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Lists the Offspring, Not the Parent: Canada and the Muslim Brotherhood Question

Muslim Brotherhood Networks · Policy paper · Prepared by the research team · 3 November 2026

STERLING · KEY FINDINGS

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01 No Brotherhood entity is on Canada's list of terrorist entities.

02 B'nai Brith Canada wrote to the Minister of Public Safety on 16 January 2026, and Tafsik called for designation on Parliament Hill.

03 The Fahmy Foundation frames the central demand of Canada Act Now as an examination of the Brotherhood in Canada.

04 Heterogeneity is the main obstacle: Thomas Juneau considers a listing of the whole movement extremely difficult.

Summary of the study by the research team · 3 November 2026

Summary

Canada lists Hamas as a terrorist entity and describes it as "a radical Islamist-nationalist terrorist organization that emerged from the Palestinian branch of the Muslim Brotherhood in 1987" (Public Safety Canada 2026). Yet no Brotherhood entity appears on Canada's list, and the research team found no government review of the movement; commentators make the same point (Public Safety Canada 2026; Roman 2026). Since the United States designated the Egyptian, Jordanian and Lebanese branches in January 2026 and the Sudanese branch in March 2026, pressure on Ottawa has grown. On 19 October 2026 the Fahmy Foundation launched its "Canada Act Now" campaign in Ottawa, at a panel held in collaboration with the Macdonald-Laurier Institute, asking why Canada "has not undertaken a transparent and comprehensive examination of the organization and its networks here" (Fahmy Foundation 2026a). This paper sets out the options open to the Government of Canada and the legal tests they would face.

Key findings

1. **No Canadian listing to date.** No Brotherhood entity is on Canada's list of terrorist entities. HASAM, which Egypt links to the Brotherhood, has been listed since 2019, but the listing does not call it a Brotherhood branch (Public Safety Canada 2026).
2. **Advocacy pressure.** B'nai Brith Canada wrote to the Minister of Public Safety on 16 January 2026, and Tafsik held a press conference on Parliament Hill calling for designation (B'nai Brith Canada 2026; National Post 2026).
3. **A campaign framed as examination.** The Fahmy Foundation describes Canada Act Now as a public-education, research and prevention campaign and frames its central demand as an examination of the Brotherhood in Canada. It states that "This is not about targeting Muslims or restricting legitimate religious or political expression" (Fahmy Foundation 2026a; 2026b). Mohamed Fahmy had earlier urged designation, according to the Middle East Forum (Roman 2026).
4. **Heterogeneity is the main obstacle.** Thomas Juneau of the University of Ottawa told the National Post that "Some Muslim Brotherhood groups are clearly not violent, they are clearly not terrorists", and he considers a listing of the whole movement extremely difficult (National Post 2026).
5. **The legal test.** Under section 83.05 of the Criminal Code, the Governor in Council may list an entity, on the recommendation of the Minister of Public Safety, if satisfied that there are reasonable grounds to believe that (a) it has knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity, or (b) it is knowingly acting on behalf of, at the direction of or in association with such an entity (Criminal Code, s. 83.05(1)).
6. **The domestic dimension is contested.** In 2015 the Canada Revenue Agency began an audit of the Muslim Association of Canada lasting 13 months, involving 30 site visits, 27 interviews, about one million transactions across 60 bank accounts and 415,874 emails (Muslim Association of Canada v. Attorney General of Canada 2023, para. 38). The agency's March 2021 Administrative Fairness Letter recommended revocation of charitable status (described in places as suspension) and raised concerns about alleged involvement with the Muslim Brotherhood, reasoning the judge criticised (2023, paras. 3, 39; 2024, para. 7). The association's challenge was dismissed as premature, not on its merits, and the dismissal was upheld on appeal, where the court was told the agency "is no longer seeking revocation" (2023; 2024). The association calls the audit discriminatory (Roman 2026). The agency's final outcome is not public.

Analysis

Three options

Option A: a public review on the 2015 British model. The United Kingdom's review concluded that "membership of, association with, or influence by the Muslim Brotherhood should be considered as a possible indicator of extremism" but did not recommend proscription (Prime Minister's Office 2015). A review would give Ottawa an evidence base without prejudging a listing, which is in line with the examination the Canada Act Now campaign calls for. Its weaknesses are time and the possibility of ending without legal consequence: the Muslim Brotherhood is still not proscribed in the United Kingdom (Home Office 2026), and in December 2025 the then Prime Minister, Keir Starmer, said only that the government kept the matter under "very close review" (Jewish News 2025). No restatement of that position by the Burnham government was found.

Option B: branch-specific listings under section 83.05. This tracks the United States' approach and avoids the problem Juneau identifies. Each listing would need its own evidential case meeting the "knowingly" threshold. Judicial oversight is limited: a listed entity may apply to the Minister for removal, and a Federal Court judge may review the Minister's decision on that application (Criminal Code, s. 83.05(2)–(6)). The US rationale for the Egyptian and Jordanian branches is material support for Hamas, which Canada already lists, so the evidential question is whether Canadian agencies can independently substantiate that support.

Option C: no listing, but targeted use of existing tools. Charity regulation, immigration admissibility and terrorist-financing controls can be applied to specific actors without a movement-wide label. This is the least contentious option, but it answers neither the call for examination nor the call for listing. The Muslim Association of Canada litigation shows that even charity-law action draws challenge and judicial scrutiny of the reasoning behind it.

Risks

Any step must survive scrutiny under the Canadian Charter of Rights and Freedoms for freedom of religion, expression and association. The Florida litigation now before the US courts (see the companion Ardent draft of 3 November 2026) shows that broad measures against domestic advocacy organisations invite immediate constitutional challenge and can chill lawful association. A listing confined to foreign branches with evidenced links to terrorist activity carries far lower risk than any measure aimed at Canadian civil-society bodies.

Policy implications

- A public review is the lowest-risk first step and creates the evidence base for any later listing.
- Any listing should be branch-specific, evidence-led and coordinated with Five Eyes partners, given that the United States has listed four branches and the United Kingdom none.
- Domestic organisations should not be described as Brotherhood bodies in official communications without findings that would survive judicial review.
- Engagement with Canadian Muslim organisations should be built into any review, so that a political movement is not conflated with a faith community.

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