Countering Transnational Repression (TNR): Component of an Effective Response

Main Vectors

Direct attacks:
- Harassment, threats, and intimidation
- Assault
- Detentions and arrests
- Involuntary returns
- Attempted assassinations and/or assassinations

Long distance threats:
- Cyber threats, harassment, and intimidation
- Coercion-by-proxy

Mobility controls:
- Denying the ability to leave the country
- Forcing victims to return
- Controlling travel documents
- Forcing victims to appear at consulates or embassies in host countries

Co-opting other countries:
- Many states do not respect the principle of non-refoulement
- Denial of entry to victims based on false accusations of perpetrator state

Diplomatic Tools

Public Comms & SratComms:

GAC Comms counter disinformation on public platforms, often providing both counter-narratives and advice and guidance for detecting disinformation

Public Attribution of hostile activities:

Symbolic gestures to votes by the legislature and public 'naming & shaming' of specific actors. The GAC-led GoC public attribution framework guides recommendation s on attribution.

Cancelling visits, taking retaliatory measures:

Issuing demarches, planning or cancelling high level visits. Taking retaliatory measures to reduce or limit performance of Canada's obligations under Canada's agreements.

Curtailing diplomatic engagement, denying visas:

GAC manages privileges and immunities of foreign diplomats. Important tool, notably in cases where foreign states seek to use accredited diplomats to conduct interference activities.

Sanctions:

Part of the toolkit to respond to malicious behaviour, including in information manipulation campaigns, acts of TNR, etc.

Proactive bilateral & multilateral collaboration

International Engagement to support Human Rights Defenders (HRD):

Multilateral fora to strengthen international rules, norms, human rights; bilateral diplomacy to engage local authorities; partnerships with states, civil society, Indigenous peoples & the private sector, including Canadian business interests abroad, to build capacity; responsible business conduct.

G7 Rapid Response Mechanism:

Threat intelligence sharing with governments; Early flagging of content and behaviours to affect adversarial activities; New TNR WG to raise TNR profile globally and develop best practices & work together to counter TNR.

Bilateral coordination and partnerships:

Support to organizations and networks working on detection, fact-checking, prebunking, awareness and literacy, capacity building and others aimed at preserving information integrity and raising resilience.

Multilateral coordination:

Development of international frameworks, norms and practices;
Shaping international rules for responsible behaviour in the digital environment;
Engaging with strategic partners and 'neutrals' to counter authoritarian visions for the global information environment.

Definition

TNR is a subset of Foreign Interference

It describes the acts by governments, either direct or through proxies, to silence, intimidate and/or exact reprisal against groups and individuals and/or their families perceived as threats, outside their sovereign borders, including members of diaspora populations, political opponents, civil society activists, religious/ethnocultural groups, human rights defenders, and journalists. These acts also include instrumentalization of diaspora through intimidation of diaspora members to cooperate with the perpetrator state and harassment of or harm to family and associates who remain in the country of origin.

Methods and tactics of transnational repression include, but are not limited to assault, abduction, detention, rendition, forced disappearances and even assassination; extraterritorial threats and coercion, including malicious cyber activities; physical and online surveillance and harassment over digital platforms including through commercial spyware ; mobility controls, such as passport confiscation or denial of consular services; use of other states or international institutions to facilitate the detention or forced return of targeted individuals; the misuse of counterterrorism tools, such as information sharing-arrangements; and the misuse or attempted misuse of INTERPOL systems.

	International Bodies' and Civil Societies' Recommendations to address TNR	GoC Initiatives
Report & Track	• Create a dedicated government agency to address TNR • Create a dedicated hotline or reporting mechanism for victims to report • Monitor and track incidents of transnational repression	• The creation of a **Counter Foreign Interference Coordinator at Public Safety** to combat FI & act **as a focal point** within the GoC and with external stakeholders. • RCPM, CSIS, CSE, CBSA non-urgent reporting lines for suspicious activities
Legislation	• Establish official definitions of "transnational repression" and "foreign interference" • Update domestic laws and establish a foreign agent registry • Criminalize refugee espionage • Create a civil cause of action specific to transnational repression • Designating states/entities as state supporters of terrorism • Criminalize online harassment and digital violence	• s. 39 [redacted] • [redacted]
Gov Structure	• Create a Commissioner of Foreign Influence • Form explicit partnerships between government agencies	• The creation of a **Counter Foreign Interference Coordinator at Public Safety** to combat FI & act **as a focal point** within the GoC and with external stakeholders.
Victim Protection	• Provide physical protection services to victims • Provide psychological support services to victims • Create a specialized victims of transnational repression fund • Bar perpetrators	• Budget 2023 proposed $48.9M over three years for the RCMP to help protect Canadians from harassment and intimidation for foreign actors, to increase its investigative capacity, and to more proactively engage with communities at greater risk of being targeted.
Community Resilience	• Build community resilience • Train law enforcement and campus security officers	
INTERPOL	• Implement additional safeguards for asylum seekers • Request that INTERPOL amend its rules	
Diplomatic Measures	• Close foreign states' police stations in Canada and expel diplomats conducting illegal activities • Update travel advisories • Engage in increased multilateralism & speak publicly against TNR • Terminate the Treaty Between Canada and the PRC on Mutual Legal Assistance in Criminal Matters • Encourage the appointment of a UN Special Rapporteur on Transnational Repression • Encourage the creation of a specific treaty on transnational repression	
Sanctions	• Implement targeted sanctions • Sanction and/or ban surveillance companies complicit in transnational repression	
Academia	• Implement Human Rights Watch's 12- point Code of Conduct for universities and colleges	• PS to establish the Research Security Centre for security-related outreach to academics • CSIS Academic Outreach and stakeholder Engagement program • ISED's Safeguarding Your Research portal • PHAC's Centre for Biosecurity