

August 28, 2025

Senator Yuen Pau Woo

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Dear Senator Yuen Pau Woo,

1. We are writing in response to your request for “independent analysis of Canada’s ‘risk of complicity’”. Below, you will find a fulsome examination of Canada’s risk with detailed evidence. Based on your intervention, this letter focuses on the risk to Canada and Canadians of complicity in relation to the situation in Gaza. If you would like additional information on Canada’s risk in relation to the rest of the occupied Palestinian territory, we would be glad to provide that as well.
2. Canada is at high risk of being found complicit in Israel’s ongoing genocide in Gaza. The UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel stated in October 2024, in their Position Paper, *Implementation of ICJ Advisory Opinion: State, GA, SecCo obligations*:

The Commission also takes note of State responsibility through complicity, namely when a State knowingly aids or assists another State in the commission of an internationally wrongful act. The Commission notes, for violations of international humanitarian law, it has already reported that Israel has committed war crimes in the context of the war in Gaza since 7 October 2023. On the issue of genocide, the Commission notes the provisional measures orders issued by the Court in the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*. The Commission finds that all States are on notice that Israel may be or is committing internationally wrongful acts in both its conduct in the military operations in Gaza and its unlawful occupation of the West Bank, including East Jerusalem. Thus, **the Commission finds that, unless States cease their aid and assistance to Israel in the commission of these acts, those States shall be deemed to be complicit in those internationally wrongful acts.**¹

3. In addition to the UN Commission’s finding that States have been on notice, Canada was also put on notice based on the following information:

¹ *Implementation of ICJ Advisory Opinion: State, GA, SecCo obligations*, Position Paper, by United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, Position Paper (United Nations, 18 October 2024) at para 19 online: <https://www.un.org/unispal/document/position-paper-commissionof-inquiry-18oct24/> [*Implementation of ICJ Advisory Opinion*] [emphasis added].

- a) Between October 7, 2023 and at least November 10, 2023, Israeli officials made numerous statements expressing genocidal intent, including statements from Prime Minister Netanyahu, President Herzog, Minister of Defense Gallant, Minister for National Security Ben-Gvir, and Minister of Energy and Infrastructure Katz.²
- b) Between October 2023 and May 2024, various human rights organizations documented evidence of collective punishment, including UNRWA, the ‘Arab Group’ at the UNSC, Euro-Med Monitor, and UN Independent Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel.³
- c) Between May 2024 and July 2025, various human rights organizations documented intentional blockade of humanitarian aid and food, as well as the weaponization of aid through private contractors including the “Gaza Humanitarian Fund”.⁴ Notably, the Office of the United Nations

² Law for Palestine, “Law for Palestine Releases Database with 500+ Instances of Israeli Incitement to Genocide – Continuously Updated” (4 January 2024), online: *Law for Palestine* <<https://law4palestine.org/law-for-palestine-releases-database-with-500-instances-of-israeli-incitement-to-genocide-continuously-updated/>>.

³ Philippe Lazzarini, “We must prevent humanitarian aid from being used as an instrument of war” (9 December 2023), online: *UNRWA* <<https://www.unrwa.org/newsroom/notes/we-must-prevent-humanitarian-aid-being-used-instrument-war>>; Euro-Med Human Rights Monitor, “In just 24 hours, two children and an elderly man starve to death amid rising malnutrition rates in Gaza” (8 March 2024), online: *Euro-Med Human Rights Monitor* <<https://euromedmonitor.org/en/article/6212/In-just-24-hours,-two-children-and-an-elderly-man-starve-to-death-amid-rising-malnutrition-rates-in-Gaza>>; “Euro-Med Monitor: Israel takes revenge on Palestinian armed factions by mass killing civilians in Gaza” (10 October 2023), online: *Wafa Agency* <<http://wafa.ps/Pages/Details/138107>>; UN, “Joint statement by the Arab Group on the situation in the Middle East - Security Council Media Stakeout | UN Audiovisual Library” (17 October 2023), online: *United Nations* <<https://media.un.org/avlibrary/en/asset/d311/d3117545>>; *Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel*, by UN COI OPT/Israel, DOI.org (Crossref), A/HRC/56/26 (12 June 2024) online: <<https://primarysources.brillonline.com/browse/human-rights-documents-online/promotion-and-protection-of-all-human-rights-civil-political-economic-social-and-cultural-rights-including-the-right-to-development;hrdhrd99702016149>> Institution: Koninklijke Brill NV.

⁴ United Nations, “Imminent famine in northern Gaza is ‘entirely man-made disaster’: Guterres | UN News” (18 March 2024), online: *United Nations* <<https://news.un.org/en/story/2024/03/1147656>>; United Nations, “Aid blockade deepens Gaza crisis as malnutrition deaths rise, warns UNRWA | UN News” (9 August 2025), online: *United Nations* <<https://news.un.org/en/story/2025/08/1165618>>; Save the Children Canada, “GAZA: ISRAEL THREATENS TO BAN MAJOR AID ORGANIZATIONS AS STARVATION DEEPENS” (14 August 2025), online: *Save the Children* <<https://www.savethechildren.ca/article/gaza-israel-threatens-to-ban-major-aid-organizations-as-starvation-deepens/>>; WHO, “People in Gaza starving, sick and dying as aid blockade continues” (12 May 2025), online: *World Health Organization* <<https://www.who.int/news/item/12-05-2025-people-in-gaza-starving--sick-and-dying-as-aid-blockade-continues>>; OCHA, “Humanitarian Situation Update #280 | Gaza Strip” (15 April 2025), online: *United Nations Office for the Coordination of Humanitarian Affairs* <<https://www.ochaopt.org/content/humanitarian-situation-update-280-gaza-strip>>; Niku Jafarnia, “Israel Again Blocks Gaza Aid, Further Risking Lives | Human Rights Watch” (5 March 2025), online: *Human Rights Watch* <<https://www.hrw.org/news/2025/03/05/israel-again-blocks-gaza-aid-further-risking-lives>>; “A timeline of Israel’s weaponisation of aid to Gaza” (25 March 2025), online: *Al Jazeera* <<https://www.aljazeera.com/news/2025/3/25/a-timeline-of-israels-weaponisation-of-aid-to-gaza>>; “Gaza: Israel Flouts World Court Orders” (7 May 2024), online: *Human Rights Watch* <<https://www.hrw.org/news/2024/05/07/gaza-israel-flouts-world-court-orders>>; NRC, “Israel’s siege now blocks 83% of food aid reaching Gaza, new data reveals” (16 September 2024), online: *Norwegian Refugee Council* <<https://www.nrc.no/news/2024/september/israels-siege-now-blocks-83-of-food-aid-reaching-gaza-new-data-reveals>>; United Nations, “Israel continues to block aid into northern Gaza; UN sending team to

High Commissioner for Human Rights ("OHCHR") documented the killing of at least 1,373 Palestinians, between May 27 2025 and August 1 2025, while they were seeking aid. This includes "859 in the vicinity of the GHF sites and 514 along the routes of food convoys."⁵

- d) On November 17, 2023, the International Commission of Jurists (ICOJ) published a legal brief titled: "Gaza/Palestine: States have a Duty to Prevent Genocide".⁶
- e) During Israel's early onslaught in the fall of 2023, UN officials warned of the risk of genocide including the Special Rapporteurs and Independent Experts and Working Groups.⁷ Since then, officials have called Israel's actions genocidal and war crimes.⁸
- f) In January 2024, the ICJ altered all UN member states, including Canada, by recognizing as plausible, "the right of Palestinians in Gaza to be protected from acts of genocide and related prohibited acts identified in Article III [of the *Genocide Convention*], and the right of South Africa to seek Israel's compliance with the latter's obligations under the Convention."⁹ On March 28, 2024, the ICJ found that the deteriorating situation in Gaza presented a "further risk of irreparable prejudice to the plausible rights claimed by South Africa," including the right of the Palestinian people in Gaza to be protected from genocide.¹⁰ On May 24, 2024, the ICJ reaffirmed its previous measures and also ordered that "Israel must immediately halt its military offensive, and any other

shattered Al-Shifa Hospital | UN News" (1 April 2024), online: *United Nations* <<https://news.un.org/en/story/2024/04/1148141>>.

⁵ United Nations, "Gaza: Nearly 1,400 Palestinians killed while seeking food, as UN warns airdrops are no solution | UN News" (1 August 2025), online: *United Nations* <<https://news.un.org/en/story/2025/08/1165552>>.

⁶ *Gaza/Palestine: States have a Duty to Prevent Genocide* | ICJ, Legal Submission, by International Commission of Jurists, Legal Submission (2023) online: <<https://www.icj.org/resource/gaza-occupied-palestinian-territory-states-have-a-duty-to-prevent-genocide/>> [*Gaza/Palestine*].

⁷ OHCHR, "Gaza: UN experts call on international community to prevent genocide against the Palestinian people" (16 November 2023), online: *United Nations* <<https://www.ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against>>.

⁸ "UN experts appalled by relentless Israeli attacks on Gaza's healthcare system" (13 August 2025), online (United Nations): *OHCHR* <<https://www.ohchr.org/en/press-releases/2025/08/un-experts-appalled-relentless-israeli-attacks-gazas-healthcare-system>>; OHCHR, "UN Special Committee finds Israel's warfare methods in Gaza consistent with genocide, including use of starvation as weapon of war" (14 November 2024), online: *United Nations* <<https://www.ohchr.org/en/press-releases/2024/11/un-special-committee-finds-israels-warfare-methods-gaza-consistent-genocide>>; OHCHR, "End unfolding genocide or watch it end life in Gaza: UN experts say States face defining choice" (7 May 2025), online: *United Nations* <<https://www.ohchr.org/en/press-releases/2025/05/end-unfolding-genocide-or-watch-it-end-life-gaza-un-experts-say-states-face>>; OHCHR, "Gaza: UN expert denounces genocidal violence against women and girls" (17 July 2025), online: *United Nations* <<https://www.ohchr.org/en/press-releases/2025/07/gaza-un-expert-denounces-genocidal-violence-against-women-and-girls>>.

⁹ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v Israel)*, Provisional Measures, 2025 International Court of Justice at para 66 [*South Africa v Israel*].

¹⁰ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v Israel)*, Provisional Measures, 2024 International Court of Justice at para 40 [*South Africa v Israel (March)*].

action in the Rafah Governorate, which may inflict on the Palestinian group in Gaza conditions of life that could bring about its physical destruction in whole or in part.”¹¹

- g) On April 30, 2024, in response to a case brought by Nicaragua against Germany related to the obligation to prevent genocide from being committed against the Palestinian people, the ICJ cautioned all State parties, by saying : “Article I, requires States parties that are aware, or that should normally have been aware, of the serious risk that acts of genocide would have been committed, to employ all means reasonably available to them to prevent genocide so far as possible.”¹²

4. Further, Canada has repeatedly acknowledged the worsening situation in Gaza:

- a) On October 14, 2023, the Prime Minister's Office stated: "Canada is deeply concerned by the dire humanitarian situation in the Gaza Strip. We are working closely with allies and partners in the region to do everything we can to support affected Canadian citizens, including assistance departing from Gaza, the West Bank, and Israel as quickly and safely as possible. The rapid and unimpeded access of relief via a humanitarian corridor is essential to address the urgent needs of civilians in Gaza. International law, including humanitarian and human rights law, must be respected and civilians, journalists, humanitarian workers, and medical personnel must be protected. The loss of civilian life is deeply disturbing, and our heartfelt condolences are with all those whose families and communities have been affected. Canadians and people around the world must be steadfast in our support for the protection of civilians, both Israeli and Palestinian.”¹³ Canada did not take any meaningful action following this statement.
- b) On November 14, 2023, Prime Minister Trudeau stated: "I urge the government of Israel to exercise maximum restraint. The world is watching, on TV, on social media — we’re hearing the testimonies of doctors, family members, survivors, kids who have lost their parents...The world is witnessing this killing of women, of children, of babies. This has to stop.”¹⁴ Canada did not take any meaningful action following this statement.
- c) On December 17, 2023, Canada voted in favour of a ceasefire resolution at the UNGA and Canada's Ambassador to the UN Bob Rae stated: "It was a changing of the situation on the ground. The war has caused such major destruction in Gaza and caused such humanitarian hardship ... and over the last three weeks [the calls of humanitarian agencies] have gotten more and more urgent, so naturally

¹¹ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v Israel), Request for the Modification of the Order of 28 March 2024*, 2024 International Court of Justice at para 57 [*South Africa v Israel (May)*].

¹² *Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua v Germany), Request for Indication of Protective Measures*, 2024 International Court of Justice at para 23 [*Nicaragua v Germany*].

¹³ “Statement by the Prime Minister on the humanitarian situation in the Gaza Strip” (14 October 2023), online: Prime Minister of Canada <<https://www.pm.gc.ca/en/news/statements/2023/10/14/statement-prime-minister-humanitarian-gaza-strip>> Last Modified: 2025-04-04.

¹⁴ CBC News, “Trudeau says killing of innocents in Gaza must stop | CBC.ca” (14 November 2023), online: <<https://www.cbc.ca/player/play/video/1.7028506>>.

it's something that causes us to reflect."¹⁵ Canada did not take any meaningful action following this statement.

- d) On March 8, 2024, when resuming UNRWA funding, Global Affairs Canada noted: "Canada is deeply concerned by the catastrophic humanitarian situation in Gaza that is worsening by the hour. Help must reach civilians as quickly as possible."¹⁶ Canada did not take any meaningful action following this statement.
- e) On May 24, 2024, in response to the ICJ's ruling that Israel must stop its military operation in Rafah, Prime Minister Trudeau stated: "that "[t]here also must be no more military operations in Rafah by Israel, and certainly no escalation of military operations in Rafah."¹⁷ Canada did not take any meaningful action following this statement.
- f) On June 15, 2024, Prime Minister Trudeau stated: "Celebrations will be sombre this year, as the humanitarian crisis in Gaza continues to unfold. The scale of human suffering in Gaza, including in Rafah, is catastrophic. We reaffirm the need for an immediate ceasefire in Gaza and long-lasting peace in the region."¹⁸ Canada did not take any meaningful action following this statement.
- g) On October 26, 2024, Canada issued a joint statement with Australia, France, Germany, Japan, the Republic of Korea, and the United Kingdom, in which it expressed "grave concern" about Israel's proposed legislation to ban UNRWA.¹⁹ Two days later the Knesset voted in favour of the legislation. Canada did not take any meaningful action following this statement and legislation.
- h) On December 11, 2024, Canada voted in favour of 2 UN resolutions and stated: "Canada voted in favour of these resolutions because of the urgent and growing need to address this crisis, Canada's votes today emphasize our longstanding calls for an immediate ceasefire, the release of all hostages, the increase of humanitarian assistance into Gaza, and to reaffirm our support of UNRWA."²⁰ Canada did not take any meaningful action following this statement.

¹⁵ Christian Paas-Lang, "Canada's UN ambassador defends UN vote as "compassionate" response to humanitarian disaster in Gaza | CBC News" (17 December 2023), online (CBC News): *CBC News* <<https://www.cbc.ca/news/politics/bob-rae-un-ceasefire-vote-1.7062053>>.

¹⁶ Global Affairs Canada, "Canada announces continued assistance for people in Gaza" (8 March 2024), online (news releases): *Government of Canada* <<https://www.canada.ca/en/global-affairs/news/2024/03/canada-announces-continued-assistance-for-people-in-gaza.html>> Last Modified: 2024-03-12.c

¹⁷ Darren Major, "Trudeau says Israel needs to follow ICJ ruling and halt operations in Rafah | CBC News" (24 May 2024), online: *CBC News* <<https://www.cbc.ca/news/politics/trudeau-icj-decision-rafah-1.7214231>>.

¹⁸ "Statement by the Prime Minister on Eid al-Adha" (15 June 2024), online: *Prime Minister of Canada* <<https://www.pm.gc.ca/en/news/statements/2024/06/15/statement-prime-minister-eid-al-adha>> Last Modified: 2025-04-04.

¹⁹ Global Affairs Canada, "Foreign ministers' statement on legislation against United Nations Relief and Works Agency for Palestine Refugees in the Near East under consideration by the Israeli Knesset" (26 October 2024), online (statements): *Government of Canada* <<https://www.canada.ca/en/global-affairs/news/2024/10/foreign-ministers-statement-on-legislation-against-united-nations-relief-and-works-agency-for-palestine-refugees-in-the-near-east-under-considerati.html>> Last Modified: 2024-10-27.

²⁰ Global Affairs Canada, "Canada votes on Emergency Special Session resolutions calling for a ceasefire in Gaza and in support of the mandate of UNRWA" (12 December 2024), online: *Government of Canada* <https://www.international.gc.ca/world-monde/international_relations-relations_internationales/un-onu/statements-declarations/2024-12-11-unrwa-statement-declaration.aspx?lang=eng> Last Modified: 2024-12-12.

- i) On March 11, 2025, now Prime Minister Mark Carney stated: " It has been more than two days that the supply of electricity to Gaza has been shut off. It must resume — essentials including food, electricity, and medical supplies should never be used as political tools. Canada must work with our allies to stand up for international law to promote sustainable peace and security in the Middle East and to support full access to humanitarian aid for Palestinian families."²¹ Canada did not take any meaningful action following this statement.
- j) On April 25, 2025, Prime Minister Mark Carney stated: "The UN World Food Programme just announced that its food stocks in Gaza have run out because of the Israeli Government's blockade — food cannot be used as a political tool."²² Canada did not take any meaningful action following this statement.
- k) On May 14, 2025, Foreign Minister Anand stated: "We cannot allow the continued use of food as a political tool ... Over 50,000 people have died as a result of the aggression caused against the Palestinians and the Gazan people in Palestine. Using food as a political tool is simply unacceptable."²³ Canada did not take any meaningful action following this statement.
- l) On May 19, 2025, the Prime Minister's Office released a joint statement with the UK and France, that stated: "We strongly oppose the expansion of Israel's military operations in Gaza. The level of human suffering in Gaza is intolerable. Yesterday's announcement that Israel will allow a basic quantity of food into Gaza is wholly inadequate. We call on the Israeli Government to stop its military operations in Gaza and immediately allow humanitarian aid to enter Gaza... We will not stand by while the Netanyahu Government pursues these egregious actions. If Israel does not cease the renewed military offensive and lift its restrictions on humanitarian aid, we will take further concrete actions in response."²⁴ Canada did not take any meaningful action following this statement.
- m) On July 21, 2025, Foreign Minister Anand, issued a joint statement with 25 other partners, stating: "We, the signatories listed below, come together with a simple, urgent message: the war in Gaza must end now. The suffering of civilians in Gaza has reached new depths. The Israeli government's aid delivery model is dangerous, fuels instability and deprives Gazans of human dignity. We condemn the drip feeding of aid and the inhumane killing of civilians, including children, seeking to meet their most basic needs of water and food. It is horrifying that over 800 Palestinians have been killed while seeking aid. The Israeli Government's denial of essential humanitarian assistance to the civilian population is unacceptable. Israel must comply with its obligations under

²¹ Mark Carney [@MarkJCarney], *It has been more than two days that the supply of electricity to Gaza has been shut off. It must resume — essentials including food, electricity, and medical supplies should never be used as political tools. Canada must work with our allies to stand up for international law to* (2025).

²² Mark Carney [@MarkJCarney], *The UN World Food Programme just announced that its food stocks in Gaza have run out because of the Israeli Government's blockade — food cannot be used as a political tool. Palestinian civilians must not bear the consequences of Hamas' terrorist crimes. The World Food Programme* (2025).

²³ Reuters, "New Canadian foreign minister says Israel using lack of food as a tool in Gaza" (14 May 2025), online: *Yahoo News* <<https://www.yahoo.com/news/canadian-foreign-minister-says-israel-151344254.html>>.

²⁴ Prime Minister of Canada's Office, "Joint statement from the leaders of Canada, the United Kingdom and France on the situation in Gaza and the West Bank" (18 May 2025), online: *Prime Minister of Canada* <<https://www.pm.gc.ca/en/news/statements/2025/05/19/joint-statement-leaders-canada-united-kingdom-and-france-situation>> Last Modified: 2025-05-21.

international humanitarian law."²⁵ Canada did not take any meaningful action following this statement.

- n) On July 24, 2025, Prime Minister Carney stated: "Israel's control of aid distribution must be replaced by comprehensive provision of humanitarian assistance led by international organizations...This denial of humanitarian aid is a violation of international law."²⁶ Canada has yet to take meaningful action.
5. Under the *Genocide Convention*, as well as Canadian common law, Canada is obligated to take all reasonable actions within its power to stop the assault on Gaza. Canada also has obligations under Article 1 of the *Fourth Geneva Convention*, the *Arms Trade Treaty*, the *Export and Import Permits Act*, and the *Crimes Against Humanity and War Crimes Act*. Instead of upholding their legal responsibilities, Canada continued to assist Israel and maintain strong military, political, and economic ties with Israel. Canada failed to take any meaningful action aimed at exerting influence over Israel to restrain its attempts at collective punishment and carrying out its genocidal intent. Rather than abide by its international and domestic law obligations, Canada continued to aid and assist Israel in material ways.

Provision of Weapons and Military Support

6. Canada permitted record exports of military equipment, including arms, to Israel in October to December 2023 and continued exporting arms to Israel through 2025. Between October and December 2023, Canada approved \$28.5 million worth of military exports to Israel.²⁷ This is more than the total approved military exports in either 2022 (\$21.3 million) or 2021 (\$27.8 million). On March 19, 2024, then Foreign Affairs Minister Joly announced Canada would “suspend” the approval of future applications for the export of arms to Israel, but all existing export permits remained valid.²⁸
7. After this, Canadian government official made repeated statements suggesting or outright stating they were no longer allowing arms to be sent to Israel. For instance, in September 2024, then Foreign Minister Joly stated: "Our policy is clear. We will not have any form of arms or parts of arms be sent to Gaza, period. How they're being sent and where they're being sent is irrelevant."²⁹ Now Prime

²⁵ Global Affairs Canada, “Joint statement on behalf of 26 partners on the Occupied Palestinian Territories” (4 January 2024), online: *Government of Canada* <<https://www.canada.ca/en/global-affairs/news/2025/07/joint-statement-on-behalf-of-26-partners-on-the-occupied-palestinian-territories.html>> Last Modified: 2025-07-21.

²⁶ Holly Cabrera, “Carney calls Israel denying humanitarian aid in Gaza “violation of international law””, *CBC News* (25 July 2025), online: <<https://www.cbc.ca/news/politics/carney-gaza-statement-1.7593698>>.

²⁷ Alex Cosh, “Trudeau Government Authorized \$28.5 Million Of New Military Exports To Israel Since October” (10 February 2024), online: *The Maple* <<https://www.readthemaple.com/trudeau-government-authorized-28-million-of-new-military-exports-to-israel-since-october/>>.

²⁸ Spencer Colby, “Ottawa to stop sending arms to Israel, minister says” (19 March 2024), online: *The Toronto Star* <https://www.thestar.com/politics/federal/trudeau-government-to-stop-sending-arms-to-israel-once-details-are-worked-out-foreign-affairs/article_da41c41c-e60e-11ee-8cb4-874d0836cd34.html>.

²⁹ Dylan Robertson, “Joly says Canada bars Canadian-made arms from reaching Gaza | CBC News” (10 September 2024), online: *CBC News* <<https://www.cbc.ca/news/politics/melanie-joly-canada-arms-israel-gaza-1.7319112>>; Alex Cosh, “Canada Sold \$18.9 Million Of Military Goods To Israel, Despite ‘Pause’” (7 June 2025), online: *The Maple* <<https://www.readthemaple.com/canada-sold-18-9-million-of-military-goods-to-israel-despite-pause/>>.

Minister Mark Carney also responded to an individual at a campaign event by claiming that Canada has "an arms embargo."³⁰

8. However, on July 29, 2025, grassroots organizations released a report documenting ongoing shipments of military goods from Canada to Israel including:
 - 391 shipments of bullets, military equipment, weapons parts, aircraft components, and communication devices between October 2023 and July 2025;
 - 421,070 bullets exported to Israel, including a shipment in April 2025 that contained 175,000 bullets alone;
 - Shipments from 7 cities with goods primarily going to Elbit Systems, Israel's largest weapons manufacturer; and
 - Approximately 100 flights transporting military cargo from Canada to Israel, including 64 commercial passenger flights.³¹
9. Further, Canada continues to export military equipment parts to the US, even when their ultimate destination is Israel. Lockheed Martin manufactures F-35 combat jets which are a central component of the Israeli military's assault on Gaza since October 7, 2023. Canada: Stop Arming Israel has documented numerous Canadian companies that are actively sending parts to Lockheed Martin for their F-35 fighter jets.³² For example, Gastrops, an Ottawa-based company, is the only company in the world that produces engine sensors for the F-35.³³
10. Additionally, Canada continues to engage in new arms contracts with the United States, including for weapons that are eventually transferred to Israel. For example, in August 2024, the US Defense Security Cooperation Agency announced that General Dynamics Ordnance and Tactical Systems Inc., a Quebec-based company, would be the principal contractor for a possible \$61 million USD sale of high explosive mortar cartridges and other related equipment to Israel.³⁴
11. Canada also continued to cooperate with Israel militarily under the Canada-Israel Strategic Partnership while Israel was bombarding civilian areas in Gaza. The Canada-Israel Strategic Partnership Memorandum of Understanding (MOU) shows that Israel benefits from measures which include, but are not limited to:
 - Frequent high-level visits, including regular meetings at the political level;
 - Annual senior level Strategic Defence Policy Dialogues;
 - Military attaché offices in their respective countries;

³⁰ Peter Zimonjic, "Asked to clarify if he sees genocide in Gaza, Carney says he "didn't hear that word"" (9 April 2025), online: *CBC News* <<https://www.cbc.ca/news/politics/carney-clarifies-genocide-remarks-1.7506027?ref=readthemapple.com>>.

³¹ *Exposing Canadian Military Exports to Israel*, by Arms Embargo Now (Canada, 29 July 2025) online: <https://armsembargonow.ca/wp-content/uploads/2025/07/Exposing-Canadian-Military-Exports-to-Israel_07292025_compressed-.pdf>.

³² World BEYOND War, "Canada: Stop Arming Israel" (29 July 2025), online: *World BEYOND War* <<https://worldbeyondwar.org/canadastoparmingisrael/>>.

³³ Arms Embargo Now, *supra* note 31 at 41.

³⁴ Alex Cosh, "U.S. Names Quebec Contractor In Newly Approved Arms Sale To Israel" (15 August 2024), online: *The Maple* <<https://www.readthemapple.com/u-s-names-quebec-contractor-in-newly-approved-arms-sale-to-israel/>>.

- High-level military-to-military working groups to formalize and inform military-to-military relations and cooperation;
 - Port visits;
 - Regular joint training opportunities including participation in bilateral and multilateral exercises of regular and special operation forces; and
 - Research and development, defence material cooperation, and defence procurement opportunities.³⁵
12. Canada has not suspended or altered the MOU, despite Israel's violations of international law. Canada has also sent Canadian troops to Israel since October 2023. On October 29, 2023, Canadian Special Operations Forces Command (CANSOFCOM), including troops from Joint Task Force 2 were deployed to Israel.³⁶
13. Further, on January 29, 2024, MP Marie-France Lalonde (then Parliamentary Secretary to the Minister of National Defence) said Joint Task Force 2 was working to "assist the Canadian embassy in Israel with contingency planning." In the same statement, Lalonde reiterated the close relationship between the Israeli military and Canadian National Defence.³⁷
14. The Government of Canada also continues to allow the recruitment of volunteers into the Israeli military, in contravention of the *Foreign Enlistment Act*. The Government of Canada has been aware of Canadians serving in the Israeli military. In 2017, there were an estimated 230 Canadians serving in Israel's armed forces.³⁸ In 2020, there were approximately 78 Canadians actively enlisted in the Israeli military.³⁹ In October 2020, Just Peace Advocates, Canadian Foreign Policy Institute, and Palestinian and Jewish Unity submitted a formal letter to, then, Foreign Minister David Lametti calling for an investigation into and end of recruiting Canadians for Israel's military.⁴⁰ Minister Lametti indicated on October 20, 2020 that the RCMP would investigate. In November 2020, the RCMP indicated they were investigating Israeli military recruitment taking place in Canada.⁴¹ This issue was discussed widely by

³⁵ Global Affairs Canada, "Canada-Israel Strategic Partnership - Memorandum of Understanding" (4 August 2021), online: *GAC* <https://www.international.gc.ca/country-pays/israel/strategic_partnership-partenariat_strategique.aspx?lang=eng> Last Modified: 2022-09-01.

³⁶ Christian Paas-Lang, "Canadian special forces members on the ground in Israel, DND confirms" (29 October 2023), online: *CBC News* <<https://www.cbc.ca/news/politics/canadian-special-forces-members-on-the-ground-in-israel-dnd-confirms-1.7012157>>.

³⁷ "Debates of the House of Commons" with the collaboration of Marie-France Lalonde, Ottawa (1 November 2023) at 18223.

³⁸ Elise von Scheel, "'I don't see why I shouldn't have to serve': Why young, Jewish Canadians are enlisting in the Israeli military", *CBC News* (22 February 2019), online: <<https://www.cbc.ca/news/politics/idf-israel-canada-lone-soldiers-1.4670746>>.

³⁹ Anna Ahronheim, "Bringing the True North to Canadian lone soldiers in the IDF" (16 January 2020), online: *The Jerusalem Post* <<https://www.jpost.com/israel-news/bringing-the-true-north-to-canadian-lone-soldiers-in-the-idf-614348>>.

⁴⁰ Just Peace Advocates, "No illegal Israeli military recruiting in Canada" (19 October 2020), online: *Just Peace Advocates* <<https://www.justpeaceadvocates.ca/no-illegal-israeli-military-recruiting-in-canada/>>; Just Peace Advocates, "Say No To Illegal Military Recruiting in Canada" (9 February 2021), online: *Just Peace Advocates* <<https://www.justpeaceadvocates.ca/say-no-to-illegal-military-recruiting-in-canada/>>.

⁴¹ Just Peace Advocates, "It has been a year, what is the status of your investigation of Illegal Israeli Military Recruiting in Canada?" (7 January 2022), online: *Just Peace Advocates* <<https://www.justpeaceadvocates.ca/it-has-been-a-year-what-is-the-status-of-your-investigation-of-illegal-israeli-military-recruiting-in-canada/>>.

the media including *Le Devoir*.⁴² On January 3, 2021, evidence was provided to the RCMP regarding illegal Israeli military recruitment in Canada. In In 2021, almost 8,000 Canadian residents signed a parliamentary petition sponsored by NDP MP Matthew Green calling for "the Minister of Justice to undertake a thorough investigation of those who have recruited or facilitated recruiting for the Israel Defense Forces, and, if warranted, lay charges against those involved in recruiting and encouraging recruiting for the IDF."⁴³ The RCMP have refused to respond to our request for updates, but they did confirm to *The Canadian Jewish News* in June 2023 that no charges arose from the investigation, and the case was closed.⁴⁴

15. Canadians are also recruited for "non-combat assignments" in Israel. Sar-El Canada is a "volunteer IDF program" that currently (as of July 29, 2025) offers a "wartime volunteering" opportunity.⁴⁵ Sar-El Canada states that "[t]he IDF relies on our support more than ever, and your contributions are making a significant difference," and that "[t]he work Sar-El is engaged in holds immense importance for the IDF."⁴⁶ Sar-El Canada volunteers essentially act as a unit of Israel's military. They undergo military security clearances, live on military bases, and wear military uniforms. They are responsible for supporting active-duty Israeli soldiers and reservists with logistical tasks such as cleaning tanks and gas mask refurbishment, as well as tasks such as cleaning / maintaining firearms and examining the quality of ammunition.
16. Canada has received various complaints and parliamentary petitions but has refused to enforce the *Foreign Enlistment Act*. The Public Prosecution Service of Canada also terminated a private criminal prosecution against Sar-El Canada, despite a criminal charge being laid after a Justice of the Peace found sufficient evidence to for process to issue.⁴⁷
17. Additionally, Canada accords charitable status to organizations that support Israel's Military of Defense, and occupation more broadly. The Canada Revenue Agency has permitted the transfer of millions of dollars from Canadian charities to beneficiaries in Israel who are associated with the Israel's military.⁴⁸

⁴² Just Peace Advocates, "Media coverage of complaint regarding illegal Israeli military recruiting" (21 October 2020), online: *Just Peace Advocates* <<https://www.justpeaceadvocates.ca/media-coverage-of-complaint-regarding-illegal-israeli-military-recruiting/>>.

⁴³ Just Peace Advocates, "Matthew Green sponsors Parliamentary Petition to Investigate Illegal Israeli Military Recruiting" (19 April 2021), online: *Just Peace Advocates* <<https://www.justpeaceadvocates.ca/matthew-green-sponsors-parliamentary-petition-to-investigate-illegal-israeli-military-recruiting/>>.

⁴⁴ Ron Csillag, "RCMP: No charges in case of 'illegal' recruiting by IDF in Canada" (12 June 2023), online: *The Canadian Jewish News* <<https://thecjn.ca/news/rcmp-no-charges-in-case-of-illegal-recruiting-by-idf-in-canada/>>.

⁴⁵ "News – Sar-El Canada", online: <<https://sarelcanada.org/sar-el-news/>>.

⁴⁶ "Volunteering During the War – Sar-El Canada", online: <<https://sarelcanada.org/how-to-volunteer-in-a-war/>>.

⁴⁷ *R. v. Mivasair*, 2025 ONCA 179 (CanLII).

⁴⁸ Just Peace Advocates, "Tax Breaks for Genocide: How Canadian charities are funding Israeli universities" (28 July 2025), online: *Just Peace Advocates* <<https://www.justpeaceadvocates.ca/tax-breaks-for-genocide-how-canadian-charities-are-funding-israeli-universities/>>; Miles Howe, "Tracking Financial Complicity in Israeli War Crimes and Genocide: Instances of Aiding and Abetting in the Canadian Charitable Sector" (2025) 14:1 State Crime, online: <<https://www.justpeaceadvocates.ca/academic-article-by-dr-miles-howe-tracking-financial-complicity-in-israeli-war-crimes-and-genocide-instances-of-aiding-and-abetting-in-the-canadian-charitable-sector/>>.

18. Canadian charities fund university education of Israeli soldiers with Canadian tax payer dollars, despite Israel's Ministry of Defence already covering the cost of post-secondary education for individuals transitioning out of the military. In 2020, the Israeli military announced it would use "donations" to fund its "scholarship fund."
19. Canada has been repeatedly made aware of Canadians organizations who are using their charitable status to effectively subsidize the Israeli military by funding the education of Israeli soldiers and the Israeli military complex more broadly (as well as to maintain and expand settlements).⁴⁹ Although this is contrary to Canada Revenue Agency policy, Canada largely refuses to take enforcement action.

Failure to Impose Financial or Economic Measures

20. The Government of Canada has also continued its economic relationship with Israel. While it recently imposed sanctions on two Israeli government officials, it has failed to sanction any member of the Israeli military or Israel as a state. On the whole, Canada has failed to "cease all financial, trade, investment and economic relations with Israel that maintain the unlawful occupation or contribute to maintaining it."⁵⁰ This includes the Gaza Strip, as confirmed by the July 2024 ICJ Advisory Opinion.
21. This includes multiple investment relations including the Canada Pension Plan Investment Board (CPPIB) and la Caisse de dépôt et placement du Québec (CDPQ). CPPIB is governed by federal legislation while the CDPQ is governed under Quebec's provincial legislation.
 - a) As of March 31, 2025, CPPIB had investments in 29 companies which provide arms and/or other support to the Israeli military. The total dollar value of investments in these 29 companies is \$18,836,400.⁵¹ This list of companies includes BRP Inc., a Quebec-based company that provides the Israeli military with its Can-Am Maverick ATVs which have been used in Gaza since October 2023.⁵²
 - b) As of December 31, 2024, CDPQ had investments in 47 companies providing arms and/or other support to the Israeli military. The total dollar value of investments in these 47 companies is \$15,618,800.⁵³ This list of companies includes BRP Inc, as well as two additional Canadian entities. CAE Inc., a manufacturer of simulation and modelling technologies that has worked in partnership with major Israeli weapons companies including IAI, Aeronautics Defense Systems, and Elbit. CAE sent (at minimum) 6 shipments to Elbit systems in June, July and December of 2024, and in February and April of 2025.⁵⁴ Heroux-Devtek Inc, headquartered in Longueuil, Quebec,

⁴⁹ Miles Howe, "Tracking Financial Complicity in Israeli War Crimes and Genocide: Instances of Aiding and Abetting in the Canadian Charitable Sector" (2025) 14:1 State Crime, online:

<<https://www.justpeaceadvocates.ca/academic-article-by-dr-miles-howe-tracking-financial-complicity-in-israeli-war-crimes-and-genocide-instances-of-aiding-and-abetting-in-the-canadian-charitable-sector/>>.

⁵⁰ United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, *supra* note 1 at para 29.

⁵¹ Just Peace Advocates, "CPPIB Investments in War Crimes, Genocide, and Apartheid Increase to Over \$27 Billion in 2025" (26 May 2025), online: *Just Peace Advocates* <<https://www.justpeaceadvocates.ca/cppib-investments-in-war-crimes-genocide-and-apartheid-increase-to-over-27-billion-in-2025/>>.

⁵² AFSC Investigate, "BRP Inc" (14 April 2025), online: *Investigate* <<https://investigate.afsc.org/company/brp>>.

⁵³ Just Peace Advocates & La Coalition du Québec URGENCE Palestine, "Analyse rapport CDPQ 2024: 27,4 milliards de dollars dans 76 entreprises | CDPQ 2024 Report Analysis: \$27.4 billion invested in 76 companies" (30 April 2025), online: *Just Peace Advocates* <<https://www.justpeaceadvocates.ca/cdpq-2024-report/>>.

⁵⁴ World BEYOND War, *supra* note 32.

manufactures components for the F-35, F-15, and F-16 fighter jets as well as the CH-53K King Stallions – all of which are major aircraft used by the Israeli military.⁵⁵

22. Finally, Canada has continued to provide trade benefits to Israel through the *Canada-Israel Free Trade Agreement (CIFTA)*. *CIFTA* violates international law by failing to differentiate between goods and services from outside the Green Line and those from the illegally occupied territories, including the occupied Syrian Golan. Trade in goods and services between the two countries exceeds \$2 billion annually.⁵⁶
23. For example, Canada allows for the import and sale of wine—with ingredients sourced from and/or produced in the occupied Palestinian territory and/or the occupied Syrian Golan. A significant amount of this product relies on the unlawful appropriation of Palestinian resources, including land, water, and minerals, to produce goods that are exported and sold for profit.⁵⁷ The benefits afforded to Israel under *CIFTA* are also relevant to Israel's genocidal assault on Gaza.
24. The economic benefits of *CIFTA* aid and assist Israel's economy, an economy which is directly tied to its military. Without support for Israel's economy, whether through the provision of weapons *or* the financial benefits of a free-trade agreement, it would not be able to maintain its genocide in Gaza.

Additional Risk Exposure for the Canadian Government

25. Canada also halted UNRWA funding within hours of the January 26, 2024, decision, reportedly due to claims by Israel of several lower-level UNRWA employees having participated in attacks on October 7, 2023.⁵⁸ However, after Israel provided no credible evidence to support these allegations, Canada announced, on March 8, 2024, that it would resume funding. UNRWA's operations are critically important to the well-being of hundreds of thousands of Palestinian refugees – for whom it was created to support.⁵⁹
26. Further, the Government of Canada is failing to adequately support Palestinian-Canadians and their families. Canada's discriminatory and highly criticized special immigration program requires Israel's security approval for all Gazan applicants, and a financially responsible "anchor" relative in Canada – a stark contrast to the Canada-Ukraine Authorization for Emergency Travel (CUAET) program.

⁵⁵ *Ibid.*

⁵⁶ Global Affairs Canada, *Canada-Israel Free Trade Agreement (CIFTA)* (last modified 24 October 2023), online: <https://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/israel/fta-ale/index.aspx?lang=eng>

⁵⁷ *The Israeli Occupation Industry - Israeli Wine Industry Remains Complicit in the Israeli Settlement Enterprise*, by Who Profits (August 2019) online: <<https://www.whoprofits.org/publications/report/142>>; *Forbidden Fruit: The Israeli Occupation Industry*, by Who Profits (April 2014) online: <<https://www.whoprofits.org/publications/report/24>>.

⁵⁸ Reuters, "Canada pauses funding to UN relief agency over workers' possible role in Oct. 7 attack on Israel" (26 January 2024), online: *CBC News* <<https://www.cbc.ca/news/world/unrwa-israel-raids-investigations-1.7095676>>.

⁵⁹ Canada, *supra* note 16.

CUAET did not require either of these things and facilitated more than 200,000 Ukrainians in coming to Canada.⁶⁰ This contrasts the 864 Palestinians who have arrived in Canada since October 2023.⁶¹

Summary

27. In conclusion, Canada contributed to Israel's capacity to carry out its military bombardment of Gaza by:

- Engaging in military cooperation, including high-level working groups, joint training, and intelligence sharing, under the Canada-Israel Strategic Partnership;
- Allowing arms to be exported to Israel;
- Purchasing arms and other military equipment from Israel;
- Taking no enforcement action against Canadian charities which unlawfully send funds to benefit Israel's Ministry of Defense;
- Granting preferential trade terms to Israel through the Canada-Israel Free Trade Agreement;
- Refusing to impose any sanctions on Israel's military leaders; and
- Refusing to take any formal diplomatic action against Israel.

28. For these reasons, Canada's "risk of complicity" is more than significant. We would be glad to meet with you and discuss this in more depth. We will be in touch with your staff to arrange a meeting.

Sincerely,

ICJP Canada & Just Peace Advocates

⁶⁰ Amnesty International, "Fix the TRV Program and Reunite Gazans Now!" (23 July 2025), online: *Amnesty International* <<https://amnesty.ca/activism-guide/fix-trv-program-reunite-gazans-now/>>.

⁶¹ Justin Chandler, "Hamiltonians call on Canada to speed up Palestinian family reunification", *CBC News* (17 July 2025), online: <<https://www.cbc.ca/news/canada/hamilton/family-reunification-demonstration-1.7586546>>.