



CANADIAN MUSLIM PUBLIC AFFAIRS COUNCIL

Wednesday January 22, 2025

Hon. Doug Downey
Attorney General of Ontario

Hon Michael S. Kerzner
Solicitor General of Ontario

Dear Ministers Downey and Kerzner,

We, the undersigned, are writing to you to express our outrage over how Ontario's Hate Crimes Working Group (HCWG), in collaboration with police and prosecutors, has been weaponized against the Palestinian-Canadians, Muslim-Canadians, Canadians who are against the genocide, and their allies.

A prime example is Assistant Crown Attorney Moiz Karimjee's role in the Hate Crimes Working Group and his decision to withdraw charges against Lorna Bernbaum for her assault on Hayfa Abdelkhaleq, which underscores a profound miscarriage of justice under the auspices of the HCWG. In this shocking case, Bernbaum, a pro-Israel counter-protestor, ripped off Abdelkhaleq's hijab while she was protesting against Israel's genocide—and got away with it. The Crown's justification—that the chant "From the river to the sea, Palestine will be free" constitutes grounds for dropping the charges—reveals a deeply entrenched anti-Palestinian racism and bias within Ontario's justice system.

By uncritically adopting the pro-Israel narrative that Palestinian freedom is inherently a threat to Jewish people, the Crown has perpetuated two dangerously racist tropes:

1. That Palestinians are inherently antisemitic;
2. That Palestinians are irrational and violent terrorists;

These fallacious tropes are key pillars of anti-Palestinian racism (APR) in Canada as described by the Arab Canadian Lawyers Association (ACLA) [landmark report](#) on APR. Mr. Karimjee's actions—reflecting these narratives—are insidious, meritless, and undermine fundamental Charter rights of Canadian citizens. These racist narratives also ignore the context of:

1. An [occupation deemed illegal](#) by the International Court of Justice (ICJ);
2. The ongoing genocide in Gaza recognized by UN [committees](#) and [experts](#) as well as [Amnesty International](#) and [Human Rights Watch](#);

3. The right of Palestinians to [resist](#) their occupation in accordance with international humanitarian law, which was clearly spelled out in UN Resolutions, the Geneva Conventions, and supported in the ICJ's landmark 2004 [Advisory Opinion](#).

These violations of Canadian Charter rights by HCWG affiliated Moiz Karimjee are not isolated incidents, but part of an emerging pattern of inverting hate crimes legislation to maintain systemic racism in Canada and protect Israel. The HCWG is situated at the centre of this strategic inversion. In particular, the extreme police response to the Nov 10, 2023 postering and painting of Indigo Books targeting CEO Heather Reisman is demonstrative of the way that elite interests have been able to invert the justice system and falsely claim victimhood to maintain their power. It is well known that Reisman is a co-founder of the HESEG Foundation for Lone Soldiers, which [encourages](#) Canadians and foreigners to join the Israeli army and continue their studies in Israel. Despite engaging in these activities which arguably violate *Canada's Foreign Enlistment Act*, Reisman had direct access to Toronto's Police Chief and the Indigo 11 protestors against her were falsely accused of being motivated by antisemitism. The repression of Palestinian solidarity activists throughout Toronto has included night raids and restrictive bail conditions authorized through [Project Resolute](#) and the Hate Crimes unit assigned to defend Reisman. This case shows how the HCWG is advising Ontario police to use restrictive bail conditions and vexatious litigation to maximize suppression of our movement and unfairly undermine our legitimate democratic expression.

This pattern of anti-Palestinian persecution in Ontario reached a new height with the Ottawa Police Service's [crackdown](#) on Palestinian solidarity activists in Ottawa on November 18, 2024. That evening, police violated the protesters' Charter rights by denying them the ability to [march on the road](#) and resorted to violent intimidation tactics, including multiple instances of assault by police using [bicycles](#) as weapons against protestors.

In the aftermath, police arrested Sarah Wazzi-Moukahal, an organizer with the Palestinian Youth Movement in Ottawa. They laid baseless charges against her, and imposed restrictive bail conditions designed to silence her activism. Five other peaceful activists were also arrested, and Mr. Karimjee is leading the prosecution against all six. Karimjee's record of prosecutorial bias against pro-Palestinian activists underscores his inability to serve as a fair and impartial arbiter in these current cases. Allowing someone with such a clear history of bias to prosecute individuals engaged in peaceful advocacy will severely undermine trust in Ontario's justice system, particularly among Palestinian-Canadians, Muslim-Canadians, and their allies.

These spurious charges and associated bail conditions are meant to undermine the Palestine solidarity movement as it begins to target arms manufactures complicit in the genocide of Palestinians. Furthermore, Hate Crimes Units across Ontario are being appropriated to defend arms manufactures as well as rich Canadians involved in land theft and profiting from genocide in Palestine.

These patterns of politicized over-policing of Canadians who advocate for Palestine stand in stark contrast to the lack of enforcement under the *Crimes Against Humanity and War Crimes Act* against Canadians who participated in the IDF's war crimes in Gaza and those who traffic in

war crimes. For example, there has been no accountability for Canadians engaging in illegal business activities that support Israel's occupation of the Palestinian Territories. For instance, Ontario has allowed the open sale of illegal Israeli settlement properties in Vaughan, Ontario, without consequence, effectively enabling the dispossession of Palestinians from their land and promoting activity that are [war crimes](#) under international law. Palestinians have been accused of hatred when they went to protest the illegal sale of their lands. Why does the HCWG remain silent on these war crimes but persecute Palestinians and their allies for non-violent protest? Instead of addressing hatred and discrimination against Palestinian-Canadians and Muslim-Canadians, the HCWG has been weaponized as a tool for the political persecution of human rights defenders in Ontario.

In light of the above pattern of anti-Palestinian racism and Islamophobia, we collectively demand that the Ontario government:

1. Dismantle the Hate Crimes Working Group or transparently make significant changes to its members in consultation with the Palestinian, Arab, and Muslim communities in Canada;
2. Conduct an independent investigation into HCWG Assistant Crown Attorney Moiz Karimjee's role and remove him from prosecuting cases involving Muslim and pro-Palestinian individuals due to demonstrated bias;
3. Drop all charges against the remaining Indigo 11 (also known as the Peace 11);
4. Drop all charges against Sarah Wazzi-Moukahal, Josh Lalonde, Ali Nasser-El-Dinne, Ayman Fadil, and Hassan Hamed;
5. Establish an independent public third-party review of all other charges laid against Palestinian solidarity activists by HCWG prosecutors for anti-Palestinian discrimination and political persecution;
6. Withdraw Ontario's support for the International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism;
7. Officially recognize the ACLA description of anti-Palestinian racism within Ontario law;

We welcome a swift response from your offices on these urgently important matters.

Sincerely,

The Signatories

1. Arab Canadian Lawyers Association (ACLA)
2. Association of Palestinian Arab Canadians (APAC)
3. Aurora.Oak Ridges.Richmond Hill 4 Palestine
4. Bathurst Street United Church

5. Bosnian Islamic Centre of Hamilton
6. BradfordWG4Palestine
7. Canadian Arab Federation
8. Canadians for Palestine
9. Canadian Muslim Healthcare Network
10. Canadian Muslim Public Affairs Council (CMPAC)
11. Canadian Nurses for Justice in Palestine
12. Canadian Palestinian Social Association
13. Canadians for Justice and Peace in the Middle East
14. Canadians United Against Hate / Canadiens Unis Contre la Haine
15. Ceasefire NOW Nipissing
16. Coalition Against Pinkwashing
17. East End Acts
18. Greater Toronto 4 BDS
19. IfNotNow Toronto
20. Independent Jewish Voices (IJV)
21. INSAF uOttawa
22. Ibrahim Jame Mosque
23. Islamic Family (IFSSA)
24. Jerrahi Sufi Order of Canada
25. Jews for Tikkun Olam
26. Just Peace Advocate
27. Justice For All Canada
28. Labour for Palestine - Canada
29. Labour for Palestine - Ottawa
30. LSPIRG
31. Mamas 4 Palestine
32. Muslim Association of Woodstock
33. Naturopathic Doctors for Environmental and Social Trust
34. Nogojiwanong to Palestine Solidarity
35. No More Silence
36. Ontario Palestinian Rights Association (OPRA)
37. OPIRG York
38. Ottawa Healthcare Professionals for Palestine
39. Palestine House
40. Palestine Network Shining Waters (United Church of Canada)
41. Palestinian Advocacy in Education
42. Palestinian and Jewish Unity
43. Palestinian Canadian Congress
44. Palestinian Student Association at the University of Ottawa
45. Palestinian Youth Movement - Canada (PYM)
46. Public Service 4 Palestine
47. Queer Muslim Network
48. Queers 4 Palestine - Toronto

49. Queers For Palestine- Ottawa
50. Reform Jews For Human Rights
51. Sarnians4Palestine
52. Students for Justice in Palestine - Carleton University
53. Sustainable Human Empowerment (SHE) Associates
54. Teachers for Future Turtle Island
55. The Canadian BDS Coalition and International BDS Allies
56. The Socialist Project
57. The United Jewish People's Order
58. Toronto Palestinian Families
59. United Network for Justice and Peace in Palestine and Israel (UNJPPI)
60. University-Rosedale 4 Palestine
61. WILPF Canada