



Ontario
Civil Liberties
Association

"The OCLA takes a vigorous and highly principled approach to defending free speech rights, which is an approach that is sorely needed in Canada today."

— John Carpay,
President,
Justice Centre for
Constitutional Freedoms

"I am very pleased to learn of the Ontario Civil Liberties Association, and wish it the greatest success in its work, which could not be more timely and urgent as elementary civil rights, including freedom of speech, are under attack in much of the world, not excluding the more free and democratic societies."

— Noam Chomsky,
Institute Professor, MIT

"Freedom of expression is our most fundamental and most precious freedom. It has been under attack in Canada for years. The Ontario Civil Liberties Association has taken a position on freedom of expression that is both courageous and principled. The OCLA now stands alone and its position should be supported by all Canadians who cherish democracy and freedom."

— Robert Martin,
Professor of Law,
Emeritus,
Western University

May 19, 2016

By Email

Members of Provincial Parliament
Ontario Legislative Assembly
Queen's Park
Toronto, Ontario, Canada

Re: Bill 202, Standing Up Against Anti-Semitism Act, 2016

Members of Provincial Parliament:

I am writing on behalf of the Ontario Civil Liberties Association (OCLA) to express our organization's strenuous opposition to Bill 202, Standing Up Against Anti-Semitism Act, 2016.

This bill would have Ontario punish individuals and groups who choose to participate in an international movement ("Boycott, Divestment and Sanctions" or "BDS") that seeks to influence the policies of the nation-state of Israel. This would be accomplished by prohibiting government contracts with BDS supporters and prohibiting colleges and universities from "participating in the BDS movement".

There is no question that this bill, if enacted, would negatively and unreasonably impact freedom of speech and political freedom in Ontario. "Participation" in BDS comes in many forms, including through organizing public and university campus events, issuing position statements, and taking action through boycotting Israeli goods and services, and withdrawing from financial investments related to the State of Israel.

These activities, freely participated in by members of a democratic society, would be paternalistically discouraged or outright punished by this bill, which uses inflammatory language including allegations of anti-Semitism to impose, as the bill's authors wrote in yesterday's *National Post*, the "weight of government" on a voluntary movement that seeks to influence a nation's policies and actions.

In a democracy, one has the freedom to choose which policies and which nation-states to support and which to oppose: a principal, peaceful and fundamental means of making this choice is through boycott, which includes protest, criticism, organizing and consumer choice. This bill seeks to punish those who exercise this right, and those who associate with them.

We urge you to reject this bill and to refrain from misusing Ontario's legislature to punish and malign a voluntary citizens' movement that seeks to influence the policies of the State of Israel, or of any other nation-state.

Yours sincerely,

A handwritten signature in blue ink that reads "J. Hickey". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

Joseph Hickey
Executive Director
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