



CANADIAN MUSLIM
PUBLIC AFFAIRS
COUNCIL

CMPAC POLICY BRIEF

February 2025



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EXECUTIVE SUMMARY

Recent legislative, foreign policy, and national security developments have significant implications for constitutional governance, humanitarian commitments, and the rights of Canadian Muslim communities. These issues require careful consideration to ensure that federal action remains consistent with the Canadian Charter of Rights and Freedoms, international humanitarian law, and principles of equitable and accountable governance.

Bill C-9, the Combatting Hate Act, as currently drafted, introduces amendments to the Criminal Code that raise substantial constitutional concerns. Legal analysis indicates that certain provisions risk encroaching upon freedoms of expression, religion, association, and peaceful assembly. Legislative measures aimed at addressing hate must be narrowly tailored, evidence-based, and developed through meaningful consultation to avoid disproportionate impact on minority faith and racialized communities.

With respect to Gaza, Canada's engagement must extend beyond immediate humanitarian assistance toward a coordinated, long-term reconstruction and development framework. The widespread destruction of civilian infrastructure, healthcare institutions, and education systems necessitates sustained international support. Canada's commitments under international law require advocacy for unhindered humanitarian access, support for rebuilding essential services, and investment in community-driven recovery initiatives that enable long-term stability and dignity. The Gaza Temporary Resident Visa (TRV) Family Reunification Program continues to face serious implementation challenges. Limited arrivals, prolonged processing delays, and barriers are also affecting Palestinian students admitted to Canadian institutions, resulting in significant educational disruption. A restructured, rights-based approach that prioritizes expedited processing, family unity, and administrative accountability is necessary to ensure the program meets its stated humanitarian objectives.

Addressing these matters requires principled federal leadership that safeguards constitutional freedoms, strengthens public trust, and ensures that Canada's domestic and international policies reflect consistency, accountability, and the rule of law.

KEY ISSUES AND RECOMMENDATIONS

1. Opposition to Bill C-9: The Combatting Hate Act

As currently drafted, Bill C-9 expands the Criminal Code in ways that raise serious constitutional, legal, and community-level concerns, particularly regarding Charter-protected freedoms of expression, religion, association, and peaceful assembly. CMPAC's [initial analysis](#) and [secondary analysis](#) of committee proceedings shows that vague provisions could criminalize lawful speech, peaceful protest, or religious instruction, particularly affecting Muslim, Palestinian, and other faith communities.

CMPAC is further concerned by the Justice Committee's adoption of an amendment to repeal the "good-faith religious text defence" in subsection 319(3)(b) of the Criminal Code. CMPAC's [legal and constitutional analysis](#) indicates that this defence has not impeded legitimate hate-propaganda prosecutions. The removal of this safeguard would increase risk of law-enforcement involvement in matters of religious interpretation and teaching, with disproportionate consequences for minority faith communities whose scriptures are more frequently politicized or misunderstood.

Recommendations:

- Publicly reject Bill C-9 in its entirety.
- Remove the offence associated with religious symbols.
- Oppose extension to properties "primarily used in part or in full" by identifiable groups. This may turn colleges, universities, and cultural/ religious centres into effectively restricted protest zones.
- Advocate for explicit legal clarifications to protect religious freedoms, including: maintaining the good-faith religious-text defence under section 319(3)(b) for all faith communities & ensuring that online and digital religious speech, such as streamed sermons, publications, or webinars, is not criminalized.

2. Development and Rebuilding of Gaza

CMPAC is keen to work with your government toward a meaningful Canadian contribution to the recovery and reconstruction of Gaza. Post-conflict engagement should extend beyond immediate humanitarian assistance to include structured, sustainable reconstruction of essential civilian infrastructure, including the re-building of the decimated healthcare and education sectors. Recovery efforts should be complemented by diplomatic measures including advocacy for the lifting of the blockade, securing unhindered humanitarian access, and ensuring compliance with international law to prevent further cycles of oppression. This will be very well received by the Muslim community.

Recommendations:

- Support a comprehensive, long-term reconstruction strategy beyond emergency aid.
- Coordinate aid with multilateral and local partners for transparency and sustainability.

- Advocate for the lifting of the blockade and unhindered humanitarian access.
- Promote community-driven economic and educational recovery initiatives.

3. Gaza Temporary Resident Visa (TRV) Family Reunification Program

Nearly two years after the [launch of the Gaza TRV](#) Family Reunification Program, it continues to fall far short of its stated objective where fewer than 900 individuals have reached Canada, largely through self-arranged evacuation efforts, and an estimated 500 applicants have died while awaiting processing. At the same time, Palestinian students with acceptances to Canadian universities are unable to obtain study permits. As a result, students have lost academic terms, forfeited admission and their future educational pathways have collapsed.

Recommendations:

- Urge IRCC to expand eligibility and accelerate TRV processing for applicants in Gaza and Egypt
- Simplify or waive excessive security and biometric requirements
- Ensure full family unity at the border
- Ask for a public commitment from the Prime Minister and relevant ministers to address systemic failures in the program
- Establish ongoing engagement with CMPAC and coalition partners to monitor implementation and accountability
- Finalize and approve outstanding study permit applications for 130 accepted Palestinian students without delay

4. Protection of the Muslim Communities Charity Sector

CMPAC [notes](#) the findings of the National Security and Intelligence Review Agency (NSIRA) regarding the Canada Revenue Agency's Review and Analysis Division, which confirm long-standing concerns that Muslim-led charities have been disproportionately impacted by Canada's counter-terrorism financing framework. The report identifies structural and methodological deficiencies that have resulted in audits lacking credible risk indicators, creating material, reputational, and operational harms for affected organizations and undermining trust between Muslim communities and public institutions. These findings underscore the need for reforms that strengthen oversight, ensure Charter-compliant practices, and protect Muslim charities while preserving the integrity of Canada's national security framework.

Recommendations:

- Implement all NSIRA recommendations in full, including the collection of demographic data, validation of risk indicators, and rigorous documentation of decision-making.
- Revise and revamp the National Inherent Risk Assessment (NIRA) methodology by applying FATF's functional definition of NPOs, basing risk ratings on demonstrable evidence of terrorist financing vulnerability, integrating sector-led compliance measures

into risk calculations, and shifting from an “inherent risk” framework to an evidence-based residual-risk assessment.

- Suspend the use of RAD’s audit powers until reforms are enacted that ensure impartiality and protect against discriminatory practices.
 - Establish independent oversight of the CRA’s national security functions, with accountability mechanisms accessible to Parliament and civil society.
 - Engage in structured consultations with Muslim civil society organizations and other affected communities to restore confidence in the charitable sector’s regulatory framework.
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