

Palestinian Human Rights Issues in Canada: A Legal & Tactical Guide

CHAPTER 4: CAMPUS SPECIFIC ISSUES



Just Peace Advocates
Mouvement Pour Une Paix Juste

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4CAMPUS

SPECIFIC ISSUES

A QUICK GLANCE

ENGAGING IN CAMPUS ACTIVISM

Palestine rights activism has been ongoing for decades across Canadian universities. However, since October 2023, student activism has exponentially increased – as has retaliation from postsecondary administrations. Here are some lessons learned over the years

DO this

DO build relationships with faculty, staff, and other student groups and community orgs.

DO document all communications with your postsecondary institution.

DO send a written note summarizing any in person communications and request a confirmation of your understanding.

DO connect with administrators before you need their assistance.

DO learn your school's policies.

DO prepare yourself for pushback on Palestinian rights activism.

DO consider exposing abusive, intolerant, unfair, or discriminatory administrative conduct.

DO look and see if criticism of Israel is considered a violation of any policies.

DON'T do this

DON'T assume you have the same rights in university disciplinary issues as criminal issues. Review your code or policy in detail.

DON'T assume you have no rights. Ask for all procedural safeguards that are reasonable for you, even if they're not officially enforceable.

DON'T rely on your official club/group certification. Consider that postsecondary institutions may attempt to decertify you.

If you are interested in starting campus activism in support of Palestinian rights, find other student groups (at your postsecondary institution or others) who have already started. If you have been engaging in on-campus activism and need additional resources, please reach out to us at info@justpeaceadvocates.ca.

TL;DR (too long; didn't read)

Be prepared. While universities espouse support for student initiatives, social justice, and encouraging critical thinking, they often suppress and/or target Palestinian rights advocacy. Be sure to build relationships with faculty and other student groups, know your school's policies, and document all communications. Also consider exposing abusive, intolerant, unfair, or discriminatory administrative conduct.



IN-DEPTH: Campus Specific Issues

ENGAGING WITH POSTSECONDARY ADMINISTRATION

- Building relationships with faculty, staff, other student groups and community organizations is important in order to have a support network and connect your group's work with other social justice issues.
- Most administrators want to avoid exposing their institutions to public scrutiny and possible condemnation for intolerant reactions to student activism. In any case, it is important to document your communications with university or college officials to show your efforts to communicate in good faith. If you meet in person with a university or college official, send a written note summarizing your understanding of the conversation and ask for their confirmation of your understanding.
- Build relationships with university or college administrators before you need their assistance, so that a trusting relationship is forged before situations arise. It may help to minimize problems later if you establish your trustworthiness by getting necessary approvals from administrators for your events and making them familiar with your group's mission and goals.

POSTSECONDARY DISCIPLINE ISSUES

- Be familiar with your school's policies, regulations and codes of conduct before organizing events and engaging in activities and follow the applicable procedures to get approval before an event when necessary.
- Be prepared that Palestinian rights activism and related academic discourse on campuses are often targeted by claims that it discriminates against pro-Israel Jewish student groups on campuses.
- Universities and colleges typically enact by-laws, regulations and/or policies for the conduct of the school's affairs, including the discipline of students for academic and non-academic conduct.¹⁴⁰ Review these in detail and

familiarize yourself with processes in place at your institution. Note that university disciplinary procedures often include an appeals procedure, which involves some type of hearing, but you do NOT have the same rights as a criminal defendant (e.g., rights to counsel, to call and ask questions of adverse witnesses, to a formal hearing, to a high burden of proof, etc.). Accordingly, it is important that you review each institution's code or policy in detail, as the same process may not apply from one university to the next.

- Make sure that the school's disciplinary procedures are being properly followed. If the university or college does not follow its own rules and procedures, that may be a way to challenge them.
- Ask for all procedural safeguards that seem reasonable to you, even if they're not officially enforceable under student conduct codes or law. Safeguards to request include: a clear and reliable recording of the proceedings in question; your own unofficial recording of discussions, investigatory interviews, and hearings; being allowed to bring a trustworthy uninvolved third person (another student, faculty, staff member or lawyer) to all discussions, investigations, and hearings; more time to gather papers, witnesses, and other evidence that you think would help your side of the case. They may refuse these requests, but it's worth asking.
- There has been some movement by Canadian universities and colleges to update Codes of Conduct to reflect that criticism of Israeli policies could be considered problematic.¹⁴¹ As well, at least one university student union has included the Ottawa Protocol¹⁴² in their handbook. If you believe your university administration and/or student union have protocols or Codes of Conduct that are inherently discriminatory you are encouraged to obtain expertise and support.
- Consider exposing any abusive, intolerant, unfair or discriminatory administrative conduct to the media and public scrutiny and do so before there is a decision. Trying

¹⁴⁰ See for example [McGill University Code of Student Conduct and Disciplinary Procedures](#) or [University of Manitoba Student Discipline By-Law](#).

¹⁴¹ Universities Canada was lobbied by several Zionist groups to have their 97 university and college presidents update their institution's Code of Conduct to reflect place of origin as a grounds to protect criticism against the state of Israel.

¹⁴² The Ottawa Protocol was signed by the Canadian government in 2011 with the objective to silence criticism of Israel by equating that criticism with antisemitism. See Government of Canada, News Release, "Canada becomes first country to sign the Ottawa Protocol" (19 September 2011), online: <[Link](#)>.

to influence a fair outcome is usually easier than challenging the outcome after the fact, when the decision-maker is compelled to defend the decision. Also, consider if there has been discrimination based on one of the protected grounds in your provincial or territorial human rights legislation or a Charter violation, and if these types of claims should be raised.

- One tactic that has been used in several universities is to have student groups decertified. If this is a concern, you should take steps as soon as possible to consult the

relevant policy and procedures of your institution, and garner expertise and support from others who can assist your student group in challenging decertification.

- Students may take initiative to do work related to Palestine, such as arrange an internship or study abroad period, but be prevented from doing so by their university or college. In such instances, further investigation is required, and proactive steps are needed to understand if the denial is a result of an anti-Palestinian bias by the university decision makers.

SILENCING AND FIRING PRO-PALESTINE STUDENTS AND STAFF

1 | UNIVERSITY OF TORONTO AND SUPPRESSION OF SCHOLARSHIP ON PALESTINE

The University of Toronto's Faculty of Law came under widespread criticism in 2020 after being accused of caving to external pressure from a sitting federal judge and university donor not to hire Dr. Valentina Azarova as director for its renowned International Human Rights Program (IHRP) because of her scholarship on Israel's occupation of the Palestinian territories.¹⁴³

An [external review](#) was subsequently conducted by former Supreme Court of Canada justice Thomas Cromwell, which ultimately exonerated the university and its senior administrators of any wrongdoing.¹⁴⁴ The inquiry itself has been the subject of widespread criticism from the legal community.

In the meantime, Canadian Association of University Teachers (CAUT) censured UofT for its actions surrounding the hiring scandal; the IHRP has been without a Director for two academic years; and the university has ignored calls to reinstate Dr. Azarova in the IHRP Director position. The judge in question – Justice David Spiro – was the subject of a complaint to the Canadian Judicial Council (CJC) but remains on the bench.¹⁴⁵

THE SCANDAL

In August 2020, a three-person committee unanimously selected prominent international legal scholar Valentina Azarova to fill the Director position of the faculty of law's International Human Rights Program (IHRP). Of the 140 applicants for the position, Dr. Azarova was the “strong, unanimous and enthusiastic first choice of the selection committee”, with “glowing” references.¹⁴⁶

On September 4, 2020 around the same time that Dr. Azarova was engaged in advanced negotiations about the details of her hiring with the Assistant Dean of the law school, a phone call occurred between Justice David Spiro, a Tax Court of Canada judge and major donor to the University of Toronto, and the Assistant Vice President (AVP) of the university in which the judge disclosed that he had learned of the potential appointment of Dr. Azarova to the IHRP.¹⁴⁷ Justice Spiro

disclosed that he learned of the confidential information from a staff member of an organization of which he had been a director of prior to his appointment to the bench (David Spiro was a previous director of the Centre for Israel and Jewish Affairs (CIJA)) that flagged the “pending appointment of [a] major anti- Israel activist” to UofT and was concerned “that a public protest campaign [would] do major damage to the university, including in fundraising”.¹⁴⁸

According to the Cromwell Report, Justice Spiro asked the AVP about the appointment of a new IHRP Director, naming Dr. Azarova. He indicated that as a judge he could not become involved, but “wanted to alert the University that if the appointment were made it would be controversial and could cause reputational harm to the University and particularly to the Faculty of Law. He wanted to ensure that the University did the necessary due diligence.”¹⁴⁹ It was ultimately communicated back to Justice Spiro through the AVP that Dr. Azarova was indeed the candidate but that no final hiring decision had been made, despite it being part of a confidential hiring process.¹⁵⁰

Also on September 4, the law school's then Dean, Edward Iacobucci, became involved in the hiring process for the first time. He was briefed about Justice Spiro's objections to Dr. Azarova by the Assistant Dean of Alumni and Advancement and also called Professor Audrey Macklin, the chair of the hiring committee, to inform her of the donor's call and discuss the candidate.

By September 6, the Dean made the decision to discontinue the hiring process with Dr. Azarova, overriding the decision of the selection committee. He called Professor Macklin to notify her of his intention to terminate the process. The Dean emailed the formal decision to terminate the hire on September 9.

IMMEDIATE FALLOUT

The events caused significant unrest within the UofT community as well as amongst academics, lawyers, and activists internationally. Following the announcement that Dr. Azarova would no longer be

¹⁴³ See Masha Gessen, “Did a University of Toronto Donor Block the Hiring of a Scholar for Her Writing on Palestine?”, *The New Yorker* (8 May 2021), online: <Link>; Sean Fine, “U of T Law school under fire for opting not to hire human-rights scholar after pressure from sitting judge”, *The Globe and Mail* (17 September 2020); Shree Paradkar, “Search for new director of U of T law faculty's International Human Rights Program leads to resignations, allegations of interference”, *The Toronto Star* (17 September 2020), online: <Link>; Sean Fine, “U of T law dean denies offering scholar job, caving to Tax Court judge's pressure”, *The Globe and Mail* (18 September 2020).

¹⁴⁴ The Honourable Thomas A. Cromwell C.C., “Independent Review of the Search Process for the Directorship of the International Human Rights Program at the University of Toronto, Faculty of Law” (March 15, 2021), online

¹⁴⁵ Canadian Judicial Council, Press Release, “Canadian Judicial Council completes its review of the matter involving the Honourable D.E. Spiro” (21 May 2021), online: <Link>.

¹⁴⁶ Cromwell, *supra* note 144 at 5 and 11.

¹⁴⁷ *Ibid* at 31.

¹⁴⁸ *Ibid* at 31-32.

¹⁴⁹ *Ibid* at 32.

¹⁵⁰ *Ibid* at 33.

hired, Professor Macklin resigned from her position in protest. Vincent Wong, a second member of the hiring committee, resigned from his paid position as a Research Associate with the IHRP, citing a lack of “objectivity, fairness, and transparency” in the director search process.¹⁵¹ The IHRP’s entire program advisory board, comprised of Professors Vincent Chiao, Trudo Lemmons, and Anna Su, also resigned *en masse* in Fall 2020. They, along with several other faculty professors, wrote to the university Vice President and Provost seeking to expose the “high-handed manner of governance” that allowed such an incident to occur.¹⁵²

Over 1400 lawyers and academics also signed an [open letter](#), noting that the treatment of Dr. Azarova in Canada is consistent with a broader and intensifying climate of suppression of Palestinian speech globally.¹⁵³

THE CONSEQUENCES

UofT conducted an “impartial review” which laid out detailed facts of the events, making no findings of credibility, and ultimately exonerated the university and the Dean.¹⁵⁴ It concluded that no offer and acceptance in the strict legal sense had occurred between the university and Dr. Azarova, but rather the parties were at an advanced negotiation stage.¹⁵⁵

The report faced extensive blowback, with many finding its conclusions disappointing and unconvincing, underlining the troubling relationships between external donors and universities.¹⁵⁶ It has been questioned why, if the technical and legal barriers no longer exist, Dr. Azarova can no longer be offered the Director position.¹⁵⁷

CAUT, a federation of independent associations and trade unions that represents 72,000 academic and general staff at 125 universities and colleges across Canada, also raised concerns and took action

against the UofT. In a 79-0 decision (with one abstention) delegates to the CAUT Council voted to censure UofT, finding on a balance of probabilities that the Dean’s decision to terminate the hiring process was influenced by Justice Spiro’s intervention such that fundamental principles of academic freedom, collegial governance, and institutional autonomy were violated.¹⁵⁸ The CAUT censure had immediate and powerful consequences on the UofT, with resignations and cancellations beginning just days after the censure was imposed.¹⁵⁹ UofT responded to the censure by stating that it was unwarranted and doubling down on the findings and recommendations of the Cromwell Report.¹⁶⁰

Justice David Spiro’s involvement also sparked a number of judicial complaints to the CJC body which has the authority to investigate and discipline judicial misconduct.¹⁶¹

Similar to the Cromwell Report, the Review Panel found that Justice Spiro was voicing his concerns about the potential impact of the appointment and associated controversy on the University and the Faculty, as opposed to actively campaigning or lobbying against the appointment. The Panel also concluded that there was no suggestion of perceived bias on his part against Palestinian, Arab or Muslim interests.¹⁶²

In response, National Council of Canadian Muslims,¹⁶³ Craig Scott, Leslie Green, Arab Canadian Lawyers Association, Independent Jewish Voices and Canadian Muslim Lawyers Association filed an [application for judicial review](#). They argued that the Panel’s decision was not reasonable, and their review process is procedurally unfair. The Federal Court dismissed the application, finding that the Panel’s decision was reasonable based on the evidence available to it, and that the CJC did not breach the duty of procedural fairness.



¹⁵¹ “CAUT Report on Academic Freedom at the Faculty of Law, *Canadian Association of University Teachers (CAUT)* (October 2020), at 8, online: <Link>.

¹⁵² President Meric Gertler, “Statement on Updates to the External Review of the Search Process for a Director of the International Human Rights Program at the Faculty of Law”, *University of Toronto*, Office of the President (7 December 2020), at 3, online: <Link>.

¹⁵³ Cromwell, *supra* note 144.

¹⁵⁴ President Meric Gertler, “President’s Response to the Independent Review of the Search Process for the Directorship of the International Human Rights Program at the University of Toronto, Faculty of Law, by the Honourable Thomas A. Cromwell, C.C.”, *University of Toronto*, Office of the President (29 March 2021), online: <Link>.

¹⁵⁵ Cromwell, *supra* note 144.

¹⁵⁶ Denise Réaume, “An Analysis of the Cromwell Report”, *Ultra Vies* (n.d.), at 4-6, online: <Link>; Anver E Emon, “On the Cromwell Report: Spiro and External Influence”, *Ultra Vies* (n.d.), online: <Link>.

¹⁵⁷ CAUT, *supra* note 151 at 6.

¹⁵⁸ “CAUT Council imposes rare censure against University of Toronto over Azarova hiring controversy”, *Canadian Association of University Teachers* (22 April 2021), online: <Link>.

¹⁵⁹ Harsha Walia, “I have turned down an event & cancelled another...” (30 April 2021), online (Twitter): <Link>; Celina Caesar-Chavannes, “I have cancelled this event in support of @CAUT_ACPPU’s decision...” (5 May 2021), online (Twitter): <Link>.

¹⁶⁰ Letter from President Meric S Gertler (23 April 2021), online: <Link>; Memorandum from Kelly Hannah-Mofat, Vice-President, Human Resources & Equity and Cheryl Regehr, Vice-President & Provost Re: CAUT Censure (27 May 2021).

¹⁶¹ Canadian Judicial Council, Press Release, “Canadian Judicial Council completes its review of the matter involving the Honourable D.E. Spiro” (21 May 2021), online: <Link>.

¹⁶² *Ibid.*

¹⁶³ *v Canada (Attorney General)*, 2022 FC 1087.

2 | PROTESTING THE IOF ON YORK UNIVERSITY CAMPUS

Controversy erupted at Toronto's York University campus after student group Herut Canada hosted an event called "Reservists on Duty: Hear from Former Israeli Defense Forces (IDF) Soldiers" on November 20, 2019. Hundreds of students joined Students Against Israeli Apartheid (SAIA) to denounce the presence of IDF personnel on campus.¹⁶⁴ The event was also attended by members of the Jewish Defense League (JDL), a far-right group classified as a terrorist organization in the U.S., that is external to the university and had been previously banned by York University. Tensions quickly escalated between attendees, leading to verbal and physical altercations.

THE MEDIA NARRATIVE

The event received domestic and international media attention, with SAIA protestors quickly being called out by prominent Canadian politicians for anti-Semitic violence.¹⁶⁵ Both Prime Minister Justin Trudeau and Doug Ford condemned the protests, labelling them as antisemitic and hate-filled.¹⁶⁶

These narratives failed to recognize that many of the SAIA protestors faced violence themselves, some of which were captured on video, including one student who was punched in the face, another who was choked with their own scarf, and another who was knocked unconscious.¹⁶⁷ In addition to the smear campaigns faced by SAIA, their

student club status – as well as that of Herut Canada's – was suspended following the November 2019 event.¹⁶⁸ Their status was not reinstated until the following January.

THE CONSEQUENCES

In December 2019, university officials directed that an external review of the incidents occur and retained Justice Cromwell to complete the independent inquiry. The final report was released publicly in June 2020. It included a series of recommendations, among them suggestions that the university clearly define acceptable speech, what constitutes discrimination and harassment, and the consequences for violating the university's codes. One of the more controversial recommendations was that the administration "consider the [IHRA's] working definition of anti-Semitism as it develops its own statement on racism and discrimination."¹⁶⁹ The York University Faculty Association (YUFA) issued a statement opposing this recommendation, noting that the IHRA working definition has been linked to a vigorous lobbying effort calling on governments and other institutions like universities to condemn and even to prohibit criticisms of the state of Israel as dangerous expressions of anti-Semitism. They also observed that its adoption is a potential threat to academic freedom.¹⁷⁰

3 | OCCUPYING CANADIAN CAMPUSES IN PROTEST OF ISRAEL'S GENOCIDE

In the spring of 2024, protests surged across Canadian campuses in support of Palestine and against the ongoing Israeli genocide. Here is a brief summary of some of the encampments across Canada.

McGill University — Students set up the first Canadian university encampment at McGill on April 27, 2024, called "The People's University for Palestine." On April 29, McGill requested police support due to failed dialogue efforts. One day later, two students filed an injunction application to prevent protestors from being within 100 metres of school buildings due to "safety concerns." The Quebec Superior Court denied the injunction because the plaintiffs did not face harassment.¹⁷¹ Less than two weeks later, McGill requested an injunction to allow police to dismantle the encampment. On May 15, the Quebec Superior Court denied the injunction due to insufficient grounds. McGill doubled down by filing a second injunction on May 17. A few weeks later, protestors occupied a university building only to be dispersed by police with tear gas and pepper spray. Thirteen individuals were arrested, but the encampment remained until July 10, when McGill dismantled the camp using private security agents.¹⁷²

University of Toronto — Students began occupying the "King's College Circle" on May 2, 2024. University officials attempted to paint the encampment as antisemitic and unsafe. A week after UofT's VP of communications stated the university's goal "is a peaceful, sustainable resolution to the encampment...", UofT filed an injunction to remove the encampment and allow the arrest of protestors. Nonetheless, students at the People's Circle for Palestine received support from faculty members and labour unions. On June 6, the university stated it did not hold direct investments in armament companies but confirms it will not boycott Israeli universities. The Ontario Superior Court granted the injunction on July 2, despite a complete lack of evidence that protestors were antisemitic or violent.¹⁷³ The People's Circle for Palestine announced it would leave before the Court's deadline and did so.

Université du Québec à Montréal — Solidarité pour les droits Humain des Palestiniennes et Palestiniens set up an encampment, named Université Populaire Al-Aqsa, on May 12, 2024. After a conversation with UQAM President on May 17, protestors marched in downtown Montreal on May 20. Police used tear gas and violence to disperse the protest. On May 23, UQAM filed an injunction against Université Populaire Al-Aqsa. The Quebec Superior Court gave UQAM a

¹⁶⁴ Joel Roberts, "Protesting the Israel Defense Forces is not anti-Semitic", *Canadian Dimension* (23 November 2019), online: <Link>.

¹⁶⁵ Davide Mastracci, "Debunking Politicians' Falsities About the York University Protest", *Medium* (26 November 2019), online: <Link>.

¹⁶⁶ Justin Trudeau, "On Wednesday night, violence & racist chants broke out against an event organized by the Jewish community at York University..." (22 November 2019), online (Twitter): <Link>; Doug Ford, "I am disappointed that York University allowed for a hate-filled protest to take place last night at Vari Hall..." (21 November 2019), online (Twitter): <Link>.

¹⁶⁷ The Honourable Thomas A Cromwell CC, "York University Independent Review", *York University* (30 April 2020), at 14 online: <Link>.

¹⁶⁸ "Faculty for Palestine Denounces York University President's Suspension of Students Against Israeli Apartheid-York", *Faculty for Palestine Canada* (10 December 2019), online: <Link> [Cromwell, "York Report"].

¹⁶⁹ Cromwell, "York Report", *supra* note 167 at 47.

¹⁷⁰ YUFA Staff, "YUFA flags academic freedom concerns in Cromwell Report", *York University Faculty Association (YUFA)* (29 June 2020), online: <Link>.

¹⁷¹ *Medvedovsky c Solidarité for Palestinian Human Rights McGill (SPHR McGill)*, 2024 QCCS 1518

¹⁷² Hannah Liddle, "Timeline: Protest Encampments", *University Affairs* (31 May 2024), online: <Link>.

¹⁷³ *Ibid.*

partial win by ordering protestors to refrain from blocking building access, removing material blocking cameras, and allowing UQAM/Montréal fire representatives to complete safety checks. On May 30, UQAM and the Université Populaire Al-Aqsa reached an agreement – the university agreed to i) ensure the university foundation had no direct investments in weapons manufactures, ii) call for an immediate ceasefire, and iii) fund Palestinian academics and students.¹⁷⁴

University of Alberta — On May 9, 2024, the People’s University for Palestine set up an encampment on the university’s main quad. On May 11, Edmonton police gave a final notice to protestors and proceeded to dismantle the camp. Police arrested three individuals, none of whom were students.¹⁷⁵ This came after the University of Alberta fired Samantha Pearson, Direct of the Sexual Assault Centre, for signing an open letter calling on the Canadian government to end its complicity in the ongoing genocide.¹⁷⁶

University of British Columbia (UBC) Vancouver — Protestors set up an encampment on April 29, 2024. A couple of weeks later, protestors occupied the UBC bookstore – calling it Sidrah’s bookstore, in memory of martyr Sidrah Hassouna. The RCMP and campus security promptly cleared the bookstore. A few days later, on May 15, protestors occupied part of the Koerner Library. Students also protested outside the president’s office and provided a list of five demands. In response, President Bacon said in part that the university must remain neutral in regard to the situation in Gaza. The encampment was dismantled by demonstrators on July 8.¹⁷⁷

Encampments were set up at additional postsecondary institutions including the University of Calgary, Queen’s University, Ontario Tech University, Dalhousie University, University of Ottawa, Université Laval, University of Winnipeg, Vancouver Island University, Western University, University of Waterloo, University of Victoria, University of Manitoba, University of Windsor, UBC Okanagan, University of Guelph, Memorial University, York University, and McMaster University.

4 | SUSPENDING VANCOUVER ISLAND UNIVERSITY STUDENTS FOR MAINTAINING HUMANITY

Students at Victoria Island University (VIU) set up an encampment in May 2024, in protest of the genocide in Gaza. Like other universities, VIU filed an injunction to dismantle and prevent future encampments without university permission. The BC Supreme Court found for VIU and granted an interim injunction.¹⁷⁸ The judge refused to make a conclusive finding on whether the *Charter* applied in this case, but stated that “the *Charter* arguments [do not] detract from the strength of VIU’s serious case to be tried for an interim injunction or to be a factor in the defendants’ favour in the balance of convenience.”¹⁷⁹ While VIU received a partial injunction and dismantled the encampment, the Court did refuse several extreme measures sought by the university.¹⁸⁰

However, VIU did not stop its persecution with the dismantling of the encampment. Rather, in October 2024, VIU suspended two student participants despite VIU president having stated in May 2024 that members would not be punished for participating in the encampment.¹⁸¹ They not only suspended two students – VIU suspended two Muslim Palestinian women from Gaza.¹⁸² Sara Kishawi was given a two-year suspension, while another unnamed Palestinian-Canadian student was suspended for one year. Both students appealed their suspension.¹⁸³ After unjust delays, the appeal hearings finally took place in February 2025.¹⁸⁴

GUILTY

¹⁷⁴ *Ibid.*

¹⁷⁵ *Ibid.*

¹⁷⁶ Davide Mastracci, “A List of Some People in Canada Fired for Pro-Palestine Views”, *The Maple* (10 November 2023), online: <Link>.

¹⁷⁷ Liddle, *supra* note 172.

¹⁷⁸ *Vancouver Island University v Kishawi*, 2024 BCSC 1609.

¹⁷⁹ *Ibid* at para 71.

¹⁸⁰ “Statement Regarding the Unjust Suspension of Two Participants in the VIU Palestine Solidarity Encampment”, *VIU Faculty and Employees for Students for Palestine* (FESP) (9 February 2025), online: <Link>.

¹⁸¹ *Ibid.*

¹⁸² *Ibid.*

¹⁸³ Michael John Lo, “VIU Students Appeal Suspensions Over Pro-Palestinian Activism”, *Times Colonist* (15 February 2025), online: <Link>.

¹⁸⁴ FESP, *supra* note 180.

ABOUT

Just Peace Advocates is a Canadian, independent organization promoting the human rights of the Palestinian people and those who stand in solidarity for the human rights of the Palestinian people. Its vision is to provide a civil society voice focused on governmental, institutional, and societal accountability to the rule of law, and the standards of international human rights and humanitarian law for the rights of Palestinian people.

The work of Just Peace Advocates is accomplished through research, monitoring, education, communications, advocacy, programs, and service provision.

DISCLAIMER

This guide is meant to provide basic information on legal issues that Palestinian rights activists may face, and tips on how to navigate them. It provides some generally applicable information and some campus-specific information for student activists.

Any legal information in this resource is intended for general educational purposes and is NOT a substitute for legal advice – federal and provincial laws differ, laws may change, and the application of all laws depends on the specific facts of a case. Make sure to consult with a lawyer before relying on any information you find here.

For legal advice on your campaign or about a specific issue you are facing, or to report incidents of repression of your activism, please email info@justpeaceadvocates.ca.

We are also glad to provide workshops or schedule meetings to discuss your particular needs, whenever possible.

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Just Peace Advocates thanks Palestine Legal for allowing us to have access to their existing resources and giving us permission to update them to the applicable Canadian legal context. For more information about Palestine Legal, see palestinelegal.org.

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