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From: Zafar Bangash <zafar.crescent@gmail.com>
Sent: October 22, 2020 9:56 AM
To: Standing Committee on Justice Policy
Cc: Baber, Roman; Triantafilopoulos, Effie; Bouma, Will; Collard-CO, Lucille; Gill, Parm; Yarde-QP, Kevin; Yarde-CO, Kevin; Tangri, Nina; Singh-QP, Gurratan; Singh-CO, Gurratan; Park, Lindsey; Parkco, Lindsey; Morrison-QP, Suze; Morrison-CO, Suze; Kusendova, Natalia
Subject: Fwd: Bill 168 and the attack on the freedom of speech

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Dear Standing Committee on Justice Policy Member,

As you consider the private member "Bill-168: the Combating Antisemitism Act", I am writing to urge you to vote against it.

There is no doubt anti-Semitism, like Islamophobia and other forms of hatred, are real and we must all strive to combat them.

But Bill-168 is not the appropriate way to combat anti-Semitism.

If passed, this bill would have serious consequences for freedom of expression and human rights advocacy in Ontario.

Bill-168 is based on the definition contained in the International Holocaust Remembrance Alliance (IHRA) whose author, Kenneth Stern has spoken out against using it as a legal or administrative definition of anti-Semitism.

In testimony before US Congress in 2016 soon after the IHRA definition was drafted, he warned that using it as a legal or administrative definition will pose serious threat to both academic freedom and freedom of expression in general.

The IHRA's definition of anti-Semitism has been opposed by many leading Jewish intellectuals, authors and activists including Professor Noam Chomsky, Miko Peled, Ilan Pappé, Amira Haas, Gideon Levy, Mark Braverman, Marc Ellis and the late Tania Reinhart.

Jewish groups like the Independent Jewish Voices, and Jews for Peace have also opposed it. If adopted, Bill-168 will criminalize criticism of Israel and its illegal occupation of Palestinian lands.

Canada does not recognize Israel's illegal annexation of parts of the West Bank or Jerusalem, or the illegal Israeli settlements on Palestinian lands.

As Ontarians and Canadians, we have an ethical and moral obligation to stand up for truth, justice, freedom and equality.

These have to apply to all people regardless of color, race, ethnicity or faith.

If adopted, the IHRA definition of antisemitism contained in Bill-168 will be used to suppress Charter-protected free speech, specifically related to criticism of Israel.

Civil liberties cannot be taken for granted. They have to be vigorously protected.

That is why, the British Columbia Civil Liberties Association has opposed the adoption of the IHRA definition.

City councils in Montreal, Vancouver and Calgary also considered the IHRA definition. In all cases, councillors realized the question was far more complicated and controversial than they had initially believed and, therefore, declined to adopt it.

I urge you to please consider this issue very carefully.

Antisemitism is intimately tied to other forms of hate. It increases when there is failure of appropriate governmental response to racism, especially Islamophobia.

Recent attacks on mosques and threats against mosques are real and have been widely reported. Muslim worshippers have been killed.

The Ontario government ought to be addressing these real threats to Canadian Muslims rather than adopting a controversial definition contained in the IHRA that was not intended to stifle criticism of Israel.

The IHRA definition jeopardizes the charter rights of Canadians to freely express their legitimate criticisms of Israeli human rights violations.

Please consider why is it that as a Canadian citizen, I am free to criticise the policies of any government in Canada at the federal, provincial or municipal levels without fear of being charged with any offense but I may be charged with promoting hatred if I criticise Israeli government policies if Bill-168 is adopted?

I urge you to please vote against Bill-168 and protect the Canadians' Charter rights.

There are better ways to combat anti-Semitism. Bill-168 is not the appropriate way to do so.

Thank you for your consideration of this very serious matter.

Sincerely,

Zafar Bangash

Director

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