



Submission to the Government of Canada on the Proposed Foreign Influence Transparency and Accountability Regulations

Introduction

Universities Canada represents 97 universities across the country. We are a membership organization that provides universities with a unified voice in higher education, research and innovation.

International research partnerships are an essential part of Canada's open and collaborative research system. These partnerships support world-class scholarship and innovation, generate public value and are grounded in transparent intentions. The principles of academic freedom and institutional autonomy underpin Canadian research and scientific inquiry.

At the same time, evolving threats require that universities, researchers and the Government of Canada respond to efforts to exploit research in Canada and abroad. There is a shared responsibility to protect the research ecosystem. Canadian universities have developed risk-based, robust and targeted measures to safeguard research while maintaining research excellence, including through implementation of the Sensitive Technology and Research Affiliations of Concern (STRAC) framework and the work of the Government of Canada – Universities Working Group on research security.

Bill C-70 and the related Foreign Influence Transparency and Accountability Regulations contain important measures designed to enhance transparency around foreign influence. However, several elements of the proposed regulatory framework could unintentionally result in Canadian researchers giving control of their ability to publish research to researchers abroad. There are also significant administrative costs that are not reflected in the consultation's estimations. Clarity and proper calibration of roles and responsibilities for registering will also be critical to effectively safeguard Canadian research while minimizing administrative costs and delays.

Clarification needed on research publications

The regulations apply to individuals and entities that enter into an "arrangement with a foreign principal" and undertake "foreign influence activities" related to a political or governmental process in Canada. The definition of "foreign influence activities" includes communicating information to the public by any means, including publications, and is framed broadly enough that scholarly work could be captured if it is interpreted as relating to public policy analysis.

Academic research and peer-reviewed publications are fundamentally different from political advocacy. Research publications routinely assess public policy issues such as health, climate, technology and governance, and are subject to existing transparency practices, including institutional affiliation disclosures and conflict of interest requirements. In addition, Canadian research is subject to STRAC and other research security policies designed to mitigate risks in a manner proportionate to the nature of academic inquiry.

If research publications that analyze or inform public policy are captured under the registry, it could reduce agency for Canadian researchers that collaborate internationally. For example, a Canadian researcher publishing collaborative work could find themselves reliant





on the foreign co-author's willingness to register, who may be funded by a research grant from their government or work at a state university. If the international partner does not feel comfortable registering as a foreign influencer, the Canadian researcher faces a dilemma: publishing their work could put their colleague in breach of the law.

This concern is magnified in large-scale international research collaborations that involve hundreds of authors. In such contexts, Canadian researchers would face considerable uncertainty in determining who might meet a registration threshold and whether publication could proceed without placing collaborators at risk of contravening Canadian law. Excluding contributors to avoid these risks would be unethical and inconsistent with the Tri-Agency Framework on Responsible Conduct of Research, which requires that all individuals who meet authorship criteria be appropriately acknowledged. The downstream effect may lead international collaborators to avoid partnering with Canadian researchers due to legal uncertainty, limiting Canadian access to technology, expertise and data.

Under Australia's Foreign Influence Transparency Scheme (FITS), many universities have interpreted that standard academic publications and research grant applications to foreign partners do not require disclosure if they do not fall within the scope of activities undertaken on behalf of a foreign principal for the primary purpose of influencing government or political processes. Standard academic publications, which do not have the sole, primary or substantial purpose of influencing government or political processes, are treated as outside the scope of registrable activity in some institutional procedure.^{1 2} However, leaving it up to interpretation adds a layer of uncertainty that can have a chilling effect on research participation and even under these interpretations it is unclear when a research publication crosses the threshold to register.

Rather than relying on post-hoc interpretation or institutional risk tolerance, we urge the government to provide clear guidance that explicitly acknowledges existing disclosure requirements for research publications and affirms the importance of ensuring that Canadian researchers retain agency over publishing their work when undertaken in partnership with international collaborators. Peer-reviewed academic research and scholarly publications should have clear exemptions for registrable foreign influence activities.

Roles and responsibilities: Institution versus individual researchers

The current draft regulations do not clearly delineate the respective roles and responsibilities of institutions and individual researchers in assessing and complying with registration obligations, including whether an obligation to register would rest with the institution, the individual researcher or both in the context of international research activity. This lack of clarity risks creating uncertainty about where accountability lies within a research system that is intentionally decentralized and grounded in academic freedom. If not carefully calibrated, institutional responsibilities may require the creation of significant administrative processes that undermine academic freedom and slow down Canadian research and innovation.

Research projects are typically conceived, developed and executed by individual researchers or research teams, often across institutional and national boundaries. While institutions provide governance frameworks, research security support and compliance infrastructure, they do not centrally approve or control every research partnership or scholarly output. Any regulatory framework that assumes centralized oversight of all international research relationships risks misaligning with how academic research is conducted in practice.

¹<https://services.anu.edu.au/research-support/research-ethics-integrity-compliance/foreign-influence-transparency-scheme>

² <https://policies.uq.edu.au/document/view-current.php?id=341>





Further, international research partnerships often involve complex and evolving third-party affiliations that may not be fully visible or publicly disclosed to Canadian researchers. Without clear guardrails, individual researchers could be exposed to liability based on incomplete or inaccurate information provided by external partners, despite acting in good faith and in compliance with institutional and funding-agency requirements.

Clear delineation of responsibilities is essential to avoid chilling effects on collaboration, preserve academic freedom and ensure that compliance expectations are realistic and aligned with the operational realities of research.

Administrative cost of the registry

According to the regulatory impact assessment for C-70, the registry would cost universities, non-profits and charities a combined \$32,600 over 10 years. If this cost were divided across Universities Canada's 97 member institutions, these estimates would imply that it would cost a university an approximate average \$34 annually, before accounting for the additional non-profit and charitable organizations included in the estimate. This suggests a material underestimation of administrative costs and may reflect an error in calculation by several orders of magnitude. For reference, one institution reports that a single due diligence assessment of a foreign entity can cost \$400 to \$600, representing just one potential step to support registry compliance.

Testimony provided just over four years after the implementation of a similar foreign influence transparency registry in Australia indicated that the University of Melbourne alone spent over \$1 million on compliance for the foreign influence and a further \$1 million on implementing a foreign engagements disclosure platform.³ This experience highlights the scale of resources required to operationalize such a registry in a large, decentralized research institution.

We note that while the title of *Table 8: Costs by Impacted Stakeholder* indicates the costs are presented in the millions of dollars, the amounts within the table are clearly interpreted as in the thousands of dollars when compared with the formatting of other tables and when these figures are used for the calculation of total costs elsewhere in the consultation document. Even if one were to assume that the intended estimate for the sector is \$32.6 million over 10 years, the Australian experience suggests that this would still represent a significant underestimate.

Accurate cost estimates are essential to ensuring that the registry is implemented in a way that is proportionate, sustainable and does not divert resources away from research security personnel who are likely to be tasked with administering registry compliance.

Conclusion

Canadian universities support efforts to enhance transparency around foreign influence on public policy and government decision-making. At the same time, the implementation of the Foreign Influence Transparency and Accountability Regulations must be calibrated to the academic context to avoid unintended consequences that could inhibit research excellence and isolate Canada from accessing international expertise, technology and data.

³ [Testimony to the Australian Intelligence and Security Joint Committee, 2023](#)





To that end, we urge the Government of Canada to:

1. Exempt academic research publications and scholarly dissemination as foreign influence activities, recognizing existing conflict of interest and affiliation disclosure requirements under the Responsible Conduct of Research and the application of several research security frameworks.
2. In instances where requirements are met to register under the Act, clearly define the respective responsibilities of institutions and individual researchers, ensuring that obligations are proportionate, practicable and aligned with the context of academic research.
3. Re-examine and correct the regulatory cost estimates to more accurately reflect the administrative and compliance burden likely to be incurred by universities, non-profits and charities.

Moreover, we recommend that the future Foreign Influence Transparency Commissioner remain in close consultation with the university sector during the development of the registry. Input from the university sector will ensure that the registry enhances transparency around foreign influence while preserving Canada's international competitiveness and leadership in research.

We appreciate the opportunity to comment on these important regulations and look forward to further engagement with the Government on implementing measures that both safeguard national interests and support a strong, open, and collaborative research ecosystem.



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About Universities Canada

Universities Canada is the national voice for Canada's universities, representing 97 institutions that educate over 1.4 million students and employ 400,000 people. Through teaching, research, and community engagement, Canada's universities transform lives, strengthen communities, and address some of the world's most pressing challenges. Canadian universities are vital stabilizers and catalysts within their communities.

