



CANADA

Does the country or institution have their own list of designated, banned, or proscribed groups?	Yes
What type of system does the country or institution use?	Canada uses designation for all terrorist entities, both groups and individuals. There are no proscriptions, banning, or financial sanctions lists. Individuals and groups are both listed as “Designated Entities.” ⁴⁷
What is the definition of “terrorism” the country or institution employs?	A terrorist act is one committed “in whole or in part for a political, religious or ideological purpose, objective or cause” with the intention of intimidating the public “with regard to its safety, including its economic security, or compelling a person, a government or a domestic or international organisation to do or refrain from doing any act.” ⁴⁸
How does the designation process relate to the relevant authority’s definition of terrorism?	<p>The Canadian Anti-Terrorism Act (ATA) allows for the Government of Canada to create a list of “entities” that:</p> <ul style="list-style-type: none"> • Have knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity. • Knowingly acted on behalf of, at the direction of or in association with an entity that has knowingly carried out, attempted to carry out, participated in or facilitated terrorist activity.⁴⁹ <p>Designation is, therefore, based on the established definition of terrorism.</p>
Does the country follow UN or EU (if relevant) designation lists and sanctions?	On top of the Designated Entities list, Canada also follows the UN Resolutions on the suppression of terrorism, and the Resolutions on the Taliban, ISIL (Da’esh), and al-Qaeda.
Does designation have an effect on the online realm? Is content created by terrorist groups illegal?	Yes, a listing provides a clear indicator for service providers to remove an entity’s online presence on social media and other associated online platforms.
Is online content that incites acts of terrorism illegal?	Yes
Is online content that supports designated terrorist groups illegal?	Yes
Is there a sufficient balance between far-right and violent Islamist groups and individuals?	Yes, Canada has made a recent effort to designate a fuller range of domestic and international ideologically motivated groups and individuals.

⁴⁷ [Listed Terrorist Entities](#), Public Safety Canada

⁴⁸ Definitions of Terrorism and the Canadian Context, Government of Canada.

⁴⁹ [Anti-terrorism Act](#), Government of Canada, 2003.





<p>Are there human rights-compliant mechanisms in place for delisting a group?</p>	<p>Within 60 days of being listed, an applicant may apply for judicial review of the decision. There is a rolling review of all entities on the designation list carried out at a maximum of every five years.⁵⁰ If a group is disbanded or wholly inactive, it is possible that they will be removed from the designation list through this review process.</p>
<p>What are the weaknesses in the designation process?</p>	<ul style="list-style-type: none"> • There is no formal protocol outside of rolling review for delisting a disbanded or inactive group. • The Government of Canada has stated that “terrorist propaganda” includes any content produced by designated entities. However, the phrasing of this legislation is unclear and could be refined for clarity. • There is no apparent or accessible appeal process for removal from the designation list after 60 days of listing. There is also no formal mechanism for safeguarding human rights in the designation process.
<p>What do we recommend?</p>	<ul style="list-style-type: none"> • We recommend that Canada designate ideological counterparts of existing designated entities (such as Sonnenkrieg Division and Feuerkrieg Division). • We advise Canada to provide a clearer definition of what constitutes “terrorist propaganda” in relation to designated entities, to ensure that tech platforms understand what content is within the remit of the current legislation. • While acknowledging the Government of Canada’s commitment to introducing new legislation that establishes regulations for harmful content online, we recommend Canada ensures that small tech platforms are not overly targeted by terrorist users due to the platform’s struggle to moderate content. If the regulation is not reviewed, the platforms will likely receive an influx of terrorist activity which they are unable to moderate, resulting in heavy fines; it would be beneficial for these platforms to receive extra support. • We recommend that Canada consider designating entities which pose a gender-based violent extremist threat, such as Alek Minassian, in the same way James Mason has been designated. As this is a prominent threat both in Canada and the neighbouring US, it is highly likely that this threat will continue to grow if no effective action is taken.
<p>Further information and comments</p>	<p>Terrorist propaganda is not ‘banned’ under any specific law. No individual pieces of literature or media are banned. However, if it fits the definition of “terrorist propaganda” it can be confiscated and destroyed by law enforcement - this is applicable to both offline and online material.</p>

⁵⁰ List of Entities, Government of Canada.

