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## Elections Canada Institutional Report

### Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions

## Introduction

The following report is presented in two parts. Part 1 includes general information about Elections Canada's approaches and processes, including its role in safeguarding the principles of electoral integrity; Part 2 provides information specific to addressing foreign interference in elections, including Elections Canada's experience in the 43rd and 44th general elections (GEs). Where appropriate, the report includes links to relevant information on the Elections Canada website or further information in the annexes.

## Part 1: General Information About Elections Canada's Approaches and Processes

### 1.1 Office of the Chief Electoral Officer

#### Independence

The Chief Electoral Officer (CEO) of Canada is an agent of Parliament who is directly responsible to that institution and independent from the government.

The CEO is appointed by resolution of the House of Commons. The current CEO, Stéphane Perrault, was appointed on June 8, 2018. He serves a 10-year term and may be removed only for cause by the Governor General on joint address of the Senate and House of Commons.

The CEO reports to Parliament on the administration of a general election, by-election or referendum and on planned spending and expenditures. The CEO also makes recommendations to Parliament on legislative amendments to *the Canada Elections Act* (CEA) that he considers desirable for its better administration.

The CEO appears regularly before the House committee responsible for electoral matters—namely, the Standing Committee on Procedure and House Affairs (PROC). The CEO also appears from time to time before the Standing Senate Committee on Legal and Constitutional Affairs and any other committee upon request.

The CEO communicates with the government through the designated minister responsible for the CEA, currently the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs, the Honourable Dominic LeBlanc, P.C., M.P. The CEO also has regular conversations with opposition party critics and committee members to update and consult them on Elections Canada initiatives.

The Office of the CEO is funded by and operates under two separate budget authorities. The first is an annual parliamentary appropriation that covers the salaries for permanent positions. This appropriation can be increased only with the approval of the Treasury Board.



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The second budget authority is a statutory authority that draws directly from the Consolidated Revenue Fund. This authority funds all expenditures other than the salaries for permanent positions and is not subject to annual parliamentary approval. The statutory authority serves to recognize the independence of the Office of the CEO from the government. It also ensures that the Office of the CEO has access to the funds required for the conduct and delivery of electoral events, which may occur at any time.

The Office of the CEO is composed of two entities: Elections Canada and the Commissioner of Canada Elections.

#### Structure

The Office of the CEO normally includes some 870 employees (810 at Elections Canada and 60 at the Office of the Commissioner of Canada Elections), working in the National Capital Region. This number rises to approximately 1,600 in the lead-up to and following a general election. These numbers include seven direct reports to the CEO, with three Deputy Chief Electoral Officers. See the organizational chart in **Annex 1** for more information on the internal structure of Elections Canada.

For each of the 338<sup>1</sup> electoral districts, the CEO appoints a returning officer on the basis of merit for a renewable term of 10 years. The CEO also appoints and trains field liaison officers to assist the returning officers from a specific province or part of a province and to liaise with Elections Canada headquarters. Returning officers are responsible for administering elections within their respective electoral districts. This includes filling approximately 230,000 election officer positions for advance and ordinary polls and organizing polls in some 15,500 voting locations across the country.

#### Mandate

Elections Canada's mandate covers matters relating to both electoral operations and regulatory compliance.

#### *Electoral operations*

- Administering federal electoral legislation—namely, the CEA and the *Referendum Act*.
- Exercising general direction and supervision over the conduct of elections and referendums.
- Maintaining the National Register of Electors and the Register of Future Electors.
- Ensuring that all election officers act with fairness, impartiality and in compliance with the CEA.
- Issuing to election officers the instructions that the CEO considers necessary for the administration of the CEA.
- Adapting any provision of the CEA during an election period or within 30 days after if the CEO considers that an emergency, an unusual or unforeseen circumstance or an error makes an

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<sup>1</sup> Based on the current Representation Order. However, as a result of the recent electoral boundaries redistribution process, a new electoral map comprising 343 seats will be in place for a general election called after April 22, 2024.

adaptation necessary, for the sole purpose of enabling electors to exercise their right to vote or enabling the counting of votes.

- Implementing public education and information programs to inform the general public about the electoral process.
- Educating the public about the Canadian electoral process, the right to vote and the right to run in an election.
- Carrying out studies on voting, including studies on alternative voting means, and devising and testing new voting processes for use in a future general election or by-election, subject to the approval of House of Commons and Senate committees.
- Providing legal, technical, financial and administrative support to the independent commissions responsible for the periodic process of readjusting federal electoral boundaries to ensure that representation conforms to the *Electoral Boundaries Readjustment Act*.

#### *Regulatory compliance*

- Issuing written opinions, guidelines and interpretation notes (OGIs) on the application of the CEA to political entities.
- Developing regulatory policies to explain how the CEO exercises his discretion in administering the CEA.
- Registering political entities<sup>2</sup>—namely, political parties, electoral district associations (EDAs), leadership contestants as well as third parties<sup>3</sup>.
- Registering the results of nomination contests and contestant information for contests held by a registered party or registered EDA.
- Maintaining a registry of regulated fundraising events, including the names and addresses of event attendees.
- Calculating the amount of election expenses limits for candidates, political parties and third parties (including pre-election period limits, where appropriate) as well as the expenses limit for nomination contestants.
- Publishing the financial returns of political entities.
- Auditing the financial returns of political entities to verify compliance.
- Reimbursing expenses to candidates and political parties according to the formulas laid out in the CEA.
- Paying subsidies for the audit of the financial returns of candidates, nomination contestants, leadership contestants and registered EDAs.

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<sup>2</sup> There are six political entities regulated by the CEA: political parties, electoral district associations, nomination contestants, candidates, leadership contestants and third parties. All but nomination contestants and candidates are required to register. Candidates go through a nomination process.

<sup>3</sup> A third party is generally a person or group that wants to participate in or influence elections. They do not seek to be elected themselves but may support certain political parties or candidates.



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#### The Commissioner of Canada Elections

The Commissioner of Canada Elections is the independent officer, within the Office of the CEO, who is responsible for ensuring that the CEA and the *Referendum Act* are complied with and enforced. The Commissioner is appointed by the CEO, after consultation with the Director of Public Prosecutions, for a 10-year, non-renewable term. The current Commissioner, Caroline Simard, was appointed on August 15, 2022.

The Commissioner may launch an investigation on her own initiative. In addition, Elections Canada refers potential contraventions of the CEA to the Commissioner for consideration and possible investigation. Further information, including the key guiding principles of the relationship between the CEO and the Commissioner, can be found on the Elections Canada website:

<https://www.elections.ca/content.aspx?section=abo&dir=cce&document=princip&lang=e>

Although the Commissioner is part of the Office of the CEO, the CEA expressly states that, in the performance of her compliance and enforcement mandate, the Commissioner must carry out her work independently from Elections Canada and the CEO. The Commissioner is a separate deputy head for human resources purposes and manages her own relationships with security agencies independently.

#### The Office of the Chief Electoral Officer

##### Elections Canada



- Conducts federal elections and referendums
- Administers the *Canada Elections Act*
- Administers the political financing regime of the *Canada Elections Act*

##### The Office of the Commissioner of Canada Elections



- Ensures compliance with, and enforcement of, the *Canada Elections Act*
- Carries out independent reviews and investigations into potential contraventions of the *Canada Elections Act*



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#### 1.2 Federal elections

##### Electoral cycle

At the time of the dissolution of Parliament, the CEO is directed by the Governor General to issue the writs of election. Since May 2007, the CEA provides for a general election to be held on a fixed date: the third Monday of October in the fourth calendar year following the previous general election. As the last general election took place on September 20, 2021, the next fixed election date is October 20, 2025. That said, the CEA does not prevent a general election from being called on another date.

The election or campaign period must last at least 37 days and no more than 51 days, and election day must fall on a Monday (with certain limited exceptions). Since 2019, in the case of a fixed-date election, a “pre-election period” also applies, starting on June 30 before the fixed election date; during this time, political entities are subject to certain spending limits under the CEA.

In every electoral district, a returning officer appointed by the CEO is responsible for the local administration of the election once the writ for that electoral district is issued. The election is administered by returning officers pursuant to the requirements of the CEA and the instructions of the CEO.

Elections Canada provides returning officers with policies, procedures, operational data and technology. Before the writs are issued, returning officers begin work to identify polling locations, and they hire and train key staff. Once the writs are issued, returning officers can begin to lease polling places. For the 43rd GE, there were 15,477 polling places for election day and 3,802 for advance polling days. These numbers were slightly reduced for the 44<sup>th</sup> GE due to the pandemic. The vast majority of election workers are hired – approximately 230,000 are required in total – between the drop of the writ and polling day.

To ensure that Canadians can exercise their democratic right to vote, Elections Canada conducts a Voter Information Campaign before and during federal elections to provide Canadians with all the information they need on where, when and the ways to register and vote.

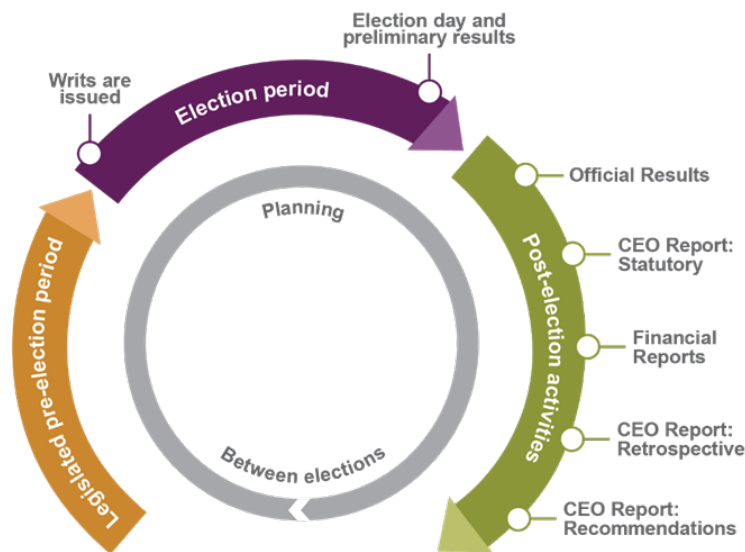
The national campaign, delivered through a series of products that have a consistent look and feel and messages, primarily targets the general population and groups who face higher-than-average barriers to participating in elections: new voters (youth and new Canadian citizens), Indigenous electors and electors with disabilities.

Electors have a number of choices for casting their ballots: on election day, at an advance poll, at any local Elections Canada office (usually the office of the returning officer) and by mail. Advance polls are held on the 10th, 9th, 8th and 7th days before election day. Voting at a local Elections Canada office is available until the 6th day before election day.

Following the close of polls, the ballots are counted manually in the polling stations by an election officer assigned to the polling station and in the presence of another election officer. This process is observed by the candidates or their representatives or, if none are present, at least two electors. On election night, preliminary results are published on the Elections Canada website and shared with a media consortium for live broadcast.

A federal general election is a massive operation whose success rests on the timely mobilization and deployment of human, material and technological resources in diverse environments across Canada.

The process begins with planning well before the general election—in fact, at the conclusion of the previous election—and lasts long after election day. The election cycle lasts much longer than 37 or 51 days. Below is a visual representation of the election cycle, showing the pre-election, election and post-election periods and their significant events as well as planning and some key between-election initiatives.



Post-election activities

*Validation of the results*

The validation of the results is conducted by the returning officer, generally in the week following election day. The returning officer verifies the tabulation of the votes for each candidate and the totals recorded on the Statement of the Vote for each polling station. Canada’s single member plurality electoral system, also known as “first-past-the-post,” provides that the candidate who gets more votes than any other candidate is declared the winner. Depending upon the number of candidates, the

winning candidate may or may not need a majority of votes to win. During a federal election, one candidate is elected as the Member of Parliament in each electoral district.

#### *Judicial recounts*

A judicial recount is a new tabulation of the votes cast in an electoral district, presided over by a judge of a superior court of the province or territory. A judicial recount must take place if the leading candidates in an electoral district receive the same number of votes after the validation of the results or if they are separated by less than one one-thousandth of the total votes cast. It can also be requested by any elector if there is evidence of an error in the original count. Judicial recounts deal solely with the counting of votes.

#### *Contested elections*

Concerns respecting the regularity of an election—other than matters that are handled through judicial recounts—are addressed through the contested election process. This includes concerns about fraud or irregularities in the electoral process. After a person is declared elected, any elector who was eligible to vote in an electoral district, or any candidate in that district, may bring an application for a contested election before a judge. In practice, legal contestations are quite rare.

In a contested election proceeding, a judge is required to determine whether the person who won the election was eligible to be a candidate or whether there were any other irregularities, fraud or corrupt or illegal practices that affected the result of the election. The CEO, the Attorney General, the respective returning officer, the candidates in the election and the person bringing the application are all parties to a contested election proceeding. At the end of the court proceeding, the judge either dismisses the application or invalidates the result of the election. An appeal must be filed within eight days and can be appealed directly to the Supreme Court of Canada. This appeal must be heard “without delay.”

#### *Independent audit*

In 2014, a statutory requirement was introduced for a mandatory independent audit to be carried out for each general election and by-election to report on whether election officers had properly exercised their duties under the CEA. The audits conducted for the 43rd and 44th GEs (document IDs ELC0000049 and ELC0000050) are available on the Elections Canada website:

<https://www.elections.ca/content.aspx?section=res&dir=rep/off&document=index&lang=e#44GE>.

#### *Election reports*

Following a general election, Elections Canada produces a series of three post-election reports. The first report (document IDs ELC000060 and ELC000061) provides a factual description of how the election was





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administered and identifies issues requiring further analysis. This report is required by the CEA and must be presented to the Speaker of the House of Commons within 90 days after the date specified for the return of the writs in the election proclamation.

The second report evaluates Elections Canada's success in delivering the election, measured against specific performance indicators, and identifies areas for improvement. The assessment is based on information and data collected through post-election analyses, official reports and audits, feedback from key stakeholder groups and the results of research and surveys on the experience of electors, candidates and election officers. This "retrospective" report (document IDs ELC0000043 and ELC0000048) is published on the Elections Canada website.

The third report, also required by the CEA, provides a list of recommended amendments to the CEA that the CEO considers desirable for the better administration of the Act. This report is presented to the Speaker of the House of Commons. The most recent report contains recommendations flowing from both the 43rd and the 44th GEs (document ID ELC0000054).

All these reports, along with a number of complementary reports, which include information on costing, official voting results, turnout and registration (document IDs ELC0000045 and ELC0000046, ELC0000057), and research (document IDs ELC0000051, ELC0000052 and ELC0000053), can be found on the Elections Canada website:

<https://www.elections.ca/content.aspx?section=res&dir=rep/off&document=index&lang=e>.

#### *Compliance and enforcement*

Ensuring compliance with and enforcement of the CEA is a process that continues well beyond the conclusion of an election from the point of view of most Canadians, who will have voted during the election period and learned the election results at its conclusion.

Candidates are required to file their financial returns with supporting documentation four months after polling day or later if they are granted an extension by the CEO and/or the courts. Elections Canada's Political Financing branch conducts compliance audits of candidates' financial returns to ensure that they meet the requirements of the CEA, including with respect to contribution and spending limits. Compliance activities also include database-wide (horizontal) analysis of financial information to identify potential non-compliance with the CEA. Elections Canada aims to complete the compliance audit of selected candidate campaign returns within 12 months of the statutory filing date.

Third parties are also required to file their financial returns four months after polling day, and political parties within eight months after polling day, or later if they are granted an extension. Third parties can be required to provide supporting documentation, whereas parties are not. Similar auditing activities are undertaken for these entities as those described above with respect to candidates.

Other events-based political entities (nomination and leadership contestants) may also be obligated to file financial returns with supporting documentation. The deadline to file is triggered by the last day of the contest.

Finally, political parties and EDAs are required to file financial returns once a year. The deadlines are June 30 for parties and May 31 for EDAs, or later if the CEO or a court grants them additional time. There is no requirement for these entities to submit supporting documentation.

Outside a general election, compliance audit activities are conducted for political entities' financial returns (nomination and leadership contestants, political parties, and EDAs) to ensure that they meet the requirements of the CEA, including with respect to contribution and spending limits, or both depending on the entity. This includes the horizontal analysis of financial information to identify potential non-compliance as described above.

Following an election, Elections Canada also undertakes a review of the electoral materials from the election, including checking for indications of potential voting irregularities (including double votes or voting by someone who is not qualified, such as someone who is not a Canadian citizen, has not yet turned 18 or is deceased). This review includes examining relevant documents and data collected during the election and, when appropriate, data collected from other organizations that Elections Canada works with, such as Immigration, Refugees and Citizenship Canada, to detect anomalies in the data.

If potential anomalies are found, Elections Canada searches for the associated original electoral materials to review them for potential voting irregularities.

Any instances of potential non-compliance with the CEA, revealed through Elections Canada's audit or election review processes, are referred to the Commissioner of Canada Elections for her attention. When formal compliance or enforcement action is taken in cases of wrongdoing under the CEA, the Office of the Commissioner of Canada Elections publishes the information on its website.

### **1.3 Elections Canada's approach to electoral integrity and election fairness**

#### Free and fair elections

The concept of "free and fair" elections is frequently used and understood to have meaning in the international context. An internationally accepted definition of a free and fair election is one that is "held at regular intervals on the basis of universal, equal, and secret suffrage"<sup>45</sup> and guarantees "the free expression of the will of the electors."<sup>6</sup>

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<sup>4</sup> Inter-Parliamentary Union, *Declaration on Criteria for Free and Fair Elections*, 1994.

<sup>5</sup> United Nations, *Universal Declaration of Human Rights*, 1948.

<sup>6</sup> Office of the United Nations High Commissioner for Human Rights, *International Covenant on Civil and Political Rights*, 1966; Organization for Security and Co-Operation in Europe, *Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Co-Operation in Europe*, 1990; Organization



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The components of free and fair elections are generally understood to extend well beyond the mandate of an electoral management body such as Elections Canada; they include such things as the existence of freedom of expression and information, freedom of association and assembly, the establishment of impartial electoral boundaries, non-intervention by the state in the electoral process and the absence of any undue intimidation or pressure on voters. Free and fair elections also feature many components that are within the control of an election administrator: for example, a legible ballot, an opportunity for all qualified electors to register and vote, timely and transparent publication of election results and swift attention to election complaints.

The following table, found in Michael Krennerich’s 2021 book, *Free and Fair Elections?*, identifies the components of free and fair elections.

Free	Fair
<b>Before election day</b>	
Freedom of information and expression Freedom of assembly Freedom of association Freedom of movement Universal right to vote and stand for election General registration of persons entitled to vote Free registration of parties and candidates	No preferential treatment or discrimination of electoral opponents in the electoral law Independent, transparent, and neutral election administration Impartial constituency boundaries Impartial election information Impartial registration of voters Impartial registration of parties and candidates Neutrality of public authorities towards candidates and parties Equal access to public media for candidates and parties Equal access for voters to political and election-related information No abuse of state resources for election campaign purposes Impartial and transparent party and campaign financing

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of American States, *Inter-American Democratic Charter*, 2001; European Commission for Democracy Through Law (Venice Commission), *Code of Good Practice in Electoral Matters*, 2002.

On election day	
Possibility for all eligible voters to actually participate in the elections Secret ballot No undue influence on or intimidation of voters Peaceful election climate	Possibility to observe the elections Clear and neutral design of the ballot papers Neutral assistance of voters if necessary Correct and transparent determination, aggregation, documentation, and publication of the election results Secure transport of voting material (ballot papers, ballot boxes etc.)
After election day	
Legal and actual possibilities for complaints regarding electoral irregularities, manipulation and fraud	Impartial and rapid investigation of election complaints Complete and detailed publication of the official election results Investigation and sanctioning of electoral law infringements,

Source: [Michael Krennerich, \*Free and Fair Elections? Standards, Curiosities, Manipulations\*, 2021.](#)

While elections in mature democracies are generally considered free and fair, most elections fall somewhere along a spectrum when evaluated against internationally accepted criteria such as the ones outlined above. Canadian elections have been held to meet the standard of free and fair, as reflected in Canada’s status of “free” on Freedom House’s Freedom in the World index,<sup>7</sup> and Canada is rated “very high”<sup>8</sup> on the global [Perceptions of Electoral Integrity Index](#).<sup>9</sup> Moreover, the Election Expert Team assembled by the Organization for Security and Co-operation in Europe (OSCE) to observe the 2021 Canadian federal election indicated that the “election administration, which enjoys a high level of independence, organized the election impartially and transparently”<sup>10</sup> and that “interlocutors expressed a high degree of trust in the integrity of Elections Canada.”<sup>11</sup>

The financial audit of electoral participants (candidates, political parties and third parties) and the investigation and sanction of potential offenders under the CEA are components of free and fair elections in Canada. So is the possibility to ask for a judicial recount and/or bring an application for a contested election in the case of alleged fraud or other irregularities that may have affected an election’s

<sup>7</sup> Freedom House, *Freedom in the World*, 2024. (See page 22.)

<sup>8</sup> Based on a survey that collects the views of election experts, the Perceptions of Electoral Integrity (PEI) dataset measures compliance with international electoral integrity standards and provides an overall score for each election, ranging from 0 to 100, as well as comparative rankings of countries based on these scores. Canada’s ranking of 83 lands in the “very high” category, which included scores of 60+.

<sup>9</sup> Garnett, Holly Ann, Toby S. James, Madison MacGregor, and Sofia Caal-Lam, *The Electoral Integrity Project, Year in Elections Global Report*, 2023.

<sup>10</sup> OSCE, *ODIHR Election Expert Team Final Report*, 2022.

<sup>11</sup> OSCE, *ODIHR Needs Assessment Mission Report*, 2021.

outcome. This reflects the fact that while all elections involve a range of non-compliant behaviour and irregularities, free and fair elections require mechanisms to detect and address these instances.

### Elections Canada's Electoral Integrity Framework

In the Canadian context, federal elections are administered by Elections Canada according to the requirements of the CEA, the *Canadian Charter of Rights and Freedoms* and other applicable legislation.

While the agency may not be responsible for all elements required for free and fair elections, it is responsible for a trustworthy administration of the electoral process. As part of its efforts to do so, Elections Canada has developed an Electoral Integrity Framework. The Framework defines the electoral integrity principles against which Elections Canada's programs and services can be measured. It also helps guide decision making to support the consistent and rigorous application of the CEA provisions and achieve the agency's strategic vision, which is an electoral democracy that serves all Canadians, and that Canadians can trust.

The Electoral Integrity Framework is composed of six principles, which are consistent with the CEA and the *Canadian Charter of Rights and Freedoms* and which are enshrined in our electoral democracy and social fabric. They are described below.

- **Accessibility:** An accessible electoral process is inclusive and meets the needs of Canadians so that they can exercise their democratic rights to vote and be a candidate, equitably and without undue barriers or interference.
- **Fairness:** Fair electoral administration means that regulated political entities are — and are perceived to be — treated equitably and impartially and can compete on a level playing field.
- **Independence:** Independence means that the electoral process is administered without undue influence from the government or partisan entities and interests. While Parliament sets electoral legislation, Elections Canada remains functionally independent from the government, due in part to its statutory authority to draw funds required to conduct federal elections and referendums.
- **Reliability:** A reliable electoral administration is one where the administrative and regulatory functions are carried out predictably and consistently, election officials and staff act professionally and comply with the law, and elections are delivered according to sound management principles, all so that Canadians can trust elections and election results.
- **Security:** A secure electoral process is designed and administered to protect it against persons or entities who would attempt to interfere with its processes, people, assets or data. A secure

electoral process requires safeguards to prevent, detect, mitigate and penalize election offences and other interference.

- **Transparency:** A transparent electoral process is administered in a manner such that it is observable, features oversight and is described in detail publicly.

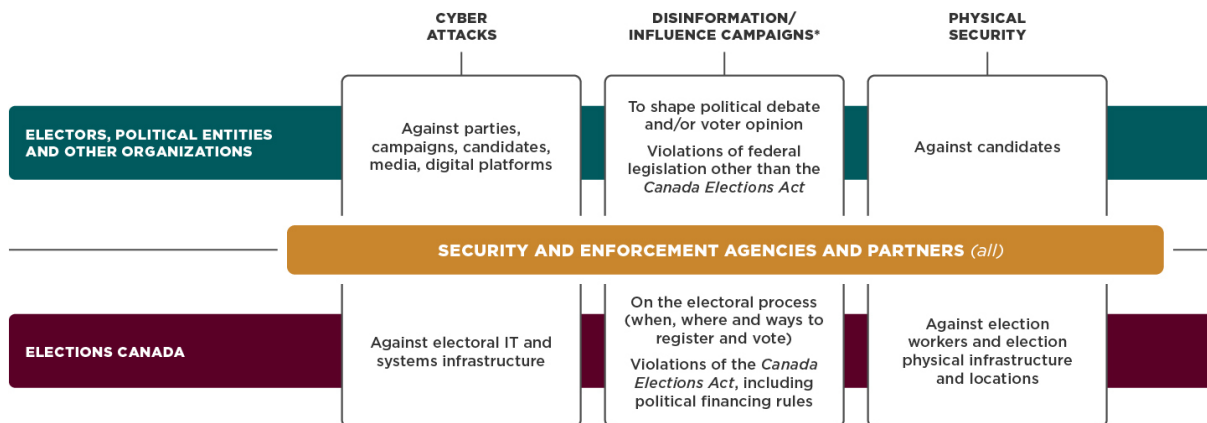
See **Annex 2** for examples of how these principles operate in Canada’s electoral process.

Electoral integrity, like free and fair elections, is a systemic concept. In any election, various elements contribute to enhancing or reducing electoral integrity. For instance, measures to allow electors who have been evacuated from their community because of floods or wildfires to vote contribute to electoral integrity by ensuring inclusiveness. Measures to check for possible double votes or to encourage observations of the count also support the integrity of the process. Conversely, the failure of poll workers to apply voting procedures consistently, misleading information about the voting process or violations of spending limits by candidates or parties diminish electoral integrity. The overall integrity of an election is the result of a combination of factors, behaviours and events, and it is seldom possible to link or demonstrate the impact of one of these factors on a particular electoral outcome. They are nevertheless fundamental to the trust (or mistrust) of electors in the electoral process.

### 1.4 Threats to Canadian elections

Threats to Canadian elections come in many different forms and target different stakeholders, including Elections Canada and election workers as well as electors, political entities and other organizations. These threats come in the form of cyberattacks, disinformation and influence campaigns, including the inappropriate use of money, and threats against physical security. In all instances, security and enforcement agencies and partners outside the Office of the CEO may have a role to play.

Even in cases where an election is considered free and fair, the principles of the Electoral Integrity Framework can be affected by such threats. Some examples of threats are presented in the visual below.



*\*While information can be inaccurate, it is not always unlawful. This is an inherent challenge in a free and open society.*

Examples of how these threats can affect the Electoral Integrity Framework include the following:

- Cyber attacks against Elections Canada or against political entities may affect the **security** of elector data. Such attacks against Elections Canada, political entities, the media or digital platforms may also cause Canadians to question the **reliability** of the information they receive throughout the election period or the election results.
- Disinformation or influence campaigns against Elections Canada or candidates may also create doubt for Canadians about the **reliability** of the information they receive throughout the election period or the election results. They may also affect Canadians' **access** to voting and being a candidate if electors receive the wrong information about how to do so. Inaccurate information about a party or candidate or about dates or hours to vote may create **access** barriers for electors and candidates or call into question **fairness** for political entities.
- While physical threats obviously affect the **security** of everyone involved in the electoral process, they may also create **access** barriers for electors and candidates to exercising their rights. Threats against election workers can also affect **reliability** if their ability to perform administrative and regulatory functions predictably and consistently are compromised.

It is important to note that some activities, such as disinformation campaigns or illicit funding, may undermine the integrity of an election even though it may be impossible to demonstrate any impact on the election results (unlike, for example, the destruction of a ballot box). The absence of a demonstrable impact on results does not make these activities benign as they may undermine trust in the electoral process.

It is equally important to note that not all threats to elections necessarily involve illegal activities. Influence campaigns by foreign-state actors can be considered election interference even when they consist of lawful activities. While lawful, such actions can undermine electoral integrity and diminish trust in the electoral process. This is an inherent challenge of living in a free and open society.

It is essential for all participants in the electoral process, including Elections Canada, political parties, candidates and electors, to understand what kind of threats they are facing and how they can mitigate or eliminate them—including by practising digital literacy and continuing to build their resiliency against inaccurate information and illegitimate attempts to influence them.

### **1.5 Disinformation/misinformation threat: Elections Canada's approach to informing Canadians about the electoral process and strategies for addressing inaccurate information**

Elections Canada has a mandate to ensure that Canadians have access to accurate information about the electoral process. The agency's goal is to be the authoritative source of accurate information about federal elections by reaching Canadians where they are, through proactive and responsive communications, using the programs and activities outlined below.



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Outreach and voter information	Pre-empting, detection and response	Civic education
<p>During elections, deliver its comprehensive Voter information Campaign to position Elections Canada as the authoritative source of information about when, where and the ways to register and vote.</p> <p>Maintain and update the <a href="#">repository of Elections Canada communication products</a> on its website.</p> <p>Work with stakeholders to spread the word and provide correct voter information.</p>	<p>Pre-empt and “pre-bunk.”</p> <p><a href="#">Detect inaccurate narratives and assess potential impact.</a></p> <p>Respond with accurate information using Elections Canada’s communication channels, reaching out to the source(s) and escalating to digital platforms and/or security agencies.</p> <p>Maintain and update Elections Canada’s <a href="#">ElectoFacts</a> as a tool for electors to easily check whether the information they have seen online about the electoral process is accurate.</p>	<p>Work with educators and civil society groups to offer <a href="#">educational programming</a> to build the knowledge, understanding, interest and skills required for future voters and voters to participate in the electoral process.</p> <p>Promote fact-checking services and encourage vigilance.</p>

The Voter Information Campaign is conducted by Elections Canada before and during federal elections to provide Canadians with all the information they need on where, when and the ways to register and vote. The campaign drives electors to the Election Website for a specific election, where they can find detailed information. This includes the Official Election Information section, which is an online repository that features all advertisements and communication products produced by Elections Canada, with the exception of social media posts. Using this repository, an elector who sees a flyer, bus ad or any other kind of communication about the election can confirm its authenticity. Electors are also invited to report any material pretending to be from Elections Canada that is not in the repository.

The Voter Information Campaign, delivered through a series of products that have a consistent look and feel and messages, primarily targets the general population and groups who face barriers to participating in elections: new voters (youth and new Canadian citizens), Indigenous electors and electors with disabilities.

The voter information card (VIC) also plays a crucial role in informing electors about the electoral process. During an election, a personalized VIC is mailed to each registered elector, telling them when and where to vote, the accessibility of their advance and election day polling places and how to contact the nearest local Elections Canada office.





## Elections Canada Institutional Report

### Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions

After sending out the VICs, Elections Canada distributes the *Guide to the federal election* to every household in Canada. This brochure provides information about voter eligibility, registration, the ways to vote, identification requirements, the accessibility of polling places and the voting assistance tools and services available on election day. It also prompts electors to contact Elections Canada if they have not received a VIC. For the 44th GE, the agency distributed 15,806,012 bilingual brochures across Canada and an additional 10,159 trilingual brochures in Nunavut. Elections Canada also published a version of the guide in 49 languages, including 16 Indigenous languages, on its website.

Since 2004, community relations officers (CROs) have been recruited during each general election. CROs work with local leaders to improve access to registration and voting for specific groups of electors, particularly youth, Indigenous electors, seniors living in long-term care facilities, electors from ethnocultural communities, electors who are homeless and official-language minority communities. CROs provide electors with information about where, when and the ways to vote and inform them about the tools and services available to them. By ensuring that CROs and national and local stakeholders are well equipped with information about Canada's electoral process, Elections Canada extends its communications to hard-to-reach and specialized target audiences, who are often less aware of the electoral process.

#### Environmental monitoring

As part of its mandate to provide accurate information about the federal electoral process, and as an extension of its traditional media monitoring, Elections Canada monitors publicly available social media and digital content for information about the federal electoral process.

The agency monitors publicly available content for:

- Inaccurate/misleading information about when, where and the ways to register or vote
- Inaccurate/misleading information about Elections Canada's mandate or operations
- Reports of incidents or threats that could impact Elections Canada's operations
- Impersonation of Elections Canada
- Posts expressing Canadian electors' sentiment toward the administration of an election: confusion or concerns about voting experiences

The agency uses digital-platform monitoring tools and keyword searches to capture relevant content, then collates it for later reporting including internal post-mortem reports following the 43<sup>rd</sup> and 44<sup>th</sup> GEs<sup>12</sup> and internal quarterly reports to identify trends in the environment. It does this in a number of

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<sup>12</sup> Document IDs include: ELC0000065, ELC0000066, ELC0000067, ELC0000068, ELC0000069, ELC0000070, ELC0000071, ELC0000072, ELC0000073, ELC0000074, ELC0000075, ELC0000076, ELC0000077, ELC0000078, ELC0000079, ELC0000080, ELC0000081, ELC0000082, ELC0000083, ELC0000084, ELC0000085, ELC0000086, ELC0000087, ELC0000088, ELC0000089, ELC0000090, ELC0000091, ELC0000092, ELC0000093, ELC0000094, ELC0000095, ELC0000096, ELC0000097



## Elections Canada Institutional Report

### Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions

languages other than Canada's two official languages so that it can detect as much information about the electoral process as possible. The agency does not monitor specific accounts, individuals or organizations. It also does not look into the source of the information observed online, including whether it is domestic or foreign.

Elections Canada uses its understanding of the information environment to develop and update its communication products (including its website and social media accounts). It also uses it to react quickly to inaccurate narratives about its mandate through its various communications channels.

Elections Canada shares with its security partners—including the Privy Council Office (PCO), Public Safety Canada, the Canadian Security Intelligence Service (CSIS), the Communications Security Establishment (CSE), Global Affairs Canada, the Royal Canadian Mounted Police (RCMP) and the Commissioner of Canada Elections—its high-level analyses of the information observed in the environment, which may include information based on social media monitoring. Based on her mandate and expertise, the Commissioner may take further action if she suspects a contravention of the CEA.

Elections Canada's role is to ensure that electors have correct information about the electoral process. Elections Canada does not have the ability or mandate to distinguish between foreign and domestic content. Its focus is exclusively on matters related to the voting process and not on partisan discourse. Further information about the work of the social media monitoring team and its structure during the 43<sup>rd</sup> and 44<sup>th</sup> GEs can be found in the document titled "Social Media Monitoring Report for the 44th General Election" (document ID ELC0000085).

#### ElectoFacts

In an effort to counter misinformation and disinformation about our electoral process, Elections Canada introduced [ElectoFacts](#) in January 2024. This new resource allows Canadian electors to verify whether information they come across about Canada's federal electoral process is accurate. To provide this resource, Elections Canada flags incorrect information and narratives, and responds by providing accurate information and sources.

#### Interactions with digital platforms

Elections Canada engages with digital platforms that have a significant Canadian presence as well as those that have reached out to the agency.

Elections Canada has escalation protocols in place with major digital platforms (Facebook, Instagram, YouTube, TikTok, Snapchat, Reddit and LinkedIn) to:<sup>13</sup>

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<sup>13</sup> It should be noted that when Elections Canada escalates issues, platforms follow their own protocols and do not report back to Elections Canada.

- If required, notify them when inaccurate narratives about the electoral process circulate on their platforms (platforms can choose to act or not based on their Terms of Use). An important distinction here is that Elections Canada focuses on narratives about the electoral process (e.g.: elector qualifications or polling places) and not narratives about electoral issues (e.g.: party or candidate stances on issues).
- Request that information be removed if it jeopardizes electors' ability to vote (e.g. publications claiming that an election has been moved).

Elections Canada also works with platforms to develop election-related initiatives (e.g. the Facebook Registration prompt, which reminds users to update their registration information) and to ensure that accurate information is available directly on their platforms (e.g. during the 44th GE, the TikTok Voter Information Centre provided users with essential information about the electoral process directly on its platform. This information was provided by Elections Canada and was the same information that was found on the Elections Canada website).

## **Part 2: Information Specific to Addressing Foreign Interference in Elections**

### **2.1 Key provisions of the *Canada Elections Act* and recommendations from the Chief Electoral Officer pertaining to foreign interference**

#### CEA rules

The CEA does not define “foreign interference.” Rather, it describes activity that can fall under the umbrella of foreign interference, and it prohibits the involvement, in specific ways, of foreign individuals and entities in our elections.<sup>14</sup>

Only Canadians can vote or run for office in federal elections. But there are a variety of ways in which non-Canadians can participate in the process, including, for example, by working in a local Elections Canada office during an election period. Important too is that non-Canadians can become members of registered political parties. Voting in nomination and leadership contests is not in any way prescribed under the CEA; therefore, non-citizens can vote in these contests as party members, subject to internal party rules and controls.

Only Canadians and permanent residents can make contributions to political parties, candidates, nomination contestants, leadership contestants and electoral district associations. Contributions to these entities by anyone other than Canadians and permanent residents are prohibited. This includes a ban on corporate and union contributions.

Individuals who are Canadian citizens or permanent residents, as well as businesses and other organizations that operate in Canada, can make contributions to a third party (any individual or group

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<sup>14</sup> For sections the CEA that specifically address conduct related to foreign individuals or entities, see 282.4, 330, 349.01, 349.03, 349.4, 351.1.

other than the aforementioned listed political entities) for regulated activities.<sup>15</sup> Note that unlike contributions to candidates, registered parties and other entities, there are no limits on the amount an eligible contributor may make to a third party. A third party can make a contribution to another third party as long as, depending on the context of the transaction, it is not an attempt by the third party to circumvent the limit on regulated expenses.

To register as a third party:

- An **individual** must be a Canadian citizen, a permanent resident of Canada or someone who resides in Canada.
- A **corporation** must **either** carry on business in Canada and be incorporated in Canada **or** carry on business in Canada but be incorporated outside Canada (as long as its primary purpose in Canada is not to influence electors).
- A **group** must include at least one person responsible for the group who is a Canadian citizen, a permanent resident of Canada or someone who resides in Canada.

A registered third party is prohibited from using foreign funds to pay for regulated expenses during an election, but is not restricted in using its general revenues, which may have mixed with foreign funds, as long as those funds were not obtained for the purpose of conducting regulated activities. (These are “partisan activities” and some “election surveys” as well as “election advertising,” as defined in the CEA). All third parties are prohibited from using foreign funds (subject to the same caveat as above) at any time (during or outside an election) to conduct advertising that promotes or opposes a party, its leader, a candidate, a potential candidate or a nomination contestant other than by taking a position on an issue with which a party or person is associated.

The CEA also prohibits certain activities representing “undue influence by foreigners” if expenses are incurred for the activities to promote or oppose a candidate or political party during an election period (or the activities contravene other federal or provincial laws or regulations). This prohibition applies to a foreign government or entity as well as persons who are not citizens or permanent residents. It is important to note that this prohibition does not apply if no expense is incurred for the promotion or opposition to the party or candidate. Furthermore, the CEA notes that if the only thing done by the foreigner is expressing an opinion about the desired outcome of the election, a statement encouraging an elector to vote or not vote either in general or for a particular party or candidate, or transmitting an editorial, debate, speech, interview, column, letter, commentary or news, regardless of the expense incurred, there is no offence.

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<sup>15</sup> “Regulated activities” refers to “partisan advertising” and “election advertising” as defined in s. 2(1) of the CEA, and “partisan activities” and “election surveys” as defined in s. 349 of the CEA.

**Ways that non-Canadians are permitted, under the *Canada Elections Act*, to participate in federal elections<sup>16</sup>**

	Canadian citizen		Permanent resident <sup>17</sup>	Individual who is neither a Canadian citizen nor a permanent resident	
	Residing in Canada	Residing outside Canada		Residing in Canada	Residing outside Canada
Voting in a federal election	Permitted if at least 18 years old on election day	Permitted if at least 18 years old on election day and if previously resided in Canada	Not permitted	Not permitted	Not permitted
Being a candidate in a federal election	Permitted, if at least 18 years old on election day <sup>18</sup>	Permitted, if at least 18 years old on election day <sup>18</sup>	Not permitted	Not permitted	Not permitted
Making a contribution to a registered party, an electoral district association, a candidate, a nomination contestant or a leadership contestant	Permitted, within the limits set out in the <i>Canada Elections Act</i>	Permitted, within the limits set out in the <i>Canada Elections Act</i>	Permitted, within the limits set out in the <i>Canada Elections Act</i>	Not permitted	Not permitted
Making a contribution to a third party for the purpose of the third party's regulated activities under the <i>Canada Elections Act</i>	Permitted	Permitted	Permitted	Not permitted <sup>19</sup>	Not permitted <sup>19</sup>

<sup>16</sup> This information is not exhaustive and does not replace the provisions of the CEA or the *Immigration and Refugee Protection Act*. Candidate nominations and party leadership races are not included in this table because each party oversees its own races and has its own rules. The table also does not cover CEA rules specifically directed at groups or corporations.

<sup>17</sup> As defined in subsection 2(1) of the *Immigration and Refugee Protection Act*.

<sup>18</sup> Some persons are ineligible. See section 65 of the CEA for details.

<sup>19</sup> The CEA does not prevent the individual from making a contribution to a third party. However, sections 349.02 and 349.03 prohibit the third party from using that contribution for its regulated activities, whether directly or indirectly.

**Ways that non-Canadians are permitted, under the *Canada Elections Act*, to participate in federal elections<sup>16</sup>**

	Canadian citizen		Permanent resident <sup>17</sup>	Individual who is neither a Canadian citizen nor a permanent resident	
	Residing in Canada	Residing outside Canada		Residing in Canada	Residing outside Canada
Being an individual third party or incurring expenses for a third party's regulated activities under the <i>Canada Elections Act</i>	Permitted, within the limits set out in the <i>Canada Elections Act</i>	Permitted, within the limits set out in the <i>Canada Elections Act</i>	Permitted, within the limits set out in the <i>Canada Elections Act</i>	Permitted, within the limits set out in the <i>Canada Elections Act</i>	<b>Not permitted</b>
Without incurring any expense regulated by the <i>Canada Elections Act</i> , either (a) expressing an opinion about the outcome or desired outcome of an election, or (b) making a statement that encourages an elector to vote or refrain from voting for any candidate or registered party in an election.	Permitted	Permitted	Permitted	Permitted	Permitted
Regardless of the expense incurred in doing so, transmitting to the public, through broadcasting or through electronic or print media, an editorial, a debate, a speech, an interview, a column, a letter, a commentary or news <sup>20</sup>	Permitted	Permitted	Permitted	Permitted	Permitted

<sup>20</sup> Providing that no contravention of subsection 330(1) or (2) of the CEA is involved in the transmission.

Other aspects of the legislative regime are not specifically related to foreign interference, but can have an important impact on protecting Canada’s electoral process from bad actors, foreign or domestic (e.g. rules against impersonation and improperly influencing voters<sup>21</sup>). Canada also enjoys a very comprehensive political financing regime, which includes low thresholds for public (or online) disclosure of contributors (over \$200<sup>22</sup>) as well as contribution and expenses limits and a high degree of transparency. Transparency includes comprehensive public reporting of contributions and expenses and the prohibition of cash contributions over \$20.

#### CEO’s recommendations

In his June 2022 Recommendations Report to the Speaker of the House of Commons,<sup>23</sup> the CEO made a number of recommendations that would provide additional tools for combatting foreign interference in Canadian elections. They include the following:

- Recommendation 2.3.1 proposes a regime to more effectively prevent the use of foreign funds by third parties.
- Recommendation 4.1.1 proposes to prohibit knowingly making false statements about the voting process in order to disrupt the conduct of an election or to undermine the legitimacy of an election or its results.
- Recommendation 4.2.1 proposes expanding the rules on “undue influence by foreigners” to the pre-writ period.
- Recommendation 5.1.1 proposes to require online platforms to publish their policies on the administration of paid electoral communications and on user accounts during the pre-election and election periods as well as how they will address certain content that misleads electors.
- Recommendation 8.4.1 proposes to ban the use of untraceable instruments, such as prepaid credit cards, and to adopt specific rules for contributions using cryptocurrencies.

As the environment evolves, the CEO will continue to examine other potential recommendations that may help to address foreign interference in Canadian elections.

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<sup>21</sup> The following provisions deal with “improper influence”: s. 282.2 (influencing an elector in a polling station or place where voting is occurring); s. 282.3 (election worker influencing an elector); s. 282.7 (offering bribe to influence an elector); s. 282.8 (compelling or attempting to compel by intimidation or duress or influencing a person by pretence or contrivance); and s. 330 (using broadcasting station outside of Canada to influence an elector).

<sup>22</sup> For leadership contestant, names and addresses are published for directed contributions regardless of the amount contributed.

<sup>23</sup> Document ID ELC0000054. *Meeting New Challenges: Recommendations from the Chief Electoral Officer of Canada following the 43rd and 44th General Elections*:  
[https://www.elections.ca/content.aspx?section=res&dir=rep/off/rec\\_2022&document=index&lang=e](https://www.elections.ca/content.aspx?section=res&dir=rep/off/rec_2022&document=index&lang=e).

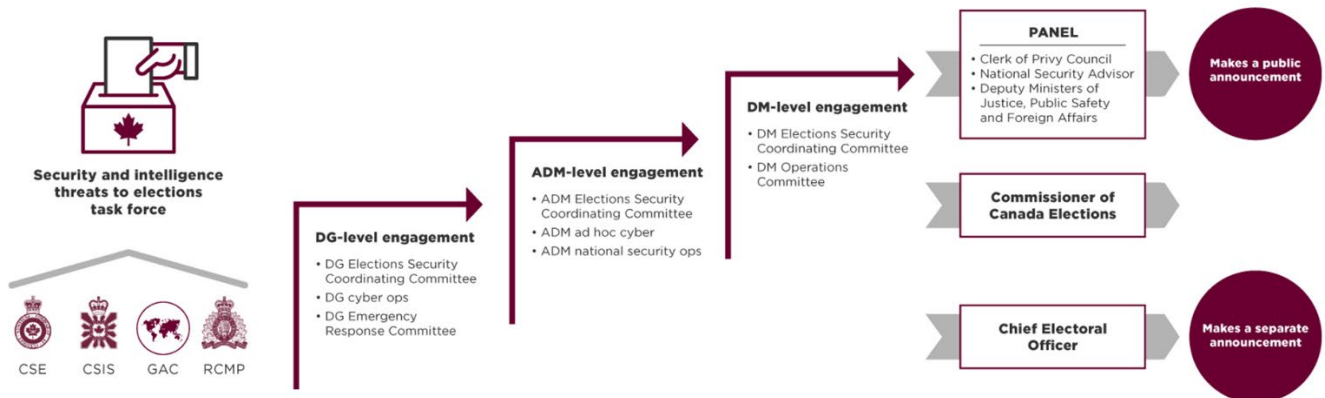
## 2.2 Institutional relationships between Elections Canada and federal security partners related to potential threats to elections

### Electoral security is a shared responsibility

During and between general elections, Elections Canada maintains relationships and shares information on security threats with federal and/or national security agencies. This relationship allows the agency to identify broader overall security trends and maintain a robust security posture.

Elections Canada has ongoing relationships with individuals at the Director General (DG), Associate Deputy Minister (ADM) and Deputy Minister (DM) levels from the PCO, Public Safety Canada, CSIS, the CSE, Global Affairs Canada, the RCMP and the Commissioner of Canada Elections. These relationships include membership in an Electoral Security Coordinating Committee (ESCC), established before the 43rd GE, at each of these three levels.<sup>24</sup> The committees meet on an ongoing basis, including between elections, to share information and education, carry out scenarios and tabletop exercises and provide direction for ensuring interagency collaboration, coordination and systems preparedness as it relates to electoral security.

The visual below illustrates the structure of the committees.

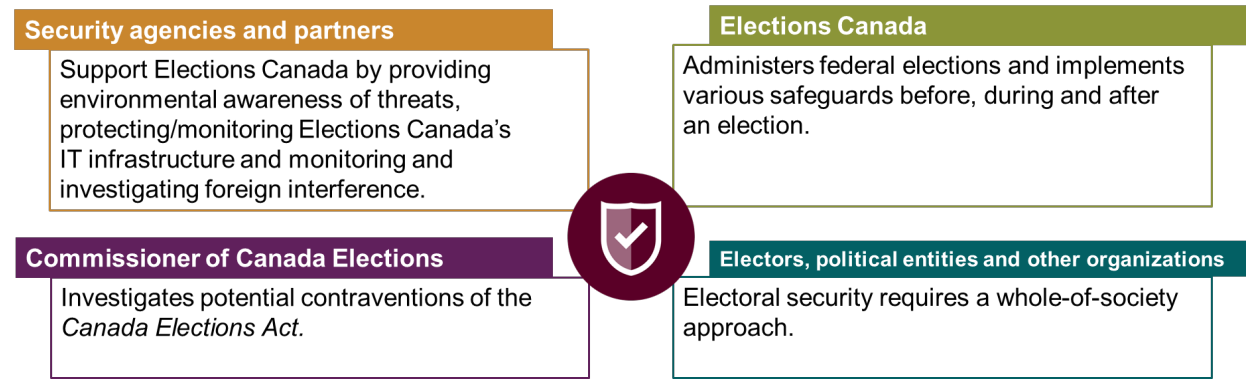


<sup>24</sup> Information about Elections Canada attendees at the meetings of the Electoral Security Coordinating Committee can be found in the following documents: ELC0000117, ELC0000188, ELC0000192, ELC0000195, ELC0000196, ELC0000197, ELC0000198, ELC0000199, ELC0000200, ELC0000201, ELC0000202, ELC0000203, ELC0000204, ELC0000205, ELC0000206, ELC0000207, ELC0000208, ELC0000210, ELC0000212, ELC0000214, ELC0000217, ELC0000226, ELC0000229, ELC0000231, ELC0000239, ELC0000240, ELC0000241, ELC0000245, ELC0000248, ELC0000255, ELC0000261, ELC0000263, ELC0000265, ELC0000269, ELC0000275, ELC0000277, ELC0000280, ELC0000282.



With the support of national security and intelligence agencies, Elections Canada can focus on its top priority: administering elections and making sure that Canadians can exercise their democratic rights to register, vote and be a candidate.

Here are the cornerstones of electoral security in Canada’s federal electoral system.



Election-specific mechanisms

In addition to the ongoing collaboration described above, the Government of Canada (GoC) has implemented mechanisms that are specific to electoral events.

*Security and Intelligence Threats to Elections Task Force*

On January 30, 2019, the government announced its plan to safeguard the 43rd GE, including by creating the Security and Intelligence Threats to Elections (SITE) Task Force, which the government explained would work “to identify and prevent covert, clandestine, or criminal activities from influencing or interfering with the electoral process in Canada.”<sup>25</sup>

The SITE Task Force, which includes the CSE, CSIS, Global Affairs Canada and the RCMP, works independently to identify such activity and would inform Elections Canada if a threat could affect the agency’s ability to administer an election.

*Rapid Response Mechanism*

Canada’s Rapid Response Mechanism, established following the 2018 G7 summit and based at Global Affairs Canada, monitors the digital information environment for foreign-state-sponsored disinformation. This includes acting as an early warning system for the SITE Task Force during general election cycles.

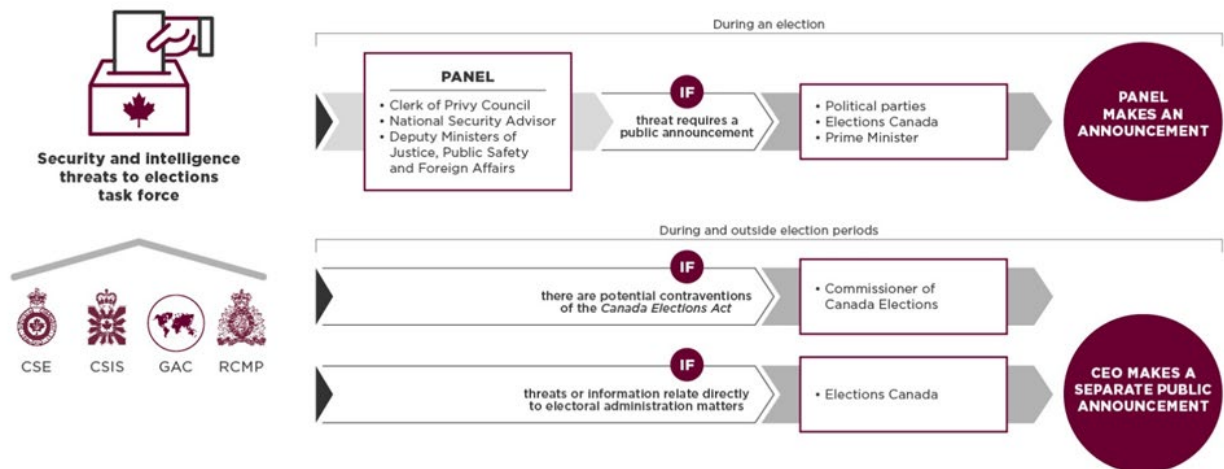
<sup>25</sup> Prime Minister of Canada, “Taking further action on foreign interference and strengthening confidence in our democracy,” March 6, 2023, press release, <https://www.pm.gc.ca/en/news/news-releases/2023/03/06/taking-further-action-foreign-interference-and-strengthening>.

### *Critical Election Incident Public Protocol*

A Critical Election Incident Public Protocol was also established for election periods, during which Cabinet ministers’ activities are generally restricted (owing to the “caretaker convention”<sup>26</sup>). If the government becomes aware of an interference attempt during an election, heads of national security agencies will brief senior public servants (the Panel), who will then notify the Prime Minister, political party officials and Elections Canada. If interference reaches a certain threshold, as defined in the Protocol, a public announcement will be made to inform Canadians about any incident that threatens the integrity of the election.

Both the mandate of the Panel and the absence of the CEO from its membership reflect the CEO’s independence from the government of the day. Accordingly, as explained in the Cabinet directive,<sup>27</sup> the Panel is not called upon to speak to matters that relate to the mandate of the CEO (and, conversely, the CEO is not called upon to speak to matters falling outside his role). To be clear, under the protocol, no announcement would be made if a matter related to the mandate of the CEO – in other words, matters with regard to the administration of the election, as identified in the CEA. These might include, for example, administration of the vote at polling stations and the counting of the votes.

The visual below illustrates the information flow for electoral security.



<sup>26</sup> Privy Council Office, Guidelines on the conduct of Ministers, Ministers of State, exempt staff and public servants during an election, 2021, <https://www.canada.ca/en/privy-council/services/publications/guidelines-conduct-ministers-state-exempt-staff-public-servants-election.html#toc0>.

<sup>27</sup> Government of Canada, Cabinet Directive on the Critical Election Incident Public Protocol, 2021, <https://www.canada.ca/en/democratic-institutions/services/protecting-democracy/critical-election-incident-public-protocol/cabinet.html>.

### **2.3 Complaints or reports of alleged foreign interference in the 43rd and 44th GEs received by officials at Elections Canada**

Elections Canada's database contains records of all the complaints received during the 43rd and 44th GEs. Information can be sorted by category of complaint based on the wording used by the complainant, including the words "foreign interference."

Elections Canada defines complaints very broadly as any expression of concern or dissatisfaction it has received, over a number of channels of communication (including by telephone, by email and on a form filled in on its website or at a local Elections Canada office), on any aspect of an election, including the rules in the CEA, Elections Canada's administration of the election or the behaviour of others, including candidates, parties and third parties. This broad definition is reflected in the large number of complaints described below.

Complaints received by Elections Canada are sent to the Commissioner of Canada Elections if they appear to allege violations of the CEA. Elections Canada does not verify the information in a complaint before sending it to the Commissioner. As the Office of the Commissioner is responsible for enforcing the CEA, it is the appropriate office to respond to allegations in this area.

Elections Canada received 18,889 complaints during the 43rd GE and 16,984 during the 44th. Of those, 122 complaints during the 43rd GE and 27 during the 44th referred to concerns about foreign interference.

During the 43rd GE, 52 of those complaints were sent to the Commissioner of Canada Elections as being alleged violations of the CEA. During the 44th GE, eight complaints were sent. In both GEs, those cases described concerns related to potential foreign third party financing and potential undue influence by foreigners, with the complainant suggesting that an offence under the CEA may have been committed.

For both elections, the remaining complaints about foreign interference included concerns about international political or social figures endorsing Canadian candidates through social media, which is not prohibited under the CEA; concerns about potential influence, including in robocalls and social media messages, of electors from foreign states (specifically the United States, Russia and China), but again without any connection to a CEA offence; and misunderstanding the identification requirements for electors.

## **2.4 Elections Canada’s monitoring of the digital environment for foreign interference in the 43rd and 44th GEs**

### Environmental monitoring

During the 43rd and 44th GEs, Elections Canada observed content that social media users were referring to as foreign interference, both in traditional media and on digital platforms.

During the 43rd GE, the majority of social media users’ concerns about state-level foreign interference were related to online influence, including bots. During the 44th GE, Elections Canada monitored digital content about the electoral process on 67 digital platforms in 15 languages to be aware of when inaccurate or misleading information was being shared and to correct it.

Activity in the public online environment monitored by Elections Canada from August 15, 2021, to September 20, 2021 included the following:

- Allegations about what social media users were referring to as foreign interference (whether lawful or unlawful and whether it was, in fact, foreign interference) represented 4.6 percent of the online discourse identified during the 44th GE.
- The vast majority of these posts did not include any actionable information and were, rather, from social media users claiming that a state or a foreign individual was interfering with the election. These posts were usually linked to an individual’s public comments or social media posts or to articles about foreign interference.
- On average, this activity represented 3.8 percent of daily discussions during the writ-period.
- None of the narratives related to alleged foreign interference were the most popular on a single day during the writ period.

Elections Canada does not inquire into the source of the information it observes on digital platforms.

Elections Canada also received comments and user inquiries, describing what social media users were referring to as foreign interference, through its corporate social media accounts (Facebook, Twitter, Instagram and LinkedIn). Social media users can either tag Elections Canada while posting online comments, which generates inbound comments, or ask a question to which Elections Canada responds.

For the 43rd GE, Elections Canada received 22 inbound comments about what social media users were referring to as foreign interference. For the 44th GE, the following activity on Elections Canada’s social media accounts was monitored from August 15, 2021, to September 20, 2021:

- Inbound comments about what social media users were referring to as foreign interference represented 0.39 percent of the total comments directed at Elections Canada’s corporate social media accounts during the writ period (542 of 140,274 total comments).
- Inquiries about what social media users were referring to as foreign interference represented 0.63 percent of the total questions answered during the 44th GE (41 of 6,528 inquiries).
- Mentions of non-state actors, such as foreign activists or former political leaders commenting on the Canadian election or endorsing parties or candidates as being a form of foreign interference influencing the election, decreased in the 44th GE compared with the 43rd GE.
- Discussions of potential foreign state interference from different countries was a more common narrative in the 44th GE compared with the 43rd GE.

#### Interactions with digital platforms during the 44th GE

While Elections Canada had interactions with digital platforms, as described below, in that it referred matters to them, it had no way of determining with any level of confidence where reported issues had originated and whether they were foreign or domestic.

During the 44th GE, Elections Canada sent six individual cases to digital platforms—one of impersonation, one sharing the wrong election date and four claiming that vaccine passports were mandatory to vote. Elections Canada also flagged two overall narratives that it had observed on Facebook and Twitter (now X).

When flagging specific narratives, Elections Canada sent examples of the misleading posts to Facebook and Twitter (now X). These narratives argued that:

- Elections Canada was leaving candidates of a particular party off ballots, and electors could write the name of any candidate on a ballot, including a party leader, to ensure that their vote counted.
- Electors would be required to show a vaccine passport to vote at advance polls or on election day.

In receiving and reacting to Elections Canada’s flags, platforms follow their own protocols and do not report back to Elections Canada. This is why, in part, the CEO recommended in his 2022 Recommendations Report that platforms be required to publish policies indicating how they will address content (paid or unpaid) that misleads electors about where, when and the ways to vote or that inaccurately depicts election-related procedures during the election period.

## **2.5 Relationships, work and documents shared between Elections Canada and federal security partners related to potential foreign interference in the 43rd and 44th GEs**

### Collaborative work

In early 2017, following the disruptions related to the 2016 American presidential election, Elections Canada and senior officials in the PCO and CSE began to collaborate, including by preparing for the next election. The group also reinforced cybersecurity protection for the agency. This led to agreements and practices between Elections Canada and CSE to bolster Elections Canada's security posture and ability to respond to cyber threats, as described above.

In advance of both the 43rd and the 44th GEs, security partners were alert and very deliberate in sharing their concerns with political participants through briefings. In February 2019, for example, Elections Canada invited the Canadian Centre for Cyber Security and CSIS to a meeting of the Advisory Committee of Political Parties to brief the registered political parties on the threat environment and encourage them to take measures to better protect their infrastructure from cyberattacks.

As described above, since before the 43rd GE, the Electoral Security Coordinating Committees, established at the DG, ADM and DM levels, had met regularly to develop processes and share information about business practices and threats. Simulation exercises were also held to validate these processes. The Electoral Security Coordinating Committees also receive briefings from the SITE task force, which also briefs the Panel.

Before both elections, Elections Canada also received briefings from CSIS that informed it, at a general level, of the tradecraft of certain countries and the interest that some countries may have had in Canadian elections. The information was high-level, and it was understood that if there were something actionable related to the conduct of either election, the CEO would be made aware of such information. This did not happen in either the 43rd or the 44th GE.

Elections Canada worked closely with GoC security and intelligence agencies<sup>28</sup> in preparation for and during the 43rd and 44th GEs to align its security practices with the agencies' advice and benefit from the continuous monitoring of its systems that these agencies provide. This work included collaborating with security agencies to ensure that Elections Canada's technological infrastructure continued to adhere to GoC security standards. This collaboration was complemented by the agency's work to prepare for and, if required, act on attempts at electoral interference, whether through cyberattacks or the spread of inaccurate information about the electoral process. At any time, in or outside an electoral period, Elections Canada shares other information that may be of interest to security agencies, including social media monitoring reports or potential cyber incidents.

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<sup>28</sup> The CSE, Canadian Centre for Cyber Security (part of CSE), CSIS, RCMP, Public Safety Canada, Global Affairs Canada, Commissioner of Canada Elections.



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Elections Canada also maintains working relationships with the RCMP and local police forces to address issues that may arise during an election.

#### Intelligence reports and documents

Between 2018 and 2022, Elections Canada was given access to a number of intelligence reports from its security partners on foreign threat activities of possible relevance to the conduct of the 43rd or 44th GE, including the following:

- Threat and risk assessments of a set of foreign and domestic actors.
- Reports about generalized practices that foreign actors leverage to potentially influence various groups, including their own diaspora.
- Cyber threats of all kinds.
- Ideologically motivated violent extremist threats.
- Non-actionable intelligence reports.

Following best practices in document retention and maintenance, Elections Canada returned all the classified documents provided by CSIS once they were no longer needed. Elections Canada is not permanently in possession of any classified documents related to potential foreign interference in the 43rd or 44th GE.

#### Evidence of foreign interference

Following the 2022 *Global News* article alleging foreign interference in the 43rd and 44th GEs, the CEO was invited to appear before PROC as a witness during the Committee's ongoing study into Foreign Election Interference. The CEO appeared three times: on November 1, 2022,<sup>29</sup> November 22, 2022,<sup>30</sup> and March 2, 2023.<sup>31</sup> Briefing binders for these appearances can be found on the [Elections Canada website](#).

Following publication of the *Globe and Mail* article of February 2023,<sup>32</sup> In the limited period of time before the CEO's third appearance, Elections Canada's Political Financing branch undertook a review of returns from electoral districts across the country.<sup>33</sup> The review focused on the specific allegation made

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<sup>29</sup> House of Commons, Standing Committee on Procedure and House Affairs, Foreign Election Interference, November 1, 2022, <https://www.ourcommons.ca/DocumentViewer/en/44-1/PROC/meeting-37/evidence>.

<sup>30</sup> House of Commons, Standing Committee on Procedure and House Affairs, Foreign Election Interference, November 22, 2022, <https://www.ourcommons.ca/DocumentViewer/en/44-1/PROC/meeting-41/evidence>.

<sup>31</sup> House of Commons, Standing Committee on Procedure and House Affairs, Foreign Election Interference, March 2, 2023, <https://www.ourcommons.ca/DocumentViewer/en/44-1/PROC/meeting-56/evidence>.

<sup>32</sup> Fife, Robert and Steven Chase. "CSIS documents reveal Chinese strategy to influence 2021 election." *Globe and Mail*, February 17, 2023, <https://www.theglobeandmail.com/politics/article-china-influence-2021-federal-election-csis-documents/#:~:text=The%20CSIS%20documents%20reveal%20that,and%20ban%20Chinese%20students%20from>.

<sup>33</sup>The review consisted of deploying an algorithm to identify electoral districts where political financing data indicated potential anomalies of the type alleged in the media. The algorithm was applied to returns from Liberal Party of Canada (LPC) electoral district associations and candidates from the 44<sup>th</sup> GE across the country as



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in the *Global and Mail* article, namely that “sympathetic donors were encouraged to provide campaign contributions to candidates favoured by China - donations for which they then received both a tax credit from the federal government and a return from the campaign of the difference between the contribution and the tax credit.”

Elections Canada reviewed the information available related to contributions in the associations’ 2021 annual returns, as well as contributions and expenses in candidate returns from the 44<sup>th</sup> GE in order to look for anomalies.

No systematic scheme was detected that demonstrated a repayment to contributors of the contribution amount less the tax credit, as alleged in the article. However, it is important to note that the capacity to identify this type of transaction is limited by the information available in the financial returns (names and addresses), the lack of detailed expense reporting by electoral district associations and its ability to seek supporting documents from electoral district associations.

As the CEO told PROC members during their study into Foreign Election Interference, while he did receive briefings on the level of risk before the 43rd and 44th GEs, he did not receive any information about specific actions related to foreign interference that may have taken place during those elections.

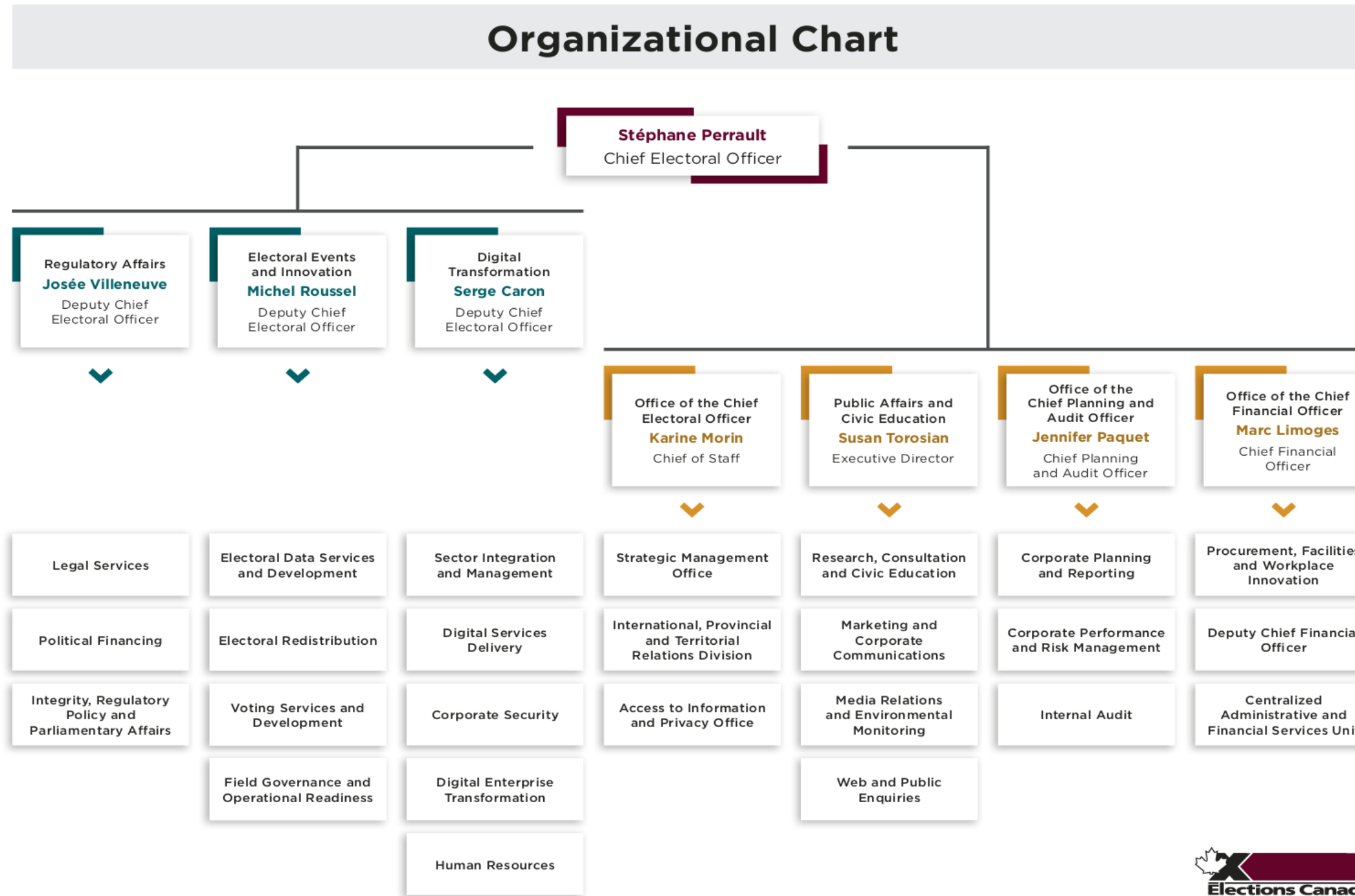
Additionally, during the past two general elections, Elections Canada did not experience any breaches to its IT infrastructure. The agency is also unaware of any efforts by foreign actors to undermine the ability of electors to vote.

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allegations in the article at the time referred specifically to interference in campaigns as “most of them Liberal, in the Greater Toronto Area (GTA).”



Annex 1: Elections Canada Organizational Chart



## Annex 2: Electoral Integrity Framework: Principles and Objectives

### Principle: Accessibility

An accessible electoral process is inclusive and meets the needs of Canadians so that they can exercise their democratic rights to vote and be a candidate, equitably and without undue barriers or interference.

Objective	Examples of how Elections Canada helps achieve this objective
<p>The electoral process is inclusive</p>	<p>We conduct research and consultations to better understand and mitigate barriers to participating in the electoral process (whether as a candidate, an elector or an election worker).</p> <p>To create a workforce that reflects the community we serve, our main and local offices implement hiring and management practices that promote diversity and equity.</p> <p>Returning officers work with the local communities to ensure that cultural, linguistic and geographic considerations are reflected in the electoral services provided, including when choosing polling site locations.</p> <p>Returning officers take the necessary measures, such as prioritizing the hiring of bilingual workers, to communicate with and deliver electoral services to electors and candidates in their preferred official language at all designated offices.</p>
<p>Eligible electors can vote with dignity and independence</p>	<p>When designing programs and services, we consider the needs and preferences of Canadians in diverse circumstances.</p> <p>We work with stakeholders to identify and remove physical, administrative and informational barriers to voting with dignity and independence.</p> <p>We use technology and tools to provide service options that meet the needs of electors.</p> <p>We assess our programs and services to help ensure they are accessible.</p>



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Objective	Examples of how Elections Canada helps achieve this objective
	<p>At the electoral district level, returning officers choose suitable polling places that provide barrier-free access and, where possible, are in a familiar and proximate location to electors.</p>
<p>Canadians can exercise their right to be a candidate</p>	<p>We help ensure that prospective candidates have the information they need to participate in the electoral process and that they do not face undue physical, administrative or informational barriers.</p> <p>At the electoral district level, returning officers meet with local political party representatives and prospective candidates to answer their questions about the nomination process and about the rights and obligations of candidates.</p>
<p>Canadians have reliable information about how to participate in the electoral process</p>	<p>We recognize that to participate in the electoral process, Canadians require accurate and timely information on how to register and vote, and a general understanding of how the electoral process works.</p> <p>We provide authoritative, current information on these topics in multiple languages and formats.</p> <p>We disseminate this information through a variety of channels and formats to reach the broadest possible audience of Canadians.</p> <p>Where inaccurate information is circulating widely, we take steps to counter it with facts.</p>
<p>Canadians feel safe and free to participate in the electoral process</p>	<p>Accessibility requires that citizens be free from threats and interference when participating in the electoral process and that they feel safe doing so.</p> <p>We strive to ensure that local offices and polling locations are safe for electors, election workers, candidates and their representatives, and other members of the public.</p> <p>Election officers are non-partisan and work to keep voting locations free of partisan activity and signage.</p> <p>We respond quickly to reports of incidents that could hamper participation or safety.</p>



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**Principle: Fairness**

Fair electoral administration means that regulated political entities are—and are perceived to be—treated equitably and impartially, and can compete on a level playing field.

Objective	Examples of how Elections Canada helps achieve this objective
Regulated political entities are treated equitably to promote conditions that allow them to compete on a level playing field	<p>We help ensure that all political participants have equitable access to information about the CEA and how to comply with it.</p> <p>We provide clearly written manuals, instructional videos and other tools to regulated political entities to ensure they understand how to comply with their obligations under the CEA’s political financing provisions.</p> <p>We treat regulated political entities impartially by subjecting them to equitable levels of scrutiny, for example through audits of financial returns and reviews of nomination papers.</p> <p>Where the CEA provides room for Elections Canada to regulate and set policy, we establish clear and consistent rules to help ensure fairness.</p>
The election administrator is impartial and non-partisan	<p>We administer and regulate federal elections in a fair manner through non-partisan, impartial behaviour — behaviour that is strengthened by declarations of non-partisanship that prohibit Elections Canada personnel from being a member of, donating to or publicly supporting or opposing political entities at the federal or provincial/territorial level.</p> <p>The Chief Electoral Officer, staff, returning officers and election officers take steps to avoid actual and perceived partisanship and conflicts of interest.</p>
Electoral boundaries are adjusted following each decennial census to reflect changes in population and communities of interest	<p>We provide administrative and technical support to the independent electoral boundaries commissions, without influencing their work.</p>



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**Principle: Independence**

Independence means that the electoral process is administered without undue influence from the government or partisan entities and interests. While Parliament sets electoral legislation, Elections Canada remains functionally independent from the government, due in part to its statutory authority to draw funds required to conduct federal elections and referendums.

Objective	Examples of how Elections Canada helps achieve this objective
<p>The election administrator actively maintains genuine independence from the government and partisan entities</p>	<p>Elections Canada maintains clear and objective separation from the government of the day, from partisan entities and from any other individuals, groups or institutions that could be perceived as exerting improper or undue influence on the Chief Electoral Officer’s decision making.</p> <p>Elections Canada may consult or receive input from interested entities, including parliamentary committees, respecting the administration of elections. However, the Chief Electoral Officer’s decisions remain based on the mandate of the agency and the principles of electoral integrity.</p> <p>The <i>Canada Elections Act</i> provides for the Chief Electoral Officer to be solely responsible and accountable for the manner in which elections are administered.</p>



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#### Principle: Reliability

A reliable electoral administration is one where the administrative and regulatory functions are carried out predictably and consistently, election officials and staff act professionally and comply with the law, and elections are delivered according to sound management principles—all so that Canadians can trust elections and election results.

Objective	Examples of how Elections Canada helps achieve this objective
Election officials perform their duties professionally	<p>Elections Canada officials conduct their work competently and with professionalism so that Canadians have confidence in the agency, in the electoral process and in the results it delivers.</p> <p>Election officials are equipped with the right set of skills, tools and training to conduct their work professionally.</p> <p>We design our processes, systems and tools to include controls that optimize compliance with the CEA.</p> <p>We regularly evaluate our manuals, forms and training practices and materials to ensure their usability and effectiveness, and we conduct testing and reviews to maximize procedural compliance.</p>
The administration and regulation of the electoral process, including the political financing regime, are predictable and consistent	<p>We provide consistent interpretations of the CEA — communicated to regulated political entities through a standardized consultation process that produces opinions, guidelines and interpretation notes — enabling all regulated political entities to understand their obligations under the CEA.</p> <p>To deliver consistent and equitable service, the work of returning officers, their staff and election officers is standardized across the country using defined processes.</p>
Elections are administered according to sound management principles	<p>We carefully manage human, financial and material resources to effectively and efficiently deliver on our commitments.</p> <p>The agency invests in sound management to build a sustainable organization, and is a responsible and accountable steward of public funds.</p>



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Objective	Examples of how Elections Canada helps achieve this objective
	<p>We consider internationally recognized best practices in electoral administration, make decisions based on evidence and document those decisions.</p> <p>We conduct program reviews, measure performance and take steps to improve processes, systems and tools, when there is opportunity to do so.</p>
<p>The electoral process delivers accurate and timely results</p>	<p>We design and test our programs, processes and systems to ensure that the electoral process delivers accurate results in a timely manner.</p> <p>Through policies, directives and instructions to returning officers and election officers, we outline how ballots must be secured, controlled, counted and stored.</p> <p>We design effective processes to compile and report on results, and we publish authoritative and reliable election results that Canadians can trust.</p>
<p>Elections Canada protects the personal information it holds about Canadians for the purpose of participating in the electoral process</p>	<p>We take seriously the protection of Canadians' personal information. We adopt best practices in the management of personal information to ensure that Canadians feel confident when providing personal information for the purpose of participating in the electoral process.</p> <p>To further protect privacy, we offer guidance to regulated political entities about safeguarding the information they hold, work with the Privacy Commissioner, conduct privacy impact assessments, and identify and mitigate any breaches of the confidentiality of personal information.</p>



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**Principle: Security**

A secure electoral process is designed and administered to protect it against persons or entities who would attempt to interfere with its processes, people, assets or data. A secure electoral process requires safeguards to prevent, detect, mitigate and penalize election offences and other interference.

Objective	Examples of how Elections Canada helps achieve this objective
The ballot is secret	<p>We take precautions to prevent marked ballots from being associated to specific electors so that electors are free to vote for their preferred candidate without interference.</p> <p>Any suspected breaches of the secrecy of the ballot are referred to the Commissioner of Canada Elections.</p>
Only Canadian citizens who are 18 years of age or older on polling day and who reside in the electoral district (“eligible electors”) vote, and vote only once	<p>We provide information and guidance to inform the public about who is eligible to vote and to specify that an elector may vote only once in each election.</p> <p>We design and test our processes and systems to help ensure that fraudulent voting is detected and prevented. When questions arise about whether a ballot may have been cast by a person who is not an eligible elector, or where someone appears to have voted twice, we refer the matter to the Commissioner of Canada Elections.</p>
Threats to electoral integrity are systematically monitored, assessed and mitigated throughout the electoral cycle	<p>We adopt a risk-based approach to election administration. We implement integrity and security by design, introducing controls and safeguards to help mitigate risks.</p> <p>We continually study, assess and manage risks to electoral integrity and security, whether they are in the cyber, informational or physical realm. We note trends in the threat landscape and developments in other jurisdictions, and study best practices.</p> <p>We monitor for risk occurrences, incidents and patterns, and share information on what we are seeing with agency staff and field administrators. When incidents or concerning trends are detected, Elections Canada staff and field administrators collaborate to respond in an effective and coordinated manner. In addition, we work with federal government departments and agencies that have mandates to support</p>





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Objective	Examples of how Elections Canada helps achieve this objective
	<p>electoral security and safeguard Elections Canada’s systems and assets, and refer potential offences to the appropriate entity.</p> <p>We provide cybersecurity training to personnel to increase their awareness of, and resilience to potential cyber threats.</p>
<p>Compliance and enforcement of the CEA is enabled</p>	<p>We answer questions and provide guidance to political entities in relation to the political financing provisions of the CEA. We conduct compliance audits of financial returns submitted by political entities and communicate with them to ensure compliance is achieved. We refer matters to the Office of the Commissioner of Canada Elections in a timely manner when potential violations of the CEA have been identified.</p> <p>We preserve and verify all required documentation in the administration of the political party registration regime in order to protect the integrity of the regime and ensure that only parties that are qualified to do so can access the benefits granted to them by the CEA.</p> <p>We recognize that investigation and enforcement activities deter and respond to instances of alleged electoral interference. To facilitate enforcement activities by the Commissioner of Canada Elections, returning officers and election officers strive to produce accurate election records. Elections Canada ensures that relevant documents are available in full and in a timely manner, and that they are sufficiently clear and complete to resolve disputes about election results. We also undertake analysis to support these activities.</p>
<p>The application of technology to electoral administration is prudent</p>	<p>To meet the needs and expectations of electors and regulated political entities, we offer some technology-enabled services. We ensure that these are robust, secure against potential interference, and that they protect the confidentiality, integrity and availability of data.</p> <p>We adopt a prudent approach to deploying information technology, including as it relates to registration, voting, results reporting and communications with electors.</p>



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**Principle: Transparency**

A transparent electoral process is administered in a manner such that it is observable, features oversight and is described in detail publicly.

<b>Objective</b>	<b>Examples of how Elections Canada helps achieve this objective</b>
<p>The electoral process is observable and features oversight</p>	<p>We facilitate meaningful observation of the electoral process by ensuring that the environment is conducive to observation, notably by partisan scrutineers.</p> <p>The Chief Electoral Officer authorizes observation by national and international independent observers.</p> <p>We design our processes, systems and tools to enable oversight. Election officers' work is overseen by fellow election officers and supervisors.</p> <p>We ensure that the independent auditors have access to election officer training sessions and polling places so they can measure election officers' compliance with procedures in accordance with the mandatory audit, the results of which are posted on the Elections Canada website.</p>
<p>Canadians have access to reliable information required to understand and assess the integrity of the electoral process and to facilitate accountability</p>	<p>We communicate transparently about:</p> <ul style="list-style-type: none"> <li>• Administrative measures: We make public the regulatory policies and other administrative measures that guide our election officials in the administration of the election.</li> <li>• Voting and counting processes: We thoroughly document steps in the voting and vote-counting processes and make this documentation publicly available. We design training and procedural documents with usability in mind. We retain important records of voting proceedings so that documentation can be audited or used in legal proceedings.</li> <li>• Election results: We set realistic expectations about when preliminary and official results will be available and explain to the public and media where to find the authoritative results.</li> <li>• Political financing: We publish lists and databases of regulated political entities and their financial transaction returns.</li> </ul>



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	<ul style="list-style-type: none"><li>• Outcomes: As an independent agency, we transparently report to Parliament and other stakeholders about our operations and operational outcomes.</li><li>• Data: We aim to be a source of reliable data that is accessible to Canadians.</li></ul>
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