

Resolution For Justice in Palestine and Combating anti-Palestinian Racism(

1. Whereas on January 26, 2024, the International Court of Justice (ICJ) finding of plausible risk of genocide in Gaza by Israel engages the legal obligations of third parties such as national governments as well as educational institutions such as universities to (1) ensure that its current actions, programs, and investments are not complicit in violations of the Genocide Convention, and (2) ensure that it take all reasonable measures within its institutional power to prevent violations of the Genocide Convention.

2. Whereas on March 18, 2024, the Canadian Parliament passed a motion ceasing authorization of and transfer of arms exports to Israel, recognizing the provisional measures of International Court of Justice finding a plausible risk of genocide in Gaza by Israel, reaffirming Israeli settlements as illegal, and instituting concrete measures to end the occupation of Palestine.

3. Whereas since October 2023, Israel has accelerated its violations of Palestinian human rights and academic freedom, including a genocidal campaign in Gaza resulting in at least 35,000 dead (including nearly 15,000 children), more than 80,000 people injured, and 2 million displaced and facing threats of starvation and illness.

4. Whereas the Israeli military has destroyed or damaged all 12 universities in Gaza, alongside 75% Gaza's entire educational infrastructure, and engaged in direct attacks on Palestinian students and staff in a specific campaign of scholasticide.

5. Whereas the systematic assaults on the educational, legal, health, and other sectors in Palestine, including the banning of Palestinian human rights organizations such as Al Haq and Addameer Prisoner Support and Human Rights Association in 2021, are part of an historic and ongoing project of ethnic cleansing, settler colonialism, and apartheid.

6. Whereas Israel's attack on Palestinian education contributes to a system of displacement and dispossession targeting the cultural and intellectual life of the Palestinian people, preventing them from living, thriving, and studying, and excluding them from free and equal participation in the international academic community.

7. Whereas Palestinian Higher Education institutions have issued a Unified Call for Justice and Freedom calling on their international counterparts to take action in their support and defence.

8. Whereas Black feminist scholars such as June Jordan and Angela Davis have stated that Palestine is a “moral litmus test” for those fighting for justice and whereas Indigenous solidarity movements have asserted that fighting for justice in Palestine is part and parcel of fighting for decolonisation.

9. Whereas labour unions across the globe have identified justice in Palestine as a crucial labour issue with the Canadian trade unions, such as CUPW, CUPE, the CSN and Unifor amongst others, supporting the campaigns for BDS (Boycott, Divestment and Sanctions) to ensure that labour is not complicit in genocide and the Canadian Labour Congress declaring the need for an immediate ceasefire.

10. Whereas eight faculty unions across Canada have endorsed BDS motions.

11. Whereas Israeli genocide, apartheid, and military occupation are racist structures that rely on anti-Palestinian racism, Islamophobia, and settler-colonial violence.

12. Whereas the state of Israel and pro-Israel groups and individuals, including in the Canadian legal community, have launched a concerted and decades long campaign globally and in Canada to label critics of Israel and those advocating for Palestinian justice and liberation as ‘antisemitic’, simultaneously perpetrating anti-Palestinian racism and Islamophobia while erasing over a century of Jewish opposition to Zionism and debates within the Jewish community, thereby feeding and exacerbating antisemitism.

13. Whereas the International Holocaust Remembrance Alliance definition of antisemitism (IHRA definition) operates to silence critiques and critics of the state of Israel, Palestinian people, and their allies and is disproportionately used to attack Palestinian, Muslim, Arab, racialized, and Indigenous people.

14. Whereas the IHRA definition in the academic context, including in legal clinic settings, threatens academic freedom and freedom of speech and perpetrates racism and colonialisms.

15. Whereas lawyers, legal clinics, and academics play an important role in confronting colonial, racist, and all intersecting forms of oppression and owe a responsibility to our clients and communities to disrupt all structures of violence including securitization, militarization, and policing which are the very structures responsible for genocide in Gaza, occupation and apartheid in all of Palestine, as well as gross human rights violations across the globe.

We believe that:

16. Education is a fundamental human right, enshrined in international law and a crucial pillar for a people denied their inalienable right to selfdetermination, in the preservation of their identity, heritage, and civic life.

17. Lawyers, legal clinics, and academics have historically advocated for human rights, dignity, and equality and have an obligation to our communities and to the legal profession to act in the face of genocide, occupation, and apartheid.

18. A decolonial access to justice approach must challenge, dismantle, and abolish colonial and racist manifestations of power in all its forms and in all parts of the world.

19. An active stance by Canadian academics, legal clinics, and educational institutions against the ongoing genocide and occupation of Palestine and attacks on those advocating for justice and liberation in Palestine is urgently needed, given Canada's complicity in the dispossession of Palestinian people and the complicity of our legal and legislative institutions in perpetuating settler-colonialism, dispossession, and racialized oppression.

We thus move ACCLE to:

20. Acknowledge Anti-Palestinian racism as a form of intersectional, racial, colonial oppression that needs to be recognized in all antidiscrimination and equity policies and actively combatted in our legal practice.
21. End any ACCLE partnerships or co-operation with Israeli academic and cultural institutions including exchange programs, research collaborations, partnerships, and fellowships.
22. Call for ACCLE members to end partnerships with Canadian organizations or individuals complicit in anti-Palestinian racism and supporting occupation, apartheid, and genocide in Palestine.
23. Commit ACCLE to incorporating Palestine liberation and justice, including the perspectives of Palestinian thinkers and advocates, in clinical legal education and pedagogy as part of an abolitionist anti-racism and decolonial praxis.
24. Affirm demands made by students on university campuses across Canada to disclose any investments in any companies complicit in Israeli war crimes and to divest from those companies.
25. Support Canadian university faculty association calls to divest from companies complicit in Israeli war crimes and to sever partnerships with Israeli academic institutions.
26. Commit ACCLE to building academic and legal clinic links with Palestinian universities, academics, human rights lawyers legal and human rights organizations: Explore collaborative initiatives such as exchanges, joint projects, academic fellowships and partnerships that contribute positively to the Palestinian educational and legal sectors under extreme threat.

27. Commit ACCLE to addressing antisemitism by understanding the ways that pro-Israel advocates and the state of Israel conflate anti-Zionism and antisemitism, further putting the Jewish community at harm as well as attacking Palestinians and their allies including racialized, Indigenous, Black, and Jewish people.

28. Commit ACCLE to rejecting the International Holocaust Remembrance Alliance definition of antisemitism (IHRA definition) and resist its implementation within legal clinics and universities.

29. Support calls to step up pressure to end the war on Gaza and join the international movement calling for an immediate, unconditional, and permanent ceasefire in Gaza and an end to occupation and apartheid in all of Palestine.