

**DISPROPORTIONATE AND DISCRIMINATORY RESTRICTIONS ON FREEDOM OF
OPINION, EXPRESSION, ASSOCIATION & ASSEMBLY IN CANADA IN THE
CONTEXT OF PALESTINIAN SOLIDARITY**

Submission to the United Nations Human Rights Committee's 145th Session on the Occasion of
the Committee's Periodic Review of Canada

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Prepared by:

**Canadian Lawyers for International Human Rights
Justice For All Canada**



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1. Executive Summary

On behalf of Canadian Lawyers for International Human Rights (CLAIHR)¹ and Justice For All Canada (JFAC),² we are writing to draw your attention to the growing repression of fundamental freedoms of opinion, expression, assembly and association in Canada in relation to Palestinian solidarity. We submit this report to assist the Human Rights Committee's assessment of Canada's compliance with its obligations under the International Covenant on Civil and Political Rights (ICCPR) ahead of its 7th periodic review at the 145th session, from March 2 - 19, 2026.

Over the past two years we have witnessed a significant erosion of the rights protected by Articles 19, 21 and 22 of the ICCPR in Canada. Political speech has been criminalized and there has been a dangerous conflation of advocacy for Palestinian human rights with antisemitism and support for terrorism, leading to the repression of legitimate criticism of Israeli military action, government policies and the Zionist political movement. Moreover, repression of pro-Palestinian protests, demonstrations and other forms of assemblies have been widespread, and marked by discriminatory law enforcement and violence against peaceful protestors. Pro-Israel assemblies and protests have not been met with the same repression and violence.

Pro-Palestinian views in Canada are also increasingly met with discriminatory and unjust censorship and restriction in public institutions, including government agencies and universities, with individuals being punished or threatened with punishment for expressions of solidarity with Palestine. Finally, Canada has failed to facilitate a rights-enabling environment, evidenced by a significant number of alarming comments made by public officials and political leaders that demean and disparage human rights defenders. Such comments create an environment of impunity for State actors who engage in repression of human rights defenders.

We are deeply troubled by this pattern of discrimination and censorship impacting the fundamental freedoms of Canadians, and call your urgent attention to this matter.

2. Suggested Questions for the Committee's Constructive Dialogue with Canada

In light of Canada's obligations under the ICCPR, we suggest the following questions for the Committee's Constructive Dialogue:

1. What measures has Canada taken to ensure that restrictions on assemblies in favour of Palestinian human rights are necessary, proportionate and non-discriminatory, consistent with Article 21 of the ICCPR?
2. What safeguards exist to prevent the misapplication of hate-motivated designations to political speech critical of a foreign state or its supporters, consistent with Article 19 of the ICCPR?

¹ Canadian Lawyers for International Human Rights (CLAIHR), federally incorporated in 1992, is a non-governmental charitable organization comprising lawyers, law students and legal academics, among others, working to promote international human rights within and in connection to Canada.

² Justice For All Canada, federally incorporated in 2017, is a non-governmental organization comprising human rights advocates working to promote the rights of indigenous minorities being persecuted across the globe.

3. How does Canada ensure that law enforcement responses to protests in support of Palestinian human rights do not involve excessive force or disproportionate raids and arrest warrants?
4. What steps has Canada taken to ensure that universities and public bodies do not impose discriminatory discipline and censorship on expression in favour of Palestinian human rights?
5. What guidance in Canada exists to prevent public officials from making statements that malign rights-holders and contribute to an unsafe or chilled civic space?

3. Recommendations

In light of the current situation in Canada, we urge the Committee to issue the following recommendations:

1. Immediately end all State and State-sanctioned violations of the rights to freedom of opinion, expression, assembly and association, and to live free from discrimination;
2. Provide appropriate remedies for such violations, including accountability for discriminatory law enforcement and unlawful restrictions;
3. Take immediate measures to protect the rights to freedom of opinion, expression, assembly and association, notably by communicating with relevant State agencies and institutions to remind them of their obligations to uphold these rights;
4. Take immediate measures to protect all individuals and groups from discrimination, violence and incitement to violence, in accordance with international human rights law, and to refrain from weaponizing this obligation against human rights defenders;
5. Uphold its commitment to the rights to freedom of opinion, expression, assembly and association, and take immediate measures to counter disinformation and discrimination, particularly as a result of the expressions of politicians and public officials, in accordance with international human rights law;
6. Promote an environment where these fundamental freedoms are respected and the rights they confer freely exercised.

4. Violations of the ICCPR in Canada

While the issues outlined in this submission predate October 2023,³ Canada has witnessed a rapid deterioration of fundamental freedoms over the two years in relation to pro-Palestinian opinions and expressions of support. Canadian governments at the federal, provincial and local levels have been infringing the rights to free expression, opinion, assembly and association in a range of ways, detailed below.

These infringements have disproportionately targeted and impacted pro-Palestinian opinions and expressions of support, creating a chilling effect on the rights of Canadians to freely engage in open discourse regarding the situation in Israel and Palestine, to freely express support for and solidarity with the Palestinian people, and to freely criticize Israeli government policies, Israeli military action and the Zionist political movement. The infringements have also increasingly created an atmosphere in which pro-Palestinian sentiment in Canada is stifled, suppressed, censored, restricted, penalized or met with the threat of punishment. Notably, recent [civil-society research](#)⁴ has found that between 2021 and 2025, Palestine-related demonstrations comprised about 10% of protests but saw 37% of police interventions, notwithstanding the fact that 96% of pro-Palestine protests were considered peaceful. This research also revealed that the crackdown on protests was part of high-level strategic planning by Canadian federal agencies which cost taxpayers millions of dollars, in an effort to neutralize the public's ability to mobilize.

Having observed this issue since October 2023, we at CLAIHR and JFAC are not aware of evidence of similar trends of State repression of pro-Israel protest and expression. In fact, pro-Israel groups and organizations advocating in favour of the Zionist political movement and against antisemitism receive markedly different treatment than pro-Palestinian groups, and have been able to freely exercise the full extent of their rights to free opinion, expression, assembly and association. Critics of the State of Israel and supporters of Palestinian human rights are entitled to exactly the same rights, and the Canadian government has an obligation to guarantee these rights and adhere to the principles of non-discrimination and equality.

The ability of Canadians to exercise these freedoms is critical, given the historic atrocities committed and continued violence being carried out. As [UN experts warned](#)⁵ following the ruling of the International Court of Justice (ICJ) on the situation in Gaza in February 2024: "Given the urgency to step up collective efforts to prevent genocidal acts, war crimes and crimes against humanity against Palestinians in Gaza, the full and unobstructed enjoyment of these fundamental freedoms is ever more crucial." Canadian civil society, protest movements and individuals must be able to contribute to global efforts to achieve an effective and permanent ceasefire, ensure adequate humanitarian access and pursue justice for atrocities.

³ See for example, the 2022 report by the Arab Canadian Lawyers Association "[Anti-Palestinian Racism: Naming, Framing and Manifestations](#)" and the 2022 report by Independent Jewish Voices "[Unveiling the Chilly Climate: The Suppression of Speech on Palestine in Canada](#)".

⁴ Canadians for Justice and Peace in the Middle East, *Policing Palestine Solidarity: A Crisis of Civil Liberties in Canada (2021-2025)*, December 2025.

⁵ United Nations Office of the High Commissioner for Human Rights (UN OHCHR), *Israel/oPt: Respecting and enabling civil society, human rights defenders and peaceful protests is vital for achieving sustainable ceasefire and just peace, say UN experts*, 13 February 2024.

We also note and unequivocally object to efforts to impede the rights of Canadians on the basis that pro-Palestinian expressions and advocacy are in any way inherently dangerous, violent or antisemitic. While the government must fulfil its obligation to protect individuals from any and all violence or incitement to violence, including any violence targeting the Jewish community, law enforcement must be carried out in a non-discriminatory, proportionate and lawful way. The Canadian government must ensure that any specific instances do not lead to the broad criminalization of human rights defenders, abuses of State power or the repression of pro-Palestinian expression and advocacy, and must fulfill its obligation to guarantee and protect the rights to freedom of expression and peaceful protest of all Canadians.

The examples that follow are by no means an exhaustive survey of the situation but rather aim to provide some illustration of the dangerous repression of freedoms of expression, opinion, assembly and association in Canada, in contravention of Canada's international human rights obligations under the ICCPR. In June 2024, CLAIHR made a similar submission to the United Nations Special Rapporteurs on Freedom of Expression and on Freedom of Peaceful Assembly and of Association as part of a call for submissions for a thematic report on Freedom of Expression in Challenging Times.

a) Criminalization of Political Speech and Discriminatory Law Enforcement

Since October 2023, there has been a concerning trend towards criminalization of pro-Palestinian expression in Canada, including the misuse of 'hate-motivated' criminal charges.

Canadian criminal law provides for increased sanctions for offences that are "motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or gender identity or expression, or on any other similar factor."⁶ As a result, law enforcement has the power to designate offences as being motivated by hate.

On multiple occasions Canadian police have wrongly applied these designations to speech that expressed support for Palestinians or criticized individuals and corporations for their support of Israel's actions in Gaza and the West Bank.

A prominent example of this was when a group of activists in Toronto were [criminally charged](#)⁷ in November 2023 for putting posters on the windows of a major bookstore chain and splashing paint on the sidewalk. The posters included a photo of the company's CEO with the text "Funding Genocide." Police added a hate designation to the charges, with a police spokesperson saying the vandalism was being [treated as a suspected hate-motivated offence](#)⁸ "because the victim was specifically targeted because they are [or are perceived to be] Jewish, which meets the criteria of

⁶ *Criminal Code*, RSC 1985, c C-46, s 718.2(a)(i).

⁷ CTV News, *11 people now charged in hate-motivated mischief investigation at Toronto Indigo store*, 23 November 2023.

⁸ CBC, *Indigo bookstore vandalism sparks debate over definition of antisemitism*, 4 December 2023.

an identifiable group.” In fact, the company [CEO is the head](#)⁹ of the HESEG Foundation for Lone Soldiers, an organization that gives free tuition to people who serve in the Israeli military, which is [criticized as a means to recruit](#)¹⁰ non-Israeli Jewish people to volunteer to serve in the Israeli military and why the bookstore has been the [subject of a boycott](#)¹¹ for several years. The speech on the posters targeted the CEO not because of her identity or religion but because of her explicit support for the Israeli military.

Notably, the prosecutor has since [dropped the charges against most of the activists](#)¹² (including the suspected hate-motivated mischief, conspiracy and criminal harassment), as the prosecutor concluded it could not meet the prosecutorial threshold needed to proceed. Despite the charges being dropped, the initial decision to lay them resulted in significant collateral consequences. Specifically, at least three of those charged were [suspended from their employment](#)¹² at York University as a result, sparking protests and calls from fellow faculty and students for their reinstatement. At least one other activist ended up [losing both their jobs](#)¹³ at two universities after being placed on suspension and their contracts were allowed to expire.

The content of this speech is political expression and should therefore be legally protected, not criminalized under the false pretence that it is motivated by hate. Conflating legitimate criticism of corporate supporters of the Israeli military with identity-based hate is a worrying trend that has had a chilling effect on political expression in Canada.

In Alberta, the Calgary Police Service similarly applied a “hate motivation” designation when charging a protest leader in Calgary with the criminal offence of Causing a Disturbance. [According to police](#),¹⁴ the activist was addressing a crowd over a public address system and “proceeded to repeatedly use an anti-Semitic phrase while encouraging the crowd to follow along.” Police would not disclose the phrase in question but organizers of the protest [said the chant](#)¹⁵ was “From the River to the Sea, Palestine will be free.” Later, the prosecutor stayed the charges as it found that there was [no reasonable prospect of conviction](#).¹⁶

It is worth noting that a group of Canadian legal scholars have written a detailed legal analysis of this phrase in the context of the Canadian legal system and [concluded](#)¹⁷ that “it is clear that a criminal law response in terms of charging those chanting ‘from the River to the Sea, Palestine

⁹ CTV News, *11 people now charged in hate-motivated mischief investigation at Toronto Indigo store*, 23 November 2023.

¹⁰ *Ibid.*

¹¹ CBC, *Indigo bookstore vandalism sparks debate over definition of antisemitism*, 4 December 2023. ¹² Global News, *Charges Dropped for Three More People Accused in Indigo Bookstore Defacement: Lawyer*, 27 March 2025.

¹² City News, *York U Group Calls For Reinstatement of Employees Charged in Toronto Indigo Defacement*, 23 November 2023.

¹³ Global News, *Charges Dropped Against 4 Accused in Toronto Indigo Bookstore Defacement Protest*, 22 May 2024.

¹⁴ The City of Calgary Newsroom, *One man charged after weekend protest*, 7 November 2023.

¹⁵ CBC, *Questions raised after arrest of Calgary protester on hate-motivated disturbance charge*, 10 November 2023.

¹⁶ Canadians for Justice and Peace in the Middle East, *Policing Palestine Solidarity: A Crisis of Civil Liberties in Canada (2021-2025)*, December 2025.

¹⁷ University of Toronto, *“From the River to the Sea: Palestine will be Free:” A Primer on History, Context, and Legalities in Canada*, 18 December 2023.

will be free' with hate speech or hate motivated offences under the [Criminal] Code is or would be a gross overreach of the criminal law and one which erodes the [Canadian Charter of Rights and Freedoms] protected fundamental right to freedom of speech." This analysis was cited in an Ontario Superior Court [ruling](#),¹⁸ which ultimately determined that there is significant variation, nuance and context informing the meaning of this term, that it is incorrect to automatically assume it is antisemitic, and in this case there was no evidence that the phrase was intended to incite violence. We also note that courts in a number of countries, including in [the Netherlands](#)¹⁹ and [Germany](#),²⁰ have determined that the phrase in question is legally protected speech.

This analysis aligns with ICCPR obligations, which include the requirement to ensure that any criminal sanctions against organizers of and participants in a peaceful assembly are [not the result of offences that are overly broad or ambiguous](#).²¹ We also note the high threshold set out for defining restrictions on freedom of expression and incitement to hatred, and the need to consider the context and intent of the expression as set out in the [Rabat Plan of Action](#).²²

In February 2025, a well-known author and activist named Yves Engler faced criminal charges for alleged harassment and indecent communication for publicly responding to posts on social media made by a pro-Israel influencer Dahlia Kurtz, and ended up [spending 5 days in jail](#).²⁴ Notably, Kurtz is known for the incitement of hatred and bigotry online, such as her post proclaiming that "[a]bout 49% of Somalians are the product of inbreeding,"²³ yet has never face charges of her own. While two of the charges against Engler were later dropped in connection with this incident, Engler was eventually found guilty on other charges for his role in an online [e-mail campaign](#)²⁴ directed at the investigator of the case - a dangerous precedent that clearly violates the right to freedom of expression by criminalizing communications to public officials.

Despite the foregoing, recently Ontario's Solicitor General wrote an [open letter](#)²⁵ to Toronto Police Service calling out a perceived lack of enforcement for hate-motivated offences in protests across the city, highlighting a pro-Palestinian protest that occurred in a Toronto mall in December 2025, among others. The Director of the Centre for Free Expression at Toronto Metropolitan University, James Turk, called this declaration an "interven[tion] in how the police work for political reasons."

¹⁸ Governing Council of the University of Toronto v. Doe et al., 2024 ONSC 3755, 2 July 2024.

¹⁹ Novara Media, *Dutch Court Rules 'From the River to the Sea' Protected Speech and Not Antisemitic*, 18 October 2023.

²⁰ Legal Tribunal Online, *District Court on "From the River to the Sea": When in doubt, freedom of expression*, 7 June 2024.

²¹ UN Human Rights Committee, *General comment No. 37 (2020) on the right of peaceful assembly (article 21)*, UN Doc CCPR/C/GC/37, para 67.

²² UN Human Rights Council, *Report of the United Nations High Commissioner for Human Rights on the expert workshops on the prohibition of incitement to national, racial or religious hatred*, UN Doc A/HRC/22/17/Add.4. ²⁴ The Maple, *Two Charges Against Pro-Palestine Activist Yves Engler Dropped*, 18 July 2025.

²³ X Post by Dahlia Kurtz, 4 December 2025.

²⁴ The Globe and Mail, *Yves Engler Found Guilty of Harassment Over Mass E-Mail Campaign Directed at Detective*, 23 January 2026.

²⁵ CBC News, *Ontario Government Call for Toronto Police to Crack Down on Protests Puts Free Expression at Risk: Expert*, 7 January 2026.

International human rights law requires that criminal and administrative sanctions for unlawful conduct related to peaceful assembly must be proportionate and non-discriminatory in nature,²⁶ and law enforcement's response to civil disobedience in support of Palestine in Canada has been neither.²⁷ For example, the arrests of the Toronto activists²⁸ charged with gluing posters and splashing paint at the previously mentioned bookstore took the form of unannounced home raids in the middle of the night that involved arresting people still in bed, handcuffing family members and knocking doors off their hinges, the type of operation usually reserved for serious criminal offences such as “gun or drug busts.” A policing expert estimated²⁹ that these operations generally cost “hundreds of thousands of dollars, if not millions,” further demonstrating a disproportionate response against pro-Palestinian activists and supporters engaging in civil disobedience.

A similar example was the raid of the family home of a 26-year-old school teacher³² who organized a highway protest which disrupted traffic for approximately 5 minutes, and was later charged with an alleged minor crime of mischief. In this instance police executed a military-style raid at 5:30am, terrifying the family and leaving the house in shambles. The family, who is of Palestinian origin, indicated that the incident reminded them of the tactics used by Israeli soldiers in the West Bank.

To conclude the discussion on criminalization of free speech and discriminatory law enforcement, it is also worth highlighting that Canada has formally endorsed the IHRA Working Definition of Antisemitism and also published a federal handbook as a policy tool to support its usage across Canadian institutions. Notably, various antisemitism and Holocaust scholars³⁰ as well as civil society organizations³¹ have rejected this definition. Many of the IHRA's examples conflate legitimate criticism of Israel's policies or the Zionist political movement with antisemitism, which risks a chilling effect on Palestinian solidarity and increased anti-Palestinian racism.

b) Repression of Protest

There is a clear pattern of discriminatory behaviour on the part of Canadian law enforcement at protests and demonstrations in support of the Palestinian people. Discriminatory and disproportionate policing of pro-Palestine assemblies has included the use of excessive force

²⁶ UN Human Rights Committee, *General comment No. 37 (2020) on the right of peaceful assembly (article 21)*, UN Doc CCPR/C/GC/37, para 67.

²⁷ Collective civil disobedience and direct action is covered by the freedom of assembly provided it is “non-violent”, a criterion the UN Human Rights Committee has indicated includes damage to property that is not “serious.” See UN Human Rights Committee, *General comment No. 37 (2020) on the right of peaceful assembly (article 21)*, UN Doc CCPR/C/GC/37, paras 15, 16.

²⁸ The Breach, *Inside the ‘shocking’ police operation targeting pro-Palestine activists in Toronto*, 17 June 2024.

²⁹ The Breach, *In stunning pre-dawn raids, Toronto police ‘terrorize’ Palestine activists*, 24 November 2023. ³² Canadians for Justice and Peace in the Middle East, Policing Palestine Solidarity: A Crisis of Civil Liberties in Canada (2021-2025), December 2025.

³⁰ Independent Jewish Voices Canada, *Silenced In Our Name*, May 2025.

³¹ Human Rights Watch, *Human Rights and Other Civil Society Groups Urge United Nations to Respect Human Rights in the Fight Against Antisemitism*, 20 April 2023.

against protestors, with documented instances of police violence [during pro-Palestine protests³²](#) and against activists [participating in civil disobedience.³³](#)

In November 2025, protestors attending an off-campus event organized by Students Supporting Israel were intercepted by police, [resulting in multiple hospitalizations and arrests³⁷](#) including a concussion and other bodily injuries. The protestors were protesting the events' featuring of two former Israeli military soldiers. Strikingly, one of the soldiers present forcibly removed protestors at the premises, but was not arrested or charged for assault.

That same month, a rogue snowplow driver working for the City of Toronto [drove through a crowd of pro-Palestinian protestors³⁴](#) who were demonstrating peacefully on the sidewalk. Despite the shockingly reckless nature of this dangerous behaviour, authorities failed to safeguard the right to protest by opting not to lay charges or even make an arrest in connection with the incident.

We have also received a direct account from a victim of violence, who indicated that during a Montreal protest opposing NATO in November 2025, tear gas was deployed by police. Following its deployment, three demonstrators who were walking peacefully and wearing keffiyehs disengaged from the protest and moved into a nearby alley. A fourth demonstrator, also wearing a keffiyeh, joined them after observing that one individual was in visible medical distress. Despite having withdrawn from the protest area and posing no apparent threat, the group was located by two officers from an anti-riot police unit, who proceeded to use physical force against them. As a result, one individual sustained concussions and broken ribs, another sustained partial loss of function in two fingers, and a third sustained concussions. According to witness accounts, a police officer made a verbal remark during the intervention to the effect of, "this is what happens when you protest."

These are not isolated incidents. In British Columbia, various Indigenous and human rights organizations have called for accountability for the [violence and excessive force³⁹](#) used by police against pro-Palestinian activists engaged in peaceful civil disobedience at a railway blockade. In Edmonton, police used tear gas and hit students with batons, and an activist was hospitalized during a [violent dismantling of a pro-Palestinian encampment³⁵](#) at the University of Alberta. In Ottawa, police [choked and forced individuals to the ground](#) peacefully protesting at an arms show. In Montreal, riot police [used tear gas³⁶](#) against a crowd of demonstrators at McGill University.

It is worth noting that in October 2025 the UN Human Rights experts called on [Germany to halt criminalization and police violence against pro-Palestinian protesters⁴²](#) noting that "[n]o

³² The Grind, *Violent Crackdown at Land Day March*, 31 March 2024.

³³ Toronto Star, *Pro-Palestinian protesters and police clash at Scotiabank HQ*, November 18, 2023. ³⁷ The Varsity, Student Protesters Forcibly Removed, Then Arrested After Disrupting IDF Soldiers' Talk, 10 November 2025.

³⁴ City News, *Mayor Orders Investigation Into Snowplow Incident at Pro-Palestinian Protest*, 20 November 2025.

³⁹ British Columbia Civil Liberties Association (BCCLA), *Pro-Palestine community members detail police brutality and suppression; continue calls for arms embargo with Israel*, 18 June 2024.

³⁵ The Canadian Press, *Police crackdown on Gaza protest encampments on campus sparks outcry*, 11 May 2024.

³⁶ Montreal Gazette, *Police spray tear gas, break up pro-Palestinian occupation of McGill building*, 7 June 2024. ⁴² United Nations Press Releases, *UN Experts Urge Germany to Halt Criminalization and Police Violence Against Palestinian Solidarity Activism*, 16 October 2025.

circumstances can justify unnecessary and excessive police violence or unjust criminalisation for exercising fundamental freedoms.”

Police in Ottawa have also repeatedly issued significant fines³⁷ to activists who use megaphones at protests calling for a ceasefire in Gaza, contrary to the views expressed by the UN Human Rights Committee³⁸ that participants in peaceful assemblies should be allowed to use equipment such as megaphones and sound systems to reach their audience.

There have also been attempts to prohibit expressions of pro-Palestine solidarity in several Canadian municipalities. For example, the city of Toronto passed a ‘bubble zone’ bylaw alongside the cities of Vaughan and Brampton,³⁹ restricting protests outside community institutions. Under the bylaw, protesters who convene within these ‘bubble zones’ face fines of up to \$5,000. The Canadian Civil Liberties Association has argued that the bylaw “represents a significant risk to peaceful expression and assembly, and is not necessary [as] [t]he police already have broad powers to protect access to property and to intervene in the event of a threat to human physical safety, including during protests.” Sadly, a “bubble zone” bylaw has already been used to suppress freedom of assembly. In January 2026, Toronto police used this bylaw for the first time to limit protest at an event by a former Israeli soldier who is known for inciting violence online.⁴⁰

This environment of repression of protest should be seen in light of the [Concluding observations on Canada](#)’s most recent periodic report of the Committee, which had already expressed concerns in 2015 about the increased repression of mass protest and excessive use of force by law enforcement at protests. The Committee stated that Canada “should renew its traditional commitment to the promotion and protection of the exercise of freedom of assembly, association and expression....The State party should effectively protect the exercise of the freedom of peaceful assembly and avoid restrictions that are not proportionate.”⁴⁰

c) Discrimination and Censorship in Public Institutions

The past two years have also seen a rise in censorship and suppression of pro-Palestine expression in Canadian public institutions.

Birju Dattani, the chief commissioner of Canada’s NHRI, the Canadian Human Rights Commission, resigned in August 2024 after widespread attacks falsely accused him of being antisemitic, including from the Deputy Leader of Canada’s Official Opposition party. A fact-finding report commissioned by the government and conducted by an independent law firm concluded there was no evidence of antisemitism: “We cannot find that Mr. Dattani harboured or

³⁷ CTV News, *Ottawa Bylaw hands out noise fines to Palestine protesters, organizers vow legal action*, 25 December 2023.

³⁸ UN Human Rights Committee, *General comment No. 37 (2020) on the right of peaceful assembly (article 21)*, UN Doc CCPR/C/GC/37, para 58 .

³⁹ CBC News, *Toronto City Council Passes Controversial ‘Bubble Zone’ Protest Bylaw*, 22 May 2025. ⁴⁰ Toronto Star, *‘Bubble Zone’ Bylaw Tested Outside Israeli Comedian’s Show*, 21 January 2026.

⁴⁰ UN Human Rights Committee, *Concluding observations on the sixth periodic report of Canada*, CCPR/C/CAN/CO/6.

harbours any beliefs that would be characterized as anti-Semitic or that he has demonstrated any biases (conscious or unconscious) towards Jews or Israelis.”⁴¹

Another prominent example has been the banning of the keffiyeh in the Legislative Assembly of Ontario. When Member of Provincial Parliament (MPP) Sarah Jama refused to remove her keffiyeh, [she was “named”](#),⁴² which resulted in the denial of her ability to vote on matters before the Assembly, participate in committee proceedings and perform other duties as an elected official, such as table notices of motions and petitions. This same elected representative has also been [censured and effectively silenced](#)^{43⁴⁴} for her pro-Palestinian activism and statements when she was expelled from her political party’s caucus and censured by the Legislature, which prevents her from participating in debates, a key duty of her role as an elected official. Other members [have also been removed](#)⁵¹ from the Ontario legislature for wearing the keffiyeh and the ban has resulted in [people being denied access](#)⁵² to the legislature to meet with their elected officials, such as a group that had been scheduled to speak with the Leader of the Official Opposition about anti-Palestinian racism.

In another notable example, a former UN Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory and Princeton University Professor Emeritus of International Law, Richard Falk, was [detained](#)⁴⁵ alongside his wife (former UN Special Rapporteur on the Right to Food and legal scholar Hilal Elver) by Canadian border agents in Toronto on their way to speak at a conference on human rights violations against the Palestinian people. On Professor Falk’s 95th birthday, he and his wife were held for four hours and questioned about his involvement in the Israel-Palestine conflict and opinions on the State of Israel and Hamas, ostensibly to determine if they were “a threat to the national security of Canada.” Canadian Senator Yuen Pau Woo contacted the Canadian minister for public safety’s office following their detention, saying he was “shocked that two eminent experts on international law would be treated in this way.” This was clearly a case of [arbitrary detention as defined by the United Nations Human Rights Council](#)⁴⁶, i.e., “[w]hen the deprivation of liberty results from the exercise of the rights or freedoms guaranteed ... by articles 7, 13, 14, 18, 19, 20 and 21 of the International Covenant on Civil and Political Rights,” which includes the right to freedom of expression. Canada’s use of arbitrary detention to attack pro-Palestinian supporters further chills speech in support of the Palestinian cause. Discrimination in the immigration context was further demonstrated in the recent banning of the Irish band Kneecap, a group known for its Palestinian solidarity who was [prevented from entering the country](#).⁴⁷

⁴¹ CBC, *New human rights commissioner resigns before starting role*, 12 August 2024.

⁴² CBC, *MPP Sarah Jama defies order to remove keffiyeh at Queen’s Park*, 25 April 2024.

⁴³ The Canadian Press, *Hamilton MPP kicked out of NDP caucus, censured by legislature*, 23 October 2023. ⁵¹
Now Toronto, ‘*Jill stands for what’s right,’ Some Ontarians are defending MPP Jill Andrew after she was kicked out of the legislature for wearing a keffiyeh*, 9 May 2024.

⁴⁴ CTV News, *‘It’s discriminatory’: Individuals refused entry to Ontario legislature for wearing keffiyeh*, 23 April 2024.

⁴⁵ CBC News, *Prominent Legal Scholar Detained at Canadian Border While on His Way to a Conference on Palestine*, 15 November 2025.

⁴⁶ U.N. Working Group on Arbitrary Detention, *About Arbitrary Detention*.

⁴⁷ BBC, *Canadian PM’s Office and Border Services Not ‘Involved’ In Kneecap Ban*, 25 November 2025. ⁵⁶
Academic Alliance Against Antisemitism, Racism, Colonialism and Censorship in Canada (ARC), *Academic Freedoms in Canada and Critical Speech on Palestine and Israel*, 6 February 2024.

Some of the public spaces that have seen some of the most significant repression of freedoms of opinion, expression, assembly and association are academic institutions and university campuses. The Academic Alliance Against Antisemitism, Racism, Colonialism and Censorship in Canada (ARC) issued a [statement](#)⁵⁶ in February 2024 expressing grave concern “that our university administrations are ill-equipped to address the pressures being placed on them by various third parties (including governments, the media, and organizations) to suppress academic freedom,” and warned that “threats of funding cuts, personal intimidation tactics, doxing, harassment, and defamation will become severe in the following weeks, possibly months.”

Suppression of pro-Palestine speech and threats to academic freedom and scholarship predates the most recent round of atrocities in Gaza. In its 2022 Report entitled [Unveiling the Chilly Climate – The Suppression of Speech on Palestine in Canada](#),⁴⁸ Independent Jewish Voices Canada warned that “the suppression of speech on Palestine has significant consequences in academia where it threatens principles of academic freedom and encourages surveillance of critical intellectuals and activists and of the oppositional knowledge that they produce.”

A few of the more prominent examples over the past years include:

- York University issued a [statement](#)⁴⁹ condemning a “[Statement of Solidarity with Palestine](#)”⁵⁰ released by three student unions, calling their statement “inflammatory.” The University [demanded](#)⁵¹ a full retraction, a public statement that the unions “not endorse or support antisemitism” and the immediate resignation of all student union executives involved, in addition to threatening sanctions.
- Toronto Metropolitan University [condemned](#)⁵² a letter signed by law students calling on the Law Faculty to take action in response to the attack on Gaza. The University characterized the letter as expressing “sentiments of Antisemitism and intolerance” and hired a retired judge to conduct an external review and determine whether the students’ words breached the student code of conduct, which he [concluded they did not](#)⁵³. Some of the letter’s signatories accused the administration [of defaming them](#)⁵⁴ by wrongly characterizing their petition as antisemitic and of ignoring their pleas for help as they endured Islamophobia and racism from students, staff and the public, while many [faced reprisals](#),⁵⁵ including the rescinding of job offers and calls to be blacklisted in the legal community.

⁴⁸ Independent Jewish Voices Canada, *Unveiling the Chilly Climate: the Suppression of Speech on Palestine in Canada*, October 2022.

⁴⁹ York University, *A statement on behalf of York University*, 13 October 2023.

⁵⁰ YFS, YUGSA & GCSU/AÉCG, *Statement of Solidarity with Palestine*, 12 October 2023.

⁵¹ York University, *Community update: York’s response to three student unions’ harmful statement*, 20 October 2023.

⁵² Toronto Metropolitan University, *Lincoln Alexander School of Law’s statement in response to the Open Letter*, 23 October 2023.

⁵³ Law Times, *TMU external review report criticizes legal community, chides students for ineffective advocacy*, 3 June 2024

⁵⁴ Toronto Star, *Inside the crisis at TMU’s law school: It started with a letter of support for Palestinians. Now students and staff feel betrayed and donors are pulling out*, 15 January 2024.

⁵⁵ Toronto Star, *Legal community calls out the backlash against TMU law students behind pro-Palestinian letter*, 6 November 2023.

- McGill University [sought an injunction](#)⁵⁶ to halt the ratification of a student union Policy Against Genocide in Palestine that, among other demands, called on the university to condemn the bombing of Gaza and cut ties with corporations “complicit in genocide, settler-colonialism, apartheid or ethnic cleansing against Palestinians.” In 2022, the university had also [threatened to sanction](#)⁵⁷ its student union because of its adoption in a student referendum of a Palestine Solidarity Policy that said the union shall join an international campaign to boycott all companies and institutions that are “complicit in settler-colonial apartheid against Palestinians.” The University also [restricted an event](#)⁶⁷ hosting the U.N. Special Rapporteur on the Occupied Palestinian Territories Francesca Albanese, coupled with reported threats of disciplinary action against the student organizers. This came after the university received a demand letter from a Montreal lawyer calling on the university to cancel the occasion and bar Albanese from campus.
- The University of Manitoba [suspended](#)⁵⁸ the president of the Nursing Students’ Association after university officials deemed her social media posts criticising the Israeli military’s actions in Gaza to be “antisemitic.” The [decision was overturned](#)⁵⁹ by a disciplinary panel that rejected the discriminatory claims underpinning her suspension.
- The University of Ottawa [suspended](#)⁶⁰ a resident physician named Yipeng Ge over pro-Palestinian social media posts after he was the target of online harassment and his posts were called antisemitic by an associate professor of family medicine at the University. He was later reinstated but declined to return.
- Queen’s University [removed doctors](#)⁶¹ from their positions in deciding medical school residency placements “based on concerns that were brought about the perception of potential bias, based on the petition circulated by the Health Workers Alliance for Palestine.” The petition called for a ceasefire, an end to the destruction of Gaza’s health-care system and an end to the “ongoing occupation of Palestine and the apartheid system.”
- A government cabinet minister responsible for post-secondary education in British Columbia attempted to interfere with the operations of higher education institutions, a [move criticized](#)⁷² by leading academic freedom organizations. The minister met with the leadership of a community college, resulting in a teacher’s termination, despite an investigation that found that his speech on Palestine was “not clearly outside the bounds of

⁵⁶ Montreal Gazette, *Judge suspends adoption of pro-Palestinian policy by McGill student union*, 22 November 2023.

⁵⁷ The Canadian Press, *McGill threatens to sanction student union over pro-Palestine policy*, 5 April 2022. ⁶⁷ Montreal Gazette, *UN Special Rapporteur For Palestinian Territories Speaks at McGill Despite Opposition*, 4 November 2024.

⁵⁸ Penticton Herald, *University of Manitoba nursing student suspended, accused of antisemitic posts*, 30 November 2023.

⁵⁹ Penticton Herald, *Suspension lifted for nursing student accused of antisemitic posts*, 30 January 2024.

⁶⁰ CBC, *U of O doctor suspended for pro-Palestinian posts says he's been reinstated, won't go back*, 20 January 2024.

⁶¹ The Breach, ‘*Abuse of power*’: Hospitals, med schools crack down on Palestine advocacy, 29 February 2024. ⁷² Vancouver Sun, *Selina Robinson criticized for comments about Langara instructor who praised Hamas attack*, 1 February 2024.

protected expression.” This same government minister resigned from the provincial cabinet after [making anti-Palestinian racist comments](#)⁶², saying that before the existence of the State of Israel there was just a “crappy piece of land with nothing on it.”

- A Montreal high school [suspended a 17-year-old honours student](#)⁶³ for posts she made on her private social media account criticizing Israel’s policies, and an appeal of the disciplinary measures was dismissed by the English Montreal School Board. The student’s mother has indicated that the family intends to file a complaint with the Quebec Human Rights Tribunal, with the family’s lawyer indicating that the posts on the child’s private social media are protected as freedom of expression by the Quebec Charter of Human Rights and Freedoms.

As [UN human rights experts warned](#)⁶⁴ in February 2024: “It is further concerning that freedom of expression and peaceful assembly is being limited in academic settings where it often takes the form of unjustified expulsions or dismissals, arrests and persecution of academics and students for expressing support for Palestinians’ rights in Gaza. Universities, natural incubators of free thought, must not devolve into havens of obscurantism.” This is unfortunately what is now happening in Canada.

Places of employment have also seen considerable repression of pro-Palestine expression. Two of the most alarming examples in the public sector are related to the aforementioned letter written by law students at Toronto Metropolitan University (TMU). The Public Prosecution Service of Canada [threatened investigation and disciplinary action](#)⁶⁵⁶⁶ against employees who signed the letter or were among the more than 600 legal professionals who signed another letter in support of the student signatories.

In a similar move, the Ontario Ministry of the Attorney General (MAG) [adopted a policy](#)⁷⁷ that TMU students would have to sign an attestation that they were not among the signatories to the letter before being considered eligible for employment. The policy states that the signatories of the letter used their platform as law students to “express antisemitic views, display intolerance, and excuse terrorism.” The British Columbia Civil Liberties Association [condemned](#)⁷⁸ the chilling impact of this policy on constitutionally-protected freedom of expression and highlighted the fact that MAG’s responsibility for the judiciary raised concerns “with impacts to public confidence in the impartiality and fairness of the Court.” As stated by a [TMU law professor](#)⁶⁷: “For public bodies – bodies with express mandates related to racial justice – to institutionalize racist hiring practices

⁶² City News, *Calls grow for B.C. MLA Selina Robinson to resign after days of controversial Israel comments*, 2 February 2024.

⁶³ Montreal Gazette, *Montreal High School Student Punished For Instagram Stories Critical of Israel*, 11 November 2025.

⁶⁴ UN OHCHR, *Israel/oPt: Enabling human rights defenders and peaceful protests vital for achieving ceasefire and lasting peace, say UN experts*, 13 February 2024.

⁶⁵ The Orchard, *Canada’s director of public prosecutions threatens to discipline employees, including students, who signed pro-Palestine letters*, 23 May 2024.

⁶⁶ The Breach, *Ontario government screened law students who signed pro-Palestine letter*, 21 December 2023.

⁷⁸ BCCLA, *Letter to the Ontario Ministry of the Attorney General RE: Policy violating employee freedom of expression is discriminatory and not in the public interest*, 19 December 2023.

⁶⁷ The Breach, *Ontario government screened law students who signed pro-Palestine letter*, 21 December 2023.

and punish the few brave enough to speak out against the humanitarian catastrophe in Gaza, this reaches a whole new level of legal and moral turpitude.”

Another case of employment discrimination resulting from the exercise of freedom of expression is the non-renewal of a contract by the Sports Dispute Resolution Centre of Canada (SDRCC) with a sports mediator solely on the grounds that he had co-signed two open letters calling on the *Caisse de dépôt et placement du Québec*, Canada’s second largest pension plan, to [comply with international law](#)⁶⁸ by divesting from companies operating in the illegal Israeli settlements in the Occupied Palestinian Territory. Despite the violation of the mediator’s rights being brought to the attention of its Board of Directors, the SDRCC refused to change its position and the case is currently being investigated by the *Commission des droits de la personne et des droits de la jeunesse* (Québec Human Rights Commission).

In the past two years we have also seen a disparity in prominent organizations issuing [statements](#)⁶⁹ in support of Israelis, with fewer statements offered recognition of Palestinian civilian harm or anti-Palestinian racism. This disparity reinforces what speech is treated as legitimate and professionally acceptable, contributing unequal protection of rights.

We have also witnessed the [suppression of Canadian journalists](#)⁷⁰ reporting on Palestinian human rights. Journalists have been subjected to reprisals and restrictions from their employers, as well as coordinated online pressure campaigns from the pro-Israeli lobby. There has also been the occurrence of documented violence. For example, after a heated exchange on social media, an Ontario Member of Provincial Parliament decided to publicly post the name of a private restaurant owned by a pro-Palestinian journalist, and indicated that she was “[looking forward](#)”⁷¹ to visiting the establishment. The journalist described the post as problematic and threatening. Shortly thereafter, the restaurant was [vandalized and had its front windows smashed](#).⁷²

d) Failure to Facilitate a Rights-Enabling Environment

In addition to the above-described repression and failure to protect Canadians from human rights violations, there have been a significant number of alarming comments made by public officials and political leaders that demean and disparage human rights defenders. These comments are highly concerning, given the repression of the fundamental rights to freedom of opinion, expression, assembly and association in Canada, in express violation of State obligations to protect those rights. They also tend to legitimize violence, intolerance, discrimination and disinformation, and create an environment of impunity for State actors who engage in abuse or repression of human rights defenders.

⁶⁸ Le Devoir, *La CDPQ Doit Se Conformer Au Droit International*, 22 November 2023.

⁶⁹ Islamophobia Research Hub, Documenting the ‘Palestinian Exception’: An Overview of Trends in Islamophobia, Anti-Palestinian, and Anti-Arab Racism in Canada in the Aftermath of October 7, 2023, 2025.

⁷⁰ Ricochet, *We Spoke to 10 Canadian Journalists at Mainstream Media About What It’s Been Like Covering Gaza*, 14 August 2024.

⁷¹ X Post, @gghamari, 13 September 2024.

⁷² CBC News, *Toronto Restaurant Owner and Journalist Speaks Out After Window Smashed*, 11 October 2024. ⁸⁵ UN OHCHR, *2021 Joint Declaration on Politicians and Public Officials and Freedom of Expression*, 20 October 2021.

We acknowledge the [high level of protection afforded by international human rights law](#) to political speech, including speech that some “may find unduly critical or even offensive.”⁸⁵ However, we highlight the importance of politicians refraining from statements that may hinder the full realization of the freedoms of opinion, expression, assembly and association in Canada. Similarly, in an environment where, as shown in this letter, repression has become the norm, we are alarmed by the spread of misinformation and disparaging remarks against human rights defenders and others for exercising their right to freedom of expression, especially in cases where these individuals are facing abuse by State officials - such as via criminalization and censorship.

As [noted by UN experts](#)⁷³ in their February 2024 statement, State officials have an obligation to respect and enable civil society, human rights defenders and peaceful protests, particularly in light of the International Court of Justice’s ruling ordering Israel to prevent and not to commit acts of genocide against Palestinians in Gaza.

As expressed in the [2021 Joint Declaration on Politicians and Public Officials and Freedom of Expression](#),⁷⁴ this is part of a State’s positive obligation to “create an enabling environment for freedom of expression and the right to information.” The joint declaration recommends that politicians and public officials refrain from making statements “likely to promote intolerance, discrimination or dis/misinformation” and “not intentionally make false statements attacking the integrity of [...] human rights defenders.”

As [highlighted by UN experts](#)⁷⁵ in February 2024, some countries have imposed undue restrictions against pro-Palestinian expression: “States have sought to justify these restrictions by referring to risks related to incitement to hatred and ‘glorification’ or ‘support of terrorism,’ and potential risks to national security or public order. This approach is not only arbitrary, it also dehumanizes Palestinians by unjustly linking them as a whole to criminal endeavours and terrorism. Moreover, it discredits their legitimate quest for freedom and rights by portraying it as an unlawful undertaking.”

We have repeatedly witnessed Canadian politicians and public officials making statements that have maligned and disparaged human rights defenders, engaging in discriminatory anti-Palestinian expression and exacerbating the already alarming situation regarding freedom of expression when it comes to violations of human rights in Palestine. The following are a few salient examples of such actions and statements:

- Politicians and public officials have engaged in widespread demonization of protests in support of Palestinian human rights and conflated them with support for or celebration of the 7 October 2023 Hamas-led attacks and terrorism:

⁷³ UN OHCHR, *Israel/oPt: Enabling human rights defenders and peaceful protests vital for achieving ceasefire and lasting peace, say UN experts*, 13 February 2024.

⁷⁴ UN OHCHR, *2021 Joint Declaration on Politicians and Public Officials and Freedom of Expression*, 20 October 2021.

⁷⁵ UN OHCHR, *Israel/oPt: Enabling human rights defenders and peaceful protests vital for achieving ceasefire and lasting peace, say UN experts*, 13 February 2024.

- Ontario Premier Doug Ford referred to pro-Palestine protests⁷⁶ as “hate rallies”;
- Vancouver Mayor Ken Sim denounced protests⁷⁷ and equated a rally in support of Gaza with the “glorifying of the indiscriminate violence (...), including the murder, kidnapping, and rape of innocent Israeli civilians”;
- Toronto Mayor Olivia Chow, despite admitting mistake and apologizing, initially “unequivocally” denounced protestors and referred to protests⁷⁸ as a “rally to support Hamas,” which she claimed was unsanctioned and called on police to investigate. Ontario law does not require a permit⁷⁹ to carry out peaceful protests;
- Members of the federal Conservative Party demanded police charge⁹³ anyone in Canada who is “cheerleading the recent killing of more than 1,300 in Israel”;
- Ontario’s Solicitor General, Michael Kerzner, described pro-Palestinian protests⁸⁰ as “mob intimidation and harassment”
- Toronto City Councillor Brad Bradford called Palestinian protests “hateful mobs that are trying to intimidate [and] harass [residents]”⁸¹ in support of a bylaw to curtail protests near schools, daycares, and places of worship
- Member of the Ontario Legislature Lisa MacLeod characterized pro-Palestinian protestors as pro-Hamas and pro-terror on social media and posted an epithet for a chokehold along with language suggesting that violence⁸² be used against them;
- The elected representative in the Ontario Legislature who was expelled for wearing a keffiyeh and censured⁸³ for her pro-Palestinian activism and statements was disparaged by the Ontario Premier⁸⁴, who stated that she had a “well-documented history of antisemitism” and supports the “rape and murder of innocent Jewish people.”

⁷⁶ Doug Ford on X, “*The hate rallies celebrating the kidnapping and slaughtering of innocent Israeli people by terrorists are reprehensible and disgusting. They have no place in Ontario. Now more than ever, we stand with Israel and affirm its right to defend itself and its people.*” 8 October 2023.

⁷⁷ CTV News, *Police needed to keep peace at pro-Palestinian rally in Vancouver*, 9 October 2023.

⁷⁸ Yahoo News Canada, *'This is irresponsible from Olivia Chow': Toronto mayor criticized, 'admits mistake' in confusion over Palestine rally*, 11 October 2023.

⁷⁹ Steps to Justice: Your guide to law in Ontario, *I'm going to a protest. What do I need to know?*, 31 July 2020. ⁹³ The Globe and Mail, *Rallies raise question of whether Canada should have a law against public cheering of terrorism*, 15 October 2023.

⁸⁰ Instagram Post, *mppkerzner*, 30 December 2025.

⁸¹ CBC News, *Toronto City Council Passes Controversial 'Bubble Zone' Protest Bylaw*, 22 May 2025.

⁸² Lisa McLeod on X, “*I think it's time we bring out Canada's secret deterrence weapon from retirement and remind everyone that the Shawinigan Handshake can and will restore order. Cc @kinsellawarren*” 3 March 2024.

⁸³ The Canadian Press, *Hamilton MPP kicked out of NDP caucus, censured by legislature*, 23 October 2023.

⁸⁴ *Ibid.*

In April 2024, the Canadian House of Commons [passed a unanimous motion](#)⁸⁵ that it “unequivocally condemn[s] antisemitism, and in particular reject[s] the idea that Jewish Canadians are responsible for the actions of the State of Israel.” In contrast, public officials have largely failed to condemn numerous examples of [acts of violence](#)⁸⁶ and discrimination against Palestine supporters, such as an incident where a man was arrested after threatening such supporters [with a nail gun](#)⁸⁷.

In this context, statements and actions by politicians and public officials such as the examples given above further exacerbate the chilling climate activists and peaceful protesters face. They can serve to legitimize racist and intolerant speech within broader society, making it even more unsafe for advocates, while reinforcing State impunity for human rights violations through censorship and criminalization. Such double standards risk creating a deleterious environment where freedom of expression and peaceful protest are condemned by the State, while violence, harm and threats against those protesting are met with silence.

We acknowledge the rise in antisemitism, islamophobia and racism (specifically anti-Arab and anti-Palestinian racism) and the obligation of States, including Canada, to take appropriate actions to curtail this. We are, however, deeply concerned by the pattern of criminalization and repression of freedom of opinion, expression, assembly and association. As [highlighted](#)⁸⁸⁸⁹ by UN experts, “[c]oncerns related to risks of potential anti-Semitism have also been used as a justification by some States to ban and criminalize peaceful assemblies and expressions in support of Palestinians’ rights.”

We are aware of the serious risks and violence faced by the Canadian Jewish community, both historically and today, and we recognize that the Canadian government is obliged to create conditions where all communities can live free of discrimination and to curtail hate speech. That said, international human rights law requires the State to strike a careful balance between the principle of equality and non-discrimination for all people, and the rights to freedom of opinion and expression, which protect the right to hold opinions and to seek, receive and impart information and ideas. The current environment in Canada is one in which the State has not only failed to enable freedom of expression in support of Palestine, but statements and actions by politicians and public officials have seriously exacerbated an already dangerous situation, resulting in precisely the kind of “rhetoric against and scapegoating of human rights defenders and groups at risk of discrimination, including by politicians and public officials, which chills freedom of expression, thereby reducing the diversity of information and ideas in society and misleading citizens” that was warned against by the [Joint Declaration on Politicians and Public Officials and Freedom of Expression](#)¹⁰³.

⁸⁵ Toronto Star, *Jewish Canadians can't be responsible for Israeli government's actions, MPs unanimously vote*, 19 April 2024.

⁸⁶ The Maple, *A Timeline Of Anti-Palestinian Violence And Threats In Canada*, 14 March 2024.

⁸⁷ CTV News, *Man who allegedly fired nail gun at protest in Thornhill, Ont. was motivated by hate: police*, 8 March 2024.

⁸⁸ UN OHCHR, *Israel/oPt: Enabling human rights defenders and peaceful protests vital for achieving ceasefire and lasting peace, say UN experts*, 13 February 2024.

⁸⁹ UN OHCHR, *2021 Joint Declaration on Politicians and Public Officials and Freedom of Expression*, 20 October 2021.

The extent and severity of these attacks on the freedom of pro-Palestinian speech are dramatic and have significantly worsened since October 2023. Only weeks after the Hamas-led attacks, the British Columbia Civil Liberties Association released a [statement](#)⁹⁰ on attempts to suppress support for the people of Palestine and warned of “the chilling effect that irresponsible statements and actions from government officials will have on the free exercise of Charter-protected rights in Canada.”

5. Conclusion

CLAIHR and JFAC submit this report on systematic violations in Canada of freedom of opinion, expression, assembly and association in relation to the situation in Israel and Palestine, particularly regarding State actions that have resulted in the suppression of freedom of speech, the criminalization of human rights defenders and the erosion of the environment within which activists, civil society and human rights defenders can exercise their rights to freedom of expression and peaceful assembly.

This report focuses in particular on the role of State officials, institutions and political leaders and the impact their actions have had on the right to freedom of opinion, expression, assembly and association. It provides factual information and representative examples of the following:

- Dangerous trends regarding the actions and failures to act of Canada in this context;
- Violations of the rights to freedom of opinion, expression, assembly and association in Canada, particularly as they have been created, perpetuated and/or sanctioned by State actions;
- The failure of the State to properly act and protect the human rights of groups at significant risk of discrimination, violence and incitement of violence, in particular Muslim, Arab and pro-Palestinian groups and individuals, and Jewish people showing support for Palestinians;
- The lack of measures from the State to properly protect freedom of opinion, expression, assembly and association;
- The actions of State officials and political leaders have resulted in criminalization of political speech, repression of protest, discriminatory law enforcement, discrimination and misinformation, censorship in public institutions, and erosion of an enabling environment for freedom of speech.

The facts outlined in this report reveal a pattern of Canada consistently failing to meet its international human rights obligations with respect to the fundamental freedoms of opinion, expression, assembly and association in support of Palestine and Palestinians.

⁹⁰ BCCLA, *BCCLA statement on attempts to suppress support for the people of Palestine*, 25 October 2023.

Respectfully submitted,

Canadian Lawyers for International Human Rights

Justice For All Canada