



CANADIAN MUSLIM PUBLIC AFFAIRS COUNCIL

CMPAC's Consultation Submission Brief on the Proposed Nakba Bill

The Canadian Muslim Public Affairs Council (CMPAC) submits this consultation brief in response to the draft Nakba Bill proposed by Member of Parliament, Mathew Green. As a leading advocacy organization representing the interests and concerns of the Canadian Muslim community, CMPAC is committed to promoting justice, human rights, and international law. Our organization views the Nakba Bill as an opportunity to address historical injustices and advocates for the recognition and commemoration of the Nakba—the forced displacement and dispossession of Palestinian people during the establishment of the state of Israel in 1948.

In light of this commitment, it is also imperative to address the ongoing crisis and increasing violence that continue to affect civilians in Palestine, underscoring the urgent need for comprehensive and just solutions. The ongoing situation in Palestine, marked by systemic disparities, apartheid, military occupation, cycles of violence, ethnic cleansing, and genocide, represents a continuing tragedy that demands the attention of the global community. Reports of human rights violations, including restrictions on movement, access to essential services, and economic opportunities, exacerbate the humanitarian situation. Moreover, the increasing violence against civilians has been widely documented for the past seven months, raising concerns about potential crimes against humanity and genocide.

Discussions about the Nakba Bill must include a stance against the ongoing crisis, advocate for an end to violence, and address human rights abuses in Palestine. By doing so, we underscore the importance of not only acknowledging historical injustices but also addressing contemporary issues that stem from these events. This approach underscores CMPAC's commitment to a holistic view of justice by emphasizing the interconnectedness of historical and present-day struggles, guiding our recommendations to ensure the Nakba Bill embodies principles of justice, accountability, and reconciliation for the Palestinian people.

Addressing the Nakba

The foremost priority of the Nakba Bill should be the unequivocal recognition of the Nakba by Canada. This recognition is not merely an acknowledgment of historical events but a crucial step towards rectifying ongoing injustices faced by the Palestinian people. The Nakba represents a catastrophic chapter in Palestinian history, marked by forced expulsion, destruction, and ethnic cleansing during the establishment of Israel in 1948. Its repercussions continue to be felt today through ongoing genocide, mass displacement in Gaza, illegal settlement expansion, house demolitions, forced evictions, and settler violence in the occupied territories.

Canada, as a proponent of human rights and justice, has an obligation to recognize the Nakba and its implications fully. This recognition entails acknowledging the impact of apartheid policies that perpetuate systemic discrimination and segregation against Palestinians. Additionally, it

requires Canada to affirm the right of return for Palestinians to their ancestral land, a fundamental principle enshrined in international law and affirmed by numerous United Nations resolutions. Inclusion of these aspects in the Nakba Bill is paramount to ensure that Canada upholds its commitment to justice and human rights for all peoples.

In light of these considerations, the following recommendations are presented for the Nakba Bill:

1. **Official Recognition of Nakba:** Canada must officially recognize the Nakba and acknowledge its role in the partition of the Mandate of Palestine.
2. **Combat Nakba Denial:** Nakba denial must be recognized as a form of anti-Palestinian racism, with Canada taking measures to protect freedom of expression and academic freedom.
3. **Halt the Nakba:** Canada must pressure Israel to change its course through boycotts, divestments, and sanctions to halt ongoing dispossession and colonization.
4. **Support Right of Return:** Canada must insist upon the right to return, restitution, and compensation for Palestinian refugees, in accordance with UNGA Resolution 194 and international human rights law.
5. **Demand Accountability:** Canada should advocate for accountability and reparations for the Nakba by supporting the establishment of an International Criminal Tribunal for Palestine and the International Criminal Court's investigation into war crimes in the Occupied Palestinian Territories.

Reforming Canada's Foreign Policy: Imperatives for Palestinian Justice

In light of Canada's role in international affairs, it is imperative that the Nakba Bill addresses the need for a comprehensive overhaul of Canadian foreign policy towards Palestine. The current situation demands a proactive stance from Canada to end all acts of aggression against the Palestinian people, hold accountable those complicit in the ongoing genocide, and alleviate the humanitarian crisis faced by Palestinians.

Firstly, Canada must acknowledge and rectify its complicity in the atrocities unfolding in Palestine. This includes imposing a bilateral arms embargo on Israel and cancelling all previously issued military permits, which directly contribute to the violence and oppression inflicted upon the Palestinian population. Additionally, Canada's UN votes must align with principles of justice and human rights rather than providing political cover for genocide.

Canada's diplomatic relations and bilateral ties with Israel present an opportunity to leverage pressure for change. By imposing sanctions on the Israeli government and officials involved in war crimes, Canada can signal its commitment to upholding international law and human rights. Moreover, Canada should consider diplomatic measures such as severing diplomatic relations, implementing trade embargoes, and suspending security collaborations to hold Israel accountable for its actions.

Furthermore, Canada should unilaterally recognize Palestinian statehood, to push forward the negotiations to a just final resolution for Palestinians. This recognition not only reaffirms Canada's commitment to its foreign policy position of a two-state solution but also intensifies pressure on Israel to respect Palestinian rights.

The impact of Canada's foreign policy on the rights and freedoms of its citizens cannot be overstated. Discrimination against Canadian Palestinians in immigration programs must be addressed to ensure equitable treatment.

Ultimately, the Canadian government must take ownership of its role in perpetuating injustices in Palestine and take meaningful action to rectify this situation. Genuine engagement with affected communities, acknowledgment of fault, and decisive action are imperative for fostering dialogue and restoring trust.

As such, CMPAC recommends the following actions as it relates to Canada's foreign policy in the Nakba Bill in accordance with its published [Political Advocacy Strategy for Palestine](#):

1. Enforce a bilateral arms embargo between Canada and Israel and cancel all previously issued military permits.
2. Ensure that Canada's UN votes consistently align with principles of justice and human rights, avoiding situations where they inadvertently provide political cover for atrocities such as genocide.
3. Impose sanctions on Israeli government, officials and settlers involved in war crimes and genocide. This includes applying the latest ICC ruling against Prime Minister Netanyahu and Defense Minister Gallant.
4. Apply diplomatic pressure on Israel to comply with international law, ICJ measures, ICC decisions and UNGA resolutions.
5. Implement trade embargoes and suspend security collaborations with Israel.
6. Unilaterally recognize Palestinian statehood.
7. Combat discrimination in Canadian immigration programs against Palestinian Canadians by ensuring fair and equal treatment, mirroring efforts to uphold the rights of all individuals, irrespective of ethnicity, as demonstrated during crises such as the conflict between Ukraine and Russia.
8. Increase humanitarian aid and UNRWA funding to alleviate suffering and support displaced Palestinians.
9. Commit to financing the reconstruction of Gaza's infrastructure and medical capabilities to facilitate recovery.
10. Support South Africa's application to the ICJ and advocate for an international investigation into potential war crimes committed by Israel during the conflict.
11. Enable and support Canadian charities to participate in relief and development efforts in Palestine, fostering sustainable progress and community empowerment.

Canada's Domestic Policy: Protecting Civil Liberties

In the context of the Nakba Bill, it is crucial to address Canada's domestic policy regarding the protection of civil liberties and the right to protest. These rights are fundamental pillars of democracy, essential for the expression of dissent, advocacy for change, and the promotion of social justice. Recent events across Canadian universities, notably at McGill University, the University of British Columbia, the University of Calgary, and the University of Alberta, underscore the significance of safeguarding these rights in the face of pressing global issues, including the ongoing humanitarian crisis in Palestine.

The Canadian Muslim Public Affairs Council (CMPAC) staunchly upholds the principle that the right to peaceful protest is a cornerstone of democratic society. As per our recent [statement](#), it is imperative to recognize protests and encampments not as disruptive acts, but as affirmative manifestations of freedom of expression and civic engagement. They serve as potent reminders of our shared values of inclusivity, justice, and equality, demanding attention to urgent humanitarian concerns and systemic injustices.

In accordance with CMPAC's [recent condemnation](#) of police brutality at student protests on Canadian campuses and to ensure the continued protection of civil liberties and the right to protest in all forms, including encampments, the Nakba bill ought to include the following:

1. **Transparent Investigation and Accountability:** Demand a thorough and transparent investigation into any instances of police brutality or excessive use of force against protesters, holding accountable those responsible for ordering and carrying out such actions.
2. **Restraint and Respect from Authorities:** Call upon police chiefs and law enforcement agencies to demonstrate restraint and refrain from actions that impede freedom of expression or encroach upon protected charter freedoms during protests and demonstrations.
3. **Upholding Academic Freedom:** Urge university administrations to uphold academic freedom and respect the rights of students to engage in peaceful protest, emphasizing the importance of dialogue and engagement rather than resorting to intimidation tactics or force.

By incorporating these demands into the Nakba Bill, Canada can reaffirm its commitment to safeguarding civil liberties and upholding the right to protest, thereby fostering a more inclusive, just, and democratic society for all.

Anti- Palestinian Racism

Addressing the pressing issue of anti-Palestinian racism within Canada, especially in the context of the Nakba Bill, requires concerted efforts to confront discrimination and promote inclusivity. Despite Canada's commitment to multiculturalism and diversity, instances of discrimination and prejudice against Palestinian communities persist, both at individual and systemic levels. Anti-Palestinian racism encompasses a range of discriminatory attitudes, behaviours, and policies that marginalize and oppress Palestinians, perpetuating inequality and hindering efforts towards justice and reconciliation.

The Canadian Muslim Public Affairs Council (CMPAC) emphasizes the urgent need for concrete measures to combat anti-Palestinian racism and promote inclusivity within Canadian society. These measures should be integrated into the Nakba Bill to ensure that Canada upholds its commitment to equality, human rights, and social justice for all its citizens, including Palestinians.

Recent collaborative efforts, such as the joint policy paper titled “[Combating Anti-Palestinian Racism and Antisemitism: Intersectionality within Canada’s Anti-Racism Strategy](#),” emphasize the urgent need for comprehensive measures to confront and mitigate anti-Palestinian racism. The policy paper, developed by CMPAC in conjunction with Canadians for Justice and Peace in the Middle East (CJPME), Independent Jewish Voices (IJV), and the Arab Canadian Lawyers Association (ACLA), provides a robust framework for guiding Canada’s Anti-Racism Strategy. It calls for an updated approach that acknowledges the foundational role of settler-colonialism in perpetuating racism within Canada and Israel. Additionally, the paper emphasizes the importance of refining the definition of anti-Palestinian racism and ensuring balanced interpretations of antisemitism.

Accordingly, in conjunction with the aforementioned policy paper, CMPAC puts forth the following recommendations for addressing anti-Palestinian racism within Canada as part of the Nakba Bill:

1. **Legislative Protections:** Advocate for the implementation of legislative measures to protect Palestinians and other marginalized communities from discrimination and prejudice. This includes strengthening existing anti-discrimination laws and policies to explicitly address anti-Palestinian racism and provide recourse for victims of discrimination, including but not limited to the following policy recommendations:
 - a. Canada’s Anti-Racism Strategy and associated handbooks/guides must recognize settler- colonialism as a central feature and foundation of racism within Canada and within Israel.
 - b. Canada’s Anti-Racism Strategy must include a description of anti-Palestinian racism.
 - c. Canada’s Anti-Racism Strategy must recognize the intersections and structural imbalance between efforts to combat anti-Palestinian racism and antisemitism.
 - d. The IHRA Handbook must provide a balance of examples of what antisemitism is and is not, and recognize the primacy of context. The IHRA handbook must not conflate between anti-semitism and criticism of Israel or Zionism.
 - e. Canada’s Anti-Racism Strategy and associated handbooks/guides must protect Charter Rights, Civil Liberties, and the Rights of Human Rights Defenders.
 - f. Canada’s Anti-Racism Strategy and associated handbooks/guides must recognize shortcomings of hate crime data and avoid privileging certain forms of racism over others.
 - g. Canada’s Anti-Racism Strategy must address the connection between support for Zionism and anti-Palestinian racism.

2. **Educational Initiatives:** Promote educational initiatives to raise awareness about the historical and contemporary experiences of Palestinians, challenging stereotypes and misconceptions that contribute to anti-Palestinian racism. This includes incorporating Palestinian history, culture, and perspectives into school curricula and providing resources and support for anti-racism education and training programs.
3. **Community Engagement:** Encourage community-based initiatives to foster dialogue, understanding, and solidarity among diverse communities, including Palestinians and their allies. This involves supporting grassroots organizations, cultural events, and interfaith initiatives that promote dialogue, mutual respect, and cooperation across ethnic and religious lines.
4. **Government Accountability:** Call upon all levels of government to demonstrate leadership and accountability in addressing anti-Palestinian racism within their institutions and policies. This includes conducting anti-racism audits, implementing diversity and inclusion initiatives, and ensuring representation and participation of Palestinians in decision-making processes.
5. **International Solidarity:** Advocate for Canada to demonstrate international solidarity with Palestinians by condemning human rights violations and discriminatory practices perpetrated by the Israeli government. This includes supporting Palestinian-led movements for justice, equality, and self-determination, and advocating for the implementation of international law and UN resolutions pertaining to Palestinian rights.

By incorporating these recommendations into the Nakba Bill, Canada can take meaningful steps towards combating anti-Palestinian racism, promoting inclusivity and equity, and advancing the cause of justice and human rights for all.