



HOUSE OF COMMONS
CANADA

**REPORT ON CANADIAN SECURITY
INTELLIGENCE SERVICE DIRECTOR
RICHARD FADDEN'S REMARKS REGARDING
ALLEGED FOREIGN INFLUENCE OF
CANADIAN POLITICIANS**

**Report of the Standing Committee on
Public Safety and National Security**

**Kevin Sorenson, MP
Chair**

MARCH 2011

40th PARLIAMENT, 3rd SESSION

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THE STANDING COMMITTEE ON PUBLIC SAFETY AND NATIONAL SECURITY

has the honour to present its

EIGHTH REPORT

Pursuant to its mandate under Standing Order 108(2), the Committee examined the Canadian Security Intelligence Service Director Richard Fadden's remarks regarding alleged foreign influence of Canadian politicians and has agreed to report the following:

TABLE OF CONTENTS

REPORT ON CANADIAN SECURITY INTELLIGENCE SERVICE DIRECTOR RICHARD FADDEN'S REMARKS REGARDING ALLEGED FOREIGN INFLUENCE OF CANADIAN POLITICIANS	1
1. INTRODUCTION	1
1.1 CONTEXT OF STUDY	1
2. CHRONOLOGY	1
3. CLARIFICATIONS MADE BY RICHARD FADDEN BEFORE THE COMMITTEE, JULY 5, 2010.....	3
4. OBSERVATIONS AND RECOMMENDATIONS	4
5. CONCLUSION	7
APPENDIX A: LIST OF WITNESSES	9
APPENDIX B: LIST OF BRIEFS	11
APPENDIX C: LETTER FROM RICHARD B. FADDEN	13
REQUEST FOR GOVERNMENT RESPONSE	15
DISSENTING OPINION OF THE COSERVATIVE PARTY OF CANADA	17
SUPPLEMENTARY OPINION: BLOC QUÉBÉCOIS.....	19

REPORT ON CANADIAN SECURITY INTELLIGENCE SERVICE DIRECTOR RICHARD FADDEN'S REMARKS REGARDING ALLEGED FOREIGN INFLUENCE OF CANADIAN POLITICIANS

1. INTRODUCTION

1.1 CONTEXT OF STUDY

In March 2010, the Director of the Canadian Security Intelligence Service (CSIS), Richard Fadden, made public statements about alleged foreign interference in Canada's political class. In June 2010, Mr. Fadden's statements, made three months earlier, were reported nationally by the CBC. Many politicians and Canadians alike reacted strongly to his statements. Concerned about the potential impact of his statements on the integrity of elected officials, the Committee wished to obtain clarifications and information from Mr. Fadden.

Pursuant to House of Commons Standing Order 108(2), the Committee held two briefing sessions, on July 5 and December 8, 2010, during which we heard the testimony of Richard Fadden and Marie-Lucie Morin, former National Security Advisor to the Prime Minister and Associate Secretary to Cabinet.¹ This report provides a summary of their statements at these meetings, along with our own observations and recommendations.

2. CHRONOLOGY

Mr. Fadden testified that in late 2009, CSIS informed him of its concerns regarding possible foreign political interference with certain Canadian politicians. At that time, the investigators had not yet determined whether the cases in question had violated the *Canadian Security Intelligence Service Act*² (hereafter the Act).

Mr. Fadden also testified that in early 2010, he informed Ms. Morin, the former National Security Advisor, of the general concerns about Canadian foreign political interference in order to determine the procedure to be followed once the CSIS investigations were completed.

In late March 2010, at an evening event at the Royal Canadian Military Institute (RCMI) of Toronto, Mr. Fadden gave a speech to an audience of police officers, intelligence specialists and military experts. His speech was filmed for CSIS's 25th anniversary for future broadcast on the CBC. In response to a question from the audience,

1 See Appendix A for the full list of witnesses invited and Appendix B for a list of the briefs.

2 1984, C. C-23.

the director provided details of instances of foreign interference in Canada. The speech and the details provided by Mr. Fadden pertaining to foreign interference were broadcast as part of the “Inside CSIS” and “The National” programs on the CBC.

On June 21 and 22, 2010 on “The National,” Peter Mansbridge focused on and asked questions about Mr. Fadden’s statements regarding foreign interference. After these programs, Mr. Fadden was criticized for making the following public allegations about Canadian politicians :

- There are several municipal politicians in British Columbia and in at least two provinces there are ministers of the Crown who we think are under at least the general influence of a foreign government.³
- They haven’t really hidden their association but what surprised us is that it’s been so extensive over the years and we’re now seeing, in a couple of cases, indications that they are in fact shifting their public policies as a reflection of that involvement with that particular country.⁴

And Chinese lobbyists:

- They’re funding Confucius institutes in most of the campuses across Canada. They fund them. They’re sort of managed by people who are operating out of the embassy or consulates. Nobody knows that the Chinese authorities are involved. They organize demonstrations against ...they have organized demonstrations against the Canadian government in respect to some of our policies concerning China. They’ve organized demonstrations to deal with what are called the five poisons: Taiwan, Falun Gong, and others.⁵

In a letter to the Committee dated August 31, 2010⁶, Mr. Fadden confirmed that staff in the office of the Minister had prior knowledge of the content of his speech given to the RCMI but not the remarks made in answer to questions from the audience.

With respect to whether staff in the office of the Minister of Public Safety had prior knowledge of the contents of my speech to the Royal Canadian Military Institute (RCMI) and of my interview with the Canadian Broadcasting Corporation (CBC), I can confirm that I had general discussions with the Minister about these two events prior to them taking place, and had received his approval to proceed. The speech I proposed to deliver at the RCMI was reviewed by staff in the Minister’s office as well as the National Security

3 Statement by Richard Fadden at the Royal Canadian Military Institute (RCMI), March 2010, broadcast on “The National,” June 22, 2010. The interview is available at: <http://www.cbc.ca/video/#/Shows/1221254309/ID=1528200373>.

4 Richard Fadden’s reply to a question from Peter Mansbridge on “The National,” June 22, 2010, <http://www.cbc.ca/video/#/Shows/1221254309/ID=1528200373>.

5 Comment by Richard Fadden made at the RCMI, broadcast on “Inside CSIS” with Brian Stewart. <http://www.cbc.ca/thenational/indepthanalysis/story/2010/06/21/national-insidescsis.html#ID=1530660835>.

6 The letter from M. Fadden is provided in Appendix C.

Advisor's (NSA) office. To be clear, the review did not include—obviously—any part of what was said during the question and answer period.⁷

Mr. Fadden informed the Committee that, one or two days after the CBC interviews, he had spoken with the Minister of Public Safety and the former National Security Advisor to inform them of two or three cases of foreign interference in Canada that were worrisome, that the analysis of the files would soon be completed and that they would be officially informed “very shortly”.⁸

Following the interviews with Mr. Mansbridge, Mr. Fadden clarified his statements. In his letter dated August 31, 2010, Mr. Fadden also informed the Committee that before clarifying his remarks, following the interviews with Mr. Mansbridge, officials from CSIS, the Minister's office and the former security advisor's office had been consulted.⁹

On December 8, 2010, Ms. Morin confirmed that the CSIS report pertaining to the specific cases of foreign interference has since been given to the government. She also confirmed that her office had prior knowledge of the content of Mr. Fadden's speech given to the RCMI, although she noted: “I probably did not review it myself, but my office would have.”¹⁰

3. CLARIFICATIONS MADE BY RICHARD FADDEN BEFORE THE COMMITTEE, JULY 5, 2010

From the outset, it must be noted that the director told the Committee.

Mr. Chair, I do not think that I neglected my responsibilities. As I said, I regret that I gave details. There was no threat to national security, and no one was identified. It was really a lack of attention on my part. I started answering questions. I am not as experienced as you with that sort of thing. I simply did not pay enough attention, but I never breached national security. I did not say anything that would have put me at risk of violating information security legislation.

When Mr. Fadden was asked if he thought it was appropriate to give an apology to the Chinese-Canadian community, in particular Chinese Canadian politicians, for suggesting that their loyalties are suspect, he said:

No, Mr. Chairman, I don't. I think in those very rare instances when they might be covered by the preoccupations they have, they are victims. I don't think they are the problem. I think the foreign power is the problem. And the main reason we are operating in this area is to protect Canadians from the foreign power. So I do not think an apology is necessary.¹¹

7 Letter to the Committee, August 31, 2010, from Richard Fadden.

8 *Evidence*, 5 July 2010.

9 Letter to the Committee, August 31, 2010, from Richard Fadden.

10 *Evidence*, 8 December 2010.

11 *Evidence*, July 5, 2010.

In addition, Mr. Fadden was asked to acknowledge the negative impact of his comments on politicians and he neglected to do so.

Mr. Fadden maintained that his references to foreign interference and any details he provided in that regard did not jeopardize Canada's security. He maintained that no names or specific details were revealed and that the information was very general. Foreign interference is in fact a longstanding problem, according to Mr. Fadden. As Mr. Fadden told the Committee, CSIS has to analyze specific cases before reporting to the government. It is not until then that CSIS informs the Minister of Public Safety.

Mr. Fadden also noted that the problem of foreign interference is documented in numerous CSIS reports and has been part of the Act since its adoption in 1984. Section 2 provides that "threats to the security of Canada means...foreign influenced activities within or relating to Canada that are detrimental to the interests of Canada and are clandestine or deceptive or involve a threat to any person." The Committee heard that foreign interference "is an attempt by agents of a foreign state to influence the opinions, views and decisions of Canadians with aim to gain political, strategic or economic advantage."¹²

It should be noted that foreign influence differs from espionage and terrorism. The latter imply an immediate threat to national security and have grave consequences. According to Mr. Fadden, the "degree of gravity" of foreign interference varies and only the most serious cases threaten national security. The cases of foreign interference mentioned in this report, for which the Committee did not obtain any details, do not meet those criteria, according to Mr. Fadden.

The Committee did not receive detailed answers to the following questions:¹³

- Which provinces were you referring to, sir, when you made reference to two cabinet ministers?
- Which municipality, sir, were you referring to when you referred to British Columbia municipal politicians being under the influence of foreign governments?
- [W]ho are the individuals you were referring to, Mr. Fadden?

Mr. Fadden declined to give those answers citing the operational nature of the information.

4. OBSERVATIONS AND RECOMMENDATIONS

The following observations and recommendations reflect the Committee's conclusions with respect to Mr. Fadden's public statements as CSIS director.

12 Richard Fadden, *Evidence*, July 5, 2010.

13 Questions asked by MP Don Davies, *Evidence*, July 5, 2010.

- Mr. Fadden's statements had negative and harmful impacts on Canadians of Chinese origin and other cultural backgrounds, and their elected representatives.
- No one who appeared before the committee acknowledged the damage and harm caused by the unsubstantiated allegations, particularly to the Chinese Canadian community.
- No one saw fit or thought it necessary to apologize for the remarks.
- No specific evidence or data was presented to the committee to support Mr. Fadden's allegations.
- No witness would specify which provinces were involved or who any of the alleged subjects of foreign influence were.
- Witnesses did confirm that no premier was ever contacted by Mr. Fadden or the National Security Advisor regarding the foreign influence of one of their cabinet ministers.
- Witnesses did confirm that the RCMP was not called in to investigate the foreign influence.
- Committee members gave Mr. Fadden full opportunity to substantiate his allegations, but he could not or would not.
- Committee members gave Mr. Fadden full opportunity to retract his allegations, but he did not.
- The Minister of Public Safety did not answer the Committee's invitation to appear and answer questions on this matter.
- The government has failed to either substantiate or refute public allegations made by Canadian Security Intelligence Service (CSIS) Director Mr. Richard Fadden with prior approval from a member of the Executive Council, in which he denounced municipal politicians in British Columbia and two provincial cabinet ministers for being under the influence of foreign governments, and that therefore the government is complicit in and responsible for these unsubstantiated assertions.

The Committee accordingly recommends:

Recommendation 1:

That the Minister of Public Safety and the Prime Minister be held responsible for the Director of CSIS's unacceptable statements during the interview since the Director's talking points must as a rule all be

approved in advance by the Minister of Public Safety or the Prime Minister's Office.

Recommendation 2:

That the Government of Canada renounce categorically Mr. Fadden's statements and apologize to the Chinese Canadian community, and other cultural communities implicated in and offended by Mr. Fadden's allegations concerning growing foreign interference in domestic politics, for approving and allowing Mr. Fadden to make these unsupported assertions; and that the Prime Minister issue said apology in the House of Commons at the earliest opportunity.

While the former National Security Advisor does not share the Committee's opinion that Mr. Fadden's statements discredited politicians, the Committee maintains that Mr. Fadden sowed doubts and created anxiety through his unsubstantiated allegations. In the Committee's opinion, Mr. Fadden seriously damaged the reputation of elected officials in Canada. The Committee accordingly recommends as follows:

Recommendation 3:

That the Minister of Public Safety require Richard Fadden to resign for having stated, in circumstances entirely under his control, that ministers in two provinces as well as municipal elected officials in British Columbia were agents of influence of foreign governments, thereby sowing doubt about the probity and integrity of a number of elected officials and creating a climate of suspicion and paranoia.

The Committee is concerned by Mr. Fadden's claims that he was not derelict in his duties as CSIS director and that the details he provided in one of his answers at the RCMI were due to inattention on his part. The Committee finds that CSIS Director Richard Fadden's interview and public comments were completely inappropriate and unbecoming of the Office of the Director of the Canadian Security Intelligence Service.

In light of these considerations, the Committee recommends:

Recommendation 4:

That Parliament censure the Minister of Public Safety and the Prime Minister for allowing the Director of CSIS to exceed his statutory mandate by making dramatic and irresponsible statements to the media, sowing doubt in many members of the public regarding the probity and loyalty of municipal elected officials and provincial ministers.

Recommendation 5:

That the Director of CSIS be held to his duty to exercise discretion and not participate in any public forum other than in the context of the activities of Parliament.

Recommendation 6:

That the Director of CSIS not become an agent of influence for the government's political and ideological agenda and instead focus on CSIS's statutory mandate.

Recommendation 7:

That, on a go forward basis, people occupying higher offices, such as the Director of CSIS, not be permitted to make public statements that cavalierly cast aspersions on select groups of Canadians, and should they do so that the Government of Canada immediately take action to clarify said comments and to hold that individual accountable.

5. CONCLUSION

The allegations made by the Director of CSIS tarnished the reputation of politicians and of the Chinese-Canadian community. The Committee maintains that Mr. Fadden created a climate of suspicion in regards to Canada's political class and planted doubt about the integrity of elected officials and the Chinese-Canadian community. The Committee urges the government to respond promptly to Mr. Fadden's remarks by immediately implementing our recommendations. This action is in our opinion necessary to strengthen the confidence of Canadians in their elected officials.

APPENDIX A LIST OF WITNESSES

Organizations and Individuals	Date	Meeting
Canadian Security Intelligence Service	2010/07/05	28
John Dunn, Director General, Communications		
Andy Ellis, Assistant Director, Policy and Strategic Partnerships		
Richard B. Fadden, Director		
As an individual	2010/12/08	46
Marie-Lucie Morin, Former National Security Advisor to the Prime Minister and Associate Secretary to the Cabinet		

APPENDIX B LIST OF BRIEFS

Organizations and individuals

Association for Learning and Preserving the History of World War II in Asia

APPEDIX C
LETTER FROM RICHARD B. FADDEN



Director - Directeur

AUG 31 2010
AOÛT

Mr. Roger Préfontaine
Clerk, Standing Committee on
Public Safety and National Security
House of Commons
131 Queen Street, 6th Floor
Ottawa, Ontario
K1A 0A6

Dear Mr. Préfontaine:

During my appearance before the Standing Committee on July 5, 2010, to discuss foreign interference in Canada, I committed to follow up, in writing, with the Committee to provide additional information requested by Members.

With respect to whether staff in the office of the Minister of Public Safety had prior knowledge of the contents of my speech to the Royal Canadian Military Institute (RCMI) and of my interview with the Canadian Broadcasting Corporation (CBC), I can confirm that I had general discussions with the Minister about these two events prior to them taking place, and had received his approval to proceed. The speech I proposed to deliver at the RCMI was reviewed by staff in the Minister's office as well as the National Security Advisor's (NSA) office. To be clear, the review did not include - obviously - any part of what was said during the question and answer period.

As to whether CSIS provided any "off-the-record" or "background" briefings to the CBC or other media outlets prior to my interviews with The National, my predecessor hosted a general briefing on the mandate of CSIS and of the threat environment in which it operates, for correspondent Brian Stewart in March 2009. All other contacts between the CBC and CSIS prior to the interviews were to discuss logistics.

With regard to the Committee's interest in whether I spoke with the Minister and/or the NSA prior to having clarified remarks made during the CBC interview, I can confirm that I had discussions with officials at CSIS, the Minister's office, and the office of the NSA prior to the issuance of the clarification.

I hope that the foregoing satisfies my commitment to respond to outstanding questions raised during my appearance.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R. B. Fadden", with a long horizontal flourish extending to the right.

Richard B. Fadden

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant Minutes of Proceedings ([Meetings Nos. 28, 32, 46, 59 and 61](#)) is tabled.

Respectfully submitted,

Kevin Sorenson, MP

Chair

DISSENTING OPINION FROM THE MEMBERS OF THE CONSERVATIVE PARTY OF CANADA

At the call of the Opposition, the House of Commons Standing Committee on Public Safety and National Security held meetings to discuss remarks made in March 2010 by Richard Fadden, the Director of the Canadian Security Intelligence Service (CSIS). These meetings, including one held during a Parliamentary recess, consumed substantial resources and were, in the view of Government Members, little more than a chance for the Opposition Coalition to advance their political agenda at the expense of national security.

Rather than presenting a thoughtful analysis on issues raised during Committee proceedings, the Opposition majority produced a report which bears very little resemblance to the reality of the hearings and ignores testimony provided by witnesses, including evidence from the Director of CSIS. As a result, the Conservative Party cannot support the inflammatory and inaccurate recommendations contained within the report.

The inflammatory nature of the report is exemplified by the Opposition's recommendation that the Minister of Public Safety and the Prime Minister be censured for Mr. Fadden's statements during an interview. This is both inaccurate and illogical, as the Director stated to the Committee – both in testimony and in writing - that his comments were made during the unscripted Question and Answer session, and were not divulged to, or approved by the Minister, Prime Minister or any members of their staff.

On July 5, 2010, Bloc Public Safety Critic Maria Mourani asked Mr. Fadden, referring to the Minister of Public Safety and the Prime Minister, "Were they aware that you were going to identify people without really naming them?" Mr. Fadden replied, "Absolutely not, madam." Therefore, the Conservative Members would reiterate that Mr. Fadden's specific comments were his own and were made without the Government's prior knowledge or approval.

The Opposition has also made the recommendation that the Prime Minister issue an apology in the House of Commons for Mr. Fadden's comments regarding the Chinese-Canadian community. Much like the rest of the Opposition's Report, this is not substantiated by a single fact presented during the Committee's study. As well, the observation that, "No one who appeared before the committee acknowledged the damage and harm caused by the unsubstantiated allegations, particularly to the Chinese Canadian community," is baseless. No one from any cultural community testified before the Committee to give evidence of the veracity of this claim. Furthermore, the question of the possible impact of Mr. Fadden's comments was never addressed by any witness. Readers will note the allegations that 'damage and harm were caused by Mr. Fadden's comments' are also not supported by any evidence.

Moreover, during his testimony, Ms. Marie-Lucie Morin said, "I would take exception to the concept that we are questioning the loyalty of any group of Canadians when we talk about foreign interference. In fact, to the extent that these activities are conducted, I

would argue that the communities are a victim and in fact should not feel targeted.” There was no evidence presented to support the conclusion that Mr. Fadden intended to create a situation where cultural communities are targeted. However, Mr. Fadden did express regret for the situation that arose:

“My comments did not in any way threaten national security, and was purely an oversight on my part that the information was made public. I do not agree with all the criticism voiced, but I regret any distress I might have caused and would not provide such detail again.” (July 5, 2010)

Furthermore, the Conservative Party takes issue with the third recommendation proposed by the Opposition Coalition, “that the Minister of Public Safety require Richard Fadden to resign for having stated, in circumstances entirely under his control, that Ministers in two Provinces as well as municipal elected officials in British Columbia were agents of influence of foreign governments, thereby sowing doubt about the probity and integrity of a number of elected officials and creating a climate of suspicion and paranoia.” There was no evidence given at any point during hearings from any witness that such a climate was created as a result of Mr. Fadden’s comments, or existed in any sense. Mr. Fadden even clarified that his general claims regarding foreign influence would automatically apply to ALL those that have influence:

“I was making a general statement about foreign interference. As I was saying a moment ago...if foreign interference is to take place in this country, it has to take place with respect to people who have influence. So it should come as no surprise that it involves people who have political decision-making authority.” (July 5, 2010)

While Government members agree that the level of detail in Mr. Fadden’s public comments were regrettable, we do not support the Opposition Coalition Report which ignores the facts and makes reckless recommendations on important issues of national security.

The use of matters of national security and the staffing of senior ranks of the Canadian public service for partisan political purposes are reprehensible practices unbecoming of any serious political party in a modern democracy. The opposition coalition has done both, firmly establishing that no member of the coalition is ready or able to assume the responsibility of governing.

Bloc Québécois Supplementary Opinion

An obsession with secrecy

The report

The Bloc Québécois fully supports this report which highlights the government's obsessive secrecy and its capacity to manipulate the truth to achieve its own ends. In the case in question, one of its goals was to discredit the political community and specific ethnocultural groups.

However, we believe the report should have been more specific on page 4 regarding the questions to which the Committee has not received detailed answers or any response. We feel that the report as it stands could be misleading because it causes readers to believe that the three questions presented are the only ones that have not been answered satisfactorily. However, at least one question has been omitted and it is important, as a positive response could mean that a witness lied to the Committee.

Specifically, on 5 July 2010, Ms. Mourani asked Mr. Fadden the following:

I am simply asking whether you filed any warrant applications with the Federal Court in order to investigate these people [agents of influence].

She then added:

Mr. Fadden, as soon as your report has been completed, if we find out that you filed applications with the Federal Court, that would mean you made specific requests to the minister to file an application with the Federal Court, which would also mean that the cases in question were already known to the minister, and that you are lying to us right now.

In light of the above, the Bloc Québécois will closely monitor the tabling of Mr. Fadden's report and take any necessary action.

