



Policy Recommendations for Canada

Since the Spring of 2009, Israel has begun introducing new processes at its border crossings which are affecting Canadian nationals travelling in the region. These new measures have very unfortunate repercussions – and even legal implications – for Canadians travelling to Israel and the occupied Palestinian territories. Under the current circumstances, the following are CJPME’s recommendations for Canada:

- A. Canada must insist on respect for the Canadian passport. As a country maintaining normal diplomatic relations with Israel, Canadian passport holders should expect standard access to Israel and the occupied Palestinian territories. At a minimum, Canada must follow the lead of the US State Department on this issue, which criticised new Israeli restrictions as unfair and unacceptable. The US State Department stated: “We have let the Government of Israel know that these restrictions unfairly impact Palestinian and Arab American travellers and are not acceptable.” Thus far, the Canadian government has not spoken out about these Israeli practices.
- B. Canada must provide support and information to Canadians who may be impacted by the new Israeli policies. The implementation of Israel’s new visa policies continues to have unpredictable and serious implications for Canadians travelling to Israel or the occupied Palestinian territories. The Canadian Foreign Affairs Website talks of not having received information from Israel on the new policies. Canada must demand clarity. Canadians travelling in Israel/Palestine have also received very little substantive support from the Canadian Foreign Affairs staff in the area. Canadian Consular staff in the region should be better prepared to support Canadian nationals facing difficulties as a result of these new Israeli practices.
- C. Canada must research and question the broader intent of the new Israeli policies. As Foreign Affairs, the US State Department, and other observers have noted, the new Israeli visa restrictions tend to be applied most frequently to foreign nationals of Palestinian or Arab origin. Canada must gather data on the impacts of Israel’s current practices, and demand that racial profiling of Canadians stop.

A: Canada must insist on respect for the Canadian passport

1. Canada must officially protest Israel’s new visa restrictions. Like the US, Canada should be highly indignant about the unequal treatment of its nationals in the region. At a minimum, Canada should announce its rejection of seemingly race-based profiling of its nationals.
2. Apart from being discriminatory, Canada must highlight the legal weakness inherent in Israel’s new practices. Canada must condemn the new Israeli practices based on two points of international law:
 - First, under international human rights law, a person who is lawfully within a country is entitled to move freely within that country, subject to restrictions necessary to protect national security or public order. With Israel’s new “Palestinian Authority Only” visa – applied mostly to Canadians of Palestinian or Arab origin – visitors to Palestine are prevented access to about 60 percent of the West Bank, East Jerusalem and Gaza. Such a draconian position can hardly be justified by “security.”
 - Second, as the occupying power in the Palestinian territories, Israel is required to permit normal movement within the territories. If Israel prevents the Palestinians from having their own airport, it cannot legally deny visitors the opportunity to travel to and within the Territories through Israel’s Ben Gurion Airport.

B: Canada must demand explanations from Israel on the new practices

1. Canada must demand an official explanation as to the impacts & intents of the new Israeli visa practices. There are at least three cases which warrant explanation from Israel:

- “Palestinian Authority Only” visas. Canada must demand answers to the following:
 - a. In what cases are such visas used? And why?
 - b. In what areas – specifically – should individuals with this visa be able to travel?
 - c. How can Canadian nationals obtain permission to travel freely between Israel and the occupied Palestinian territories?
 - Requiring travellers to sign statements about where they will travel in the West Bank. Canada must demand answers to the following:
 - a. In what cases are such statements required? And why?
 - b. What areas – specifically – should individuals who have signed such a statement avoid?
 - c. How can Canadian nationals who are presented with this statement obtain permission to travel freely between Israel and the occupied Palestinian territories?
 - Canadian nationals requiring work visas:
 - a. How would a Canadian national obtain a work visa to work in the occupied Palestinian territories?
 - b. What are the criteria by which some applications are accepted, and other denied?
2. Canadian consular officials must do more to provide support for Canadians. Canadian consular officials in Israel/Palestine seem uninformed, and unwilling to push for straight answers from their respective counterparts in the region. This needs to change. Canada should also consider a fund to help Canadians who become stranded in the region when their travel plans are thwarted because of Israel’s new visa practices.

C: Canada must research the broader intent of the new Israeli policies

1. Canada must collect data on the Canada nationals targeted for the “Palestinian Authority Only” visa. The Canadian Foreign Affairs Website, and the US State Department Website, among other sources, all mention that the individuals receiving the “Palestinian Authority Only” visas tend to be of Palestinian or Arab origin. Such racial profiling is inconsistent with Canadian values. Canada must collect and analyze the data on current Israeli practices, present it to the Israelis, and demand that such behaviour cease.
2. Canada must collect data on the Canada nationals targeted for the “Israel Only” statement. Many Canadian nationals travelling to Israel are now forced to sign a statement which obliges them to promise not to travel to the occupied Palestinian territories. This new practice seems intended to prevent aid workers and human rights workers from assisting communities in the occupied Palestinian territories. Canada should collect and analyze data on Israel’s use of this form, and determine if this may be the case. If so, Canada should present the data to the Israelis, and demand that such behaviour cease, as Canada promotes the work of aid and human rights organizations in the Territories.

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