

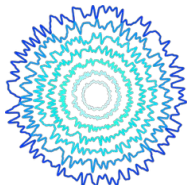


TRANSNATIONAL REPRESSION:

TARGETING GENOCIDE VICTIM COMMUNITIES IN CANADA

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The Alliance of
Genocide Victim
Communities

ABOUT THE ALLIANCE OF GENOCIDE VICTIM COMMUNITIES (AGVC)

The Alliance of Genocide Victim Communities (AGVC) is a Canadian coalition of communities affected by genocide and mass atrocity. AGVC works to advance justice, recognition, prevention, and public education through cross community collaboration.



WHAT IS TRANSNATIONAL REPRESSION?

G7 Definition of Transnational Repression:

“...an aggressive form of foreign interference whereby states or their proxies attempt to intimidate, harass, harm or coerce individuals or communities outside their borders.”

G7-recognized acts of TNR:

- Threats or acts of physical violence such as harassment, assault, abduction or assassination;
- Misuse of cooperation with other foreign states, international bodies and intergovernmental organizations, in order to detain, forcibly return, or repress targets, such as leveraging extraterritorial law application and counterterrorism and investigative tools;
- Forced return by confiscating passports, invalidating documents, or denying consular services;
- Digital transnational repression, such as doxing and sexualized smear campaigns particularly targeting women, to induce compliance, silence, threaten, discredit, or retaliate;
- Misuse of spyware and cyber tools to engage in surveillance, and to enable physical targeting and tracking, hacking, or cyber harassment; and
- Direct or implicit threats against family members.



Effects of TNR on genocide victim communities

“The fear that foreign interference creates has lasting impact, has ripple effects, often resulting into self censorship, coercion, psychological stress, doubts, and in some cases not fully exercising or even knowing the democratic rights in our new adopted home country. The fear of being watched, being surveilled, being spied on makes them afraid of participating in public events... afraid of communicating with our families and friends in Tibet, and afraid of speaking out publicly or even privately about actual situations in Tibet...” (Foreign Interference Commission Testimony)

- **Sherap Therachin, Executive Director, Canada Tibet Committee**

“Sri Lankan Government’s interference in the lives of Tamil Canadians has significant implications...The regime has labelled peaceful human rights advocates as terrorists to silence their voices and undermine their legitimate calls for justice and accountability. This tactic 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...” (Foreign Interference Commission Testimony)

- **Katpana Nagendra, Tamil Rights Group**

TNR as a violation of the *Criminal Code*

Criminal Harassment

264 (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.

(2) The conduct mentioned in subsection (1) consists of

- (a) repeatedly following from place to place the other person or anyone known to them;
- (b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them; (c) besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
- (d) engaging in threatening conduct directed at the other person or any member of their family.

“like many diaspora communities in Canada, we have faced significant and ongoing threats due to foreign interference, especially from the Chinese government. These activities often manifest in covert surveillance, intimidation, and harassment, all aimed at silencing our voices and curbing our advocacy for human rights.”

- **Kayum Masimov, Uyghur Rights Advocacy Project**

Uttering Threats

264.1 (1) Every one commits an offence who, in any manner, knowingly utters, conveys or causes any person to receive a threat

- (a) to cause death or bodily harm to any person;
- (b) to burn, destroy or damage real or personal property; or
- (c) to kill, poison or injure an animal or bird that is the property of any person.

Assault

265 (1) A person commits an assault when

- (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
- (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
- (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

Advocating Genocide

318 (1) Every person who advocates or promotes genocide is guilty of an indictable offence and liable to imprisonment for a term of not more than five years.

Public Incitement of Hatred

319 (1) Every one who, by communicating statements in any public place, incites hatred against any identifiable group where such incitement is likely to lead to a breach of the peace is guilty of

- (a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or
- (b) an offence punishable on summary conviction.

Wilful Promotion of Hatred

319 (2) Every one who, by communicating statements, other than in private conversation, wilfully promotes hatred against any identifiable group is guilty of

- (a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or
- (b) an offence punishable on summary conviction.

Harassing communications

372 (3) Everyone commits an offence who, without lawful excuse and with intent to harass a person, repeatedly communicates, or causes repeated communications to be made, with them by a means of telecommunication.

RECOMMENDATIONS

1 Keep informed on TNR incidents and trends in Canada

Receive TNR education when available and facilitate information sharing with diaspora communities to develop knowledge on appropriate responses to TNR, particularly in relation to vulnerable communities.

2 Promote access to reporting mechanisms

Ensure that victims are aware of and able to safely access mechanisms for reporting incidents of TNR.

3 Refer cases to CBSA when appropriate

Recognize when TNR might violate the *Immigration and Refugee Protection Act* such that a perpetrator can be refused entry or be removed from Canada and refer such cases to the Canadian Border Services Agency.

4 Be cautious when responding to INTERPOL requests

If asked to act in relation to an INTERPOL notice or similar request, recognize that these systems are abused by perpetrators of TNR and federal partners may not have considered this prior to asking for local police assistance.