
13 it's just a coincidence, but it's unlikely, from my  
14 perspective.

15 **MR. MATTHEW FERGUSON:** I'm aware of the time.  
16 I'd just like to cover two more grounds, maybe one-and-a-  
17 half. You also mentioned a meeting with seniors in your ---

18 **MR. KENNY CHIU:** Correct.

19 **MR. MATTHEW FERGUSON:** --- electoral district  
20 in an attempt to counter the narrative of the false  
21 allegations being spread against you on social media. Can we  
22 speak to that?

23 **MR. KENNY CHIU:** Seniors have a very special  
24 position in a family hierarchy.

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

26 **MR. KENNY CHIU:** Many Chinese family would  
27 listen to and respect their opinion. And so we figured with  
28 all these disinformation in around September 3<sup>rd</sup>, we decided

1 that we -- when I say "we" this time is MP -- former MP Alice  
2 Wong and I, she's the candidate for Richmond Centre and I was  
3 the Conservative candidate for Steveson-Richmond East. We --  
4 -

5 **COMMISSIONER HOGUE:** Mr. Chiu, can you just  
6 speak a bit ---

7 **MR. MATTHEW FERGUSON:** Oh.

8 **COMMISSIONER HOGUE:** --- more slowly ---

9 **MR. KENNY CHIU:** Oh.

10 **COMMISSIONER HOGUE:** Someone reminded me.

11 **MR. MATTHEW FERGUSON:** Sorry. Sorry, it was  
12 probably me ---

13 **COMMISSIONER HOGUE:** Probably you.

14 **MR. KENNY CHIU:** Oh, pardon me. Sorry. So  
15 the two of us have organized a meeting to meet up with these  
16 seniors. They were very concerned. And in that two, three  
17 hours meeting, they open up their heart. They express how  
18 worried they is -- they are if Canada started persecuting  
19 Chinese. And I totally agree. We -- I even shed some tears  
20 with them because I identified a kind of fear that they are  
21 subjected to. In the end, they were all testified, and they  
22 all left relatively happy.

23 **MR. MATTHEW FERGUSON:** And what happened  
24 subsequent to that meeting?

25 **MR. KENNY CHIU:** Pictures started to  
26 circulate to myself that this same group of seniors have  
27 shown up at my opponent's campaign office and take picture  
28 with him, and also started campaigning for him.

1                   **MR. MATTHEW FERGUSON:** And that was how long  
2 after you noticed that you had this meeting with the seniors?

3                   **MR. KENNY CHIU:** One or two days.

4                   **MR. MATTHEW FERGUSON:** We've seen the social  
5 media posts throughout the government productions and the  
6 documents that are available to the parties and will be  
7 entered into evidence as well. There's the social media  
8 post, the media articles that take issues with you as a  
9 candidate and your bill and your party. What do you respond  
10 to people that claim that, sure, there may have been some  
11 false and spurious claims about you and your bill, but wasn't  
12 it just legitimate debate among Chinese Canadians?

13                   **MR. KENNY CHIU:** When I am not aware of that  
14 disinformation, when I am not given a chance to dispute, when  
15 there is no counterinformation being provided, when no offer  
16 is for the audience to actually look at the bill themselves,  
17 the link, it is not a debate at all. It's just one-sided  
18 propaganda.

19                   **MR. MATTHEW FERGUSON:** And, obviously, wisdom  
20 and great ideas come easy after a storm, but in light of the  
21 information you have today and the information that you see  
22 that was available to the government agencies at the time, is  
23 there anything that you would have done or could have done  
24 differently knowing -- could have done differently?

25                   **MR. KENNY CHIU:** I may not have run for  
26 office because as an immigrant, it's already very challenging  
27 to build a life here in Canada. To go into public service,  
28 it's even more challenging. I -- you know, when I became a

1 school board trustee, I intentionally severed my ties with my  
2 relatives in China, with the understanding that I will put  
3 them in danger. And, you know, in 2021, unfortunately, it  
4 seems like my worry has come true. But then I thought I  
5 would be protected by my country, and I was deeply troubled,  
6 disappointed that I was exposed, and the government doesn't  
7 seem to care. And now that through the Commission I've  
8 learned that they've known all about it, it's almost like I  
9 was drowning, and they are watching, and the best they could  
10 do, by the way, is to let me know that I'm drowning. I don't  
11 need their notification. I need their help. And so that's  
12 the overall disappointment mixing with a emotion of anger  
13 that I have. And, yes, I do not believe the way the Chinese  
14 Communist Party treating people in Hong Kong or even just  
15 general Chinese, let alone Uyghur Muslims are right and  
16 justifiable. But I -- by and large, I have focussed on how I  
17 can propose, my party can propose a view, a way of how Canada  
18 can be governed better. And for that, I've been betrayed.  
19 That's how I see it.

20 MR. MATTHEW FERGUSON: Okay. Just a final  
21 topic that I'd like to cover before ---

22 MR. KENNY CHIU: Just ---

23 MR. MATTHEW FERGUSON: --- giving you the  
24 last word.

25 MR. KENNY CHIU: --- just one more ---

26 MR. MATTHEW FERGUSON: Sure.

27 MR. KENNY CHIU: --- one more minor point.

28 MR. MATTHEW FERGUSON: Yeah.



1                   **MR. KENNY CHIU:** And as a visible minority,  
2 as a racialized Chinese Canadians, for somebody who would  
3 voice up to -- for the benefit of Canada in the House of  
4 Commons when I heard hurtful remarks, not just from any MP,  
5 but from the Prime Minister of Canada when we asked about the  
6 Wuhan rioters, when we asked why are we not shutting down  
7 flights from Wuhan in early 2020, because of our constituents  
8 who are from China asking us why are we exposing Canada to  
9 that, so we asked that question in House of Commons, the  
10 answer has always been, you know, mindful of racism, you  
11 know, don't be an anti-Asian. To me, as an Asian Canadian,  
12 it's very insulting, and for that to come from the top leader  
13 of our country, it's doubling insult with injury -- doubling  
14 injury with insults.

15                   **MR. MATTHEW FERGUSON:** Okay. And you  
16 mentioned -- I think it was mentioned in your witness  
17 statement that that's -- without attributing any intent, that  
18 that sort of played into the CCP playbook.

19                   **MR. KENNY CHIU:** Yes. That's what I said,  
20 and I still believe in it. There is some coincidental  
21 situations between the two.

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

23                   **MR. KENNY CHIU:** The Prime Minister said, you  
24 know, don't be anti-Asian. If you inquire about what  
25 happened in, you know, Wuhan, what happened in Winnipeg  
26 Microbiology Lab, don't be anti, you know, Chinese. I don't  
27 know if the Chinese Communist government had learned of this  
28 line of attack and copied it, or maybe it's the Prime

1 Minister who actually -- and the Liberal Party had actually  
2 copied that attack, but the matter of fact is, this anti-  
3 Asian, you know, Chinese hate and racism line has been  
4 continuous and used in collab by the CCP in my riding against  
5 me, but also as you have provided me with information, even  
6 in Toronto against myself, against my party, against Erin  
7 O'Toole.

8 **MR. MATTHEW FERGUSON:** And I understand that  
9 you reported the -- you reported these -- this campaign,  
10 these false allegations circulating on -- in media and social  
11 media. Did you report it to any -- so you reported that to  
12 the party central. Did you report it to -- I understand you  
13 also reported it to CSIS at the time?

14 **MR. KENNY CHIU:** I have instructed my staff  
15 to provide the information to party central, the Conservative  
16 party central, but, yes, because before the election, CSIS  
17 had come to me and warned me about, you know, situations that  
18 I am not at the liberty to disclose. But at the same time,  
19 when -- during the election when I start seeing these -- this  
20 information, I remember the contact that I have at CSIS, so I  
21 pick up the phone and asked to meet him.

22 **MR. MATTHEW FERGUSON:** Okay. And what time -  
23 - when was that about? Just ---

24 **MR. KENNY CHIU:** It would be the -- you know,  
25 maybe first -- after first week. It will be in second week  
26 of September.

27 **MR. MATTHEW FERGUSON:** Okay. So it was  
28 during the campaign.

MR. KENNY CHIU: Yes, it was during the writ period for sure.

MR. KENNY CHIU: Well, thank you. Thank you.

Madam Commissioner, I thank you for giving me the opportunity and also, a few days ago, we have heard from diaspora communities the deep hurt and danger situations that we have put in many Canadians in Canada by inaction. And I implore you to look, you know, deep into the situations and consider suggestions and ways that would protect these communities.

As I said, as a drowning person, I don't need to be notified that I am drowning even if it meets the threshold. What we need, perhaps, as a country is a mechanism that would clear the air using Government of Canada brand, you know, for these diaspora community. That's what I would table as a suggestion to you, Your Honour, and I would appreciate if you can consider that.

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

1                   **COMMISSIONER HOGUE:** Thank you very much.  
2                   We'll break for lunch. We'll come back at  
3                   2:40.

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

6                   The hearing is in recess until 2:40. La  
7                   séance est en pause jusqu'à 2 h 40.

8                   --- Upon recessing at 1:29 p.m./

9                   --- La séance est suspendue à 13 h 29

10                  --- Upon resuming at 2:44 p.m./

11                  --- La séance est reprise à 14 h 44

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

14                  This sitting of the Foreign Interference  
15                  Commission is back in session. Cette séance de la Commission  
16                  sur l'ingérence étrangère est maintenant repris.

17                  **COMMISSIONER HOGUE:** So we'll start with the  
18                  cross-examination.

19                  The first one, you're already there, so  
20                  acting for the Conservative Party, Me De Luca.

21                  **--- MR. KENNY CHIU, Resumed/Sous le même serment:**

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

23                  **MR. NANDO de LUCA:**

24                  **MR. NANDO de LUCA:** Thank you,  
25                  Commissioner.

26                  Good afternoon, Mr. Chiu.

27                  **MR. KENNY CHIU:** Good afternoon.

28                  **MR. NANDO de LUCA:** Mr. Chiu, towards the

1 end of your testimony this morning in reflecting upon your  
2 experiences of foreign interference in connection with the  
3 2021 federal election, you expressed the sentiment that  
4 particularly as an immigrant Canadian, you felt betrayed. Do  
5 you recall that?

6 MR. KENNY CHIU: Yes.

7 MR. NANDO de LUCA: Betrayed by whom?

8 MR. KENNY CHIU: By those who are in power of  
9 this country representing the best interests of the country.

10 MR. NANDO de LUCA: Can you be more  
11 specific?

12 MR. KENNY CHIU: In my view, not wanting to  
13 be over partisan, it's the Prime Minister. The buck stops  
14 there. He let me down.

15 MR. NANDO de LUCA: Can I please get you  
16 CANDO 000024 called up, please?

17 Do you have that before you, Mr. Chiu?

18 MR. KENNY CHIU: Yes. Yes.

19 MR. NANDO de LUCA: We heard earlier that  
20 this is a summary prepared by the Government of Canada of a  
21 briefing that CSIS gave to you on September 18, 2023  
22 regarding foreign interference in the 2021 General Election;  
23 correct?

24 MR. KENNY CHIU: That is correct.

25 MR. NANDO de LUCA: And that election took  
26 place on September 20, 2021; correct?

27 MR. KENNY CHIU: That is correct.

28 MR. NANDO de LUCA: Did you get an

1 understanding on September 18, 2023 why CSIS was only giving  
2 you a briefing then about foreign interference that took  
3 place for an election two years earlier?

4 **MR. KENNY CHIU:** It wasn't explained to me,  
5 no.

6 **MR. NANDO de LUCA:** Mr. Chiu, in connection  
7 with the 2019 and 2021 General Election, can you please  
8 comment on the usefulness or lack of usefulness of CSIS, the  
9 RCMP and any other Canadian security apparatus efforts to  
10 track and combat foreign interference?

11 **MR. KENNY CHIU:** In 2019, perhaps, it was  
12 still at the time of being established and also running  
13 through teething problems, et cetera, et cetera, but I  
14 participated in the 43rd election, 2019 election, without  
15 much anticipation of mechanisms that would counter foreign  
16 interference. And then throughout my two years at the House  
17 of Commons, I've learned about these what I've termed the  
18 alphabet soup: GAC, that's Global Affairs Canada; CSIS of  
19 course everybody knows; the SIWTE Taskforce; Security and  
20 Intelligence Threats to Elections Taskforce; and then so on  
21 and so forth. There's RM, P5, NSICOP, CSE, CCE, EFCC, and  
22 then CIEPP. All these.

23 So the impression I have is it's a well-  
24 resourced net of protective mechanisms. And so I gradually  
25 developed what is now to me, it's a false sense of security.  
26 And that was -- that's why I was deeply disappointed after  
27 the 2021 election.

28 **MR. NANDO de LUCA:** Okay. When you say false

1 sense of security, did you have higher expectations for all  
2 of those groups or bodies?

3 **MR. KENNY CHIU:** Yes, I have expectations.  
4 Perhaps it's undue. Perhaps it's, you know, unrealistic  
5 expectations perhaps. But, you know, I've collected 15  
6 acronyms that are involved with elections security and I  
7 don't think it's expecting too much to get a call from one of  
8 these organizations and offer their advice how to counter  
9 interference such as the ones that I've encountered.

10 **MR. NANDO de LUCA:** So back to my question,  
11 would you -- am I correct in assuming that you would  
12 characterise the utility or usefulness of all of these  
13 organizations in relation to foreign election interference,  
14 especially for the 2021 election, as not being terribly  
15 useful?

16 **MR. KENNY CHIU:** As of this moment, I would  
17 have to agree with that.

18 **MR. NANDO de LUCA:** Okay.

19 **MR. KENNY CHIU:** After the election, in fact  
20 the CSIS briefing that you cited in 2023, September, was the  
21 very first one that any government agency had approached me  
22 and contacted me. I was hoping that Special Rapporteur Mr.  
23 Johnston would actually have been in touch with me, but he  
24 did not.

25 **MR. NANDO de LUCA:** Mr. Chiu, based on your  
26 experiences with the elections that you participated in,  
27 2015, 2019, and 2021, the federal campaigns, can you please  
28 tell the Commission how Chinese Canadians can be influenced

1 and coerced to support the PRC regime, including via the  
2 Canadian election process?

3 **MR. KENNY CHIU:** Once the immigrants who have  
4 settled in big cities, like Greater Toronto or Greater  
5 Vancouver, they have a choice of relying more on ethnic media  
6 from -- for their updates, and their news, and their  
7 viewpoints. And that exactly is why for over 15 years I've  
8 been involved with Chinese news media, because I want to  
9 develop or provide different angles for our listeners, our  
10 audience, our citizens to consider in terms of Canadian  
11 politics.

12 And so imagine if for years they developed a  
13 reliance and dependency on media sources that are somehow  
14 somewhat controlled or influenced by a foreign power,  
15 willingly or unwillingly. You pretty much will have control  
16 of how these people get their source of information, how they  
17 perceive an issue.

18 In a previous hearing, I believe how Ukraine  
19 -- the war -- the invasion of Russia into Ukraine, that could  
20 have been portrayed, in fact indeed it has, in some of the  
21 Chinese media to align more with the Chinese Communist  
22 Party's positions than the Canadian general public ones.

23 **MR. NANDO de LUCA:** Okay. And from your  
24 answer, it sounds like there's at least a potential for  
25 influence or control by the PRC, how prevalent a problem or  
26 pervasive a problem do you think it is with the current  
27 sources?

28 **MR. KENNY CHIU:** It's definitely a



1 vulnerability. It's an exposure. All we have power to look  
2 at is what happens in Canada. Who is to say, for example, if  
3 somehow they do business in mainland China, and all of a  
4 sudden, certain owners of a radio station in Canada, the  
5 relative gets a huge contract. What happens overseas, we  
6 have no jurisdictions. We have no information about. And  
7 that is the exposure, that is the vulnerability of ownership  
8 and directing and influencing the media positioning and also  
9 as well as the direction that they are going.

10 **MR. NANDO de LUCA:** Thank you. Those are my  
11 questions.

12 **MR. KENNY CHIU:** Thank you.

13 **COMMISSIONER HOGUE:** Thank you.

14 Counsel for Michael Chong?

15 **MR. GIB van ERT:** Thank you, Commissioner.  
16 No questions.

17 **COMMISSIONER HOGUE:** No questions?

18 Counsel for the Human Rights Coalition?

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

20 **MS. HANNAH TAYLOR:**

21 **MS. HANNAH TAYLOR:** Good morning, Mr. Chiu.

22 **MR. KENNY CHIU:** Good morning. Good  
23 afternoon.

24 **MS. HANNAH TAYLOR:** Oh, good afternoon.

25 **MR. KENNY CHIU:** Yes.

26 **MS. HANNAH TAYLOR:** Good afternoon, Mr. Chiu.  
27 So you mentioned this morning that now that you've learned  
28 that intelligence agencies knew what was happening to you and

1        what you were experiencing, it's as if you were drowning  
2        while they watched and the best they could do is to let you  
3        know you were drowning. And you can let me know if I've  
4        misquoted you. You noted that you did not need their  
5        notification, you needed their help.

6                        What support and protections did you need as  
7        you were drowning?

8                        **MR. KENNY CHIU:** As the Prime Minister was  
9        giving me all the alphabets, through my mind, I was replaying  
10       September 20<sup>th</sup> during the election, or at the end of the  
11       election, or during the election, what would I do if I were  
12       told officially by SITE Taskforce, or through the  
13       Conservatives, whatever, that my riding has been under  
14       foreign interference? I would have no answer to that because  
15       we started detecting irregularities starting, like, early  
16       September ourselves. And we have taken steps to protect  
17       ourselves. We have taken steps to clear the air, but to no  
18       effect that we found all the work that we've done.

19                        So one big question I have in mind would be  
20       instead of just notifying me, that's why I was suggesting to  
21       Madam Commissioner that if we could develop an effective way  
22       of communicating to the diaspora communities that are the  
23       target of foreign powers exploitation, I think that would  
24       help tremendously. And that's what I came up with when I  
25       sort of go back in time and think about.

26                        **MS. HANNAH TAYLOR:** Okay. Thank you, Mr.  
27       Chiu.

28                        With your leave, Commissioner, I hope to put

1 a document to Mr. Chiu today. We didn't include it in our  
2 cross-examination request, but at the evening of April 1<sup>st</sup>,  
3 we let Commission counsel know that we intended to ask for  
4 your leave to put the document to the witness. It's the  
5 interview summary of Benjamin Fung. It's at WIT 5.EN. If  
6 granted leave, I would ask that it be entered as an exhibit.

7 **COMMISSIONER HOGUE:** Can you put the document  
8 on the screen?

9 **MS. HANNAH TAYLOR:** For the Court Reporter,  
10 it's -- or Court Operator, it's WIT 5.EN.

11 **--- EXHIBIT No./PIÈCE No. WIT 5 EN:**

12 Interview Summary: Benjamin Fung

13 **COMMISSIONER HOGUE:** It's fine. You can ask  
14 your question.

15 **MS. HANNAH TAYLOR:** Thank you, Commissioner.  
16 And Mr. Chiu, my focus with this document  
17 will just be ---

18 **MR. MATTHEW FERGUSON:** Excuse me, Madam  
19 Commissioner. We didn't advise -- excuse me for  
20 interrupting. We didn't advise the parties of the document  
21 that's being put to the witness, so maybe if we just give the  
22 parties five or 10 minutes to review the document? It's the  
23 witness summary of Benjamin Fung, which is WIT 5.

24 **COMMISSIONER HOGUE:** Surely. But what I  
25 suggest is we'll just wait for the question, ---

26 **MR. MATTHEW FERGUSON:** Okay.

27 **COMMISSIONER HOGUE:** --- and then we'll break  
28 to let everyone take a look at the document.

1                   **MS. HANNAH TAYLOR:** Sure.

2                   **COMMISSIONER HOGUE:** Do you have more than  
3 one question ---

4                   **MS. HANNAH TAYLOR:** For my ---

5                   **COMMISSIONER HOGUE:** --- from this document,  
6 or?

7                   **MS. HANNAH TAYLOR:** It would be a couple  
8 questions. I would -- the easiest might be to, like, go  
9 through -- well, I can make it one, if it's easiest, I can  
10 make it one.

11                   **COMMISSIONER HOGUE:** Okay.

12                   **MS. HANNAH TAYLOR:** Yeah, okay. Sure, I'll  
13 make it one.

14                   **COMMISSIONER HOGUE:** Is it going to be along  
15 one?

16                   **MS. HANNAH TAYLOR:** No, no.

17                   So Mr. Chiu, again, the question that I'll  
18 have for you having to do with the summary, really what I'll  
19 do is I'm just going to point to a couple of the social media  
20 platforms Mr. Fung mentions in this summary, and then ask you  
21 questions about those.

22                   **MR. KENNY CHIU:** Okay.

23                   **MS. HANNAH TAYLOR:** So if it's easiest, I can  
24 just point them out and then we can take a break, perhaps?

25                   **COMMISSIONER HOGUE:** Yes.

26                   **MS. HANNAH TAYLOR:** It's up to you, of  
27 course.

28                   **COMMISSIONER HOGUE:** Yes.

1                   **MS. HANNAH TAYLOR:** Okay.

2                   So Mr. Fung's interview summary notes that  
3 beginning in the September 2021, this information about you  
4 and criticism of the Conservative party began being shared on  
5 several social media platforms, including WeChat, which we  
6 see at paragraph 6, if we could just scroll down. And then  
7 you'll notice WeChat's mentioned in there, and then also  
8 WhatsApp, which we see at paragraph 7 on the next page.

9                   And you see that, Mr. Chiu?

10                  **MR. KENNY CHIU:** Yes.

11                  **MS. HANNAH TAYLOR:** And so from your  
12 perspective, are these primary social media platforms and  
13 messaging apps for Chinese-Canadians, including those who  
14 were your constituents?

15                  **MR. KENNY CHIU:** Am I to answer right now,  
16 or...?

17                  **COMMISSIONER HOGUE:** No. I think, then,  
18 we'll break.

19                  **MS. HANNAH TAYLOR:** Okay.

20                  **COMMISSIONER HOGUE:** Because everyone will  
21 review the document, or at least the paragraphs that are  
22 useful. So I don't think -- is the document very long,  
23 or...? No? So we'll take just five minutes.

24                  **MS. HANNAH TAYLOR:** Okay, thank you.

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

27                  This hearing is now in recess for five  
28 minutes. La séance est maintenant pause pour cinq minutes.

1 --- Upon recessing at 2:58 p.m./

2 --- La séance est suspendue à 14 h 58

3 --- Upon resuming at 3:03 p.m./

4 --- La séance est reprise à 15 h 03

5 **THE REGISTRAR:** This hearing of the  
6 Commission on Foreign Interference is back in session. Cette  
7 séance de la Commission sur l'Ingérence Étrangère a repris.

8 **--- MR. KENNY CHIU, Resumed/Sous le même serment:**

9 **COMMISSIONER HOGUE:** May I ask you just to  
10 warn the witness that the document has not been filed yet?  
11 The document that you're using, the summary, is not part of  
12 the evidence yet.

13 **MS. HANNAH TAYLOR:** Yeah, yes.

14 Mister...

15 **COMMISSIONER HOGUE:** Just for the witness to  
16 know.

17 **MS. HANNAH TAYLOR:** Yeah.

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

19 **MS. HANNAH TAYLOR, (Cont'd/Suite):**

20 **MS. HANNAH TAYLOR:** Mr. Chui, the document is  
21 not part of the evidence yet, as the person whose witness  
22 statement it is isn't...

23 **MR. KENNY CHIU:** Thank you. Appreciate that.

24 **MS. HANNAH TAYLOR:** So going back to my  
25 actual question, we were looking at WeChat and WhatsApp.

26 **MR. KENNY CHIU:** Yeah.

27 **MS. HANNAH TAYLOR:** From your perspective,  
28 are these primary social media platforms and messaging apps

1 for Chinese-Canadians, including those who are your  
2 constituents?

3 MR. KENNY CHIU: Yes.

4 MS. HANNAH TAYLOR: Okay.

5 MR. KENNY CHIU: But it's not an exclusive  
6 list because in China technology is developing very rapidly.  
7 Every couple of years you will start seeing new apps. For  
8 example, one of them, it's Xiaohongshu, and this is becoming  
9 more popular, even in Taiwan, and it's now coming to other --  
10 to the rest of the world, such as Canada.

11 And so, yes, TikTok, Douyin, WeChat, QQ, but  
12 also the up and coming ones.

13 MS. HANNAH TAYLOR: Thank you, Mr. Chiu.

14 And you mentioned QQ. Mr. Fung's interview  
15 summary, and perhaps in the interest of time I won't bring  
16 you to the paragraphs, but he also mentions that  
17 disinformation about you and/or criticism about the  
18 Conservative Party and Erin O'Toole was published by Chinese  
19 language media outlets and news websites like *Today*  
20 *Commercial News*, QQ, *Chinesecanadianvoice.ca*, the *Global*  
21 *Times*, and *Rise Magazine*.

22 From your perspective, are these primary news  
23 sources for Chinese-Canadians, including those who are your  
24 constituents?

25 MR. KENNY CHIU: Yes.

26 MS. HANNAH TAYLOR: And from your  
27 perspective, was the spread of disinformation about you and  
28 criticism of the Conservative Party through these particular

1 social media platforms and news outlets, as well as what you  
2 have described as your effective shunning from ethnic news  
3 media in the Greater Vancouver Area, in particular,  
4 significant?

5 MR. KENNY CHIU: Yes. Although the list of  
6 media is not exclusive, so there are other medias that are  
7 engaging more into self-censorship, for example, that also  
8 play into the whole game as well.

9 MS. HANNAH TAYLOR: And these are Chinese  
10 language ---

11 MR. KENNY CHIU: Correct.

12 MS. HANNAH TAYLOR: --- outlets?

13 MR. KENNY CHIU: Correct.

14 MS. HANNAH TAYLOR: Okay.

15 If we could turn to -- scroll down to  
16 paragraph 10 in the witness summary?

17 At paragraph 10, Mr. Fung says:

18 "Reproducing the same text nearly  
19 verbatim is very typical of CCP  
20 propaganda. A small deviation from a  
21 source text might prompt  
22 repercussions against the author if  
23 it's thought to convey the wrong  
24 meaning. As a result, authors will  
25 often hesitate to make even small  
26 changes and will hew closely to the  
27 original text." (As read)

28 In your review of the disinformation shared



1 about you, did you notice a pattern in similar messaging,  
2 almost verbatim texts among a number of indirect ---

3 MR. KENNY CHIU: Yes.

4 MS. HANNAH TAYLOR: Yes?

5 MR. KENNY CHIU: Yes, I have. And they share  
6 similar attack arguments, and also even the insults are  
7 identical.

8 MS. HANNAH TAYLOR: Thank you.

9 Based on your understanding of the Chinese  
10 government's treatment of those who oppose its actions, would  
11 you agree that your public stance on China issues and your  
12 support, or perceived support of Hong Kongers and Uyghurs,  
13 was likely one of the reasons that you became a target of the  
14 Chinese government?

15 MR. KENNY CHIU: Yes.

16 MS. HANNAH TAYLOR: Those are all my  
17 questions.

18 Thank you, Commissioner. Thank you, Mr.  
19 Chiu.

20 COMMISSIONER HOGUE: Thank you.

21 Attorney General.

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

23 MR. GREGORY TZEMENAKIS:

24 MR. GREGORY TZEMENAKIS: Good afternoon, sir.  
25 My name is Gregory Tzemenakis; I'm counsel for the Attorney  
26 General.

27 MR. KENNY CHIU: Good afternoon.

28 MR. GREGORY TZEMENAKIS: I have four quick

1 areas I would like to touch upon to just clarify the  
2 evidence. I'm going to ask the Court Reporter to pull up  
3 your witness statement, which is 000014.

4 In your evidence this morning, sir, you said  
5 -- and please correct me if I'm wrong at any point -- that  
6 foreign interference activities was a factor in the loss of  
7 -- in your riding in general election 2021; correct?

8 **MR. KENNY CHIU:** Correct. More specifically,  
9 foreign interference from China from the PRC.

10 **MR. GREGORY TZEMENAKIS:** And did I also  
11 understand you to say that foreign interference was not the  
12 only factor that -----

13 **MR. KENNY CHIU:** That is correct.

14 **MR. GREGORY TZEMENAKIS:** --- might have  
15 contributed to the loss?

16 **MR. KENNY CHIU:** That is correct. Just like  
17 any other elections, there are multiple actors at play.

18 **MR. GREGORY TZEMENAKIS:** Thank you.

19 I'm going to ask if we can turn to paragraph  
20 41 of your witness summary, and I just want to clarify, sir,  
21 that in addition to the evidence that you gave this morning,  
22 does this paragraph -- is this paragraph still consistent  
23 with your view? And the paragraph reads -- I'm not going to  
24 read the whole paragraph -- or I will for the record:

25 "Although foreign interference by  
26 China was a significant factor in his  
27 election loss, Mr. Chiu acknowledges  
28 it was not the only factor. Other

1 factors likely contributed to the  
2 outcome. The election took place in  
3 a very politically polarized climate  
4 after..."

5 **MR. MATTHEW FERGUSON:** Excuse me.

6 **COMMISSIONER HOGUE:** Yes.

7 **MR. MATTHEW FERGUSON:** It's just -- sorry,

8 ---

9 **COMMISSIONER HOGUE:** You're going too fast.

10 **MR. MATTHEW FERGUSON:** Yes.

11 **MR. GREGORY TZEMENAKIS:** Okay.

12 I'm not going to read it, sir. Can you just  
13 confirm for us that the context of this paragraph still  
14 remains true, given your evidence this morning?

15 **MR. KENNY CHIU:** Yes.

16 **MR. GREGORY TZEMENAKIS:** Now, sir, I want to  
17 talk a little bit on another topic about information flow,  
18 and I heard you say this morning that some of the concerns  
19 about misinformation you raised with the national campaign,  
20 so with the campaign of the Conservative Party of Canada that  
21 was managing the national campaign. Is that right?

22 **MR. KENNY CHIU:** The Conservative Party of  
23 Canada has provided a lot of leeway for local campaigns to  
24 conduct itself. But we do have -- maintained a conduit to  
25 provide information to communicate with the central campaign.  
26 So my staff, for example, my campaign manager, he has  
27 participated in that mechanism; he's the point man.

28 **MR. GREGORY TZEMENAKIS:** Okay. Did you

1 understand -- do you know if the campaign asked any of the  
2 concerns that your staff expressed to the SITE Task Force?

3 MR. KENNY CHIU: Not directly for sure.

4 MR. GREGORY TZEMENAKIS: Do you expect ---

5 MR. KENNY CHIU: However, we -- I have  
6 instructed my staff to talk to the central campaign about our  
7 situation that we're facing.

8 MR. GREGORY TZEMENAKIS: Okay, I get that  
9 part. I'm just asking if you understood -- did the campaign  
10 ever tell you that they passed your concerns along ---

11 MR. KENNY CHIU: Oh.

12 MR. GREGORY TZEMENAKIS: --- to the SITE Task  
13 Force?

14 MR. KENNY CHIU: The Conservative  
15 headquarters, whether they have?

16 MR. GREGORY TZEMENAKIS: Yes.

17 MR. KENNY CHIU: No, I don't think I have  
18 heard from the central campaign whether they have or not.

19 MR. GREGORY TZEMENAKIS: Thank you.

20 I want to talk a little bit about -- and  
21 appreciating that I do not want you to get into any  
22 classified information whatsoever, am I correct that you met  
23 with the Canadian Security Intelligence Service for a  
24 security awareness briefing prior to GE 2021?

25 MR. KENNY CHIU: That is correct.

26 MR. GREGORY TZEMENAKIS: And did you also  
27 meet with them during the writ period to discuss other  
28 matters?

1                   **MR. KENNY CHIU:** Yes, per my request.

2                   **MR. GREGORY TZEMENAKIS:** Per your request.

3                   **MR. KENNY CHIU:** I called them and I have  
4                   them come to my campaign office to talk to them.

5                   **MR. MATTHEW FERGUSON:** Did you have any other  
6                   meetings with the service during the writ period, other than  
7                   that one occasion?

8                   **MR. KENNY CHIU:** No. I feel like I need to  
9                   clarify ---

10                  **MR. GREGORY TZEMENAKIS:** Please.

11                  **MR. KENNY CHIU:** --- that the meeting that  
12                  CSIS contacted me while I was still an MP, prior to the  
13                  election, of course. They would not explain to me why they  
14                  want to talk to me. They sat down, they only asked me  
15                  questions and I provided answer, and that was it.

16                  **MR. GREGORY TZEMENAKIS:** Okay.  
17                  I'm not going to get into the specifics of it  
18                  ---

19                  **MR. KENNY CHIU:** Yeah, yeah.

20                  **MR. GREGORY TZEMENAKIS:** --- but I don't want  
21                  you to lie.

22                  **MR. KENNY CHIU:** I would not be able to  
23                  answer you.

24                  **MR. GREGORY TZEMENAKIS:** That's fine.

25                  My last or second-last topic is we were  
26                  talking a little bit about the misinformation campaign on  
27                  WeChat and other Chinese language media. Do you recall that  
28                  discussion?

1           And my friend just took you to excerpts from  
2           the testimony and identified certain media organizations and  
3           social media platforms.

4           **MR. KENNY CHIU:**   SITE Task Force, yeah.

5           **MR. GREGORY TZEMENAKIS:**   No, no, the platform  
6           where there was misinformation.

7           **MR. KENNY CHIU:**   Okay.

8           **MR. GREGORY TZEMENAKIS:**   So ---

9           **MR. KENNY CHIU:**   As observed by our end.

10          **MR. GREGORY TZEMENAKIS:**   As observed by your  
11          campaign.

12          **MR. KENNY CHIU:**   By my campaign, yes.   Yes.  
13          The screenshots.

14          **MR. GREGORY TZEMENAKIS:**   And I understood you  
15          to say that you could not -- well, let me ask a different  
16          question.

17                 As a candidate, do you agree that voters may  
18          not understand a Party's position or a Party's platform and  
19          that efforts need to be made to explain and clarify positions  
20          and platforms?

21          **MR. KENNY CHIU:**   I think so, yeah.   It would  
22          be -- it would be the job of a candidate, for example, to  
23          articulate that.   Sure.

24          **MR. GREGORY TZEMENAKIS:**   And it's -- I'm  
25          going to suggest to you, and I think it's not contested, that  
26          it's not only the job of the candidate, it's the job of the  
27          candidate, it's the job of the Party, it's the job of the  
28          national and local candidates.   Is that fair?

1           **MR. KENNY CHIU:** Yeah, I think so. Just like  
2 the Government of Canada is responsible for clarifying  
3 untruth about legislative matter that in the House of  
4 Commons, for example ---

5           **MR. GREGORY TZEMENAKIS:** Right.

6           **MR. KENNY CHIU:** --- Bill C288.

7           **MR. GREGORY TZEMENAKIS:** And isn't it also  
8 true that people and individuals can express opinions that  
9 you may not agree with or that others may not agree with, but  
10 that's part of the electoral process?

11          **MR. KENNY CHIU:** Oh, definitely. Sure.

12          **MR. GREGORY TZEMENAKIS:** And it's part of the  
13 democratic process.

14          **MR. KENNY CHIU:** Yeah.

15          **MR. GREGORY TZEMENAKIS:** You just have to say  
16 "yes" or "no" for the record.

17          **MR. KENNY CHIU:** Yes.

18          **MR. GREGORY TZEMENAKIS:** Yes.

19                 And my question to you is, you become aware  
20 of these communications that are taking place on WeChat and I  
21 heard you say you didn't have an ability to engage in the  
22 debate because you weren't a user. Is that fair?

23          **MR. KENNY CHIU:** That's right. I don't use  
24 WeChat.

25          **MR. GREGORY TZEMENAKIS:** So how did you  
26 become aware and could those who made you aware have ---

27          **MR. KENNY CHIU:** Through my volunteers and my  
28 supporters. They used WeChat and they have seen all these

1       disinformation being circulated.

2                   **MR. GREGORY TZEMENAKIS:** And could your  
3       volunteers -- and we'll talk about volunteers in particular.

4                   Could the volunteers on your campaign have  
5       engaged or have put forward your correct position or  
6       clarified your position or explained your position on these  
7       platforms?

8                   **MR. KENNY CHIU:** I believe you are searching  
9       a rational discussion in the heat of a very emotionally-  
10      charged disinformation campaign. That would be nearly  
11      impossible. The very fact that the group of seniors who came  
12      to me -- came to us, myself and MP -- former MP Alice Wong,  
13      we explained to them we thought we have, quote unquote,  
14      disarmed them and we clearly articulated what exactly my  
15      proposal, Bill C282, it's supposed to do. That did not help.

16                   **MR. GREGORY TZEMENAKIS:** My last question is  
17      this. You made a very conscious effort to do that with the  
18      seniors in a very emotional meeting, but no similar effort  
19      was made on the WeChat platforms. Am I right on -- if I have  
20      it wrong, please tell me I'm wrong.

21                   **MR. KENNY CHIU:** No, that -- you are correct.

22                   **MR. GREGORY TZEMENAKIS:** Okay.

23                   **MR. KENNY CHIU:** You are correct.

24                   **MR. GREGORY TZEMENAKIS:** Thank you very much,  
25      sir.

26                   **MR. KENNY CHIU:** Yeah.

27                   **COMMISSIONER HOGUE:** Thank you.

28                   Re-examination, Mr. Ferguson?



1                   **MR. MATTHEW FERGUSON:** If you'd just allow me  
2 a moment, Madam Commissioner.

3                   **MR. KENNY CHIU:** Madam Commissioner, I was  
4 wondering if I could add just one sentence to that very last  
5 answer.

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

7                   **MR. MATTHEW FERGUSON:** It may save the re-  
8 examination.

9                   **MR. KENNY CHIU:** The Member of Parliament,  
10 the House of Commons has prohibited us from using WeChat when  
11 I was a Member of Parliament because of security concern. It  
12 was just weeks ago I was an MP and then during the election,  
13 I'm not. And knowing the danger that I'm submitting myself  
14 to, we have made a conscious decision not to get a WeChat  
15 account nor engage with people on WeChat.

16                   Thank you.

17                   **COMMISSIONER HOGUE:** Thank you.

18                   **MR. MATTHEW FERGUSON:** No further questions.

19                   **COMMISSIONER HOGUE:** Thank you.

20                   **MS. NATALIA RODRIGUEZ:** I think we just need  
21 -- sorry, Madam Commissioner. It's -- we just need five  
22 minutes to switch to the next witness.

23                   **COMMISSIONER HOGUE:** To switch to the next  
24 witness?

25                   Thank you very much, Mr. Chiu, and good luck.

26                   **MR. KENNY CHIU:** Thank you.

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

1 The hearing is in recess until five minutes.

2 La séance est en pause jusqu'à cinq minutes.

3 --- Upon recessing at 3:16 p.m./

4 --- La séance est suspendue à 15 h 15

5 --- Upon resuming at 3:21 p.m./

6 --- La séance est reprise à 15 h 21

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

9 This sitting of the Foreign Interference  
10 Commission is back in session. Cette séance de la Commission  
11 sur l'ingérence étrangère à repris.

12 **COMMISSIONER HOGUE:** Good afternoon,  
13 Ms. Kwan.

14 **HON. JENNY KWAN:** Good afternoon.

15 **COMMISSIONER HOGUE:** So Me Rodriguez, it's  
16 your turn.

17 **MS. NATALIA RODRIGUEZ:** Thank you very much.  
18 If we can have the witness affirmed, please.

19 **THE REGISTRAR:** Could you please state your  
20 name for the record, and spell your last name, please.

21 **HON. JENNY KWAN:** Jenny Kwan, K-W-A-N.

22 --- **HON. JENNY KWAN, Affirmed/sous affirmation solennelle:**

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

24 **MS. NATALIA RODRIGUEZ:**

25 **MS. NATALIA RODRIGUEZ:** Good afternoon,  
26 Ms. Kwan.

27 **COMMISSIONER HOGUE:** I just want to make sure  
28 that ---

1 MS. NATALIA RODRIGUEZ: Yes.

2 COMMISSIONER HOGUE: --- it's fine if they  
3 are not ---

4 MS. NATALIA RODRIGUEZ: Oh.

5 COMMISSIONER HOGUE: --- present ---

6 MS. NATALIA RODRIGUEZ: I did not ---

7 COMMISSIONER HOGUE: --- your colleagues?  
8 It's okay? I see that your two friends ---

9 MR. ADDISON LEIGH: Yes, I think they're just  
10 on their way back, Madam Commissioner.

11 COMMISSIONER HOGUE: Pardon me?

12 MR. ADDISON LEIGH: I think they're just on  
13 their way back, Madam Commissioner. I can go take a look.

14 COMMISSIONER HOGUE: Okay, but I think we'll  
15 wait just to make sure that ---

16 MS. NATALIA RODRIGUEZ: Yes.

17 COMMISSIONER HOGUE: --- they are with us  
18 before we start. Sorry. Is there anybody else missing or  
19 it's fine? Because I see many empty seats. It's okay? I  
20 haven't noticed if all the seats were -- no, okay. There  
21 is....

22 Okay. So you can go on.

23 MS. NATALIA RODRIGUEZ: Okay. Thank you very  
24 much.

25 Good afternoon, Ms. Kwan. Good to see you  
26 again. As you know, my name is Natalia Rodriguez. I'm  
27 Commission Counsel.

28 On February 15, 2024, you had an interview

1 with Commission Counsel; is that right?

2 HON. JENNY KWAN: That is correct.

3 MS. NATALIA RODRIGUEZ: And an interview  
4 summary was generated from that interview.

5 HON. JENNY KWAN: That's correct.

6 MS. NATALIA RODRIGUEZ: And I'm now going to  
7 call up WIT 12.EN.

8 --- EXHIBIT No./PIÈCE No. WIT 12.EN:

9 Interview Summary: Jenny Kwan

10 MS. NATALIA RODRIGUEZ: And Ms. Kwan, is this  
11 the interview summary that was generated from your interview  
12 with Commission Counsel?

13 HON. JENNY KWAN: Yes, it is.

14 MS. NATALIA RODRIGUEZ: And you've had a  
15 chance to review that summary for accuracy?

16 HON. JENNY KWAN: Yes.

17 MS. NATALIA RODRIGUEZ: And do you have any  
18 corrections, additions, or deletions to make to that summary  
19 at this time?

20 HON. JENNY KWAN: I do not.

21 MS. NATALIA RODRIGUEZ: And do you adopt the  
22 contents of this summary as part of your evidence before the  
23 Commission today?

24 HON. JENNY KWAN: I do.

25 MS. NATALIA RODRIGUEZ: Great. So we'll have  
26 that entered as the next exhibit. And for the record, the  
27 French translation is at WIT 12.FR.

28 --- EXHIBIT No./PIÈCE No. WIT 12.FR:

1                                   Résumé d'entrevue : Jenny Kwan

2                   **MS. NATALIA RODRIGUEZ:** And also for the  
3 record, you have a copy of your witness summary, of your  
4 interview summary, rather, with you today as you give  
5 testimony. Is that right?

6                   **HON. JENNY KWAN:** That is correct. I have a  
7 copy here.

8                   **MS. NATALIA RODRIGUEZ:** And that's just as an  
9 memory aid?

10                  **HON. JENNY KWAN:** Just in case if I need to  
11 refer to it.

12                  **MS. NATALIA RODRIGUEZ:** Okay. Thank you.  
13 So I understand that you are a Member of  
14 Parliament for the NDP for the riding of Vancouver East. Is  
15 that correct?

16                  **HON. JENNY KWAN:** That's correct.

17                  **MS. NATALIA RODRIGUEZ:** And you were first  
18 elected to parliament in 2015. Is that correct?

19                  **HON. JENNY KWAN:** That's right.

20                  **MS. NATALIA RODRIGUEZ:** And you were  
21 re-elected in 2019.

22                  **HON. JENNY KWAN:** Yes.

23                  **MS. NATALIA RODRIGUEZ:** And you were elected  
24 again in 2021?

25                  **HON. JENNY KWAN:** Yes.

26                  **MS. NATALIA RODRIGUEZ:** And you were  
27 previously member of the British Columbia Legislative  
28 Assembly from 1996 until 2015 when you ran for your current

1 position. Is that right?

2 HON. JENNY KWAN: That's right. I was the  
3 member of the Legislative Assembly for Vancouver Mount  
4 Pleasant.

5 MS. NATALIA RODRIGUEZ: And that was with the  
6 provincial NDP.

7 HON. JENNY KWAN: That is right. That's  
8 correct.

9 MS. NATALIA RODRIGUEZ: And from 1998 until  
10 2001, you were a provincial member of cabinet. Is that  
11 right?

12 HON. JENNY KWAN: That is correct.

13 MS. NATALIA RODRIGUEZ: And I understand you  
14 entered politics in 1993 when you were elected to the  
15 Vancouver City Council.

16 HON. JENNY KWAN: That's correct.

17 MS. NATALIA RODRIGUEZ: And you immigrated to  
18 Canada with your family from Hong Kong at the age of 9. Is  
19 that right?

20 HON. JENNY KWAN: That's right.

21 MS. NATALIA RODRIGUEZ: And I understand that  
22 before politics you were a community legal advocate working  
23 primarily in Vancouver's Downtown East side.

24 HON. JENNY KWAN: That's right.

25 MS. NATALIA RODRIGUEZ: Now, you received a  
26 briefing by CSIS concerning foreign interference in May of  
27 2023. Is that right?

28 HON. JENNY KWAN: That's correct. In fact, I

1 got two briefings if you will. One was just prior to the  
2 2021 election. It was kind of like a general briefing. And  
3 then in May of 2023, I received a more specific briefing from  
4 CSIS.

5 **MS. NATALIA RODRIGUEZ:** Okay. And so I'll  
6 take you now to CAN.DOC.23. Now, it's a document entitled  
7 Commission Request for Summary Information On Briefing To  
8 Jenny Kwan.

9 **--- EXHIBIT No./PIÈCE No. CAN.DOC 23:**

10 Commission request for summary  
11 information on briefing to Jenny Kwan

12 **MS. NATALIA RODRIGUEZ:** At the request of the  
13 Commission, the government has produced a summary of the  
14 briefing that you received in May of 2023 in a format that is  
15 suitable for public disclosure. Now, you may be asked  
16 questions about this summary today. In accordance with the  
17 Commission's obligations to prevent the disclosure of  
18 information protected by national security confidentiality, I  
19 will not be asking you any questions intended to elicit any  
20 information that remains classified.

21 Now, I understand you may not be able to  
22 answer aspects of my question as a result, so simply you can  
23 indicate, where you cannot provide some information in the  
24 answer, you can just say that you cannot answer for this  
25 reason, and I will move on to something else.

26 And you've had a chance, I understand, to  
27 review this summary. Is that right?

28 **HON. JENNY KWAN:** That's correct.

1                   **MS. NATALIA RODRIGUEZ:** And you've agreed  
2                   that the summary could be made public and your name attached  
3                   to it. Is that right?

4                   **HON. JENNY KWAN:** Yes.

5                   **MS. NATALIA RODRIGUEZ:** And -- now, speaking  
6                   in general terms, without getting into specifics, does the  
7                   summary generally accord with your recollection of the type  
8                   of information that you were provided with in that briefing?

9                   **HON. JENNY KWAN:** Yes.

10                  **MS. NATALIA RODRIGUEZ:** And again, without  
11                  getting into the details of the content of the briefing or  
12                  any specifics, did you find that briefing, and again we're  
13                  speaking about the May 2023 briefing, did you find it to be  
14                  helpful?

15                  **HON. JENNY KWAN:** Yes, it was helpful, and  
16                  particularly, I thought it was important for me to know and  
17                  to be informed that I am a target by the CCP, and that I  
18                  would likely be a what was termed as a "evergreen target".

19                  **MS. NATALIA RODRIGUEZ:** Thank you. And did  
20                  the briefing provide you with any tools that you could  
21                  implement to better protect yourself against foreign  
22                  interference or attempts of foreign interference?

23                  **HON. JENNY KWAN:** The briefing explained to  
24                  me the structure of what foreign interference would look like  
25                  coming from China and how the United Front work department  
26                  would be set up, and how possibly that work would be  
27                  undertaken. There were no -- I'm not at liberty to disclose  
28                  details around some of that work. So from that perspective



1 it was good to know.

2 The other piece that would be really good to  
3 know, of course, is just to know that you're being a target.  
4 It brings to the forefront, I think, the reality of what is  
5 and potentially could be out there. And so from that  
6 perspective I thought it was useful and helpful.

7 MS. NATALIA RODRIGUEZ: Thank you. Now, you  
8 would agree that you follow events in Hong Kong and Mainland  
9 China fairly closely?

10 HON. JENNY KWAN: Yes.

11 MS. NATALIA RODRIGUEZ: And why is that?

12 HON. JENNY KWAN: Well, Hong Kong is my  
13 birthplace, so I have obviously a special connection to it,  
14 and my ancestors, they come from China. My parents were born  
15 in China, my grandparents were born in China, and so there is  
16 that connection from that perspective. So with news that  
17 emerged in the international community is something that I do  
18 follow and to watch and see what is going on.

19 MS. NATALIA RODRIGUEZ: And do you have  
20 family ties currently to Hong Kong?

21 HON. JENNY KWAN: I do not, and especially in  
22 light of the fact to know that I am being targeted, and I'm  
23 particularly grateful for that, I don't have to worry about  
24 family members or relatives that are there, unlike some of  
25 the other people who might as a result of being targeted.

26 MS. NATALIA RODRIGUEZ: Is that because you  
27 don't have family in Hong Kong or Mainland China or is it  
28 because you don't have -- you haven't maintained any

1 connection with them?

2 **HON. JENNY KWAN:** It's because we don't have  
3 any family members that are left in Hong Kong or China. We -  
4 - when we immigrated to Canada, my family unit, we were the  
5 last group to leave Hong Kong, and so consequently we don't  
6 have any close relatives. We may have some loose relatives,  
7 if you will, or distant relatives in China that I don't  
8 really know.

9 Some years ago, when I travelled back to  
10 China on my own, as somebody who was trying to find my roots,  
11 I met people there living in my mom's house or my mom's  
12 family's home that I have no idea who they are, but they're  
13 all there in that village living in the home, taking care of  
14 the home, but they are not -- I wouldn't classify it as  
15 family members.

16 **MS. NATALIA RODRIGUEZ:** Okay, thank you. And  
17 some -- what are some of the issues related to Hong Kong and  
18 the PRC that you have spoken up about and been vocal on.

19 **HON. JENNY KWAN:** Well, on the issue around  
20 Hong Kong and, of course, the national security law is a  
21 critical issue for the people of Hong Kong. I watch Hong  
22 Kong very closely, and one of the reasons why my family  
23 immigrated to Canada was because of the handover. My family  
24 were particularly worried about what is the aftermath of  
25 that. And, of course, in addition to that, they wanted to  
26 give opportunities to the children. There are six of us,  
27 together a family of eight, and my mom only has a Grade six  
28 level of education. My dad has a Grade 10 level of

1 education, and they wanted their children to have  
2 opportunities. So we immigrated here, and I'm watching very  
3 carefully in terms of what's developing.

4 So with the national security law and what  
5 was clear to me is that the policy on one country, two system  
6 has been completely dismantled. I also watch on the news the  
7 devastating police brutality against the protesters and the  
8 peaceful protesters. So many of them are young people. So  
9 that's something that is close and near and dear to my heart.

10 And, of course, prior to that, I was also  
11 made aware, I wasn't involved in the electoral system at that  
12 time, but, of course, was made aware and watch on the news  
13 like many people the Tiananmen massacre, and that whole news  
14 was just -- and again, another devastating piece of news  
15 that's surfacing in the community. The issue around the  
16 Uyghur, Uyghur genocide is another issue that I follow very  
17 closely as well and advocate for. The situation with Taiwan,  
18 for example, as well, so there are a number of different  
19 issues to which I watch very closely to see what is evolving  
20 in the community.

21 **MS. NATALIA RODRIGUEZ:** And, Ms. Kwan, I  
22 would just ask that for the sake of the translators, and I  
23 also have to remind myself at times, just to be aware that  
24 they are translating in real time and to try and slow down a  
25 little bit for them.

26 **HON. JENNY KWAN:** Apologies.

27 **MS. NATALIA RODRIGUEZ:** Okay. No, no need to  
28 apologize.

1                   Was there a time when you started to become  
2 more vocal about these issues, and if so, when would that  
3 have been?

4                   **HON. JENNY KWAN:** Yes, particularly at the  
5 time when, you know, the news was surfacing about Hong  
6 Kongers taking to the streets and peaceful protests, and,  
7 literally, we're talking about, you know, millions of people  
8 taking to the streets and to raise the issues worried about  
9 the extradition law and so on, I started to sort of tune in  
10 even more so. And then you started to hear the news of the  
11 police brutality emerge. And then that's really at a point  
12 where I felt like I have to speak up and you have to stand  
13 with Hong Kongers as someone who was born in Hong Kong. So  
14 those were the issues that really brought it to the  
15 forefront, but, you know, all throughout my political career,  
16 I've always spoken up for human rights, and raised the issues  
17 around human rights concerns related to China. So such as,  
18 for example, with the Tiananmen massacre on certain  
19 anniversaries of those days, I would issue statements, for  
20 example, to highlight that situation and to remember the  
21 victims and their families, as an example.

22                   **MS. NATALIA RODRIGUEZ:** And so when you said  
23 around the national security law, around that time and the  
24 protests in Hong Kong, I take it that would be around 2019;  
25 is that right?

26                   **HON. JENNY KWAN:** That's correct. That's  
27 when this first emerged.

28                   **MS. NATALIA RODRIGUEZ:** Okay. So is it fair

1 to say that for the last five years you have been more vocal  
2 about some of these China related issues that you've  
3 mentioned?

4 HON. JENNY KWAN: Yes.

5 MS. NATALIA RODRIGUEZ: Okay. And I  
6 understand that you've also spoken at and attended rallies in  
7 relation to PRC issues. Can you maybe tell us a little bit  
8 about those?

9 HON. JENNY KWAN: Yeah, there were a number  
10 of different community rallies held. One was held actually  
11 just outside of the Vancouver Public Library, and it was the  
12 earlier on period with respect to the national security law,  
13 and so I spoke at that rally there. There were other rallies  
14 to which I spoke in front of the consulates building, or  
15 residence, if you will, and ---

16 MS. NATALIA RODRIGUEZ: And, sorry, when  
17 would that have been, the one in front of the consulate?

18 HON. JENNY KWAN: I did it a number of  
19 different times when I stood in front of that building. And  
20 the first time to which I did that, let me just pass back my  
21 memory, I believe that would have been in 2020 and 2021, to  
22 be sure, I think.

23 MS. NATALIA RODRIGUEZ: And so maybe to  
24 refresh your memory, I would call up JKW 149.

25 --- EXHIBIT No./PIÈCE No. JKW 149:

26 Photo Democracy Walk near Chinese  
27 Consulate

28 MS. NATALIA RODRIGUEZ: Okay. So I don't

1 know if this is available in native format or if it's just an  
2 image view, but it's difficult to appreciate in the black and  
3 white, but if we zoom out a little bit, so that we can kind  
4 of see. Okay. So do you know whether this would have been  
5 one of the instances in which you were speaking in front of  
6 the Chinese consulate?

7 **HON. JENNY KWAN:** Yes, it was. So I'm  
8 standing in this image on a flatbed truck that the organizers  
9 used as a platform, and that's in front of the Chinese  
10 consulate.

11 **MS. NATALIA RODRIGUEZ:** And if we can go to  
12 JKW 150, and zoom out as well? Is that building that we're  
13 seeing on the right, is that the Chinese Consulate?

14 **--- EXHIBIT No./PIÈCE No. JKW 150:**

15 Photo Democracy Walk near Chinese  
16 Consulate

17 **HON. JENNY KWAN:** That's correct.

18 **MS. NATALIA RODRIGUEZ:** Okay. So we can  
19 appreciate a little bit the distance, where you are relative  
20 to the consulate. And so this would be the same event as the  
21 last photo that we saw; is that right?

22 **HON. JENNY KWAN:** That's right.

23 **MS. NATALIA RODRIGUEZ:** Okay. And can you  
24 tell us a bit more about the experience of protesting --  
25 well, speaking at an event in front of the Chinese Consulate?

26 **HON. JENNY KWAN:** So at this event, the  
27 organizers brought us there. We sort of began, I think, with  
28 a walk, and then sort of ended up at this location, and

1 speakers were invited up. I was -- I believe I was the only  
2 elected official to appear and speak at this event. And at  
3 this event, as I was speaking, I was noticing as well that  
4 there is a camera, actually, right by the tree there.  
5 Anyway, just right by the fence there. And you can see the  
6 camera kind of turn, and then it alerted me to the fact that  
7 what was happening was they were actually recording images  
8 possibly, or at least being able to see who was out there and  
9 participating. And I know that for some of the community  
10 members they're particularly concerned about being  
11 identified. So as a result, some people wore masks. Some  
12 people wore hoodies and the like to sort of try and sort of  
13 protect their identity, or at least not to be so easily  
14 identifiable in this event. And so we were speaking this --  
15 and I think I had a megaphone of some sort or a mic of some  
16 sort to speak. There were people also across the street, by  
17 the way, so that they're not right within the vicinity of  
18 this area, perhaps to evade the cameras possibly, but that's  
19 sort of the nature of the event.

20 **MS. NATALIA RODRIGUEZ:** And I noticed that  
21 you did not seem to have your face covered or you're not  
22 wearing a hoodie or not -- you're not hiding your identity in  
23 any way. Was that a concern for you or what was the reason  
24 for not wanting to conceal yourself?

25 **HON. JENNY KWAN:** I was not masking. I was  
26 not trying to hide my identity. I speak publicly about these  
27 issues. I am an elected official. I support human rights  
28 everywhere. Not just here in Canada, but abroad as well, and

1 I fight for these things. And so as an elected official, I  
2 feel very much that I have this privilege, this honour, this  
3 platform that's before me, and I have to use it. I feel like  
4 that's part of my job. And so in this instance, when we're  
5 talking about, you know, the Tiananmen massacre that  
6 occurred, the situation with Hong Kong, where people are  
7 losing their basic human rights, where the rule of law that  
8 once supplied to them is no more, I feel like that it is my  
9 job to speak up and I have a platform to do so. It would be  
10 a disservice if I were to hide my identity to the position  
11 that I hold to which I honour, I think, in my role as a  
12 Member of Parliament. And I'm also cognizant as well that  
13 there are many members of the diaspora community who are not  
14 at liberty to do that because they are afraid because they  
15 have family members that are there, that are in Hong Kong or  
16 in China that might have repercussions for them. And in some  
17 ways, I also feel like it's my responsibility to speak up and  
18 to be that voice.

19 **MS. NATALIA RODRIGUEZ:** Thank you. Now, I  
20 want to move on -- we can take the document down. I want to  
21 speak a little bit about your experience with Chinese  
22 community associations. And in your witness summary, you  
23 refer to some of these as "The Big Five". And I wanted you  
24 to explain what you meant by that. Who are The Big Five and  
25 why are they considered important?

26 **HON. JENNY KWAN:** So in our community, there  
27 are a number of community events that would be hosted by  
28 various organizations. The biggest ones would be, for



1 example, the Lunar New Year celebration, the big parade that  
2 takes place in Chinatown. The organizations that come  
3 together to organize this would be what I call "The Big  
4 Five". Sometimes it's six, but generally, it's this frame.  
5 The Chinese Benevolent Association is one of them. The  
6 Chinese Freemasons is also another one. The Chinese Cultural  
7 Centre is the third one. The Vancouver Chinatown Merchants  
8 Association is another organization. And finally, an  
9 organization called S.U.C.C.E.S.S., which in full, the name  
10 is the United Chinese Community Enhancement Services Society.

11 **MS. NATALIA RODRIGUEZ:** And I understand  
12 while these five may have some, or potentially six, have some  
13 significance, there are many, many, many different community  
14 associations within the Canadian Chinese community. Can you  
15 tell us briefly about that?

16 **HON. JENNY KWAN:** Yes, there are many  
17 community organizations within the Chinese community to be  
18 sure. Some of them are service oriented, non-profit  
19 orientated, but there are also many what we call clan  
20 associations. These associations were really established  
21 long ago, back in the day when Chinese people came to Canada,  
22 they were really being discriminated against in many ways,  
23 and they clan associations are grouped together usually by  
24 people's last names or districts, or region, if you will, and  
25 it really became an association for people to network, to  
26 find support and kinship with each other, and back in the day  
27 with all the discrimination that took place, some of them  
28 even created this space to house people, because Chinese

1 people were not allowed to -- anyways, there was a lot of  
2 restrictions and discriminatory practices towards Chinese  
3 people.

4 So these clan associations exist in my  
5 riding. A lot of them were first established in -- around  
6 Chinatown. And so there are literally hundreds of those in  
7 my riding.

8 MS. NATALIA RODRIGUEZ: And in terms of The  
9 Big Five that you mentioned, are they headquartered within  
10 your riding?

11 HON. JENNY KWAN: Yes, they are.

12 MS. NATALIA RODRIGUEZ: And can you describe  
13 your relationship with these five organizations historically  
14 and how it is now? And if there's been any change, to note  
15 that as well.

16 HON. JENNY KWAN: Yeah, I will say that  
17 historically, I've had a good relationship with all these  
18 organizations. We would work together, collaborate on  
19 different issues at different times, and to support the  
20 community and to advocate for policy change or whatever the  
21 case may be.

22 But I will say that over time, as I became  
23 more and more vocal on the issues that profile China's human  
24 rights violations, as an example, especially for sure during  
25 the Hong Kong -- with the Hong Kong National Security Law  
26 situation, I sensed that there was a shift in attitude from  
27 these organizations towards me.

28 MS. NATALIA RODRIGUEZ: And what do you mean

1 by a shift in attitude. Can you give us an example?

2 **HON. JENNY KWAN:** So for example, I was  
3 noticing -- in my office, we were noticing that, you know,  
4 the invitations that would, for example, would come to my  
5 office, and we would not receive some invitations to our  
6 office, as an example. Some of the community leaders would  
7 shy away from engaging with me, as an example. And so you  
8 sort of just see those kinds of changes. It became -- in the  
9 beginning it was a little more subtle, and then it became  
10 more and more obvious over time.

11 **MS. NATALIA RODRIGUEZ:** And when did you  
12 begin to perceive that change?

13 **HON. JENNY KWAN:** I would say in and around  
14 2019 I started to notice there's some shift and some change.  
15 But for sure as you sort of move towards 2020, 2021, you  
16 know, you really noticed a significant departure from that  
17 behaviour.

18 **MS. NATALIA RODRIGUEZ:** And so I'll take you  
19 now to JKW 65\_R.

20 **--- EXHIBIT No./PIÈCE No. JKW 65 R:**

21 Press release February 18, 2022

22 **MS. NATALIA RODRIGUEZ:** And this is a press  
23 release dated February 18, 2022. It's titled *CCP suspected*  
24 *of manipulating the political ecology of Chinese Canadians*  
25 *through Lunar New Year celebration events*. And my  
26 understanding is that this is a press release by the Chinese  
27 Concerned Group, who is an intervenor in this Commission, and  
28 it's about your exclusion from a Lunar New Year celebration

1 in 2022.

2 I assume you have seen this press release  
3 before? Is that right?

4 **HON. JENNY KWAN:** Yes, I have.

5 **MS. NATALIA RODRIGUEZ:** Okay. And can you  
6 tell us about that particular event and how you were excluded  
7 from that event?

8 **HON. JENNY KWAN:** Yeah, so this was an event  
9 that was coming in to celebrate the Lunar New Year. So we  
10 were just kind of coming out of covid. And so over the covid  
11 period, the big celebration that took place in my riding did  
12 not happen. There was no big parade and so on because of  
13 covid. So this would have been the first time since that  
14 period where a Lunar New Year event celebration is being held  
15 in the community. While it's not a parade, but still it's  
16 deemed to be a significant celebratory moment.

17 At this event, it was -- there were two  
18 organizations that organized this event, and one of them is  
19 the Chinese Benevolent Association.

20 But for this event, we saw in the newspaper  
21 afterwards -- not only did my office not receive an invite  
22 for it, but we saw in the newspaper coverage of the event  
23 that there were people invited, elected officials invited,  
24 from outside of Vancouver. There were definitely Members of  
25 Parliament from Vancouver too from outside of the district  
26 where the event was being hosted at, like people from  
27 Richmond, for example, were invited to it, the Mayor of  
28 Richmond, for example, was invited to it, provincial elected

1 officials were invited to Richmond -- or invited to it. And  
2 there was, I think, councillors from Burnaby invited to it.

3 What's glaringly obvious is that I, myself,  
4 as a Chinese Canadian who is in that riding, in that area  
5 there, was not invited. The Mayor of Vancouver at the time  
6 was also not invited as well. So that became quite obvious,  
7 at least from my perspective, that there's a distinction on  
8 who they've chosen to be invited to this event.

9 **MS. NATALIA RODRIGUEZ:** And if we can go to  
10 the bottom of that page? And the press release says, in the  
11 last paragraph:

12 "As Chinatown falls under the  
13 electoral district of Jenny Kwan and  
14 she is the longest serving Chinese-  
15 Canadian politician, a celebration of  
16 Lunar New Year in Vancouver's  
17 Chinatown excluding Jenny Kwan and  
18 Vancouver's current mayor Kennedy  
19 Stewart makes no sense."

20 And if we keep going:

21 "The Concerned Group feels that the  
22 only plausible reason is that Jenny  
23 Kwan had, in Parliament, brought up  
24 the Hong Kong situation as well as  
25 voting in support of the motion  
26 naming China's Uyghur persecution as  
27 genocide..."

28 And it goes on from there. Do you agree with

1       that assessment?

2                   **HON. JENNY KWAN:**   Yes, I do.

3                   **MS. NATALIA RODRIGUEZ:**   I want to take you  
4       now to JKW 70\_R. And this is a letter from you, and it is  
5       addressed to the Canadian Security Intelligence Service.  
6       That's CSIS.

7       **--- EXHIBIT No./PIÈCE No. JKW 70 R:**

8                               Letter to CSIS

9                   **MS. NATALIA RODRIGUEZ:**   And if we go down  
10       just a little bit? Okay. Thank you.

11                           It is a letter speaking to CSIS about your  
12       exclusion from that Lunar New Years celebration. You recall  
13       sending this letter?

14                   **HON. JENNY KWAN:**   Yes, I do.

15                   **MS. NATALIA RODRIGUEZ:**   And why did you write  
16       to CSIS about this?

17                   **HON. JENNY KWAN:**   Well from the briefings,  
18       from the first briefing from CSIS, one of the things that  
19       they said to me was that, please, keep us informed. Stay  
20       alert. These are some of the -- you know, certain things  
21       that you might be suspicious about, or you wondered about,  
22       please, keep us informed. So, to that end, I thought it was  
23       important for CSIS to know that this has occurred, and so I  
24       wrote that letter and brought it to their attention.

25                   **MS. NATALIA RODRIGUEZ:**   So if we go to the  
26       last paragraph of the letter, and then it says,

27                               "I hope CSIS could look into this to  
28       determine whether or not, or to what

1 extent foreign influence or agents of  
2 a foreign government is or are  
3 affecting how community events are  
4 organized and reports its findings to  
5 various authorities including the  
6 federal government." (As read)

7 Did you receive a response to this letter?

8 **HON. JENNY KWAN:** I did not.

9 **MS. NATALIA RODRIGUEZ:** If I can turn now to  
10 JKW-66\_R?

11 --- EXHIBIT No./PIÈCE No. JKW 66 R:

12 Press release July 10, 2023

13 **MS. NATALIA RODRIGUEZ:** And this one is dated  
14 July 10, 2023, and it looks to also be a press release. And  
15 this one's entitled "Canadian Chinese Concern Group on CCP's  
16 Human Rights Violations, Expresses Concerns Over Possible  
17 Infiltration of Chinese Communist Party in Chinese Canadian  
18 Museum". And it is a press release that speaks about your  
19 exclusion from a Chinese museum event. Can you -- I assume  
20 you saw this press release at the time since it is about you?

21 **HON. JENNY KWAN:** Yes, I have seen this.

22 **MS. NATALIA RODRIGUEZ:** And can you tell us a  
23 little bit about that event and what led to this press  
24 release?

25 **HON. JENNY KWAN:** So in Chinatown, we had a  
26 very big event, actually, and that is the opening of the  
27 Chinese Canadian Museum, the first in Canada. And so this  
28 was a big event in terms of the opening, and there were many

1 community members and elected officials there. What happened  
2 at this event was, as the local representative where the  
3 Canadian Chinese Museum is located, as someone who's  
4 represented this riding, and some I say who's broken barriers  
5 for Chinese Canadian communities over the last 30 years in my  
6 role as an elected official at one level or another, it was a  
7 curious thing where at this event I was -- while I was  
8 invited to it, I did -- I was not acknowledged of my presence  
9 for the event. I did not receive a designated seat where  
10 many of the prominent electoral officials were. And even  
11 when -- during the program, elected officials, federal  
12 representatives were invited up on stage to unveil a plaque  
13 from the federal government. I was not invited to  
14 participate in that. It was just a very curious thing and I  
15 suppose in some ways, on a personal level, a little bit of a  
16 hurtful thing that occurred. But in the face of that, and I  
17 think the community groups and people who attended events saw  
18 it as well, some came up to me afterwards and said, "Why  
19 didn't they acknowledge you? Why didn't you go up on stage?  
20 Why didn't you speak?" And said these things to me. And I  
21 said, "Well, you know, I don't know. I'm not the organizer,  
22 but here you are."

23 And so the concerned group, of course, who's  
24 an active group in our community watching all of these things  
25 all the time, and they also picked it up, and, consequently,  
26 I think they wrote this press release.

27 **MS. NATALIA RODRIGUEZ:** And was that event  
28 held in your riding?



1                   **HON. JENNY KWAN:** Yes, it was. And the  
2 Chinese Canadian Museum is in my riding, the first of its  
3 kind in Canada.

4                   **MS. NATALIA RODRIGUEZ:** And I want to take  
5 you now to CAN.SUM.3.

6                   **--- EXHIBIT No./PIÈCE No. CAN.SUM.3:**

7                   Topical Summary: PRC Officials -  
8 Foreign Interference Activities in  
9 Greater Vancouver in the 2019 General  
10 Election

11                   **MS. NATALIA RODRIGUEZ:** This is a topical  
12 summary that was just recently made available. So I  
13 understand, Ms. Kwan, you have not seen this before. It's  
14 entitled "People's Republic of China Officials, Foreign  
15 Interference Activities in Greater Vancouver in the 2019  
16 General Election". And it comes with a page of caveats,  
17 which my co-Commissioner counsel, Ms. Dann, read into the  
18 record yesterday. Taking those caveats into account, I want  
19 to take you to paragraph 3 of that summary, which is on the  
20 second page. And it says,

21                   "Intelligence reports indicate that  
22 these officials coordinated the  
23 exclusion..." (As read)

24                   And by "these officials", they're speaking  
25 about officials for the People's Republic of China.

26                   "...coordinate the exclusion of  
27 particular political candidates  
28 perceived as anti-China from

1 attending local community events  
2 related to the election." (As read)

3 So this is, again, the 2019 election.

4 "This was accomplished via PRC proxy  
5 agents hiding the direct involvement  
6 of these PRC officials." (As read)

7 Now, taking into account that this is  
8 referring to events leading up to the 2019 election and you,  
9 having given your evidence that you started noticing these  
10 exclusions from events starting in and around 2019, does this  
11 paragraph generally accord with your understanding of why and  
12 how you may have been excluded from local community events  
13 such as the ones that you described for us today?

14 **HON. JENNY KWAN:** Yes.

15 **MS. NATALIA RODRIGUEZ:** So is it fair to say  
16 that, in your view, there is a relationship between your  
17 advocacy around China-related issues and your exclusion from  
18 local community events?

19 **HON. JENNY KWAN:** I think it is quite  
20 plausible that is the case. What we also know is that a  
21 former colleague of mine, Richard Lee, a former MLA, who was  
22 shunted, I guess, from the community, and the word is that if  
23 community groups invited him to events, then representatives  
24 from the consulate would not attend, as an example. So  
25 consequently, Richard did not get a lot of invitations. So  
26 this kind of practice is something that we know does occur in  
27 the community.

28 **MS. NATALIA RODRIGUEZ:** Now I want to move on

1 to your experience with your constituents. What has your  
2 experience with your constituents been like in the last 5  
3 years, so since 2019, and have you noticed a change in your  
4 constituents' demeanour, or in their interactions with you,  
5 and what can you tell us about that?

6 **HON. JENNY KWAN:** My constituents, many of  
7 them, of course, have watched me grow up, as they say, over  
8 all these years. But in the latter part, in the last five  
9 years or so particularly, with my outspokenness around human  
10 rights violations from China and particularly with the Hong  
11 Kong situation and so on, I'm noticing nervousness and fear  
12 from some of my constituents, and particularly, the elderly  
13 Chinese Canadian members. I've had people come up to me, to  
14 whisper to me, worried about their support for me and that it  
15 might be found out by the CCP, and that there might be  
16 repercussions for themselves or that of their family members.  
17 They have this fear in their heart, as an example. They  
18 would often just come up to me, hold onto me, grab my arm,  
19 and sort of whisper these things to me. I would reassure  
20 them to say that no one will know who you voted for because  
21 our ballots are secret. Nobody can tell. Only you know, as  
22 you mark the ballot, as an example. There are instances  
23 where people would come up and ask me to say, "Did you really  
24 protest the consulate and stood in front of the consulate to  
25 speak out against them", as an example. Others would ask me  
26 to pay attention and focus on domestic issues, as an example.  
27 And then in that reference, I think to mean not to speak out  
28 against China. There are others who have outright said to me

1       that they weren't going to be donating to me or supporting me  
2       because of that. So there is definitely some change in  
3       behaviour.

4                   **MS. NATALIA RODRIGUEZ:** And so with respect  
5       to the 2021 election, did you experience any of that -- those  
6       concerns conveyed to you as you went door knocking and  
7       canvassing for votes in 2021?

8                   **HON. JENNY KWAN:** There were some people that  
9       I door knocked on where they asked me "What is your position  
10      on certain policies?", for example, on the Uyghur issue, as  
11      an example. And you know, so those kinds of things would  
12      surface. What is my position on Hong Kong? Those kinds of  
13      things. But you can never know for sure was that a  
14      determining factor for them in terms of that behaviour. But  
15      from time to time, yes, those issues did come up.

16                  **MS. NATALIA RODRIGUEZ:** And did they express  
17      concern about supporting you in 2021 for fear of reprisal?

18                  **HON. JENNY KWAN:** A lot of these  
19      conversations, when people say these things to me, they -- so  
20      when I am talking about the seniors who raised those concerns  
21      to me, some of them during the campaign would say that  
22      they're worried, but a lot of them after the campaign would  
23      continue to raise these issues up with me.

24                  **MS. NATALIA RODRIGUEZ:** Okay. So it wasn't  
25      limited to the 2021 campaign is what you're saying.

26                  **HON. JENNY KWAN:** No. I think these kinds of  
27      sentiments sometimes it precedes the campaign, sometimes it's  
28      after the campaign. It kind of just continues, and it kind

1 of just doesn't stop.

2 **MS. NATALIA RODRIGUEZ:** And so with respect  
3 to the 2021 election, I understand there was an incident in  
4 2021, in August, that led to the NDP filing a complaint with  
5 the Commissioner of Canada Elections. Can you tell us a  
6 little bit about that?

7 **HON. JENNY KWAN:** Yes. During the campaign,  
8 we were alerted by someone that there was a WeChat post from  
9 Fred Kwok inviting members of the Chinese community to attend  
10 a free lunch. And when we looked at this post, a few things  
11 jumped out at me. One was, is this even legal? Because  
12 they're offering a free lunch in the middle of a campaign in  
13 support of my opponent. Could that be construed as vote  
14 buying, a bribe if you will? So that was my first thought.

15 And second, of course, is who's hosting this?  
16 You know, who's the host of this event? Is it Fred Kwok as  
17 an individual? If he was doing that, is he a third-party?  
18 Is he a registered third-party? Because we have rules and  
19 regulations related to that. If not, is it the Liberal Party  
20 he's doing that? And so that question around the host and  
21 potential violations of the *Election Act* also came up.

22 Then, of course, because it's a free lunch,  
23 and the way in which the language was posed in this WeChat  
24 message basically said, "Come and bring your friends.  
25 Doesn't matter about the number. No need to pay." Then  
26 you're imagining lots of people will go to this event, so  
27 then the cost issue also becomes a factor. And in an  
28 election, election financing, contribution limits, and all of

1       those matter a lot. So then my thought was would they be in  
2       violation of that as well?

3                       So our -- the lawyer for the NDP, we  
4       contacted central and advised them of the situation. So the  
5       lawyer for the NDP filed a complaint with the OCCE.

6                       **MS. NATALIA RODRIGUEZ:** And just for the  
7       record, that document is at JKW 76.

8       **--- EXHIBIT No./PIÈCE No. JKW 76:**

9                       Letter to OCCE: Complaint re  
10                      collusion and vote-buying in  
11                      Vancouver East

12                      **MS. NATALIA RODRIGUEZ:** And in the interest  
13       of time, I will move to a different area. Well, actually,  
14       staying in this topic for one second, if I can take you to  
15       CAN 1075.

16       **--- EXHIBIT No./PIÈCE No. CAN 1075:**

17                      SITE TF SITREP: 07 September 2021

18                      **MS. NATALIA RODRIGUEZ:** So this is a SITE  
19       Task Force SITREP. It's dated September 7, 2021. And my  
20       understanding is the lunch took place at the end of August.  
21       Is that right?

22                      **HON. JENNY KWAN:** That is correct. I believe  
23       it was the 29th.

24                      **MS. NATALIA RODRIGUEZ:** Okay. So this would  
25       have been about almost 10 days after. And if we go down, the  
26       report says on the last bullet point:

27                      "The Facebook page for the Vancouver  
28       Hong Kong Forum Society...published

1                   screengrabs from a WeChat group with  
2                   what they claim are members of the  
3                   Chinese Benevolent Association...of  
4                   Vancouver, a group that many open  
5                   source reports claim are linked to  
6                   China's United Front Work Department.  
7                   The chat that shows what is purported  
8                   to be an offer of a free lunch to  
9                   support the LPC Vancouver East  
10                  candidate as someone who 'cares about  
11                  the issues of the Chinese people.'"

12               And this Hong Kong Foreign Society:

13                   "...further claims that the message  
14                   encourages solidarity among Chinese  
15                   voters in a manner similar to South  
16                   Asian voter solidarity."

17               Can I take it that as a candidate you were  
18               aware of the SITE Task Force in 2021?

19               **HON. JENNY KWAN:** I was not.

20               **MS. NATALIA RODRIGUEZ:** Okay. Did you know  
21               that there was a SITE Task Force and it was -- and that it  
22               was called that?

23               **HON. JENNY KWAN:** No.

24               **MS. NATALIA RODRIGUEZ:** Okay.

25               **HON. JENNY KWAN:** I only learned of this from  
26               this hearing.

27               **MS. NATALIA RODRIGUEZ:** Okay. So is it fair  
28               to say, then, that SITE did not inform you that they had

1 flagged this issue with the lunch shortly after it took  
2 place?

3 HON. JENNY KWAN: That is correct.

4 MS. NATALIA RODRIGUEZ: Okay. Did any  
5 official from any government department or agency tell you at  
6 the time that this had been picked up by the SITE Task Force?

7 HON. JENNY KWAN: No.

8 MS. NATALIA RODRIGUEZ: Okay.

9 HON. JENNY KWAN: In fact, it was our  
10 campaign -- after the election, we contacted CSIS to let them  
11 know that this had occurred.

12 MS. NATALIA RODRIGUEZ: Okay. And to be  
13 fair, it's RRM Canada and GAC that picked this up, and it's  
14 in a SITE Task Force report, but the sourcing is from the  
15 Rapid Response Mechanism. Just wanted to make that clear.

16 So in terms of sources of information related  
17 to foreign interference in the 2019 and 2021 elections, it  
18 sounds like it wasn't SITE. That wasn't your go-to for  
19 information on foreign interference in the elections. Is  
20 that right?

21 HON. JENNY KWAN: That's correct.

22 MS. NATALIA RODRIGUEZ: Okay. And so who did  
23 you understand you were to report any suspicious activities  
24 to during those two elections?

25 HON. JENNY KWAN: Well, the first place, of  
26 course, is to the OCCE, and then, of course, related to  
27 matters on foreign interference it would be CSIS.

28 MS. NATALIA RODRIGUEZ: Okay. So you



1 understood that if there was -- if you had any concerns about  
2 suspected or possible foreign interference during those  
3 elections, you were to go -- to contact CSIS directly. Is  
4 that right?

5 **HON. JENNY KWAN:** Well, CSIS had asked me to  
6 keep them informed, and so that's what we did, to keep them  
7 informed after the election. At the time when this free  
8 lunch event was being promoted from Fred Kwok, our first  
9 thought was Elections Canada, the OCCE, and those violations  
10 within it, that's why we lodged our complaint to them  
11 directly.

12 It wasn't until after when other items  
13 surfaced, for example, the Vancouver Sun wrote an article  
14 about it, and in that article they talked a lot about foreign  
15 interference, and then it started to make me think, "Hmm, is  
16 it this foreign interference related?" And then of course,  
17 after I was briefed by CSIS in May of 2023, it became even  
18 more apparent to me that this might be a foreign interference  
19 activity. And so to that end, I did follow up with CSIS, as  
20 well as OCCE on it.

21 **MS. NATALIA RODRIGUEZ:** And did you have a  
22 sense for what constituted suspicious activity that should be  
23 reported? Did you understand what that threshold was for you  
24 to report something to CSIS?

25 **HON. JENNY KWAN:** No. No, I -- no. They  
26 never advised exactly what would be the threshold and what  
27 are the clear signs, it's just to alert you to be more aware.  
28 And so then, you know, you're being more aware. And during

1 the election campaign period, the things that jumped out at  
2 us with respect to this event were the potential violations  
3 of the *Election Act*. And then after the fact, when you put  
4 all the different pieces together, all the different  
5 information that's surfacing, then you start to wonder, "Is  
6 this a foreign interference activity that took place?"

7 **MS. NATALIA RODRIGUEZ:** And unfortunately, I  
8 am out of time, but I would like to ask you one final  
9 question, and that is, is there anything else you would like  
10 to tell us about any of the issues within Stage 1 of our  
11 mandate, which is the 2019 and 2021 elections that we have  
12 not had a chance to discuss?

13 **HON. JENNY KWAN:** I think that's really --  
14 it's really important to actually look at the WeChat post  
15 that Fred Kwok put up because there's some very specific  
16 language within it that in the context of foreign  
17 interference that we should be paying attention to. So I  
18 wonder if we can actually pull up that post ---

19 **MS. NATALIA RODRIGUEZ:** Sure.

20 **HON. JENNY KWAN:** --- so that we can go  
21 through it.

22 **MS. NATALIA RODRIGUEZ:** Absolutely.

23 So we can see it at CCC 186.

24 **--- EXHIBIT No./PIÈCE No. CCC 186:**

25 Press release from Chinese-Canadian  
26 Concerned Group on the Chinese  
27 Communist Party's Human Rights  
28 Violation

1                   **MS. NATALIA RODRIGUEZ:** And I pull this one  
2 up because it has the original post and it has the -- if you  
3 can go down, please. And it has the translation as well.

4                   So that's -- if we can zoom in on the side-  
5 by-side there.

6                   And maybe just briefly tell us who Fred Kwok  
7 is or who he was at that time.

8                   **HON. JENNY KWAN:** Yeah. Fred Kwok at the  
9 time was the chair of the Chinese Benevolent Association.  
10 He's also the chairperson for the Chinese Cultural Centre.  
11 He is very involved with the Chinese Freemasons and I believe  
12 he holds the title of being an honorary leader, national  
13 leader, of the Chinese Freemasons.

14                  So that's the background a little bit about  
15 Fred.

16                  But if you look at the post and even the  
17 translation here did not pick it up and reflected it. But in  
18 three places, the post reference Chinese people using the  
19 word "Chinese people" in three different places, talking  
20 about, if I can put it on the record here, the post says:

21                         "Just over two weeks left in the  
22 federal election. Throughout these  
23 years, the Chinese community and the  
24 Chinese people have long been  
25 neglected." (As read)

26                  So here they use "Chinese people".

27                         "The Chinese people must show their  
28 voting power in this election [again

"Tomorrow morning at 11:30 a.m. lunch at Flota restaurant. No matter how many we'll need to pay. You all may bring some friends here to show that you care. When the future victory comes, at least there will be a few

1 more MPs who will care about the  
2 issues of the Chinese people." (As  
3 read)

4 That should actually say, "at least there  
5 will be a few more MPs who will care about the issues of  
6 Chinese nationals" because in the Chinese version of the  
7 post, it once again says (other language) meaning China  
8 person or China people, and that in reference to Chinese  
9 nationals.

10 So this is -- to me, is deliberate. The --  
11 using that term, they're talking about wanting to elect  
12 someone who will prioritize the issues that are of concern to  
13 Chinese nationals, to the Chinese government or to China, if  
14 you will.

15 **MS. NATALIA RODRIGUEZ:** Thank you for that  
16 clarification.

17 Those are all of my questions. The  
18 participants may have some other questions for you.

19 **COMMISSIONER HOGUE:** Thank you.

20 But before that, we will take a short break,  
21 15 minutes. So we'll be back at 4:30.

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

24 The hearing is in recess until 4:30. La séance  
25 est maintenant en pause jusqu'à 16 h 30.

26 --- Upon recessing at 4:16 p.m./

27 --- La séance est suspendue à 16 h 16

28 --- Upon resuming at 4:34 p.m./

1 --- La séance est reprise à 16 h 34

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

4 This sitting of the Foreign Interference  
5 Commission is back in session. Cette séance de la Commission  
6 sur l'ingérence étrangère à repris.

7 **--- HON. JENNY KWAN, Resumed/Sous la même affirmation :**

8 **COMMISSIONER HOGUE:** The first one this time  
9 is counsel for Human Rights Coalition.

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

11 **MS. HANNAH TAYLOR:**

12 **MS. HANNAH TAYLOR:** Good afternoon, Ms. Kwan.

13 **HON. JENNY KWAN:** Good afternoon.

14 **MS. HANNAH TAYLOR:** You spoke a bit about  
15 this with Commission counsel this morning. You mentioned in  
16 your interview summary that you noticed more fear and  
17 apprehension from your constituents beginning in 2019, and  
18 it's also mentioned in your interview summary that during the  
19 2021 election, constituents, donors, and supporters told you  
20 that because you protested in front of the Consulate, they  
21 were fearful about voting for you.

22 Your summary mentioned that they were worried  
23 that the Chinese Government would find out that they had  
24 voted for you or supported you, and that this would  
25 compromise the safety of their families in China.

26 Do you know why they were afraid for the  
27 safety of their families in China?

28 **HON. JENNY KWAN:** I would suspect that if

1       they were supporting someone who would be critical of China's  
2       human rights record, that they fear that there could be  
3       repercussions for them, and part of those repercussions  
4       potentially could be the safety of their family members in  
5       China.

6                   **MS. HANNAH TAYLOR:** And without providing any  
7       identifying information, would you be able to share who  
8       expressed these kinds of fears to you during the 2021  
9       election? You mentioned Chinese Canadian seniors in  
10      particular expressed these fears, but were there other groups  
11      in particular that came to you with apprehension?

12                  **HON. JENNY KWAN:** Well they're just mostly  
13      individuals. They don't tend to come to me as a group. It  
14      will be individuals who will see me, you know, in the  
15      community somewhere, and they'll come up and whisper these  
16      things at me. The age, of course, ranged.

17                  **MS. HANNAH TAYLOR:** Okay.

18                  **HON. JENNY KWAN:** It's not necessarily just  
19      seniors. But seniors, for me, are particularly vulnerable, -  
20      --

21                  **MS. HANNAH TAYLOR:** Okay.

22                  **HON. JENNY KWAN:** --- just because they're  
23      elderly and many of them, you know, may not have a lot of the  
24      resources to even figure out where to get help. And many of  
25      them are alone. And it just breaks my heart that they would  
26      have this fear, you know, with them.

27                  I also remember when I first entered into the  
28      political arena, and first as sort of, like, a volunteer, I

1 worked really hard to get people who have never registered  
2 before to vote, and there were points in time where I said,  
3 "I don't even care who you vote for." I mean, I was working  
4 on -- you know, volunteering for a campaign. But it didn't  
5 matter for me who they ultimately voted for. I just wanted  
6 them to vote, to exercise their democratic right.

7 And for these seniors to express fear in  
8 voting, you know, to participate full -- participating fully  
9 in our Canadian democratic system was something that they're  
10 now fearful of, it was just something that struck me to be  
11 particularly challenging. And I worry for the seniors.

12 **MS. HANNAH TAYLOR:** Okay. And so what I'm  
13 hearing is that particularly among Chinese Canadian seniors,  
14 although the folks who came to you, the Chinese Canadian  
15 members of your constituency that came to you with these  
16 fears ranged when it comes to range, but particularly with  
17 seniors, the fear was not only voting for you, although that  
18 was a particular fear, but engaging in voting more generally?  
19 That was also a fear?

20 **HON. JENNY KWAN:** Yes, because if they fear  
21 that someone would know how they voted, or if they -- someone  
22 would know they supported an individual who China was seeing  
23 to be -- who deemed that individual to be anti-China, then  
24 there might be repercussions for them. That's my insinuation  
25 of what that means when they, I think, whisper these things  
26 to me, and I did my best to assure them that their vote is  
27 private, is secret, no one would know, to reassure them that  
28 it is our democratic right as Canadians to exercise that



1 right.

2 MS. HANNAH TAYLOR: And did they say  
3 specifically what they were afraid might happen to them or  
4 their families? Like, what these repercussions were that  
5 they were afraid of if they voted for you or if it was found  
6 out who they voted for more generally? These more general  
7 fears?

8 HON. JENNY KWAN: They weren't specific about  
9 exactly what they think might happen or may not happen to  
10 their family members, but other than just to express a fear,  
11 and then a fear for their safety.

12 MS. HANNAH TAYLOR: To the extent that you  
13 know, were your constituents afraid because they had received  
14 direct threats from the Chinese Government or proxies, or did  
15 they understand there to be an implicit threat to their  
16 safety and the safety of their families?

17 HON. JENNY KWAN: No one has expressed to me  
18 that there was a direct threat. What people just said to me  
19 was that they have this fear and they just expressed their  
20 thoughts.

21 Some of them actually feared for me. Some of  
22 them have said, you know, "You should be careful too." And  
23 so some of them had expressed that sentiment for my safety.

24 MS. HANNAH TAYLOR: Thank you very much, Ms.  
25 Kwan.

26 HON. JENNY KWAN: Thank you.

27 COMMISSIONER HOGUE: Counsel for Micheal  
28 Chong?

1                   **MR. GIB van ERT:** No questions. Thank you.

2                   **COMMISSIONER HOGUE:** No questions?

3                   The AG? Oh, there's -- oh, I don't have --  
4 no, I think there's the OCC ---

5                   **MR. LUC BOUCHER:** Yes.

6                   **COMMISSIONER HOGUE:** --- before. Sorry.

7                   **MR. LUC BOUCHER:** Yes.

8                   **COMMISSIONER HOGUE:** It's not on my list.  
9 Sorry. Désolé, Me Boucher.

10                  **MR. LUC BOUCHER:** Je prendrais quelques  
11 minutes seulement.

12                  **COMMISSIONER HOGUE:** C'est correct. Mais  
13 quelqu'un peut m'indiquer par ailleurs, en principe, le temps  
14 alloué est de combien?

15                  **MR. LUC BOUCHER:** C'est 5 minutes.

16                  **COMMISSIONER HOGUE:** Ok.

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

18                  **MR. LUC BOUCHER:**

19                  **MR. LUC BOUCHER:** Good afternoon.

20                  **HON. JENNY KWAN:** Good afternoon.

21                  **MR. LUC BOUCHER:** I'll direct you -- we'll go  
22 directly to the luncheon for Mr. Vander Vies that was paid by  
23 Mr. Kwok. Okay. I understand that you've been elected for -  
24 - since 2015 to the Parliament and you were an elected  
25 official before that for 10 years? Twelve (12) years?

26                  **HON. JENNY KWAN:** I was elected federally in  
27 2015. Prior to that, I was elected provincially from 1996  
28 until 2015. And then prior to that, I was elected

1 municipally from 1993 to 1996.

2 **MR. LUC BOUCHER:** So you understand that  
3 every time you have to get elected to continue your  
4 positions? You understand that? And you understand that  
5 getting elected is about the business of getting votes;  
6 right?

7 **HON. JENNY KWAN:** Well I understand that with  
8 each election cycle, I have to earn the trust of the  
9 electorate and support from them to get elected. And yes,  
10 ultimately it is getting votes into the ballot box.

11 But for me, it's a little bit more than that.  
12 It is about standing up for what you believe in and then  
13 fighting for those beliefs.

14 **MR. LUC BOUCHER:** Okay. And to get votes,  
15 you need to communicate with the communities? Is that ---

16 **HON. JENNY KWAN:** Of course. Part of the  
17 electoral process is communications and being able to  
18 communicate with the electorate would absolutely be paramount  
19 in the electoral process.

20 **MR. LUC BOUCHER:** And using the pillars of  
21 the communities to get in contact with them is part of the  
22 job?

23 **HON. JENNY KWAN:** Using communication tools?

24 **MR. LUC BOUCHER:** No, the ---

25 **HON. JENNY KWAN:** Is that what you mean?

26 **MR. LUC BOUCHER:** --- important persons of  
27 community. The pillars of the communities.

28 **HON. JENNY KWAN:** Oh, I see. So getting

1 support from community leaders ---

2 MR. LUC BOUCHER: Yes.

3 HON. JENNY KWAN: --- to show support for  
4 your candidacy? Yes. Of course. I think every elected  
5 official would aim to try and get that. Or every candidate.

6 MR. LUC BOUCHER: Okay. Being a Member of  
7 Parliament since 2015, you must be familiar with the *Canada*  
8 *Elections Act*?

9 HON. JENNY KWAN: I am.

10 MR. LUC BOUCHER: Okay. And when the lunch  
11 occurred, one of your worries was that Mr. Kwok did not  
12 register as a third party?

13 HON. JENNY KWAN: Well when the -- when we  
14 learned of the event and saw the WeChat post, a number of  
15 things jumped out at me. One of course is who is organizing  
16 this. And if Mr. Kwok was organizing this, is he a  
17 registered third party? Is he doing this as an individual?  
18 Is he abiding by the contribution limits as they are set out  
19 in the *Elections Act*?

20 The other element, of course, related to  
21 those concerns, is the fact that the post, the WeChat post,  
22 spoke about a free lunch, and it seemed unlimited, urging  
23 people to bring as many people as they can, and using clear  
24 language to say, "Don't worry. No need to pay." Then you  
25 start to wonder, is this a violation of the *Elections Act*  
26 pertaining to buying votes? So that's another element in  
27 relation to that. And then, of course, contribution limits,  
28 because all campaigns have limitations related to that, and

1 would there be violations of contribution limits?

2 **MR. LUC BOUCHER:** Okay. And have you been  
3 following the Commission's testimonies prior to yours?

4 **HON. JENNY KWAN:** I have, for the most part.  
5 There were some moments where I wasn't able to catch elements  
6 of it, but for the most part, yes.

7 **MR. LUC BOUCHER:** Okay. Did you have a  
8 chance to listen to the Commissioner Simard, Commissioner  
9 Côté, and Mylène Gigou testify?

10 **HON. JENNY KWAN:** I did, yes.

11 **MR. LUC BOUCHER:** And in fact, you learned  
12 from that testimony that the lunch was at the request of  
13 Mr. Vander Vies?

14 **HON. JENNY KWAN:** Yes, I had heard that  
15 testimony. What was of course interesting is that in the  
16 WeChat post there was no indication that this is a free lunch  
17 at the behest of the candidate.

18 **MR. LUC BOUCHER:** Okay.

19 **HON. JENNY KWAN:** As well, in the media  
20 reporting that came afterwards, in the Vancouver Sun, there  
21 was a prominent article from a reporter, a columnist I should  
22 say, and there was no indication in that report that this was  
23 a free lunch event organised at the behest of the candidate.

24 Mr. Fred Kwok was interviewed, and in fact he  
25 said in that article that he violated the *Election Act* for he  
26 did not register as a third-party and he also said in that  
27 article that he paid \$1,500 for the lunch.

28 **MR. LUC BOUCHER:** Okay. But in fact, in that

1 article, and we may disagree, but in that article what  
2 Mr. Kwok worries was that he also contributed to the  
3 Conservative Party \$1,200, and he may have over contributed  
4 at that time.

5 **HON. JENNY KWAN:** In that article, he  
6 mentioned that he also contributed to another candidate, but  
7 in terms -- I guess in terms of the contribution limit, there  
8 are two elements to it, in terms of the personal contribution  
9 and those limits and to two different candidates, but there  
10 is also a contribution limit for the free lunch to which he  
11 was contributing to. So that's the way I read that article.  
12 Contribution limits could apply in both instances.

13 **MR. LUC BOUCHER:** Now, if we come back to the  
14 purpose of this Commission, the occurrence of the lunch, the  
15 issue might be where the money comes from. Exact? And  
16 during your witness statement, at paragraph 41, I won't ask  
17 the people, but you stated at paragraph 41 that:

18 "In light of a media report about  
19 transfer of funds from the Chinese  
20 Consulate in Toronto to campaigns..."

21 You wonder:

22 "...whether the Chinese Consulate in  
23 Vancouver may be operating at petty  
24 cash slush fund to finance events,  
25 such as the lunch hosted by  
26 Mr. Kwok."

27 My question is do you have any evidence, any  
28 evidence besides that media article targeting the consulate

1 in Toronto, do you have any evidence of that slush fund  
2 existing in the Vancouver area?

3 HON. JENNY KWAN: So first off, on the issue  
4 around the cost of the lunch, there is a big question in my  
5 mind that is still outstanding, and that is whether or not  
6 the actual cost of the lunch is the same amount as the  
7 reported amount.

8 MR. LUC BOUCHER: But Ms. -- just -- because  
9 the Commission is concerned with foreign interference.

10 HON. JENNY KWAN: Yes.

11 MR. LUC BOUCHER: Now, foreign interference  
12 in the lunch would be where the money comes from.

13 MR. SUJIT CHOUDHRY: Your Honour,  
14 Commissioner, excuse me, I think Ms. Kwan is well aware of  
15 the question, and I think she's getting to an answer. So I'd  
16 ask my friend to desist from interrupting her so that she can  
17 complete her answer.

18 MR. LUC BOUCHER: That's fine.

19 COMMISSIONER HOGUE: Complete your answer.

20 HON. JENNY KWAN: Thank you so much. Yes, if  
21 you could indulge me, and I apologise if I'm taking time to  
22 explain this, so that I can connect the dots with respect to  
23 the question.

24 So from the market rate to which my office  
25 was able to attain for a event such as this, it seemed to  
26 indicate that the cost of the lunch is -- far exceeds the  
27 amount that's been reported, at least by a third, maybe even  
28 half or more than what was reported. So then the outstanding

1 question is, who paid for that amount? Where did the source  
2 of that money come from?

3 And so related to that, then, could it be a  
4 foreign interference actor who paid for that amount? We have  
5 no information with respect to that. We cannot even verify  
6 what is the actual amount of the cost.

7 So when the news media and reports was coming  
8 forward to indicate that allegedly that there is a slush fund  
9 that was set up for elections, I -- in Toronto, I can't help  
10 but wonder whether or not the same thing is happening here in  
11 Vancouver as well.

12 So this is how it relates, and that's why  
13 chasing that money is so critical. Finding out where that  
14 source of funds might have come from is so critical.

15 MR. LUC BOUCHER: Thank you.

16 COMMISSIONER HOGUE: Thank you.

17 MR. LUC BOUCHER: C'tait mes questions.

18 COMMISSIONER HOGUE: Now, it's your turn.

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

20 **MR. BARNEY BRUCKER:**

21 MR. BARNEY BRUCKER: Good afternoon,  
22 Ms. Kwan. My name's Barney Brucker. I'm here for the  
23 Attorney General. Thank you for assisting us with the  
24 Inquiry by being here today.

25 I'm not going to ask what was on the menu for  
26 lunch, so we can at least get that out of the way.

27 HON. JENNY KWAN: I was told it was pretty  
28 lavish, but I wasn't invited.



1                   **MR. BARNEY BRUCKER:** I just wanted to ask  
2 about your riding. Vancouver East, was it?

3                   **HON. JENNY KWAN:** Yes, it is.

4                   **MR. BARNEY BRUCKER:** And what is the ethnic  
5 makeup of that riding?

6                   **HON. JENNY KWAN:** I'm very proud to be  
7 representing Vancouver East. It's one of the most diverse  
8 communities or ridings if you will across the country. At  
9 one point, reports indicate that we have some 76 different  
10 spoken languages in the district. And pertaining to the  
11 ethnic diaspora community, we have a wide-ranging cultures  
12 and representation in the riding. The Chinese Canadian  
13 community, according to census, seem to indicate that our  
14 population is about a little under 20 percent or so of the  
15 overall population.

16                   **MR. BARNEY BRUCKER:** Okay. You had mentioned  
17 that prior to the election you had had a briefing by CSIS.  
18 And I take it that did not involve any classified  
19 information. That it was a, I think you called it, a general  
20 briefing?

21                   **HON. JENNY KWAN:** Yes, it was a general  
22 briefing. I think that the purpose, at least I was told the  
23 purpose of that was to alert members of parliament about  
24 foreign interference, and to bring that to our attention.

25                   **MR. BARNEY BRUCKER:** And do you know if other  
26 MPs of various party stripes were also given a similar type  
27 of briefing prior to the election?

28                   **HON. JENNY KWAN:** To my knowledge, some other

1       MPs were, although who exactly, that I don't know.

2                   **MR. BARNEY BRUCKER:** And do you know that  
3 either before or during or even after the election the NDP  
4 National Campaign, or Committee, or whatever their correct  
5 terminology is, did they also receive a briefing?

6                   **HON. JENNY KWAN:** You mean during the  
7 campaign if they received or ---

8                   **MR. BARNEY BRUCKER:** Yes. Before the --  
9 leading into the campaign or during the campaign did the  
10 national party receive a briefing, do you know?

11                   **HON. JENNY KWAN:** From CSIS? I was not  
12 advised.

13                   **MR. BARNEY BRUCKER:** Okay. So let me suggest  
14 to you that among the general concepts put forward during  
15 this general briefing, CSIS may have explained their mandate,  
16 that they were not a law enforcement agency. There may have  
17 been the discussion about what is foreign interference and  
18 what isn't foreign interference, and also, a discussion about  
19 perhaps how would you try -- how could you recognise it or  
20 what is the -- what are the methods employed, in a general  
21 way. And also, some contact information for you or members  
22 of your staff to contact government organisations if you saw  
23 something of concern during the elections. Is that fair?

24                   **HON. JENNY KWAN:** That's fair, and CSIS was  
25 definitely clear to say that they do not have investigative  
26 powers.

27                   **MR. BARNEY BRUCKER:** Okay. And you mentioned  
28 a follow-up after -- shortly after the election. And I can't

1 recall because my notes aren't very good, but what was that  
2 follow up in -- about?

3 **HON. JENNY KWAN:** Yes. So after the  
4 election, and in light of this free lunch that was -- that  
5 Fred Kwok had put on the WeChat platform after the election,  
6 and my office contacted CSIS to inform them of this event  
7 that took place. There was also another -- sorry. I'll just  
8 leave it there.

9 **MR. BARNEY BRUCKER:** Okay. I thought we  
10 might away from the lunch, but apparently not.

11 Can you tell me, did it occur to you when you  
12 contacted CSIS about the free lunch that -- was the reason  
13 for that that it was possible foreign interference? Is that  
14 why you contacted?

15 **HON. JENNY KWAN:** That is correct.

16 After the event when we started to think  
17 about all the different things that were occurring and  
18 putting these different pieces together, you start to wonder,  
19 could this be a foreign interference activity. And so CSIS  
20 had said to me that to please keep them informed and to let  
21 them know that if we think there were any suspicious  
22 activities to let them know. And so as you think about these  
23 things, I thought it would be best to keep them informed, and  
24 that's exactly what I did.

25 **MR. BARNEY BRUCKER:** And did it occur to you  
26 when you contacted the Commissioner of Canada Elections about  
27 a possible campaign violation that also may be foreign  
28 interference?

1           **HON. JENNY KWAN:** Well, at the time when the  
2 matter was happening, the first thing that jumped out at me  
3 was, was this legal. They're offering a free lunch to people  
4 in the middle of a campaign. And my head space went right to  
5 the *Elections Act* and those kinds of violations, so that's  
6 why the lawyer for the NDP, after we contacted them, filed  
7 that letter as such.

8           Subsequent to that, there was a media  
9 reporting also in the Vancouver Sun that talked about that  
10 event and then also raised a whole number of other foreign  
11 interference related issues.

12           And so when you sort of start to think about  
13 that -- and this really came to hit me hard, I guess, was  
14 when -- after my briefing in May of 2023. And I started to  
15 think maybe that really was potentially a foreign  
16 interference activity.

17           And when you started to hear all the  
18 different news that were surfacing about the slush fund and  
19 all of those kinds of things, and so that's why I followed up  
20 in writing a letter to the OCCE raising these issues again  
21 and also bringing that up to the attention of CSIS.

22           **MR. BARNEY BRUCKER:** I think I just have one  
23 more question.

24           Back to the briefing that you had prior to  
25 the 2021 election, did you adjust your campaign strategy or  
26 your campaign approach in any way as a result of that  
27 briefing?

28           **HON. JENNY KWAN:** No. What they were telling

1 us was to sensitize us to this possibility, and so I hadn't  
2 thought much of it other than to say, okay, I will be alert  
3 and pay attention. But I wasn't thinking that necessarily  
4 this would be happening or may happen, so we did not really  
5 adjust our strategy in that way. But as the campaign sort of  
6 evolved, as things happened and then later on, as I said, in  
7 May of 2023 when all these other pieces of information were  
8 coming forward, I started to wonder about it and perhaps  
9 connect the dots.

10 **MR. BARNEY BRUCKER:** Right. Was your  
11 campaign monitoring WeChat?

12 **HON. JENNY KWAN:** No, we didn't. And the  
13 reason why is that some years ago, we did -- my office, we  
14 did use WeChat as a platform to get information out, putting  
15 forward statements and government announcements and different  
16 things like that through that platform. And then partway  
17 through, we had discovered that I was being censored.

18 What happened was one of the statements, and  
19 I believe it was a statement about the anniversary of the  
20 Tiananmen massacre that we had put up, and it was censored  
21 and was taken down. And someone alerted us to that.

22 And I thought, wow, I'm being censored by  
23 Chinese authorities as a Canadian elected official. That  
24 cannot be allowed to happen.

25 So I decided that I would not use the WeChat  
26 platform.

27 **MR. BARNEY BRUCKER:** And when you discovered  
28 that, did you report that to Commissioner of Canada Elections

1 or CSIS or to anybody?

2 HON. JENNY KWAN: No, that happened way  
3 before with all of this, and this is before I even thought  
4 about potential foreign interference issues.

5 MR. BARNEY BRUCKER: Okay. Thank you, Ms.  
6 Kwan.

7 COMMISSIONER HOGUE: Thank you.  
8 Mr. Choudhry?

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

10 MR. SUJIT CHOUDHRY:

11 MR. SUJIT CHOUDHRY: Ms. Kwan, so I just  
12 would like to begin with a couple of kind of background  
13 issues about your political career just for the record.

14 So is it true that you're the only Chinese  
15 Canadian to have been elected to all three levels of office -  
16 - all three levels of government?

17 HON. JENNY KWAN: I believe so.

18 MR. SUJIT CHOUDHRY: Yes. And you were the  
19 first Chinese Canadian to serve in the B.C. Cabinet.

20 HON. JENNY KWAN: That's correct.

21 MR. SUJIT CHOUDHRY: Okay. So as you know,  
22 the focus of this phase of the public inquiry is on the 43rd  
23 and 44th General Elections and foreign interference and the  
24 related issue of information flow. And so I'd like to kind  
25 of use your experience as a window into that issue because  
26 that's really what's of most interest to the Commissioner.

27 And so what I'd like to first take you to, if  
28 I may, is the WeChat message because I think getting the

1 language right is important. So I'd like to take you to the  
2 version of the WeChat message translation that you provided,  
3 and that is in your witness statement. It's Witness  
4 Statement 12, paragraph 41.

5 And I know there have been a couple of  
6 different versions of this witness statement, so forgive me  
7 if I've not got the right paragraph.

8 Okay. So this is the different version.

9 Could we -- if I could ask for assistance  
10 from Commission counsel. This -- I had it at paragraph 41 of  
11 my version.

12 Actually, if you just scroll up, please.

13 Yes, there you go, 38.

14 And so just to clarify for the record, here  
15 in your translation, is it true that you've drawn the  
16 distinction between the references to the terms "Chinese  
17 community" and "Chinese people" and Chinese nationals"?

18 **HON. JENNY KWAN:** Yes, that's correct.

19 **MR. SUJIT CHOUDHRY:** Right. And the term --  
20 by the term "Chinese national", your evidence is that that  
21 term refers to persons whose main political concern or  
22 allegiance is China.

23 **HON. JENNY KWAN:** That is correct.

24 **MR. SUJIT CHOUDHRY:** As opposed to Chinese  
25 people of an ethnicity or Chinese community.

26 **HON. JENNY KWAN:** That is correct.

27 So for example, I'm a Chinese person, Chinese  
28 Canadian individual born in Hong Kong, so some people would

1 say I'm a Hong Konger and a Chinese person. Others, for  
2 example, might be born in Malaysia and whose heritage is  
3 Chinese as well. And so that's also another Chinese person.

4 But when we say "Chinese nationals", then  
5 that is a very specific language which affiliates you to  
6 China, and so in this context I believe the language refers  
7 to someone whose allegiance is first and foremost to China.

8 **MR. SUJIT CHOUDHRY:** And so Commission  
9 counsel took you to the SITREP reports that are  
10 contemporaneous with the 2021 elections. And it's true that  
11 those SITREP reports flagged this event, and they flagged --  
12 and they linked this event to groups that were allied with  
13 China. They even linked that event to the United Front.

14 **HON. JENNY KWAN:** That's correct.

15 **MR. SUJIT CHOUDHRY:** So certainly to the  
16 federal government or entities within the federal government,  
17 at the time the event took place, in the intelligence  
18 community this event raised red flags.

19 **HON. JENNY KWAN:** Yes, that's correct.

20 In looking at that document, the SITE report  
21 that came out, I believe the knowledge of that information  
22 was in and around September the 7th, I believe. And as it  
23 happens, that was also the date in which the NDP lawyer filed  
24 a complaint to OCCE.

25 **MR. SUJIT CHOUDHRY:** but of course, they  
26 haven't been told about -- that the intelligence community  
27 had flagged the very same event that you were raising a  
28 complaint about.



1                   **HON. JENNY KWAN:** No. In -- from the  
2 hearing, they had advised the Commission that they were not  
3 informed of this and, of course, neither was I as the  
4 candidate.

5                   **MR. SUJIT CHOUDHRY:** So could we call up  
6 CAN.DOC 23? This is the summary of the CSIS briefing.

7                   And I'd like you to scroll down. There's a  
8 phrase that begins, "With a better understanding".

9                   Yes. Could we just stop there?

10                  So I'd like to read this phase to you, Ms.  
11 Kwan. So this is again the public document that summarizes,  
12 on a non-confidential basis, the CSIS briefing you received  
13 in May 2023, and it says the following:

14                               "With a better understanding of PRC  
15                               foreign interference methodology and  
16                               tradecraft, Ms. Kwan would be better  
17                               able to reduce the effectiveness of  
18                               such threats in the future, enabling  
19                               her to respond and resist foreign  
20                               interference efforts by reporting  
21                               them to CSIS and other authorities."

22                  So reporting them to CSIS. So would you --  
23 would a person reading this reasonably conclude that you were  
24 advised to report foreign interference -- potential foreign  
25 interference to CSIS or other authorities?

26                  **HON. JENNY KWAN:** That's correct. That's  
27 what I understood from the briefing that I was to do, and so  
28 that is what we did. We reported the matter to CSIS, and

1       then other authorities as well.

2                   And so of course during the election campaign  
3       it was to the OCCE, and then also not just during the  
4       election campaign but afterwards as well, in August, when the  
5       OCC reached out to me and talked to me about another  
6       potential foreign interference matter, and I raised with them  
7       at that time this incident and I was advised by them that  
8       they were of less interest on this matter.

9                   **Mr. SUJIT CHOUDHRY:** Right.

10                  **HON. JENNY KWAN:** The other authorities that  
11       we also brought this issue to the attention was the RCMP.  
12       And so we had an opportunity where the RCMP had connected  
13       with us, and we brought this to their attention and that was  
14       in September 2022.

15                  **MR. SUJIT CHOUDHRY:** So just to kind of  
16       collect all this, so you brought this event to the event  
17       [sic] of OCCE in September 2021 at the very same time that a  
18       SITREP report had flagged this event as being a possible  
19       incident of foreign interference. You then raised it again  
20       with CSIS in October 2021. You raised it with the RCMP in  
21       September 2022, and you raised it again with OCCE in July and  
22       August of 2023. So you raised it four times with CSIS and  
23       other authorities; correct?

24                  **HON. JENNY KWAN:** Correct.

25                  **MR. SUJIT CHOUDHRY:** And then what happened?

26                  **HON. JENNY KWAN:** Nothing happened. I have  
27       not received any information about the complaint from OCCE.  
28       I learned later on that most recently a decision has been

1 made, and that was communicated to the party lawyer in March.

2 It seemed to me from all these entities to  
3 which we brought this information to, there just simply  
4 wasn't that much interest in regards to it and nor was there  
5 any ability for these government entities to collaborate or  
6 to work together to address the issue. They all seemed to me  
7 working in isolation of one another.

8 **MR. SUJIT CHOUDHRY:** And so just a couple  
9 more points on this and I'm -- on the issue of the lunch and  
10 your complaints about it.

11 So there's -- I just want to put in -- to  
12 mark as an exhibit an affidavit from Gabriel Yiu, who was our  
13 campaign manager. And that document is Witness 8\_AF.

14 **--- EXHIBIT No./PIÈCE No. WIT 8 AF:**

15 Affidavit of Gabriel Yiu with  
16 Interview Summary

17 **MR. SUJIT CHOUDHRY:** That, just for the  
18 record, Commissioner, just provides some evidence regarding  
19 the costing of this event and raises the question -- it's the  
20 factual basis for the question as to where the missing funds  
21 might have come from. I won't take you to it.

22 And so I'd like to, though, take you to the  
23 answer that was given by the OCC witnesses on Thursday  
24 regarding their conclusion that the event could not have  
25 possibly been an instance of foreign interference because, of  
26 course, it was host -- according to them, it was requested by  
27 the Liberal candidate.

28 But let's assume that to be true, right? Is

1 it still nonetheless possible that there might have been  
2 foreign interference in relation to this campaign event, even  
3 if it were requested by your political opponent?

4 **HON. JENNY KWAN:** Well, yes, I think both  
5 could be true. It could very well be that the candidate  
6 requested a free lunch to be hosted on his behalf to support  
7 him, absolutely. But it also could be true that foreign  
8 interference actors might have observed this and seized on  
9 that opportunity to -- and used that opportunity as a foreign  
10 interference activity. And so both could be true. And  
11 especially in light of the fact that the reported cost of the  
12 event has not been verified with the actual cost. And based  
13 on the commercial market rate that we were able to obtain  
14 from the restaurant in and around that time, to host a  
15 similar event, the reported amount at best is a third of the  
16 actual market cost and quite possibly, you know, the rest of  
17 the -- sorry; is two-thirds of the market cost, and quite  
18 possibly a third of the cost for the event, or a half or even  
19 more of the cost of the event was paid by someone else.

20 **MR. SUJIT CHOUDHRY:** And it's your job as a  
21 -- as someone making complaints is to raise questions.  
22 You're not a plaintiff in a lawsuit; it's not your job to  
23 provide evidence. It's your job to tell an investigative  
24 authority to do their job and to use their investigative  
25 tools.

26 **HON. JENNY KWAN:** Well, that's exactly it.  
27 I'm not investigating this matter; I am providing as much  
28 information as we can garner to them and for the people whose

1 task to investigate this.

2 So the OCCE in part is tasked to investigate  
3 what violations have taken place, and on the question around  
4 foreign interference, from my perspective, chase the money  
5 and then maybe they would be able to find out whether or not  
6 there are other actors involved and whether or not foreign  
7 interference is part of that.

8 Of course, in context putting in context of  
9 all of this to look at the person who posts the WeChat  
10 message out, which was Fred Kwok, whose affiliation is the  
11 Chair of the Chinese Benevolent Association, whose  
12 affiliation is an honorary national leader of the Chinese  
13 Freemasons and so on.

14 So put that in -- on one side. Then you also  
15 have to think about all the other activities that are going  
16 on as well. The Chinese Benevolent Association, along with  
17 the Chinese Freemasons, have also undertaken quite actively  
18 in various ad campaigns that they put out in support of the  
19 message and narrative of the CCP. And so therefore, putting  
20 all these together would be important to -- for it to be  
21 considered in an investigation.

22 **MR. SUJIT CHOUDHRY:** And so should the SITREP  
23 report have been provided to OCCE when you lodged your  
24 complaint with them about this event?

25 **HON. JENNY KWAN:** From the testimony, from  
26 what we understood, from what I understand is that it had  
27 not.

28 **MR. SUJIT CHOUDHRY:** But should it have been,

1 in your view?

2 **HON. JENNY KWAN:** Yes, absolutely it should  
3 have been.

4 You know, when you collect this information  
5 and you have multiple departments collecting this  
6 information, wouldn't you want to use that information in  
7 real time, and so that you can ensure that the investigation  
8 is actually done properly?

9 We had filed a complaint, but that  
10 information was not shared with the OCCE, and to which, from  
11 my perspective, is really problematic. What is the point of  
12 gathering this information if you can't use it in real time?  
13 Especially when there's an active complaint.

14 **MR. SUJIT CHOUDHRY:** And so I guess I have  
15 one last question which is about kind of looking forward.

16 And so the Commissioner is going to be making  
17 recommendations regarding different institutional mechanisms  
18 to detect, deter, and counter foreign interference, and  
19 she'll be looking at different institutions as they currently  
20 exist; she'll be thinking, perhaps, or proposing new  
21 institutions be created. Once such institution is OCCE.

22 So based on your experience of how the OCCE  
23 addressed alleged foreign interference in one event, do you  
24 have any thoughts to share about the role of the OCC going  
25 forward and whether they would be able to detect foreign  
26 interference in relation to issues in their mandate?

27 **HON. JENNY KWAN:** Well, from my perspective,  
28 when you look at the investigative process that I'm aware of

1 from the OCCE, it's clear to me that it was a failed process,  
2 and not only did they not get the necessary evidence to  
3 verify the actual cost of the event, they did not use the  
4 authority or the tool that they have to compel the  
5 restaurant, who refused to provide a receipt, to get that  
6 information. And so consequently, they don't have all the  
7 evidence before them to determine whether or not foreign  
8 interference had occurred, or some other act -- whoever that  
9 other actor might have been, to pay for the difference  
10 between the actual reported amount versus the reported  
11 amount.

12 And so you know, I kind of look at it like  
13 this. You have multiple government agencies who have a bit  
14 of the ingredients, let's put an analogy that I can  
15 understand, of baking a cake. Everybody has a little bit of  
16 the ingredients here and there and multiple agencies, the  
17 RCMP, CSIS, OCCE, this Taskforce, for example. And they all  
18 have it. And then when you want to bake the cake, you want  
19 to make sure all the ingredients are mixed well together in  
20 the order in which it should be to produce the product.

21 Well that didn't happen here. Instead, what  
22 happened is that you have a half-baked product, because  
23 everybody owned their own ingredients and filled it in  
24 whenever they felt like it. And that doesn't make any sense  
25 at all. And so that's a failure of the system. And then  
26 when you have all the tools to follow to try and get the  
27 ingredients, or sorry, to get the product, you think that  
28 you'd used all the tools, but it seemed to me that OCCE did

1 not use all the tools, because they did not compel the  
2 restaurant to produce the receipt and to follow the cost to  
3 verify the amount of that free lunch event.

4 So it's a failure of a system to me, and I'm  
5 deeply disappointed about it.

6 The worst thing for me about all of this is,  
7 aside from my complaint itself, set that aside for a minute,  
8 is what message is being sent to public? We look at  
9 government agencies and they are supposed to instil  
10 confidence, and trust, and faith in the hearts and minds of  
11 the public. We rely on them to do the very work to  
12 investigate and to verify, and to ensure the law is being  
13 followed. But I think that in this instance, the  
14 investigation failed in that.

15 And in relation to foreign interference, the  
16 message here is that for the -- if in fact there was foreign  
17 interference that took place in this free lunch event, the  
18 message sent to them is, "You can get away with it." That is  
19 the message, and that is not helpful.

20 And so that's what I'm worried about. That's  
21 why it's so important to do this work. And so I do hope that  
22 the Commission -- you know, I advocated for this Commission,  
23 I'm so happy that it is here, and I do look forward to the  
24 recommendations from the Commission, and I do hope that the  
25 Commission will look at all these elements and make  
26 recommendations so that we can effectively combat foreign  
27 interference, and yes, in real time as well.

28 **MR. SUJIT CHOUDHRY:** Thank you, Ms. Kwan.



1 COMMISSIONER HOGUE: Thank you.

2 Re-examination, Ms. Rodriguez?

3 MS. NATALIA RODRIGUEZ: No. None for this  
4 witness. Thank you.

5 COMMISSIONER HOGUE: Thank you very much.  
6 You're free to go, or you may stay if you prefer.

7 We have another witness. I see that actually  
8 he is already in the room, so instead of taking a break, I  
9 suggest that we continue right away.

10 MS. NATALIA RODRIGUEZ: Thank you.

11 COMMISSIONER HOGUE: We are running a bit  
12 late.

13 THE REGISTRAR: Mr. Chong, do you wish to be  
14 affirmed or sworn?

15 HON. MICHAEL CHONG: I'll swear in, please.

16 THE REGISTRAR: Okay. Thank you. Can you  
17 please state your name and spell your last name for the  
18 record, please?

19 HON. MICHAEL CHONG: My name is Michael  
20 Chong. C-H-O-N-G.

21 --- HON. MICHAEL CHONG, Sworn/Assertmenté:

22 THE REGISTRAR: Thank you very much.

23 Counsel, you may proceed.

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

25 MS. NATALIA RODRIGUEZ:

26 MS. NATALIA RODRIGUEZ: Thank you.

27 Good afternoon, Mr. Chong. As you know, my  
28 name is Natalia Rodriguez. I'm Commission counsel.

1                   On February 15, 2024, you had an interview  
2 with Commission counsel. Is that right?

3                   **HON. MICHAEL CHONG:** That's correct.

4                   **MS. NATALIA RODRIGUEZ:** And an interview  
5 summary was generated from that interview; correct?

6                   **HON. MICHAEL CHONG:** That's correct.

7                   **MS. NATALIA RODRIGUEZ:** And so I will now  
8 turn up WIT 18.EN.

9                   **--- EXHIBIT No./PIÈCE No. WIT 18.EN:**

10                                   Stage 1 Interview Summary: Michael  
11                                   Chong

12                   **MS. NATALIA RODRIGUEZ:** And this is the  
13 summary that was generated from your interview? Is that  
14 correct?

15                   **HON. MICHAEL CHONG:** That is correct, but I  
16 have one clarification in paragraph 20. It's a minor one,  
17 but I think it's an important one.

18                   **MS. NATALIA RODRIGUEZ:** Sure. Let's go there  
19 now.

20                   **HON. MICHAEL CHONG:** In paragraph 20, in the  
21 second bracketed portion of the paragraph, I just want to  
22 clarify that the Conservative Party requires a payment of a  
23 minimal membership fee, but the Liberal Party of Canada does  
24 not.

25                   **MS. NATALIA RODRIGUEZ:** Okay. Thank you. So  
26 what I understand you to be saying is that while it says  
27 there that you observed that both the CPC and the Liberal  
28 Party have minimal criteria and you ascribe the payment of

1 the minimal membership fee to both, it is actually only true  
2 for the Conservative Party and not for the Liberal Party of  
3 Canada? Am I understanding that correctly?

4 **HON. MICHAEL CHONG:** That is correct.

5 **MS. NATALIA RODRIGUEZ:** Okay. Thank you. Do  
6 you have any other modifications, additions, or deletions to  
7 make to this summary?

8 **HON. MICHAEL CHONG:** I do not.

9 **MS. NATALIA RODRIGUEZ:** And do you otherwise,  
10 given the caveats that we just discussed, adopt the contents  
11 of this witness summary as you just modified as part of your  
12 evidence before this Commission?

13 **HON. MICHAEL CHONG:** I do.

14 **MS. NATALIA RODRIGUEZ:** Thank you. So we'll  
15 have that entered in as the next exhibit.

16 And for the record, the French translation of  
17 that summary can be found at WIT 18.FR. And that will also  
18 go in as an exhibit.

19 **--- EXHIBIT No./PIÈCE No. WIT 18.FR:**

20 Résumé d'entrevue de l'étape 1 :

21 Michael Chong

22 **MS. NATALIA RODRIGUEZ:** Do you have a copy of  
23 your interview summary with you?

24 **HON. MICHAEL CHONG:** I do not.

25 **MS. NATALIA RODRIGUEZ:** Okay. I wasn't sure.  
26 Do you wish to have one with you?

27 **HON. MICHAEL CHONG:** That would be helpful.

28 **MS. NATALIA RODRIGUEZ:** Okay. And so you can

1 refer to it if you wish, just to recall parts of your  
2 evidence.

3 And just a little bit in terms of your  
4 background, I understand you are a Conservative Member of  
5 Parliament for Wellington-Halton. Is that right?

6 **HON. MICHAEL CHONG:** Wellington-Halton Hills.  
7 That's correct.

8 **MS. NATALIA RODRIGUEZ:** And you were first  
9 elected as an MP in 2004? Is that right?

10 **HON. MICHAEL CHONG:** That's correct.

11 **MS. NATALIA RODRIGUEZ:** And you entered the  
12 Federal Cabinet of Prime Minister Harper in 2006? Is that  
13 right?

14 **HON. MICHAEL CHONG:** That's right.

15 **MS. NATALIA RODRIGUEZ:** And currently, you're  
16 the Shadow Minister of Foreign Affairs for the Official  
17 Opposition? Is that right?

18 **HON. MICHAEL CHONG:** That's right.

19 **MS. NATALIA RODRIGUEZ:** And you received a  
20 briefing from CSIS concerning foreign interference in May of  
21 2023? Is that right?

22 **HON. MICHAEL CHONG:** That is correct.

23 **MS. NATALIA RODRIGUEZ:** Okay. And so the  
24 subject matter of that briefing will be dealt with in Stage 2  
25 of the Commission's process, so I won't be asking you any  
26 questions about that, but I just wanted to clarify that you  
27 did in fact receive a briefing in May of 2023?

28 **HON. MICHAEL CHONG:** Correct.

1                   **MS. NATALIA RODRIGUEZ:** Okay. And so would  
2 you agree that you follow events in Hong Kong and Mainland  
3 China fairly closely? Or policy issues that relate to Hong  
4 Kong and Mainland China?

5                   **HON. MICHAEL CHONG:** Yes, I would agree with  
6 that.

7                   **MS. NATALIA RODRIGUEZ:** And why is that?

8                   **HON. MICHAEL CHONG:** Well it's for the reason  
9 that I'm the spokesperson for the Conservative Party on  
10 foreign policy. And so for that reason, I follow foreign  
11 affairs quite closely. And as is known, developments in the  
12 People's Republic of China, including in the Special  
13 Administrative Region of Hong Kong, in a particular note,  
14 inform policy, not just here in Canada, but in other western  
15 democracies.

16                   **MS. NATALIA RODRIGUEZ:** And do you have a  
17 personal family connection to Hong Kong as well?

18                   **HON. MICHAEL CHONG:** I do. My father  
19 immigrated from Hong Kong to Canada in 1952 as a Chinese  
20 immigrant. He came here alone. And so as a result, the rest  
21 of his family, my extended family, remained behind in Hong  
22 Kong. And so I have a lot of family over there presently in  
23 Hong Kong.

24                   **MS. NATALIA RODRIGUEZ:** And is the family  
25 connections part of the reason why you have been and continue  
26 to be vocal on issues related to the PRC?

27                   **HON. MICHAEL CHONG:** No, actually. My  
28 primary reason for speaking up is that I speak for the

1 Conservative Party of Canada with respect to foreign policy.  
2 That's the reason why I have been speaking on matters  
3 concerning foreign policy, particularly on matters related to  
4 the People's Republic of China and Hong Kong.

5 **MS. NATALIA RODRIGUEZ:** Okay. So you speak  
6 to matters of foreign -- that have a foreign element, so to  
7 speak, foreign affairs element, and that includes issues  
8 related to the PRC, but it also includes issues relating to  
9 other countries? Is that what you're saying?

10 **HON. MICHAEL CHONG:** Yeah, that's right. And  
11 look, I obviously follow things closely in Hong Kong out of  
12 personal interest as well, but when I speak, I'm speaking on  
13 behalf of the Party and because I've been given this role by  
14 the Party Leader, you know, I have an obligation to speak up  
15 on the Party's position on foreign policy including with  
16 respect to the PRC.

17 **MS. NATALIA RODRIGUEZ:** And what are some of  
18 the issues that you have spoken up about in relation to the  
19 PRC in your role as a shadow minister?

20 **HON. MICHAEL CHONG:** Both domestic and  
21 foreign. You know, obviously spoke up frequently about  
22 foreign interference threat activities taking place here on  
23 Canadian soil that are directed toward Canadian citizens.  
24 Spoke up about espionage activities that have been directed  
25 toward Canadian universities, private sector companies. Both  
26 the espionage and the foreign interference activities are  
27 activities that have been at the direction of the People's  
28 Republic of China.

1 I've spoken up on international issues as it  
2 relates to China's violations of international law as it  
3 relates to the Convention of the Law of the Sea in the South  
4 China Sea, and its increasing illegal actions as it relates  
5 to the Philippines to Malaysia to Vietnam and to other  
6 vessels in that area. I've spoken up on its violation of the  
7 1997 Joint Declaration, the Sino-British Joint Declaration,  
8 which is an international treaty which guarantees Hong Kong's  
9 liberties and civil rights for 50 years from 1997.

10 Spoken up on issues concerning its violations  
11 of international law as it relates to the Genocide Convention  
12 of 1948, as it relates to the Uyghurs in Xinjiang Province,  
13 its persecution of other minority groups in the PRC,  
14 Christians, Tibetans, and other minorities.

15 So it's -- it is a broad file, as the  
16 relationship between our two countries, it's broad, wide, and  
17 deep.

18 **MS. NATALIA RODRIGUEZ:** And with respect to  
19 the 2019 election, I understand that your primary role in  
20 2019 was as a candidate. Is that right?

21 **HON. MICHAEL CHONG:** Yes.

22 **MS. NATALIA RODRIGUEZ:** Did you have any role  
23 in the national campaign informally?

24 **HON. MICHAEL CHONG:** I did not.

25 **MS. NATALIA RODRIGUEZ:** Or informally either?

26 **HON. MICHAEL CHONG:** No.

27 **MS. NATALIA RODRIGUEZ:** And speaking about  
28 the 2019 election, I understand that about two months ahead

1 of that election you received an email that you reported as  
2 suspicious. Is that right?

3 **HON. MICHAEL CHONG:** That's correct. I  
4 received a -- what was obviously a spoof email, an email  
5 purportedly from the Ministry of Foreign Affairs of the  
6 People's Republic of China, that contained a veiled threat  
7 that suggested that I was banned, not only from entering the  
8 PRC, but that other Asian countries had been notified of such  
9 ban, implying that I could be extradited from those other  
10 Asian countries to the PRC. I took the step at the time of  
11 notifying the Minister of Foreign Affairs, in particular, her  
12 staff person, her exempt staff person, her political staff  
13 person, and forwarded that communication to that staff  
14 person.

15 **MS. NATALIA RODRIGUEZ:** So I'll take you to  
16 the email.

17 It's at MMC 4. You can scroll down a little  
18 bit. Okay, thank you.

19 **--- EXHIBIT No./PIÈCE No. MMC 4:**

20 Threatening correspondence directed  
21 at MP Michael Chong

22 **MS. NATALIA RODRIGUEZ:** So is this the email  
23 that you received?

24 **HON. MICHAEL CHONG:** It is.

25 **MS. NATALIA RODRIGUEZ:** Okay. And it's dated  
26 August 23rd, 2019?

27 **HON. MICHAEL CHONG:** That's correct.

28 **MS. NATALIA RODRIGUEZ:** And it purports to be



1 from someone named Zhong Shan. Do you know this individual?

2 HON. MICHAEL CHONG: I do not.

3 MS. NATALIA RODRIGUEZ: Okay. And we can see  
4 it's coming from an -- a Gmail account.

5 HON. MICHAEL CHONG: Yes.

6 MS. NATALIA RODRIGUEZ: Who did you  
7 understand the email to be from?

8 HON. MICHAEL CHONG: Frojm an individual who  
9 sent it from a Gmail account, but who put the prefix on the  
10 account to suggest that it was from the Ministry of Foreign  
11 Affairs of the People's Republic of China.

12 MS. NATALIA RODRIGUEZ: Okay. And so the  
13 language that you were paraphrasing is there. We can read it  
14 into the record:

15 "This is to inform you that you've  
16 been barred from entering Chinese  
17 territory. Including Hong Kong. A  
18 note will be sent to other Asian  
19 countries and cities. Do not attempt  
20 to enter Beijing, Shanghai, or Hong  
21 Kong as you will be ejected from  
22 entry. Thank you."

23 So what did you understand that to be  
24 communicating?

25 HON. MICHAEL CHONG: My understanding was  
26 that an individual had decided to email me a veiled threat.  
27 What I wasn't certain about was whether or not this was a  
28 proxy agent acting on behalf of the Government of the PRC or

1 whether this was simply somebody freelancing.

2 **MS. NATALIA RODRIGUEZ:** And what did you do  
3 when you received this? What were -- what steps did you  
4 take, if any?

5 **HON. MICHAEL CHONG:** So I contacted the  
6 Minister of Foreign Affairs' exempt staffer, whose name  
7 escapes me, and I told that person that I had received this  
8 email. I forwarded the email on to that individual, and that  
9 was the last I heard of it.

10 **MS. NATALIA RODRIGUEZ:** So we'll go to that  
11 email.

12 It's at MMC 5.

13 **--- EXHIBIT No./PIÈCE No. MMC 5:**

14 Email Fwd: Barred from entering  
15 Chinese territory

16 **COMMISSIONER HOGUE:** Prior to that, I have  
17 just one question on the email received on August 23rd. Can  
18 we go back?

19 **MS. NATALIA RODRIGUEZ:** Can we go back to --  
20 there we go.

21 **COMMISSIONER HOGUE:** There is a reference to  
22 the <https://petitions.ourcommons.ca>.

23 **HON. MICHAEL CHONG:** Oh, yes.

24 **COMMISSIONER HOGUE:** Can you tell me what  
25 it's all about?

26 **HON. MICHAEL CHONG:** Yeah. So ---

27 **COMMISSIONER HOGUE:** If you know.

28 **HON. MICHAEL CHONG:** --- if ---

1                   **COMMISSIONER HOGUE:** If you know.

2                   **HON. MICHAEL CHONG:** I don't know the  
3 specifics of this petition, I can't recall, but it would be  
4 available to the Commission on the ourcommons.ca website.  
5 ourcommons.ca website is a URL of the Parliament of Canada.  
6 It's -- several years ago, approximately 10 years ago,  
7 Parliament allowed for established e-petitions, electronic  
8 petitions, which is a way that individuals can start an  
9 online electronic petition. I can't recall the exact nature  
10 of this petition, but it probably had something to do with --  
11 -

12                   **COMMISSIONER HOGUE:** Okay. It's a reference  
13 to ---

14                   **HON. MICHAEL CHONG:** --- the People's  
15 Republic of China. Yeah.

16                   **COMMISSIONER HOGUE:** Okay. Thank you.

17                   **MS. NATALIA RODRIGUEZ:** So if you can go  
18 MMC 5. If we go to the last page.

19                   Okay, so that's the email that you received.  
20 And then it looks like you forward it on to someone, and you  
21 say, "As discussed. Regards, Michael." That's you.

22                   And if we go up.

23                   We can see that the person says:

24                   "Got it! Thanks, Michael. We'll be  
25 in touch."

26                   And that's person's...

27                   If we just go down a bit. Sorry.

28                   That person's title is Advisor, Planning and

1 Regional Affairs (Ontario), Office of the Minister of Foreign  
2 Affairs.

3 So this is the person that you sent this  
4 correspondence to; right?

5 **HON. MICHAEL CHONG:** That's correct.

6 **MS. NATALIA RODRIGUEZ:** And the person says:

7 "Got it! Thanks, Michael. We'll be  
8 in touch."

9 Did you ever receive a response to this?

10 **HON. MICHAEL CHONG:** I -- no, I don't believe  
11 I did.

12 **MS. NATALIA RODRIGUEZ:** Okay. And did you  
13 report this to the leadership of the party, the fact that you  
14 had received this email and you were forwarding it on?

15 **HON. MICHAEL CHONG:** No.

16 **MS. NATALIA RODRIGUEZ:** And are you aware of  
17 any investigation that was done and any outcome as a result  
18 based on the fact that this -- that you reported this up?

19 **HON. MICHAEL CHONG:** I am not aware of any --  
20 well, I -- okay. So I am not aware of any investigation that  
21 was done as a result of me forwarding the email to the  
22 Minister of Foreign Affairs. The RCMP, as you know,  
23 subsequently did do an investigation of this particular  
24 email, but that was sometime later.

25 **MS. NATALIA RODRIGUEZ:** Okay. And that's  
26 because you forwarded it on to the RCMP as well?

27 **HON. MICHAEL CHONG:** No, that's because the  
28 RCMP contacted me in May or June of last year asking me to

1 sit down with them to outline any potential foreign  
2 interference threat activities that may have been directed at  
3 me ---

4 **MS. NATALIA RODRIGUEZ:** Right.

5 **HON. MICHAEL CHONG:** --- over the last  
6 several years, one of which pieces of information I gave them  
7 this.

8 **MS. NATALIA RODRIGUEZ:** Right. But at this  
9 time, then, you reported this to the Minister of Foreign  
10 Affairs and nothing came out of it from your perspective?

11 **HON. MICHAEL CHONG:** No. That's correct, I  
12 never heard anything else about it. And the reason why I  
13 reported it to the Minister of Foreign Affairs because I  
14 thought it's the Minister of Foreign Affairs who would want  
15 to let her Chinese counterpart know that somebody is spoofing  
16 their Ministry of Foreign Affairs Communications account  
17 purporting to act on their behalf.

18 **MS. NATALIA RODRIGUEZ:** Right. And so prior  
19 to this incident, did you have a sense of who you should be  
20 reporting such incidences to?

21 **HON. MICHAEL CHONG:** No.

22 **MS. NATALIA RODRIGUEZ:** Okay. So -- but as  
23 you've said, this was reported to the Minister of Foreign  
24 Affairs because you thought she could then advise her  
25 counterpart?

26 **HON. MICHAEL CHONG:** Yeah. And I think  
27 that's -- yes, that's correct. And my thinking was, you  
28 know, she is a member of parliament, she is the Minister of

1 Foreign Affairs, that's the appropriate level for me to deal  
2 with, rather than trying to figure out some person deep in  
3 the bowels of the Canadian bureaucracy.

4 **MS. NATALIA RODRIGUEZ:** Right. So this is a  
5 few weeks before the writ period that you received this  
6 email. At that time, who did you understand or what did you  
7 understand to be the process for candidates to report  
8 suspicious activities to throughout the campaign?

9 **HON. MICHAEL CHONG:** I wasn't aware of any  
10 process.

11 **MS. NATALIA RODRIGUEZ:** Okay. Were you ever  
12 briefed in 2019, either prior to during the election, as to  
13 who you should be reporting instances of suspected or  
14 possible foreign interference as a candidate, either during  
15 the campaign or preceding the campaign?

16 **HON. MICHAEL CHONG:** No.

17 **MS. NATALIA RODRIGUEZ:** And were you ever  
18 informed as to what type of activity should be reported as  
19 suspicious or possible foreign interference?

20 **HON. MICHAEL CHONG:** Sorry, was I?

21 **MS. NATALIA RODRIGUEZ:** Were you ever  
22 informed as to what kind of activity constituted something  
23 that you should report as suspected or possible foreign  
24 interference?

25 **HON. MICHAEL CHONG:** No one ever informed me  
26 before or during the 2019 election.

27 **MS. NATALIA RODRIGUEZ:** Thank you. And  
28 during the 2019 election, were you ever made aware of any

1 concerns regarding irregularities due to foreign  
2 interference?

3 HON. MICHAEL CHONG: Before the 20 ---

4 MS. NATALIA RODRIGUEZ: In the 2019 ---

5 HON. MICHAEL CHONG: Yeah.

6 MS. NATALIA RODRIGUEZ: --- election, during  
7 the election, ---

8 HON. MICHAEL CHONG: M'hm.

9 MS. NATALIA RODRIGUEZ: --- either during or  
10 after, ---

11 HON. MICHAEL CHONG: Yeah.

12 MS. NATALIA RODRIGUEZ: --- were you ever  
13 told, either by fellow candidates, or by other MPs, or people  
14 on the campaign, staffers, about incidences of suspected or  
15 possible foreign interference or issues related to that in  
16 2019? Was that something that you were ever made aware of?

17 HON. MICHAEL CHONG: No.

18 MS. NATALIA RODRIGUEZ: Okay. And in 2019,  
19 were you aware of the SITE Taskforce?

20 HON. MICHAEL CHONG: Yes, I was aware of it.

21 MS. NATALIA RODRIGUEZ: And what was your  
22 understanding of their role?

23 HON. MICHAEL CHONG: It had been stood up to  
24 protect the integrity of the General Election. It was an  
25 intra-government of -- intragovernmental taskforce within the  
26 Government of Canada to ensure protection of the election  
27 from foreign threats and foreign interference.

28 MS. NATALIA RODRIGUEZ: And did you

1 understand that they were an entity that you were to report  
2 instances of suspected foreign interference to?

3 **HON. MICHAEL CHONG:** No.

4 **MS. NATALIA RODRIGUEZ:** Okay. So turning now  
5 to the 2021 election, I understand that in September of 2021,  
6 you participated in an all-candidates meeting in the Township  
7 of Puslinch. Can you tell us a little bit about that and  
8 what happened?

9 **HON. MICHAEL CHONG:** So Puslinch Township is  
10 a rural township in my riding of Wellington-Halton Hills.  
11 It's a small rural township consisting of roughly I think six  
12 or 7,000 people. That is the municipality of the corporation  
13 of the Township of Puslinch, to give you an idea of its  
14 scale. Most everyone knows each other.

15 This all-candidates debate has been run by  
16 the local service club there for many decades. They do the  
17 same thing during federal and provincial elections.

18 During this particular all candidates debate,  
19 which took place entirely over Zoom as a result of the  
20 restrictions of the pandemic, there was an individual who  
21 appeared in the audience who asked two very loaded questions  
22 that suddenly piqued my interest. This individual spoke in  
23 Mandarin-accented English and asked me two questions that  
24 were really in the form of two accusations. The first was  
25 that I was responsible in criticizing the Government of the  
26 People's Republic of China for the rise in anti-Chinese  
27 racism and discrimination in Canada. In that same question,  
28 the individual referenced that Han Dong had made similar



1 statements and that Han Dong had said that those who are  
2 criticizing the Government of the People's Republic of China  
3 are responsible for the rise in anti-Asian discrimination and  
4 hate in Canada.

5 The second question focused on essentially  
6 accusing me of aping or mimicking American foreign policy  
7 and, you know, the -- made that assertion that in the pre-  
8 amble to the question and then formed the question along the  
9 lines of, you know, shouldn't Canada have an independent  
10 foreign policy when it comes to the People's Republic of  
11 China?

12 So that took place during the Puslinch all-  
13 candidates debate. I was taken by surprise when it happened.

14 After the debate, we asked around if anybody  
15 had ever seen or heard of this individual, and to this date,  
16 no one has a clue who this individual or person is, which is  
17 particularly surprising because Puslinch Township is a very  
18 small, tight-knit rural community. And so to this day we  
19 don't know who this individual is.

20 **MS. NATALIA RODRIGUEZ:** And this may be  
21 obvious, but is there a large Chinese community, Chinese  
22 Canadian community, in Puslinch?

23 **HON. MICHAEL CHONG:** No, there's not. You  
24 know, I -- you know, the riding I represent is largely a  
25 rural agricultural riding with smaller towns in it, and you  
26 know, frankly, you know, my father and my family are one of  
27 the few Chinese Canadians who live in the riding.

28 And you know, I remember when I went to, you

1 know, went to school in the riding, that I often was the only  
2 minority in the school or in the classroom.

3 So there is not a significant Chinese  
4 community anywhere in the riding, and including Puslinch  
5 Township.

6 MS. NATALIA RODRIGUEZ: So fair to say that,  
7 given what you've just told us, you deemed this incident as  
8 suspicious?

9 HON. MICHAEL CHONG: I did. I have not  
10 concluded that it's foreign interference threat activities  
11 directed at me during an election because I don't have any  
12 evidence it was directed by the PRC Consulate in Toronto, but  
13 it's consistent with those kinds of activities.

14 MS. NATALIA RODRIGUEZ: And did you report  
15 this incident?

16 HON. MICHAEL CHONG: I did, several months  
17 later, to CSIS.

18 MS. NATALIA RODRIGUEZ: To CSIS. Okay. And  
19 so I want to pull up MMC 8. And just go down a little bit.

20 **--- EXHIBIT No./PIÈCE No. MMC 8:**

21 Email : RCMP conclusion to FAI  
22 investigation

23 MS. NATALIA RODRIGUEZ: So this is dated  
24 December 14, 2023 and it's from the RCMP to you. And it  
25 says:

26 "This email is to provide an update  
27 on the RCMP investigation into the  
28 potential FAI emails received and an

1 encounter Mr. Chong experienced."

2 So when they say the encounter that you  
3 experienced, is that relating to this all-candidates debate?

4 **HON. MICHAEL CHONG:** That's correct.

5 **MS. NATALIA RODRIGUEZ:** Okay.

6 **HON. MICHAEL CHONG:** And the emails that I  
7 had received.

8 **MS. NATALIA RODRIGUEZ:** Is that in relation  
9 to the spoof email that you received?

10 **HON. MICHAEL CHONG:** That is correct.

11 **MS. NATALIA RODRIGUEZ:** Okay. And in the  
12 second paragraph, it says that:

13 "Although the emails are  
14 antagonistic, they do not satisfy the  
15 elements of an uttering threats  
16 offence."

17 So did you understand that this was kind of  
18 the conclusion of that -- of the investigation into the spoof  
19 email?

20 **HON. MICHAEL CHONG:** Yes, I concluded that  
21 that was the end of the investigation.

22 **MS. NATALIA RODRIGUEZ:** And then it says:

23 "The individual from the virtual all-  
24 candidates meeting cannot be  
25 identified as the list of registered  
26 participants was not retained by the  
27 organizers."

28 And so you took this to be the end of the

1 investigation into that incident?

2 **HON. MICHAEL CHONG:** That's correct.

3 **MS. NATALIA RODRIGUEZ:** And then it says:

4 "INSET-GTA investigators have  
5 determined that the information  
6 provided, although compelling, is not  
7 actionable. This is to notify you of  
8 the conclusion of this file."

9 So this was the response to the reported  
10 incidences that you -- the complaints that you made with  
11 respect to those incidences?

12 **HON. MICHAEL CHONG:** Well, to be clear, I did  
13 not initiate this RCMP investigation.

14 **MS. NATALIA RODRIGUEZ:** Right.

15 **HON. MICHAEL CHONG:** This was initiated by  
16 the RCMP as a result of reporting by the Globe and Mail and  
17 other publications earlier last year. As a result of that  
18 public reporting, the INSET-GTA group of the RCMP contacted  
19 my office, asked to sit down with me, and to talk to me about  
20 any potential foreign interference threat activities that I  
21 may have experienced. And I provided them with the emails  
22 that I had received several years ago, I provided them with  
23 the details of the Puslinch all-candidates debate that took  
24 place in the last election. And they took some time to  
25 investigate, and they concluded their investigation with me  
26 in this email.

27 **MS. NATALIA RODRIGUEZ:** Right. So when I  
28 said that they -- that you reported to them, meaning they

1 asked you ---

2 HON. MICHAEL CHONG: That's right.

3 MS. NATALIA RODRIGUEZ: --- to report ---

4 HON. MICHAEL CHONG: Yeah, I did not initiate  
5 ---

6 MS. NATALIA RODRIGUEZ: --- to report to  
7 them?

8 HON. MICHAEL CHONG: Yeah, I did not initiate  
9 ---

10 MS. NATALIA RODRIGUEZ: Right.

11 HON. MICHAEL CHONG: --- the contact with the  
12 RCMP.

13 MS. NATALIA RODRIGUEZ: Right.

14 HON. MICHAEL CHONG: They contacted ---

15 MS. NATALIA RODRIGUEZ: But these are the  
16 incidences that you felt were responsive to their request for  
17 any incidences that you deemed suspicious?

18 HON. MICHAEL CHONG: That's correct. And  
19 what I took of note there was that the two emails that I had  
20 received from outside of Canada were likely authored by the  
21 same person. So I thought that was new information to me  
22 that I had not previously realized.

23 MS. NATALIA RODRIGUEZ: Thank you. We can  
24 take that document down.

25 Are you aware of any irregularities in the  
26 2021 election as it pertains to foreign interference? Or any  
27 possible irregularities?

28 HON. MICHAEL CHONG: I am.

1                   **MS. NATALIA RODRIGUEZ:** Okay. And can you  
2 tell us about that?

3                   **HON. MICHAEL CHONG:** Well I'm aware of what  
4 happened to former MP Kenny Chiu during that election.

5                   He indicated to me in conversation that he  
6 had been subject to large volumes of misinformation on online  
7 platforms, particularly Chinese language online platforms.  
8 Initially, he was uncertain as to the origin of that  
9 misinformation. And so that is one incident that I was aware  
10 of. The second -- so that's one incident that I was aware  
11 of.

12                  **MS. NATALIA RODRIGUEZ:** And so was he  
13 reporting this to you during the election campaign, the writ  
14 period, or was this sometime afterwards that he told you  
15 about this?

16                  **HON. MICHAEL CHONG:** My recollection is that  
17 it was -- if not during the writ period, it was immediately  
18 thereafter, in the day or two after the election.

19                  **MS. NATALIA RODRIGUEZ:** And did you see any  
20 examples of this misinformation that he was bringing up with  
21 you, or was he just telling you about it, or did you see  
22 examples of this yourself?

23                  **HON. MICHAEL CHONG:** He was telling me about  
24 it. He was telling me about it. I did not -- I don't -- I'm  
25 not on Chinese language social media platforms, so I did not  
26 see that, but he was telling me about it. He was telling me  
27 that the misinformation was telling voters that all Chinese  
28 Canadians would have to register under a bill that he had

1 proposed in the previous parliament. He told me that, you  
2 know, many people were afraid to talk to him during the  
3 campaign. And after the election was finished, in the days  
4 after the election, it was clear in reviewing some of the  
5 preliminary data that had come in that there had been a drop  
6 in votes, significant drop in votes from the previous 2  
7 elections in the 2021 election in certain ridings with  
8 significant Chinese communities.

9 **MS. NATALIA RODRIGUEZ:** Thank you. And did  
10 anybody else speak to you about concerns during the 2021  
11 election, or about the 2021 election, any other candidates  
12 other than Mr. Chiu?

13 **HON. MICHAEL CHONG:** Just Mr. Chiu, during  
14 and just after the election. Many other people spoke to me  
15 in the weeks and months after that.

16 **MS. NATALIA RODRIGUEZ:** Okay. Like, who?

17 **HON. MICHAEL CHONG:** I held a number of round  
18 tables with the Chinese community in the Greater Toronto Area  
19 and in the Greater Vancouver -- in the lower mainland of  
20 Vancouver to talk about policy generally, but also, to do a  
21 review of what had happened in the previous election. So it  
22 was a broad based set of round tables, with the Chinese  
23 community in particular, to talk about what had happened.

24 **MS. NATALIA RODRIGUEZ:** And so before we get  
25 to that, which I have some questions on that, I just wanted  
26 to confirm if any other candidates were raising concerns  
27 about issues within their riding other than Mr. Chiu.

28 **HON. MICHAEL CHONG:** Yes, there were other

1 candidates who raised concerns.

2 MS. NATALIA RODRIGUEZ: Okay. Like, who?

3 HON. MICHAEL CHONG: I heard from -- I heard  
4 from -- I'm drawing a blank now. I heard from a former  
5 colleague from Markham.

6 MS. NATALIA RODRIGUEZ: Mr.?

7 HON. MICHAEL CHONG: I am drawing a blank now  
8 on the name. It's ---

9 MS. NATALIA RODRIGUEZ: Could it be ---

10 HON. MICHAEL CHONG: --- it's ---

11 MS. NATALIA RODRIGUEZ: --- Mr. Saroya?

12 HON. MICHAEL CHONG: Yes, Mr. Bob Saroya,  
13 yes, sorry. Bob Saroya contacted me during that campaign and  
14 before, during the campaign and afterwards as well to talk  
15 about what happened to him and suggested that there was some  
16 funny business going on in his riding. So that's another  
17 person that I did talk to.

18 MS. NATALIA RODRIGUEZ: Okay. Anybody else?

19 HON. MICHAEL CHONG: I can't recall, but I  
20 believe I spoke -- I can't recall exactly, but I believe I  
21 also spoke with a number of other people, former colleagues  
22 about this as well, but I just ---

23 MS. NATALIA RODRIGUEZ: Okay.

24 MR MICHAEL CHONG: --- I can't recall.

25 MS. NATALIA RODRIGUEZ: Okay. No problem.

26 HON. MICHAEL CHONG: But I did definitely  
27 speak to Bob Saroya.

28 MS. NATALIA RODRIGUEZ: Okay. Thank you.



1                   **HON. MICHAEL CHONG:** Sorry, I forgot the  
2 name.

3                   **MS. NATALIA RODRIGUEZ:** No, that's fine.

4                   So you were telling us about a postmortem  
5 that happened after the election in which you solicited the  
6 views of Chinese Canadians about the Conservative Party and  
7 its policies; is that right?

8                   **HON. MICHAEL CHONG:** That's correct.

9                   **MS. NATALIA RODRIGUEZ:** And who organized  
10 these round tables?

11                  **HON. MICHAEL CHONG:** I did, and my office.

12                  **MS. NATALIA RODRIGUEZ:** Were there other MPs  
13 involved?

14                  **HON. MICHAEL CHONG:** Yes. I cohosted the  
15 round tables with I believe it was former MP Bob Saroya, with  
16 former MP Kenny Chiu, former MP Alice Wong. I believe those  
17 were the three people that I cohosted the round tables with.

18                  **MS. NATALIA RODRIGUEZ:** And these took place  
19 in the Greater Toronto Area and the Greater Vancouver Area;  
20 is that right?

21                  **HON. MICHAEL CHONG:** That's correct.

22                  **MS. NATALIA RODRIGUEZ:** Okay. And what kind  
23 of feedback did you hear from Chinese Canadians?

24                  **HON. MICHAEL CHONG:** I heard a wide range of  
25 feedback from these Chinese Canadians. First, I heard that  
26 many of them were subject to vast volumes of disinformation.  
27 They highlighted how Conservative policies had been  
28 misrepresented in Chinese language media, on Chinese language

1 media social platforms. They also talked about how regulated  
2 broadcasters in Canada, regulated under the CRTC, in  
3 particular, radio broadcasters were getting editorial  
4 direction from owners not to speak to or even utter Kenny  
5 Chiu's name on air. I heard that one radio station in  
6 particular, I believe it was AM 1320 I believe is the call  
7 sign, in Vancouver, instructed 2 of their on-air broadcasters  
8 not to either interview or say Kenny Chiu's name on air. One  
9 of them interviewed Kenny Chiu and was terminated, I was  
10 told, from his show, and the other person mentioned Kenny  
11 Chiu's name on air and had his hours significantly reduced.  
12 We also heard during the round tables about how the PRC often  
13 has a stronger presence in many Chinese communities in Canada  
14 than does the Government of Canada, and that this is in part  
15 why the community is often -- parts of the community are so  
16 fearful because they don't see a presence from the Government  
17 of Canada, but they do see a large presence from PRC  
18 officials, including diplomatic and consular officials from  
19 the missions of the PRC here in Canada.

20 We also heard -- that's what I can recall  
21 right now.

22 **MS. NATALIA RODRIGUEZ:** Sure, and I'll take  
23 you to ---

24 **HON. MICHAEL CHONG:** I don't have the letter  
25 in front of me, but it's somewhere ---

26 **MS. NATALIA RODRIGUEZ:** Well, I'll take you  
27 to the letter.

28 **HON. MICHAEL CHONG:** Okay.

1                   **MS. NATALIA RODRIGUEZ:** I probably should  
2 have done that first. It's MMC 9.

3                   **--- EXHIBIT No./PIÈCE No. MMC 9:**

4                                 Letter from Michael Chong to Erin  
5                                 O'Toole - December 21, 2021

6                   **MS. NATALIA RODRIGUEZ:** And this is a letter  
7 that you wrote addressed to Mr. O'Toole, who was the party  
8 leader at that time, and it's dated December 21<sup>st</sup>, 2021.

9                   **HON. MICHAEL CHONG:** M'hm.

10                   **MS. NATALIA RODRIGUEZ:** And my understanding  
11 is that this letter summarizes some of the feedback you heard  
12 from these round tables, and laid out some of the -- what you  
13 were hearing from Chinese Canadians in these round tables; is  
14 that right?

15                   **HON. MICHAEL CHONG:** That's correct.

16                   **MS. NATALIA RODRIGUEZ:** Okay. And if we go  
17 down a little bit, I would just note that there are some  
18 redactions there. Can you explain the basis for those  
19 redactions?

20                   **HON. MICHAEL CHONG:** Yeah, some of that is  
21 information related to staffing in the office of the leader  
22 of the opposition, which for those reasons I asked that my  
23 staff redact that portion of the document.

24                   **MS. NATALIA RODRIGUEZ:** So fair to say it's  
25 not relevant to the terms of reference of this Commission; is  
26 that correct?

27                   **HON. MICHAEL CHONG:** That's correct.

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

1 And does it fairly reflect some of the issues or feedback  
2 that you were hearing from Chinese Canadians in these round  
3 tables?

4 **HON. MICHAEL CHONG:** Yes, it does.

5 **MS. NATALIA RODRIGUEZ:** Okay. Thank you. We  
6 can take that down.

7 Is it your understanding that the  
8 Conservative Party lost seats in the 2021 election due to  
9 foreign interference?

10 **HON. MICHAEL CHONG:** I would say that the  
11 Conservative Party was affected in about half a dozen ridings  
12 by the foreign interference threat activities directed by the  
13 Government of the People's Republic of China.

14 **MS. NATALIA RODRIGUEZ:** And what do you base  
15 that understanding on?

16 **HON. MICHAEL CHONG:** I base that on a number  
17 of analyses that have been done subsequent to the 2021  
18 election, 3 analyses in particular. An -- the analysis done  
19 by the Rapid Response Mechanism of Global Affairs Canada  
20 during the writ period that indicated that the Chinese  
21 Communist Party was likely behind the disinformation  
22 operations conducted against MP Kenny Chiu during that  
23 campaign. I based it on the digital lab forensic analysis  
24 done by the Atlantic Council in November of 2021 that went  
25 through the various social media posts that had been posted  
26 during the election, and came to a similar conclusion. And  
27 thirdly, I based it on the analysis of the research done by  
28 Canada Research Chair at McGill University, Dr. Benjamin

1 Fung, and his associate.

2 I also based it on my own analysis of the  
3 drop in turnout for Conservative candidates in these half a  
4 dozen ridings during the 2021 period, which was a marked  
5 change from previous elections.

6 I based it on the firsthand accounts of  
7 former colleagues, like MP Kenny Chiu, MP Bob Saroya,  
8 MP Alice Wong, and others, and I based it on some of the  
9 accounts of what happened in the roundtables that I hosted  
10 subsequent to the 2021 election. So that's what I based it  
11 on.

12 **MS. NATALIA RODRIGUEZ:** And would you have  
13 done anything different as a candidate, either in 2019 or in  
14 2021, had the information that is now come out, or that you  
15 now know, had you known that then?

16 **HON. MICHAEL CHONG:** Absolutely.

17 **MS. NATALIA RODRIGUEZ:** What would you have  
18 done different?

19 **HON. MICHAEL CHONG:** Well, when I became  
20 known -- when I became aware last May that the PRC was  
21 directly targeting me, the first thing that crossed my mind  
22 is had I known that in the previous election I would have hit  
23 record on the Zoom all candidates debate and press lunch.  
24 You know, I had been aware of foreign interference threat  
25 activities for years now. CSIS provided me with a briefing  
26 on foreign interference threat activities in the summer of  
27 2021, but it was a briefing of general application. And a  
28 lot of what I had been briefed on was -- I had already known

1 and was widely known in the public realm.

2 I never knew at that juncture, nor did I  
3 during the last election, that I was actually being  
4 clandestinely, coercively, and corruptly targeted by the  
5 Government of the PRC here on Canadian soil. And had I known  
6 that, I would have gone on high alert during that election,  
7 and when that -- you know, things like that loaded question  
8 was asked of me during the press lunch all candidates debate  
9 I most certainly would have pressed record on that all  
10 candidates debate.

11 I slowly came to the realisation many months  
12 afterwards that it may have -- that that event may have been  
13 a foreign interference threat activity, but you know, it  
14 wasn't really until I became aware last year that I was  
15 directly being targeted that, you know, I realised that, you  
16 know, I should have hit record.

17 And so yes, I would have done things  
18 differently had I known that.

19 **MS. NATALIA RODRIGUEZ:** And so I understand  
20 that there is probably other things you would like to tell us  
21 that relate to Stage 2 of our mandate, but my question is, is  
22 there anything else that we haven't covered related to  
23 Stage 1, which specifically involves the 2019 and the 2021  
24 federal elections, that you have not had a chance to tell us?

25 **HON. MICHAEL CHONG:** Yeah, I think -- I'll  
26 finish by saying this. I think the government's -- the  
27 Government of Canada's lack of transmission of information to  
28 individuals who are being directly targeted by foreign

1 interference threat activities is actually leading to an  
2 increase in racial profiling in Canada.

3           You know, when I became aware of the  
4 allegations just over a year ago, in the fall of 2022, that  
5 the PRC had been -- reports that the PRC had been assisting  
6 candidates and -- candidates for nomination and candidates  
7 for election with funds for their -- and with other  
8 assistance for their election, I asked my campaign manager to  
9 pull the lists of all the people with Chinese last names who  
10 had donated to my 2021 campaign and my 2019 campaign, to  
11 ensure that -- just to check whether or not, you know, they  
12 may be people under suspicion. We concluded that they  
13 weren't because we knew each and every one of them, but the  
14 fact that I did that is an example of racial profiling or  
15 ethnic profiling that is a result of the Government of  
16 Canada's lack of transparency about the intelligence they  
17 have concerning agents and proxy agents here in Canada that  
18 may be targeting our democratic institutions.

19           And this is what elected officials, like  
20 myself, and candidates in an election have had to resort to  
21 because we are not given the sort of intelligence.

22           And so you know, the infuriating thing about  
23 what has happened over the last couple of years is the  
24 intimation that people raising legitimate concerns about  
25 threats to the security of Canada, threats to the security of  
26 Canadian citizens, threats to the rules based international  
27 order are responsible for fomenting anti Asian racism and  
28 discrimination, when in fact, you know, it's the Government

1 of Canada and its lack of transparency that is actually  
2 creating a lot of distrust and a lot of innuendo in the  
3 Chinese community because they haven't been forthright about  
4 the intelligence that they have.

5 **MS. NATALIA RODRIGUEZ:** Thank you, Mr. Chong.  
6 Those are my questions.

7 Thank you, Commissioner.

8 **COMMISSIONER HOGUE:** Thank you.

9 So there is going to be some cross-  
10 examination. The first one on the list was the Conservative  
11 Party.

12 **MS. ERIN DANN:** Commissioner? Sorry, I --  
13 Mr. De Luca unfortunately had to leave, but he let me know  
14 that the Conservative Party does not have any questions.

15 **COMMISSIONER HOGUE:** Perfect. Thank you.

16 Then, counsel for the Human Rights Coalition.

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

18 **MS. HANNAH TAYLOR:**

19 **MS. HANNAH TAYLOR:** Hello, Mr. Chong. Based  
20 on your understanding of how the Chinese Government engages  
21 in foreign interference and transnational oppression against  
22 those who oppose their policies abroad, do you think you were  
23 targeted because of your public advocacy regarding the  
24 Chinese Government and its policies, including as they relate  
25 to Hong Kong and targeted groups, like Uyghurs and Tibetans,  
26 for example?

27 **HON. MICHAEL CHONG:** Absolutely. You know,  
28 the bizarre situation that I found myself in was that I had



1 introduced two motions in the House of Commons, one in the  
2 fall of 2020, and the second in early 2021. The first  
3 related to the threat that Huawei presented to Canada's  
4 national telecommunications network, and called on the  
5 government to ban Huawei from our national telecommunications  
6 network and to bring forward a plan to combat foreign  
7 interference threat activities here on Canadian soil. That  
8 first motion was adopted by Parliament in late 2020.

9 The second motion concerned the evidence that  
10 had accumulated by that point in early 2021, that the  
11 Government of the PRC was committing a genocide against the  
12 Uyghur Muslim minority population in Xinjiang Province. That  
13 motion too was adopted by Parliament.

14 What was so -- you know, what resulted from  
15 that second motion being adopted was the Government of  
16 Canada, even though it had abstained from voting on the  
17 motion, took action based on the motion in concert with  
18 western democratic governments, in countries like the United  
19 Kingdom, to impose sanctions on officials and entities in  
20 Xinjiang for their gross human rights abuses against the  
21 Uyghur Muslim minority.

22 I subsequently was sanctioned for the  
23 Government of Canada's sanctions on individuals and an entity  
24 in Xinjiang. I'm not the Government of Canada. I am part of  
25 the official opposition, and so that's how I ended up being  
26 sanctioned by the PRC for the government's actions in respect  
27 of human rights abuses in Xinjiang.

28 **MS. HANNAH TAYLOR:** And based on your

1       experience as a target, what information do you think targets  
2       or potential targets of foreign interference or transnational  
3       oppression, as it relates to elections, need from  
4       intelligence agencies in order to take appropriate  
5       precautions?

6                   **HON. MICHAEL CHONG:** They need information.  
7       And this is advice that CSIS has provided to the ministry.  
8       In what little information we have received from heavily  
9       redacted documents presented to the Procedure and House  
10      Affairs Committee of the House of Commons, it is clear that  
11      the Director of CSIS has advised the government that sunlight  
12      and transparency is one tool in a suite of tools that are  
13      necessary to combat foreign interference threat activities  
14      here on Canadian soil.

15                   CSIS has advised the government that by going  
16      public about details concerning foreign interference threat  
17      activities on part of authoritarian states that they are able  
18      to inform the public, build resilience in the public, so the  
19      public is armed with this information and protect themselves  
20      from these foreign interference threat activities, because  
21      CSIS has advised many foreign interference threat activities  
22      do not rise to the level of a criminal prosecution. And it  
23      is often difficult to translate intelligence into evidence.  
24      And so using the Criminal Code, using criminal law to  
25      prosecute these threat activities isn't always the most  
26      effective way to combat them. So one way to combat them that  
27      -- in the advice that has been given by experts to the  
28      government is to use sunlight and transparency to arm the

1 public with information so that they can protect themselves.  
2 And we're seeing that increasingly in the Five Eyes Alliance,  
3 but we're -- we've not seen it as much here in Canada.

4 **MS. HANNAH TAYLOR:** It's my understanding  
5 that you would have taken preventative actions if you had  
6 been warned that you faced specific threats. In addition to  
7 recording the all-candidates meeting on Zoom, what other  
8 precautions would you have taken?

9 **HON. MICHAEL CHONG:** Well, I'm -- I am an MP  
10 who represents a riding that is partly in the Greater Toronto  
11 Area. As a result, you know, I'm often in downtown Toronto.  
12 You know, I'm often at the University of Toronto, talking to  
13 experts in a range of policy areas at the Munk International  
14 -- the Munk School of International Affairs, which happens to  
15 be located at St. George and Bloor Street. And just up the  
16 street, a mere matter of blocks, is the PRC Consulate, where  
17 this particular diplomat, Mr. Wade Joe worked. So it would  
18 have been nice to know that this individual was targeting me,  
19 so that I could have at least been aware of my surroundings  
20 and to ensure that nothing nefarious was going on. So those  
21 are the kinds of things that I think elected officials and  
22 Canadians more broadly need to be made aware of. If we don't  
23 -- if we're not aware of these things, we go about our  
24 business, you know, not thinking about these things.

25 **MS. HANNAH TAYLOR:** And considering your  
26 experience ---

27 **COMMISSIONER HOGUE:** It's going to be your  
28 last question because your time is already exhausted.

1                   **MS. HANNAH TAYLOR:** Thank you. Considering  
2 your experience, you would agree that in addition to  
3 parliamentarians and their families it's important that  
4 members of targeted diaspora communities in Canada are  
5 provided warnings in a timely manner when they face specific  
6 threats of foreign interference and transnational oppression?

7                   **HON. MICHAEL CHONG:** Absolutely. And that is  
8 currently the case in other western democracies. Back when  
9 my case -- when the case of Mr. Wei Zhao, the diplomat -- the  
10 consular official who was declared persona non grata last  
11 year after a Global Mail report was made public, I had many -  
12 - I had a number of foreign missions here in Ottawa express  
13 surprise to me privately that I had not been previously  
14 informed of this individual targeting me, that the protocol  
15 in place in these other western democracies is that elected  
16 officials, even elected officials in opposition, elected  
17 officials who are not in government are regularly informed of  
18 threat activities directed toward them and their families by  
19 intelligence agencies.

20                   **MS. HANNAH TAYLOR:** Thank you, Mr. Chong.

21                   **COMMISSIONER HOGUE:** Thank you.

22                   The AG?

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

24                   **MR. BARNEY BRUCKER:**

25                   **MR. BARNEY BRUCKER:** Good afternoon, Mr.  
26 Chong. Just a couple of questions. The round tables that  
27 you organized, how many of those did you -- approximately how  
28 many of those did you hold?

1                   **HON. MICHAEL CHONG:** Approximately three.

2                   **MR. BARNEY BRUCKER:** And how many people  
3 attended?

4                   **HON. MICHAEL CHONG:** It was in the dozens.

5                   **MR. BARNEY BRUCKER:** And were these all  
6 Chinese Canadians or a mix of people?

7                   **HON. MICHAEL CHONG:** They were all Chinese  
8 Canadians.

9                   **MR. BARNEY BRUCKER:** Right. You mentioned  
10 that you had been aware of foreign interference for some  
11 time, and I think you talked about some meetings with CSIS.  
12 Now we apparently are going to hear in the next stage of the  
13 inquiry about -- or more about a briefing that you had, a  
14 classified briefing in or about June of 2023, May, June of  
15 2023.

16                   **HON. MICHAEL CHONG:** I did not have a  
17 classified briefing.

18                   **MR. BARNEY BRUCKER:** You've never had a  
19 classified briefing?

20                   **HON. MICHAEL CHONG:** No, in May of 2023 ---

21                   **MR. BARNEY BRUCKER:** Yeah.

22                   **HON. MICHAEL CHONG:** --- Director David  
23 Vigneault declassified under threat reduction measures a  
24 paragraph of the intelligence assessment of July of 2020 on.

25                   **MR. BARNEY BRUCKER:** You had -- let me put it  
26 another way. You had a briefing in which you had received  
27 some information that was formerly classified information?

28                   **HON. MICHAEL CHONG:** That's correct. One

1 paragraph that ---

2 MR. BARNEY BRUCKER: Whereas, in the previous  
3 briefings, that did not occur?

4 HON. MICHAEL CHONG: That's correct.

5 MR. BARNEY BRUCKER: Right. And my  
6 understanding is you had maybe four or five of those  
7 briefings, those other briefings prior to the May or June of  
8 2023 briefings; is that fair?

9 HON. MICHAEL CHONG: No.

10 MR. BARNEY BRUCKER: No ---

11 HON. MICHAEL CHONG: I had one briefing from  
12 CSIS of general application in the summer of 2021 about  
13 foreign interference threat activities here on Canadian soil.  
14 That briefing took place in Toronto. That briefing was of  
15 general application. My understanding I was the first Member  
16 of Parliament to be briefed in this way. And that briefing  
17 did not contain any information about any threats directed  
18 toward me.

19 MR. BARNEY BRUCKER: I just want to be clear  
20 ---

21 HON. MICHAEL CHONG: Yeah.

22 MR. BARNEY BRUCKER: --- because we may hear  
23 more about this later, but your evidence is that you had only  
24 one briefing prior to the briefing in May or ---

25 HON. MICHAEL CHONG: That's correct.

26 MR. BARNEY BRUCKER: --- June of 2023?

27 HON. MICHAEL CHONG: Yes.

28 MR. BARNEY BRUCKER: All right. Thank you.

1 And you used the word "targeted". What do you mean by that?  
2 You said you were targeted. You became aware that you were  
3 targeted. What do you ---

4 **HON. MICHAEL CHONG:** Yeah.

5 **MR. BARNEY BRUCKER:** --- mean by "targeted"?

6 **HON. MICHAEL CHONG:** So what I mean by that  
7 is a consular official by the name of Mr. Wei Zhao, who was  
8 accredited by the Government of Canada and accorded rights  
9 that ordinary Canadian citizens do not have, diplomatic  
10 rights under the Vienna Convention, that it shield them from  
11 certain types of prosecutions that Canadians are not afforded  
12 to, was gathering information about me and my family to pass  
13 along to the Ministry of State Security, which is the  
14 Ministry in Beijing responsible for Beijing's secret police,  
15 an order to potentially further target me and my extended  
16 family. That's what I mean by targeting.

17 **MR. BARNEY BRUCKER:** I'm just wondering if I  
18 might -- do you understand that you're coming back for the  
19 next phase of this inquiry? Because ---

20 **HON. MICHAEL CHONG:** I do not know I've been  
21 called as a witness for the next part of the inquiry, but I  
22 understand I'm getting standing for the next part of the  
23 inquiry.

24 **MR. BARNEY BRUCKER:** There's some nodding of  
25 heads over here, so I think maybe I'll take that as a sign  
26 that we may have another opportunity to explore this ---

27 **MS. NATALIA RODRIGUEZ:** Sorry, excuse me,  
28 Commissioner. The nodding of heads is to agree with Mr.

1 Chong's assessment that we have not determined witnesses for  
2 stage two, but he does indeed have standing for the entire  
3 phase one, phase two, stage one, stage two of the Commissions  
4 proceedings.

5 **MR. BARNEY BRUCKER:** I'm not sure how helpful  
6 that is, but thank you.

7 **MS. NATALIA RODRIGUEZ:** And, sorry, just to  
8 clarify, the issues that are being brought up will be dealt  
9 with in stage two of the Commission's fact-finding phase.

10 **MR. BARNEY BRUCKER:** Again, not sure how  
11 helpful it is, but thank you for the information.

12 Sorry, just let me check my note. The only  
13 direct knowledge you have, at least of what you believe is  
14 potential foreign interference in your campaign in 2021 was  
15 this incident on Zoom in the Puslinch Township meeting; is  
16 that fair?

17 **HON. MICHAEL CHONG:** Yeah, I don't know that  
18 that was a foreign interference threat activity. I don't  
19 have the evidence to make that conclusion. It's not  
20 inconsistent with a foreign interference threat activity of  
21 the People's Republic of China, but I don't know, or I  
22 haven't concluded, I haven't assessed that it is indeed a  
23 foreign interference threat activity.

24 **MR. BARNEY BRUCKER:** Okay. But that's the  
25 only thing that I heard with respect to your own campaign.  
26 You have talked to others, and you told us who. Is that  
27 correct?

28 **HON. MICHAEL CHONG:** In the 2021 ---



1 MR. BARNEY BRUCKER: Yes.

2 HON. MICHAEL CHONG: --- campaign, yes,  
3 that's correct.

4 MR. BARNEY BRUCKER: Right. Thank you.

5 COMMISSIONER HOGUE: Thank you.

6 It's your colleague. So he's counsel to  
7 Michael Chan, for those that do not know.

8 MR. FRASER HARLAND: Thank you, Commissioner.

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

10 MR. FRASER HARLAND:

11 MR. FRASER HARLAND: Mr. Chong, just a couple  
12 of questions. At paragraph 20 of your interview summary, we  
13 don't need to go there, but you recall that you said that  
14 nomination rules are vulnerable to foreign interference; is  
15 that right?

16 HON. MICHAEL CHONG: That's correct.

17 MR. FRASER HARLAND: And the Commission has  
18 heard evidence that rules for nomination contests are similar  
19 to those for leadership contests, because if you're a  
20 registered member, you can vote in a leadership contest. And  
21 I wondered if you -- the concerns that you have about  
22 nomination contests would also apply to leadership contests?

23 HON. MICHAEL CHONG: Yes. The concerns I  
24 have about nomination contests apply to leadership contests.  
25 In fact, my concern about leadership contests are even  
26 greater than my concern about nomination contests, and here's  
27 why. The nomination contest is not the end of the matter.  
28 When a person is elected or selected as the candidate for a

1 registered political party, there is then a subsequent very  
2 important step, which is the election or byelection to elect  
3 that individual to the House of Commons.

4 No such second step exists for the election  
5 of a party leader. And so with the vulnerabilities that have  
6 been exposed in testimony today and yesterday are in place  
7 for the election of a leader of a party, particularly of a  
8 party that has the majority of seats or commands the majority  
9 of support in the House of Commons, we are effectively  
10 opening up the appointment of heads of government in this  
11 country, including prime ministers and premiers, to this  
12 foreign interference.

13 I think of my late colleague, the Honourable  
14 Jim Prentice. When Jim Prentice was appointed Premier of the  
15 Province of Alberta, he was a private citizen. He was no  
16 different than anyone walking down Wellington Street today.  
17 He was appointed by the Lieutenant Governor of the Province  
18 of Alberta to be full premier of that province. He did not  
19 have a seat in the Legislative Assembly of the Province of  
20 Alberta. He had simply been elected as leader of the Alberta  
21 PC Party.

22 And what has happened in recent decades, both  
23 at the provincial and the federal level, is that party  
24 caucuses have deferred the election, the selection, of party  
25 leaders to the registered political parties.

26 And so we could have a situation here in  
27 Canada where a Prime Minister resigns from office. The  
28 registered political party conducts an election for the

1 leader. That election, if subject to the same kind of rules  
2 that some of the parties have outlined here today and  
3 yesterday at the Commission, would result in the appointment  
4 of a Prime Minister who does not have a seat in the House of  
5 Commons and who was elected through a process that was  
6 significantly compromised by non-citizens and by foreign  
7 state actors.

8 And so that's why I think -- that's why I'm  
9 very concerned not just about some of the evidence that we've  
10 heard here in front of the Commission with respect to party  
11 nominations, but also how it relates to the appointment of  
12 heads of government, particularly the appointment of a Prime  
13 Minister by the Governor General.

14 **MR. FRASER HARLAND:** Thank you, Mr. Chong.  
15 In your testimony to Commission counsel, Ms. Rodriguez, you  
16 discussed disinformation campaigns in Kenny Chiu's campaign.  
17 Do you recall that?

18 **HON. MICHAEL CHONG:** Yes, I do.

19 **MR. FRASER HARLAND:** And at times in these  
20 hearings today, there have been some suggestions that  
21 opinions, views, and articles in these campaigns or in these  
22 disinformation campaigns may just form part of legitimate  
23 debate in a free election. And I wanted to provide you an  
24 opportunity to comment on that.

25 **HON. MICHAEL CHONG:** Yeah, free debates,  
26 misinformed debates, even misinformed opinions are the right  
27 of any Canadian citizen during an election, and in between  
28 elections. People are right to express their points of view,

1       however informed or misinformed they are. So there's nothing  
2       wrong about doing that.

3               What is wrong is if a foreign state actor,  
4       directly or indirectly, clandestinely, corruptly, or  
5       coercively, is spreading disinformation and misinformation  
6       during or even before elections in this country. That is not  
7       acceptable. That -- you know, using clandestine, coercive,  
8       and corrupt methods is foreign interference and any state  
9       actor that participates in the dissemination of that kind of  
10      information in those -- in that way is committing foreign  
11      interference, a violation of foreign interference law in  
12      Canada, and needs to be held accountable. And if that  
13      violation of our laws here in Canada doesn't rise to the  
14      level of criminal prosecution, then the Government of Canada  
15      has a range of other tools in the tool kit to go after that  
16      foreign interference.

17              **MR. FRASER HARLAND:** Thank you, Mr. Chong.  
18      That's very helpful.

19              Those are my questions, Commissioner.

20              **COMMISSIONER HOGUE:** Thank you.

21              Thank you very much. You're free to go.

22              **HON. MICHAEL CHONG:** Merci, Madam.

23              **COMMISSIONER HOGUE:** And to come back  
24      whenever you want.

25              So thank you all. We'll be in the same room  
26      tomorrow morning at 9:30.

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

1                   This sitting of the Foreign Interference  
2 Commission has adjourned until tomorrow at 9:30. C'est séance  
3 de la Commission sur l'ingérence étrangère est levée jusqu'à  
4 demain à 9h30.

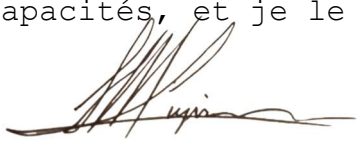
5 --- Upon adjourning at 6:19 p.m./

6 --- L'audience est suspendue à 17 h 19

7  
8                   **C E R T I F I C A T I O N**

9  
10 I, Sandrine Marineau-Lupien, a certified court reporter,  
11 hereby certify the foregoing pages to be an accurate  
12 transcription of my notes/records to the best of my skill and  
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15 Je, Sandrine Marineau-Lupien, une sténographe officielle,  
16 certifie que les pages ci-hautes sont une transcription  
17 conforme de mes notes/enregistrements au meilleur de mes  
18 capacités, et je le jure.

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