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Sent: October 22, 2020 4:52 PM
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Subject: URGENT LETTER: Canadians Oppose Bill 168

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Dear Parliamentary Standing Committee on Justice Policy Members,

As Canadian human rights activists, we are writing this urgent letter to you calling on you to vote against 'Bill 168: the Combating Antisemitism Act'. If passed, this bill could have serious consequences for freedom of expression and human rights advocacy in Ontario.

A number of organizations and individuals have been promoting, in Ontario and elsewhere, adoption of the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism, including its eleven examples. As individuals who value justice, human rights, and freedom of expression, we are concerned that the IHRA definition of antisemitism will be used to suppress Canadian Charter-protected political speech, specifically related to criticism of Israel's human rights policy toward the Palestinian people.

As supporters of non-violent campaigns to boycott, divest and sanction Israel for its human rights abuses, it is vitally important that international activism and diplomatic channels remain open to challenge Israel's expansion of illegal settlements in occupied Palestinian lands--as Canada has done recently-- as well as, in the firmest possible language denounce Israel's domestic policy of extra-judicial killings of Palestinians and imprisonment of Palestinian activists and politicians.

Already, an international campaign to release jailed Palestinian children is gaining critical mass within social media (with nearly 16,000 signatures) after a Palestinian child was detained by Israeli forces in late July, whom has tested positive for COVID-19, the first known case involving a Palestinian child detainee confirmed by Defense for Children International - Palestine (DCIP). "There is no way Israeli forces can justify the detention of a child currently infected with COVID-19," said Ayed Abu Eqtaish, Accountability Program director at DCIP. "By extending this boy's custodial detention, Israeli authorities are recklessly

endangering his health and well-being along with the health of other detainees. Israeli authorities must release all Palestinian child detainees immediately.”

Would Canadian demands to Israeli authorities to release all Palestinian child-detainees in Israeli prisons and detention centers be deemed an "act of anti semitism?" Under Bill 168, it may, in fact, silence public health officials and children's advocates who argue that under the Geneva Convention, imprisoned children must be guaranteed their right to life, survival, development, and health in accordance with international law, especially when an imprisoned child's health is compromised due to the rapid spread of the COVID-19 virus. Read: "No Way to Treat a Child Petition" https://nwttac.dci-palestine.org/petition_israel_must_release_all_palestinian_child_detainees_amid_covid_19_pandemic

We are not alone in these concerns. The British Columbia Civil Liberties Association has opposed the adoption of the IHRA definition. Recently, the definition was considered by Montreal, Vancouver and Calgary city councils: in all cases, councillors realized the question was far more complicated and controversial than they had initially believed and DECLINED to adopt it. Even Kenneth Stern, the original author of the IHRA definition, has strongly opposed its use as a legal or administrative definition of antisemitism, warning that such use will be a threat to both Canadian academic freedom and freedom of expression within Canada.

Therefore, we implore you to re-consider this matter carefully. Antisemitism is intimately tied to other forms of hate. It increases when there is a failure of appropriate governmental response to racism, and its existence in our society is unacceptable. However, the IHRA definition is not the way to fight it. The IHRA definition jeopardizes the Charter rights of Canadians to freely express their legitimate criticisms of Israeli human rights violations (read above). We do not regard the silencing of free speech as an event to be celebrated, or success in anti-racist progress and equity.

As Canadians we are firmly opposed to antisemitism, Islamophobia, anti-black racism and hate speech of any kind but we also support freedom of expression and a commitment to Palestinian human rights, sovereignty and diplomacy. We urge you either to vote against Bill 168 entirely, or to amend Bill 168 so that the 11 examples are removed from the

definition. Thank you for your consideration on this important human rights issue and we await your response.

Sincerely,
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