WRITTEN SUBMISSIONS TO THE SUBCOMMITTEE ON INTERNATIONAL HUMAN RIGHTS OF THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

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I. Introduction

1. This submission is prepared by Human Rights Action Group ("HRAG") in contribution to the Subcommittee on International and Human Rights of the Standing Committee on Foreign Affairs and International Development's study on the global impacts of transnational repression ("TNR").

2. HRAG is a is a team of international lawyers dedicated to representing communities impacted by mass atrocity crimes and grave human rights violations, many of whom are the targets of transnational repression in Canada. HRAG works to combat impunity by pursuing justice through legal means, such as strategic litigation, targeted sanctions, and other strategies aimed at holding perpetrators accountable.

3. Part II of this submission outlines the impact of transnational repression on diaspora communities. Part III outlines recommendations for addressing TNR.

II. The Impact of Transnational Repression on Diaspora Communities

4. The impact of TNR on diaspora communities is significant. The impacts outlined in this section are meant to be illustrative, not comprehensive; various communities face a wide variety of threats, including but not limited to those detailed below. As summarized by Gloria Fung, the co-convener of the Canadian Coalition for a Foreign Influence Transparency Registry and the immediate past president of Canada-Hong Kong Link, during the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions ("Foreign Interference Inquiry"), "[d]iaspora communities are direct victims of foreign interference and transnational repression".[1]

5. For instance, the 2024 Report of the Special Rapporteur on the situation of human rights in Eritrea, Mohamed Abdelsalam Babiker, highlighted the disproportionate impact of TNR on Eritrean diaspora communities:

> "The use of digital technologies, including social media, to target and harass human rights defenders, activists and journalists in the diaspora has reached alarming levels. The Special

[1] Foreign Interference Commission, "PIFI - Public Hearings - Volume 26 - October 2, 2024-Floor transcript", https://foreigninterferencecommission.ca/fileadmin/user_upload/PIFI_-_Public_Hearings_-_Volume_26_-_October_2__2024-Floor_transcript.pdf, at page 122 [PIFI Volume 26].

Rapporteur is particularly concerned about online threats and attacks against women human rights defenders, which often feature gendered and sexualized abuse."[2]

6. Babiker also noted the involvement of Eritrean embassies and consulates, finding that "[i]n order to access consular services, Eritrean embassies and consulates require the payment of the diaspora tax, which amounts to 2 per cent of the income earned abroad …, the signature of a 'regret' or 'repentance' form and the completion of an interview at the Eritrean embassy".[3] He further noted that "Eritrean embassies and consular representations, as well as individuals linked to those diplomatic outposts, actively encourage support for the Government of Eritrea, such as through purported community organizations and cultural activities … and through providing support to structures of the People's Front for Democracy and Justice [PFDJ] in the diaspora".[4]

7. These activities are present in Canada, impacting Eritrean Canadian communities and placing individuals at risk.[5] That individuals who do not pay 2% of their income to Eritrean state authorities for every year spent abroad will not receive services, is noted expressly on the Toronto Eritrean consulate's website – only in Tigrinya, not in English.[6]

8. Tigrayan Canadians have likewise been impacted by the long arm of the Eritrean regime, as well as by that of Abiy Ahmed's Ethiopia. During the Foreign Interference Inquiry, Mr. Sieru Kebede, vice-president of Tigray Community Toronto and volunteer with the Alliance of Genocide Victim Communities, Security and Justice for Tigrayans Canada, and Ethiopian Canadians for Peace noted:

> "The Ethiopian and Eritrean Governments launched extensive propaganda campaigns, making it difficult for people to grasp the true extent of the crisis… The Tigray war has resulted in over a million civilian deaths, primarily due to the brutal siege and targeted massacres. The Ethiopian government led the conflict, supported by Eritrean soldiers and Amhara paramilitary groups, with an estimated million combatants involved. The war has led to the sexual assault of over 200,000 women and girls, often tortured in gruesome ways by gangs. It had also led to the destruction of more than 90 percent of schools, hospitals, as well as factories, water supplies, civic buildings with essential public records. Currently over 40 percent of Tigray remains under occupation by the same forces responsible for these atrocities, hindering justice and the return of displaced persons."[7]

9. Many of these same themes pertain to the Chinese regime's long arm in Canada, and its disproportionate impact on Uyghur, Hongkonger, Falun Gong, and Tibetan Canadians. Ms. Gloria Fung, the immediate past president of Canada-Hong Kong Link, highlighted the scope of the CCP's TNR in Canada, stating during the Foreign Interference Inquiry:

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[2] Human Rights Council, "Report of the Special Rapporteur on the situation of human rights in Eritrea, Mohamed Abdelsalam Babiker", May 7, 2024, https://www.ohchr.org/en/documents/country-reports/ahrc5624-situation-human-rights-eritrea-report-special-rapporteur, at para. 62.
[3] Ibid. at para. 63.
[4] Ibid. at para. 64.
[5] Sarah Teich and Hannah Taylor, Hidmonna-ECHRGM and Human Rights Action Group, "Transnational Repression by Eritrea's Dictator: Afwerki's Long Arm in Canada", May 2024, https://rightsactiongroup.org/wp-content/uploads/2024/07/HRAG-Hidmonna-Eritrea-TNR-Report-May-23-2024.pdf at pages 18-35; Aaron Berhane and Vappu Tyyskä, "Coercive Transnational Governance and Its Impact on the Settlement Process of Eritrean Refugees in Canada", 2017, 33:2 Refuge 78, at 79.
[6] The Consulate General of the State of Eritrea Toronto, Canada, "Legal Services Information", https://consulateoferitrea.wpcomstaging.com/legal-services-information/ (saved copy available at https://web.archive.org/web/20260311211712/https://consulateoferitrea.wpcomstaging.com/legal-services-information/).
[7] PIFI Volume 26, *supra* note 1, at page 70-71.

> "[Foreign interference by the Chinese Communist Party] poses a major threat to our national security, sovereignty and democracy… In recent years, CCP's transnational repression increased -- have become increasingly arrogant to include counterprotests and disinformation campaigns through WeChat, Chinese language public forums, community newspapers, and CCP proxies on the ground."[8]

10. A report published by Alliance Canada Hong Kong in May 2021, "In Plain Sight: Beijing's unrestricted network of foreign influence in Canada", describes the intersection and overlap between digital and non-digital methods of TNR.[9] Person-to-person direct pressure, threats to relatives, and other such tactics can be leveraged to facilitate the spread of mis- and dis-information. The report noted:

> "The [Chinese Communist Party ("CCP")] exerts its influence in Canadian media in the form of censorship, propaganda, and control over content-delivery systems including control over media outlets, the entertainment industry, and the frequent use of social media campaigns. Simple, overt methods have included sponsored posts or advertorial inserts written by Chinese party-state media. Other direct methods include running digital or print advertisements parroting party rhetoric purchased by groups closely tied to the Chinese authorities…. There have been incidents with Chinese Consul Generals in Canada applying direct pressure to outlets to remove quotes critical of the CCP, or preventing publications of certain ads from Falun Gong. Chinese-Canadian journalists face job losses, death threats, online threats, and threats to relatives in China for unfavourable coverage of Beijing."[10]

11. As noted in the February 2022 Uyghur Rights Advocacy Project ("URAP") report, "'Intended and Unending': A Report on China's Transnational Harassment and Intimidation Campaign Against Uyghur-Canadians", URAP discovered "that not a single [Uyghur interviewee] has escaped the long arm of the Chinese state's campaign of transnational repression, intimidation, harassment and even direct threats".[11] The report concluded that Uyghurs in Canada suffer "in a state of psychological torment, left to worry day after day about missing relatives who have been sent to the Chinese state's sprawling system of concentration camps, where since 2017 over one million Uyghurs have been, or still remain imprisoned".[12] The URAP report found that the repression committed against Uyghur Canadians takes on a multitude of forms, including, but not limited to, intimidation, surveillance, threats, cyber-attacks, and denial of consular services.[13]

12. Mr. Sherap Therchin, Executive Director of the Canada Tibet Committee, discussed the prevalence of mis- and dis-information impacting Tibetan Canadians during the Foreign Interference Inquiry. He noted that "as China has ramped up its claims and preparation to identify and appoint the next Dalai Lama … we believe there is going to be a massive influence campaign internationally over the next few years".[14] Mr. Therchin stated that "we cannot let Canadian soil be misused and Canadian democracy be taken for granted in assisting People's Republic of China in imposing state interferences in the religious freedom of the Tibetan people".[15] He went on to describe an incident where a Chinese proxy organization shared a document that contained the forged signature of a Canadian official

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[8] PIFI Volume 26, *supra* note 1, at page 139-140.
[9] Alliance Canada Hong Kong, "In Plain Sight: Beijing's Unrestricted Network of Foreign Influence in Canada", May 2021, https://alliancecanadahk.com/wp-content/uploads/2022/06/ACHK_InPlainSight.pdf.
[10] Ibid. at pages 14-15.
[11] Uyghur Rights Advocacy Project, "'Intended and Unending': A Report on China's Transnational Harassment and Intimidation Campaign Against Uyghur-Canadians", February 2022, https://www.urap.ca/s/intended-unending-February-lrh3.pdf, at page 3.
[12] Ibid.
[13] Ibid. at page 4.
[14] PIFI Volume 26, *supra* note 1, at page 100.
[15] Ibid.

"claim[ing] that Tibet now enjoys freedom of religion, economic development, ecological and environmental preservation, and improvement of Tibetans' livelihood" in an attempt to mislead Canadians about the human rights situation in Tibet.[16] Mr. Therchin noted that this "whitewashes the actual situations in Tibet".[17]

13. During the same inquiry, Falun Gong practitioners described a spectrum of TNR with grave impacts on community members. Mr. Pixing Zhang, who has been advocating on behalf of Falun Gong practitioners' human rights for the last 20 years, and who was awarded the Queen Elizabeth II's Diamond Jubilee Medal for his work, shared that from 1999 onwards, "the CCP has conducted a large-scale propaganda and a disinformation campaign to portray Falun Gong as a dangerous and political, justifying its persecution and misleading the public, including in Canada".[18] Mirroring what Mr. Kebede described, Mr. Zhang noted that as a result, "representation or report of Falun Gong usually falls off of the horizon".[19] Mr. Zhang noted that although "there is [little] hostility toward the Falun Gong among average [Chinese] mainlanders … fear of the CCP's ruthless tactics leave the most to remain silent on the persecution of Falun Gong".[20] Mr. Zhang's comments on mainland Chinese communities are significant in this regard, as he emphasizes that although some "act as agents for the CCP due to greed or fear, the silent majority are not CCP followers … [they] just … cannot openly express opposition about CCP".[21]

14. Foreign interference and transnational repression targeting Falun Gong practitioners takes on many forms. Much of this is detailed in the recent report published by the Falun Dafa Association of Canada, "Foreign Interference & Repression of Falun Gong in Canada: Key Development & Case Studies 1999 -2024".[22] This 130-plus-page report was originally published in October 2023, and then updated in July 2024.[23] It discusses at length instances of persistent political infiltration/manipulation, intimidation, hate incitement, harassment, surveillance, mis- and dis-information, cyber-attacks, and physical and verbal assaults. In one instance, an elderly Falun Gong practitioner was choked at Nathan Phillips Square.[24] In another, a Falun Gong practitioner was threatened at gunpoint while he was meditating outside of the Chinese consulate in Vancouver.[25] These are only a couple of examples of many, pointing to systematic abuse.

15. Shen Yun Performing Arts, a New York-based performing arts company known to portray the PRC's persecution of Falun Gong, has been the target of repeated bomb threats, including as recently as April 2026. For example, on March 24, 2024, an email was sent to the Vancouver theatre set to host performances "threatening to detonate bombs … if Shen Yun was allowed to perform".[26] This threat mirrored others sent to Shen Yun's training centre in New York, and to theatres in Taiwan and the

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[16] Ibid.
[17] Ibid. at page 101.
[18] Ibid. at pages 106-107.
[19] Ibid. at page 106.
[20] Ibid. at page 107.
[21] Ibid. at page 109.
[22] Falun Dafa Association of Canada, "Foreign Interference & Repression of Falun Gong in Canada: Key Developments & Case Studies 1999 – 2024", October 2023, Updated July 2024, https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://foreigninterferencecommission.ca/fileadmin/foreign_interference_commission/Documents/Exhibits_and_Presentations/Exhibits/HRC0000123.pdf&ved=2ahUKEwi48_329e2TAxU8M1kFHUItHWIQFnoECCYQAQ&usg=AOvVaw2K1IiZQjEFtI61pXXVsYx-.
[23] Ibid.
[24] Ibid. at page 75.
[25] Ibid. at page 78.
[26] Foreign Interference Commission, HRC0000113, https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://foreigninterferencecommission.ca/fileadmin/foreign_interference_commission/Documents/Exhibits_and_Presentations/Exhibits/HRC0000113.pdf&ved=2ahUKEwjlo5GB9e2TAxV-ElkFHd1ZFQAQFnoECBoQAQ&usg=AOvVaw3yTJHraZPiSdc57aqWYaMt.

United States.[27] Two years later, and similar threats continue to be made in relation to performances in Canada, the United States, Australia.[28] Despite being found uncredible by law enforcement, these threats lead to the cancellation of performances,[29] demonstrating escalating tactics of censorship.

16. Ms. Katpana Nagendra, a Tamil Canadian human rights activist serving as the general secretary and official spokesperson for Tamil Rights Group, noted during the Foreign Interference Inquiry that the "Sri Lankan Government's interference in the lives of Tamil Canadians has significant implications".[30] Ms. Nagendra shared that tactics include "surveillance, threats, harassment, [and] disinformation campaigns aimed at discrediting Tamil activists", which "not only targets Tamil Canadians, but also seeks to manipulate international perceptions and hinder the global response to the human rights violations committed during the genocidal war against Tamils in Sri Lanka".[31]

17. Ms. Nagendra described how imperative it is that "Canada takes decisive actions to hold the Sri Lankan government accountable so that Tamil Canadians can live and advocate without fear of reprisal".[32] She said that "[t]he fact that they believe they are getting away with their [atrocity] crimes emboldens them to target those who oppose their actions and advocate for justice".[33]

18. This is where broader accountability efforts addressing TNR, such as those discussed below, are important, as there are links between repression in Canada and repression abroad, and between repression and impunity. This applies to all targeted communities, and it compounds the importance and the enormity of combatting TNR.

III. Recommendations

a. Use Existing Immigration Laws to Remove Perpetrators and Resettle Victims

19. Persons in Canada who are not Canadian citizens can be removed from Canada if they fail to meet any of the requirements of the Immigration and Refugee Protection Act ("IRPA"). TNR is not, in itself, a ground of inadmissibility under IRPA. Amendments to IRPA to create a specific ground of inadmissibility for TNR may be advisable. However, any such amendment would take time to pass and enter into force. In the meantime, existing IRPA provisions should be leveraged to remove non-Canadians found to be involved in transnational repression in Canada.

20. For example, pursuant to IRPA Section 34 (1), permanent residents and foreign nationals are inadmissible on security grounds for the following acts, which may, depending on the circumstances, amount to transnational repression:

    (a) engaging in an act of espionage that is against Canada or that is contrary to Canada's interests;
    (b) engaging in or instigating the subversion by force of any government;

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[27] Ibid.
[28] Chadwick Moore, New York Post, "Anti-communist dance troupe Shen Yun claims CCP behind death threats across the globe: 'Blood will flow like a river'", March 23, 2026, https://nypost.com/2026/03/23/world-news/shen-yun-blames-chinese-communist-party-for-bomb-threats/.
[29] Vision Times, "CCP Bomb Threats Force Shen Yun Cancellations Across Canada", April 5, 2026, https://www.visiontimes.com/2026/04/05/ccp-bomb-threats-force-shen-yun-cancellations-across-canada.html#:~:text=Governments%20must%20pair%20criminal%20enforcement,for%20governments%20around%20the%20world.".
[30] PIFI Volume 26, *supra* note 1, at page 65.
[31] Ibid.
[32] Ibid. at page 79.
[33] Ibid.

(b.1) engaging in an act of subversion against a democratic government, institution or process as they are understood in Canada;
(c) engaging in terrorism;
(d) being a danger to the security of Canada;
(e) engaging in acts of violence that would or might endanger the lives or safety of persons in Canada; or
(f) being a member of an organization that there are reasonable grounds to believe engages, has engaged or will engage in acts referred to in paragraph (a), (b), (b.1) or (c).[34]

21. Section 34 (1)(f) in particular has been used to remove an individual involved in TNR. In 2023, Jing Zhang was ordered deported for membership in an espionage organization, the Overseas Chinese Affairs Office ("OCAO").[35] Instructively, the Immigration Division found:

> "[84] ... even though Ms. Zhang submits that she did not have a connection to any central information of the OCAO, her length and type of employment in the OCAO constitutes substantive participation with institutional links to its policies and practices. ... Based on her lengthy employment with the OCAO and considering the basic knowledge that she did have regarding the gathering of information on and by overseas Chinese, there are reasonable grounds to believe that she knew or ought to have known of the surveillance and information gathering tactics and other methods being used by the OCAO.
> [85] If I am wrong and Ms. Zhang was not aware of the OCAO's espionage related tactics, because she had a direct role for over a decade in coordinating, supporting, and achieving the OCAO's *qiaowu*, I find that she made a sustained and voluntary contribution as an employee of the OCAO to inculcate overseas Chinese into the OCAO objectives through her united front work. …
> [87] Accordingly, I find that Ms. Zhang is a member of the OCAO for the purpose of inadmissibility. Therefore she is inadmissible to Canada under paragraphs 34(1)(f)(a) of the IRPA for having been a member of an organization that engaged in acts of espionage against Canada and its interests."[36]

22. Another prohibition, the violation of which can be a form of TNR, is the inadmissibility of persons based on criminality, serious criminality, or transborder criminality under Section 36. For example, in relation to serious criminality, a person is inadmissible if convicted in Canada of an offence punishable by a maximum term of imprisonment of at least 10 years or of an offence for which a term of imprisonment of more than six months has been imposed, or alternatively convicted of an offence outside of Canada that, if committed in Canada, would constitute an offence punishable by a maximum term of imprisonment of at least 10 years.[37] The offences of criminal harassment[38] and assault with a weapon or causing bodily harm,[39] which are common methods of transnational repression, carry maximum terms of imprisonment of ten years when proceeded by way of indictment, such that a conviction can result in a finding of inadmissibility.

23. Thirdly, organized criminality is another basis for inadmissibility relevant to TNR.[40] An important difference between this form of inadmissibility and inadmissibility for serious criminality is that inadmissibility for organized criminality does not require criminal conviction, or even direct

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[34] Immigration and Refugee Protection Act (S.C. 2001, c. 27), at s. 34 (1) [IRPA].
[35] Zhang v Canada (Public Safety and Emergency Preparedness), 2023 CanLII 123767.
[36] Ibid.
[37] IRPA, *supra* note 34, at s. 36 (1).
[38] Criminal Code (R.S.C., 1985, c. C-46), at s. 264.
[39] Ibid. at s. 267.
[40] IRPA, *supra* note 34, at s. 37 (1).

engagement in criminal activity. Rather, membership is the key component of the prohibition, with a person being inadmissible if they are "a member of an organization that is believed on reasonable grounds to be or to have been engaged in activity that is part of a pattern of criminal activity planned and organized by a number of persons acting in concert in furtherance of the commission of an offence punishable under an Act of Parliament by way of indictment, or in furtherance of the commission of an offence outside Canada."[41]

24. Finally, every person who enters Canada on a temporary basis, whether as a visitor or a student or a worker or as a businessperson, is allowed entry for a specific reason, with specific authorization and subject to specific terms and conditions. Doing something else on entry which has nothing to do with the reasons for entry, the grant of authorization or the terms and conditions of entry can lead to termination of the granted status. Those on study permits who do not study and instead spend their time on TNR, those on work permits who do not do the work specified in the work permit and instead work on TNR, and so on, lose their status in Canada and become removable from Canada as persons without status in Canada.

25. Despite the existence of these relevant grounds of inadmissibility, searches of the Canadian Legal Information Institute ("CanLII") website posting Canadian jurisprudence reveal few cases in which these provisions were utilized to excluded or remove individuals involved in TNR. Besides the one case described above, there may in fact be none: although preliminary, a search of the terms "Immigration and Refugee Protection Act" and "transnational repression" produces only four cases, none of which involve a finding of inadmissibility for acts of TNR. Instead, three of these cases considered whether individuals qualified as persons in need of protection under IRPA s. 97(1), in part due to risks of TNR. In one case, the Immigration and Refugee Board of Canada refused to find a Uyghur citizen of Turkey to be a person in need of protection because the risk of persecution if returned to Turkey was determined to be too 'speculative', despite evidence of TNR targeting Uyghurs in Turkey.[42]

26. Thus, in addition to utilizing the above-noted provisions of IRPA to remove perpetrators of TNR from Canada, IRPA protection provisions should be utilized to their fullest extent to resettle victims. Resettlement should be prioritized, particularly in instances where victims of autocracies remain in vulnerable positions in unsafe third countries, and/or used as leverage to threaten, silence, and intimidate loved ones in Canada. For example, M-62 Uyghurs and Other Turkic Muslims urged the government to "leverage Immigration, Refugees and Citizenship Canada's Refugee and Humanitarian Resettlement Program to expedite the entry of 10,000 Uyghurs and other Turkic Muslims in need of protection, over two years starting in 2024";[43] while this number has not yet been achieved it represents a step in the right direction that should be duplicated across equally vulnerable populations.

b. Impose Targeted Sanctions on Perpetrators of Transnational Repression

27. The Canadian government can and should implement targeted sanctions on perpetrators of TNR. The relevant pieces of Canadian legislation are the United Nations Act, the Justice for Victims of Corrupt Foreign Officials Act ("Sergei Magnitsky Law"), the Special Economic Measures Act ("SEMA"), and the Freezing Assets of Corrupt Foreign Officials Act. Most frequently used in response to gross human rights violations are the Sergei Magnitsky Law and SEMA. The Sergei Magnitsky Law allows for the implementation of sanctions on foreign nationals who have engaged in significant corruption or gross violations of internationally recognized human rights. SEMA allows for the implementation of

[41] Ibid.
[42] X (Re), 2021 CanLII 153443 (CA IRB), <https://canlii.ca/t/jv3lz>, retrieved on 2026-04-14.
[43] M-62 Uyghurs and Other Turkic Muslims, 44th Parl 1st Sess, 2023.

sanctions in the case of a grave breach of international peace and security, gross and systematic human rights violations, and/or significant corruption. SEMA is wider than the Sergei Magnitsky Law in that legal entities may also be sanctioned, whereas the Sergei Magnitsky Law may only be used to list and sanction individuals.

28. Serious acts of TNR can fall under these regimes when they amount to gross violations of internationally recognized human rights in a foreign state or when they are considered to be undermining international peace, security, or stability. This is demonstrated by the Government's February 14, 2026 designation of seven individuals under the SEMA Iran Regulations "for their participation, directly or indirectly, in Iran-directed activities that undermine international peace, security or stability", namely related to Iran's efforts to "repress dissidents and human rights defenders through killings, threats, violence, surveillance and arbitrary arrests" within its borders and its campaign of "transnational repression to target perceived opponents abroad."[44]

29. While a step in the right direction, targeted sanctions specifically for TNR have been limited. In part, this is due to limits within the current legislative framework. For example, the Sergei Magnitsky Law only permits sanctions against "a foreign national [] responsible for, or complicit in, extrajudicial killings, torture or other gross violations of internationally recognized human rights committed against individuals *in any foreign state*" [emphasis added] while many acts of TNR occur within Canada.[45] Similarly, SEMA applies when "gross and systematic human rights violations have been committed in a *foreign state*" or when "grave breach of international peace and security has occurred that has resulted in or is *likely to result in a serious international crisis*" [emphasis added].[46] Accordingly, neither law accounts for acts of TNR that fall short of the threshold for gross violations or which might undermine international peace and stability but are not likely to result in a serious international crisis. The impact of TNR is cumulative; while individual acts may seem minor, failing to reach these thresholds, the consequences on victims are severe. Furthermore, such acts of TNR are often intrinsically linked with human rights violations perpetrated by regimes in their own states. As such, the argument can be made that perpetrators of TNR are at a minimum complicit in those gross violations committed abroad such that they amount to sanctionable activities. However, the lack of clarity on this point should be addressed to ensure these laws are utilized to their fullest extent. The SDIR should issue a recommendation to this effect and / or recommend a legislative amendment to ensure that perpetrators who deliberately calculate their acts to avoid existing thresholds of accountability cannot act with impunity. Such an amendment could be included in a new TNR Act, as proposed below.

c. Ensure Accessibility of Reporting Mechanisms

30. Reporting mechanisms are not accessible to those most vulnerable if they are not available in languages besides English and French. All reporting mechanisms, all complaints forms, and all outreach documentation that is important for building community resilience should be available in a variety of languages including Uyghur, Mandarin, Tibetan, Tigrinya, Tamil, Persian, and Spanish languages, among others.

31. At present, multiple security and intelligence agencies appear to have contact numbers to which community members may report some incidents of TNR, to the extent that the incidents fall within the agency's mandate. However, none are available in multiple languages, several do not offer confidentiality protections, and none appear to be well advertised. Further, as each agency is limited to

[44] Global Affairs Canada, "Backgrounder: Canada imposes additional sanctions against Iran", February 14, 2026, https://www.canada.ca/en/global-affairs/news/2026/02/backgrounder-canada-imposes-additional-sanctions-against-iran.html.
[45] Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law) S.C. 2017, c. 21, at para. (2)(a).
[46] Special Economic Measures Act S.C. 1992, c. 17, at para. (4)(1.1).

their mandate, it is unsurprising that community members report being shuttled around between different reporting mechanisms.[47]

32. The creation of a dedicated agency, and the creation of a dedicated hotline, with multiple language capabilities, community involvement, outreach, and confidentiality and anonymity options should be seriously considered.

d. Avoid Cooperating with Authoritarian Regimes on Criminal Matters

33. The misuse of INTERPOL mechanisms, such as INTERPOL Red Notices, by authoritarian regimes, including China, Russia, Turkey, and Tajikistan, to target dissidents and activists is a well-documented method of TNR.[48] Red Notices and Diffusions can cause problems to the targets, even if there is no extradition treaty between the source country and the country where the target resides, because of the endless rounds of security screening, secondary examinations and possible bars to entry when the targets travel. INTERPOL's Commission for Control can in theory decide that INTERPOL should withdraw a Red Notice on the basis that the accusation made is political in substance. However, decisions of this nature by the Commission are few and far between because of the difficulty of establishing the necessary facts in countries where the legal systems do not operate with full disclosure. Canada should apply particular scrutiny when assessing extradition requests and Interpol Red Notices from states known to abuse these mechanisms, as well as states known to engage in TNR more broadly and countries with close partnerships with those who do.

34. Another aspect of limiting mutual legal assistance with authoritarian regimes relates to the Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and Other International Crimes (Convention on Cooperation in International Crimes). This Convention is recent, dating from May 2023. The Convention obligates states parties to assist each other in bringing perpetrators of grave international crimes to justice. The Convention provides, in Article 30, that mutual legal assistance may be refused if the requested state has substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing a person on account of that person's race, gender, color, mental or physical disability, sexual orientation, religion, nationality, ethnic origin, political opinions or belonging to a particular social group. Yet, there is a similar provision in INTERPOL and the INTERPOL Red Notice system is commonly abused by tyrannical states to go after their chosen targets. Complicating adherence to this mutual legal assistance Convention is the fact that reservations are limited. The reservation that would make the most sense for Canada is to limit the obligations that Canada owes under the Convention only to those states parties with which Canada has operative regimes in going after their chosen targets. Yet, it is not clear that the Convention allows for such a reservation. If it does not, Canada should withdraw.

35. Finally, the Treaty Between Canada and the People's Republic of China on Mutual Legal Assistance in Criminal Matters is an active legal instrument, which is highly problematic. The Commission should

[47] For pinpoint citations to Canadian government officials' testimonies and their evidence on these points provided during cross-examinations, *see* The Human Rights Coalition's Writing Closing Submissions, Stage 1 Hearings, downloadable at https://rightsactiongroup.org/wp-content/uploads/2024/08/Closing-submissions-stage-1-hearings.pdf.

[48] *See* Ted R. Bromund, New Lines Institute for Strategy and Policy, "How the Abuse of Interpol Contributes to Transnational Repression", July 14, 2025, https://newlinesinstitute.org/intl-law-peace/how-the-abuse-of-interpol-contributes-to-transnational-repression/; Amnesty International, "Global: Misuse of Interpol red notices to target dissidents a grave institutional failure", January 26, 2026, https://www.amnesty.org/en/latest/news/2026/01/global-misuse-of-interpol-red-notices-to-target-dissidents-a-grave-institutional-failure/; Red Notice Monitor, "China's Sophisticated Manipulation of Interpol Red Notices: Why Vigilance Is Essential", December 19, 2025, https://rednoticemonitor.com/chinas-sophisticated-manipulation-of-interpol-red-notices-why-vigilance-is-essential/.

recommend that this treaty be terminated on its six-month notice termination provision. There should not be similar treaties with other countries not subject to the rule of law, including for example Cuba.

e. Passage of Comprehensive Legislation on TNR

36. Even with existing mechanisms consistently and systematically utilized, and harmful agreements regarding criminal cooperation revoked or terminated, additional laws and policies are needed to address remaining gaps. Comprehensive TNR legislation, amending the Criminal Code and IRPA, establishing a compensation fund and creating resettlement streams for victims of TNR, and legislating TNR-specific sanctions regulations, is required to close existing accountability gaps and provide appropriate redress for victims.

37. First, while there are several criminal offences that may be engaged by acts of TNR, there are no Criminal Code offences specific to TNR. This is a serious limitation of our legal frameworks for dealing with foreign interference. Best practices can be gleaned by looking to other jurisdictions. For instance, Sweden, Norway and Switzerland have explicitly criminalized "refugee espionage", which refers to incidents where foreign authorities carry out intelligence activities against diaspora communities, refugees, political dissidents and regime critics who have sought safety abroad. This type of espionage violates the basic rights and freedoms of the individuals targeted, as well as Canada's sovereignty. Amendments to the Criminal Code criminalizing TNR specifically would recognize TNR as a collective harm, rather than isolated incidents, and encourage prosecutions by signaling a united effort to combat it in Canada.

38. Second, and as noted above, amendments to IRPA to create a specific ground of inadmissibility for TNR would provide further, more explicit, grounds for denying entry or removing individuals responsible for TNR from Canada.

39. Third, community organizations have requested that the government create a specialized fund that can be used to assist victims of TNR for things like emergency housing, personal security, new phones or laptops, and physical and mental health treatment. Financial support should also be extended to supporting legal initiatives that victims may undertake. Most provinces and territories do operate victim compensation funds that may allow some victims of transnational repression to receive some compensation, but a specialized federal fund is warranted, due to the restrictions on existing provincial-level compensation schemes and the variability by province. There is one federal compensation scheme for victims, the Canadians Victimized Abroad Fund, but this fund contains several eligibility restrictions and would not apply to compensate for transnational repression occurring in Canada. Legislation establishing a comparable fund tailored to needs of TNR victims would address these gaps.

40. Fourth, Canada should amend IRPA to make clear that victimization by authoritarian regimes in a campaign of TNR is adequate grounds to qualify as a person in need of protection under IRPA s. 97(1), as well as initiate dedicated resettlement streams for vulnerable groups when appropriate.

41. Finally, as discussed above, a legislative amendment clarifying the applicability of current sanctions laws to TNR or a new law specifically establishing TNR as grounds for sanctions.