

October 25, 2023

BCCLA statement on attempts to suppress support for the people of Palestine

As a civil liberties and human rights organization, the BC Civil Liberties Association (BCCLA) recognizes the international impacts of the violence claiming the lives of civilians in Palestine and Israel. The current condemnation of protest and freedom of expression, particularly targeting Palestinian and Muslim communities, has resulted in escalating levels of Islamophobia, harassment, racial profiling, and surveillance akin to that seen post-9/11.

In Canada, members of the Palestinian liberation movement, which includes Palestinians, Jews, Indigenous peoples, and a diversity of others, have the constitutional right to assemble and freely express their views about the unfolding humanitarian crisis in Gaza, what many international law experts are calling a potential genocide.¹

The BCCLA is disquieted by the growing chorus of statements from federal, provincial, and municipal government officials and politicians that risk conflating pro-Palestinian sentiments, criticism of the state of Israel, or calls for a cease-fire with expressions of hate and antisemitism. In particular, we are disturbed by the recent decision to silence Ontario MPP Sarah Jama over comments she made in support of a cease-fire in Gaza.² Antisemitism is a serious problem, but it is inaccurate to characterize those simply expressing critique of Israel's actions as being antisemitic. This is precisely why we and others have been challenging the adoption of the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism in Canada.³ More broadly, we support the rights of people to engage publicly with the actions of foreign or domestic governments, without being vilified or criminalized by state officials. Political expression of this kind is central to a free and democratic society.

The BCCLA is deeply concerned by the chilling effect that irresponsible statements and actions from government officials will have on the free exercise of *Charter*-protected rights in Canada. We are also troubled by comments implying that policing agencies may be deployed to criminally investigate protestors. This raises the spectre that Canadian citizens may be unfairly accused of supporting terrorism and subjected to surveillance and disclosure of their information to border and intelligence agencies here and abroad.

In this time of crisis and mourning, our *Charter* must stand. We all have the right to freely express political opinions and grief without fear for personal safety. It is imperative that all levels of government facilitate this right in a manner that promotes freedom, democracy, and security for all, regardless of politics, race, or creed.

¹ <https://twailr.com/public-statement-scholars-warn-of-potential-genocide-in-gaza/>

² <https://www.tvonews.com/article/hamilton-mpp-kicked-out-of-ndp-caucus-censured-by-legislature>

³ <https://bccla.org/2022/11/open-letter-bccla-urges-mayor-elect-sim-and-vancouver-city-council-to-not-adopt-ihra-definition-of-antisemitism/>