



VANCOUVER SENATE

MINUTES OF 3 JUNE 2024

Attendance

Present: B.-A. Bacon (Chair), R. Ng (Secretary), M. Adshade, J. Al Rahmani, H. Amin, F. Andrew, G. Averill, E. Baniassad, B. Bhandar, S. Bredin, B. Britton, L. Burr, I. Caguait, J. Cool, C. Crowston, D. Dahl, A. C. Dai, d'Entremont, K. Doering, A. Dulay, P. Englezos, A. Esteves, G. Faulkner, K. Feng, A. Fisher, N. Ford, B Forster, S. Forwell, J. Fox, J. Gilbert, C. Godwin, B. Goold, S. Gopalakrishnan, S. Grayston, J. Greenman, J. Hare, P. Harrison, K. Hassib, C. Hendricks, M. Ho, M. Hunt, A. Ivanov, E. Jenkins, X. Jiang, K. Kanji, D. Kelleher, S. Kenston, R. Kim, R. Kozak, S. Lavallee, D. Li, K. Lo, M. MacLachlan, G. Markman, C. Marshall, S. McGillivray, C. Menzies, A. Mitchell, L. Moss, W. Norman, J. Olson, C. Overall, S. Parker, S. Pelech, J. Phelps N. Pindell, A. Pratap-Singh, M. Prost, I. Price, D. Qi, C. Rawn, S. Razia, K. Rogers, S. Rout, S. Singh, K. Smith, R. Spencer, J. Stewart, R. Topping, G. Tsiakos, G. Turcotte, A. Uzama, H. von Bergmann, A. Wang, R. Yada, S. Yi-Kieran, W. Zhu, E. Zusman.

Regrets: S. Point, F. Lalji, L. Lynd

Clerk: C. Eaton

Call to Order

The Chair of Senate, Professor Benoit-Antoine Bacon called the first special meeting of the Senate for the 2023/2024 academic year to order at 12:01 pm.

Agenda Committee

The Chair of the Senate Agenda Committee, Kamil Kanji, presented.

Recommendations from the Senate Agenda Committee

Senator Kanji noted that, as outlined in their written report, the Senate Agenda Committee has considered this situation and in particular Senate's usual rules around debate and voting.

With respect to debate, current Senate rules provide that each member may speak twice to each motion (and again to any amendments thereto). With 90 members of Senate, this would be 30 hours of debate on a main motion alone, plus any additional time for procedural matters and the same for any amendments. The Agenda Committee recognized the limited time available in this special meeting, and thus recommends that for this meeting, the time be reduced to 3 minutes each time.



Senate Kanji asked senators to ensure that they were not reiterative in debate, and given the time considerations, suggested that only a brief extension be considered.

With respect to voting, the Agenda Committee is aware of the emotional sensitivities around this subject matter, and of the disrespectful and intimidating correspondence received by some members both in support of and against this motion. Given this, the Agenda Committee would recommend that voting on the main motion and any amendments thereto occur by secret ballot.

Senator Pelech suggested that the motions be voted on separately.

Kamil Kanji
Wendy Norman

That Rule 2 notwithstanding, debate at this special meeting be limited to no more than (2) two times on each motion by a senator, and for no more than three (3) minutes each time; and

Approved

Kamil Kanji
HsingChi von Bergmann

That Rule 22(a) be suspended for the motion proposed by Senator Bhandar and any incidental or subsidiary motions thereto, and in its place voting occur by secret ballot at this special meeting.

Approved

Remarks from the Chair

The President began his remarks by again offering apologies to Senator Menzies on behalf of Senate for the comments made towards him by two students at the May meeting of Senate.

Dr Bacon reminded everyone to follow our rules and procedures in debate and asked that the clerk remind senators. These are difficult times and the violence in the Middle East has invoked complex and raw emotions. As we know, a protest encampment started on the Vancouver campus a month ago and one is now on the Okanagan as well. The President advised that if felt he needed to enter the debate he would step out of the chair and pass the meeting to the Vice-Chair. He reminded everyone of the extreme sensitivities around this issue and said it would help if comments and debate were always directed through the chair. He thanked everyone for their engagement on this matter. He noted the extensive background documentation and correspondence provided for this meeting that was distributed in the docket.

Discussion of the Ongoing Violence in Israel and Palestine and Consideration of a



Motion Regarding Cutting or Suspending Academic Ties with Israeli Government Entities (Including Public Universities)

Brenna Bhandar
Jasper Lorien

Whereas the Vancouver Senate has twice previously voted to cut or suspend ties with universities suspected of being connected to violations of human rights and breaches of international law;

Whereas the International Court of Justice (ICJ) found, on 26 January 2024, that Israel's actions in the Gaza Strip constitute a plausible risk to the rights of Palestinians to be protected from genocide as per Article III of the Genocide Convention, of which Canada is a signatory;

Whereas the ICJ, on 24 May 2024, ordered Israel to immediately halt its military offensive and all other actions in the Rafah Governorate, because "the humanitarian situation [in Rafah] is now to be characterized as disastrous";

Whereas the Prosecutor for the International Criminal Court has stated that "Israel has intentionally and systematically deprived the civilian population in all parts of Gaza of objects indispensable to human survival", that this constitutes a "common plan to use starvation as a method of war and other acts of violence against the Gazan civilian population...";

Whereas, according to the Independent Experts of the United Nations Human Rights Council, Israel has destroyed civilian educational infrastructure including every university in the Gaza Strip (in whole or in part), libraries, archives, schools, heritage sites, and museums, leaving at least 625,000 students with no access to education;

Whereas, according to the Independent Experts of the United Nations Human Rights Council, Israel's "systematic and widespread destruction



of housing, services and civilian infrastructure represents a crime against humanity”;

Whereas, according to the Times of Israel, the Hebrew University of Jerusalem suspended Dr. Shalhoub-Kevorkian for speaking against the actions of Israel and, according to Adalah’s Report to the United Nations Special Rapporteur on the Right to Education, hundreds of students in Israel have had disciplinary proceedings taken against them for private social media posts critical of Israel, constituting a violation of academic freedom;

Whereas Tel Aviv University, the Hebrew University of Jerusalem, and the Technion - Israel Institute of Technology have all stated that they have direct ties to the Israeli military, including joint centres, military technology development programs, and/or military training programs;

Be it resolved that the Vancouver Senate approve and recommend to the Council of Senates and Board of Governors, as appropriate, the suspension of academic agreements (including but not limited to research agreements and student/faculty mobility agreements) with Israeli government entities, including public universities, for faculties of the Vancouver campus of UBC until further notice. This resolution shall not be taken to affect the academic freedom of individual faculty members to participate in individual research or funding agreements; and

Be it further resolved that the Vancouver Senate condemns the actions committed by Hamas on October 7th and supports the ICC investigation into those actions, as well as all peaceful efforts to advocate for the release of the remaining hostages.

Senator Bhandar opened her remarks by noting that this motion was not a “BDS motion; it did not apply an “academic boycott” such as that supported by the Boycott, Divest and Sanction movement. As an example, the motion would not limit an Israeli faculty member being invited



by a UBC colleague to speak at UBC, nor a UBC faculty member being a visiting faculty member in Israel, nor a UBC faculty member reviewing a grant proposal from an Israeli institution. The motion put forward was based on that approved to limit UBC's involvement with Russia following its invasion of Ukraine. It seeks to suspend ties with public universities where states have targeted civilian infrastructure and lives. This motion gave Senate the opportunity to uphold the same standards of international legal norms.

The Clerk noted that several persons in the Zoom chat were not members of Senate nor invited guests. They were asked to identify themselves; all subsequently left the channel. The Clerk reminded members that senator Zoom invitations cannot be shared outside of the Senate.

The Provost, Dr Gage Averill, gave Senate an outline of the current agreements with Tel Aviv University, Technion, and the Hebrew University of Jerusalem. Most pressingly, we welcomed 10 exchange students each year from Israel and we had an archaeology program that needed an affiliation.

Suspension to Rules and Procedures of Senate – Rule 20(a)

Brenna Bhandar
Paul Harrison

That Rule 20(a) be suspended to close the public galleries.

Approved

Discussion of the Ongoing Violence in Israel and Palestine and Consideration of a Motion Regarding Cutting or Suspending Academic Ties with Israeli Government Entities (Including Public Universities) (Continued)

Senator Harrison said that he signed the petition for this meeting hoping it would lead a discussion as to the proper role of the University in regards to world events. He said that it was a fundamental right of any member of the University to hold opinion and voice them, but they do so as individuals, not as our institution. Our University Act mandates that the university be nonpolitical. The University must not be blind to society but should leave those discussions to its members. The University has a core responsibility to create an environment where members can search for truth and must have values that support this. We should not make a statement that risks shutting down the inquiries of those who may not agree. Dr Harrison said that we should be neutral as an institution to support academic freedom.

Senator Al Rahmani said that it was concerning that this discussion was occurring so late and that a petition was needed to have it on the agenda, given the atrocities committed by Israel. He noted that all universities in Gaza have been destroyed and multiple faculty members and administrators have been killed, with this death and destruction made possible by military research done through Israeli universities. He urged senators to consider whose academic freedom was at stake given all of Gaza's universities were in ruin. He said that the rejection of this motion would show support for an apartheid system, while acceptance of it would show



commitment to equality, human rights, and international law. He said that our decision today would echo in history; we could continue to have partnerships who contribute to violations of human rights, or we could lead with integrity and champion the true spirit of academic freedom. Senator Al Rahmani said that this was not merely a matter of institutional policy but also one of moral responsibility and our values.

Senator Markman spoke against the motion. She noted the importance of having these conversations. She noted that she was excluded from conversations from her fellow students on the proposed motion. She said that as a Senate we had an obligation to prioritize academic freedom, mobility, and institutional autonomy, and that this motion did not target the Government of Israel but our fellow academics. She urged Senators to not take the whereas clauses made at a face value. Instead, she suggested we bring scholars, learners, and experts together to work compassionately on the problems of coexistence.

Senator Lorien said that UBC had no problem cutting ties with Russia, and that we should hold Israel to the same standard. They said that the proposed motion did a good job of protecting the individual academic freedom of UBC members. Finally, they said that this motion did not target Israeli or Jewish individuals, just government entities. They said that this motion was within the scope of Senate, followed precedent, and was a moral imperative.

Senator Zusman said that she was a PhD student and one of her thesis projects was in collaboration with Ben Gurion University. She urged senators to vote against the motion, stating that cutting ties with Israeli academic institutions would not bring us closer to peace. She said that this was a misdirected motion; many Israeli academics did not support the actions of the current government and cutting ties would limit academic freedom.

Senator Spencer said that he voted in favour of the Russian boycott because he believes Russia is not a democracy, the invasion of Ukraine was completely unprovoked, and Russian universities are not in a position to change government policies. In comparison, he said that Israel was a democracy with a reasonable degree of free speech and Israeli universities can and do play a role in positively impacting Israeli governments and their policies regardless of their military research. Senator Spencer said that he did not believe that ending ties with Israeli universities would help end the Israeli offence in Gaza and on that basis, he could not support the motion.

Senator Sherif said that public universities often internalize and reflect the views of their state, and thus no public university can be considered completely free of state influence. She opined that each of these three Israeli universities have been a bastion of Zionist ideals and none of them have criticized the violence being perpetrated by the Israeli government and Palestinian civilians in their war against HAMAS. She encouraged the Senate to follow its precedent with Russia and to also cut ties with Israeli institutions.

Senator Menzies said that the world was beset by regional conflicts and listed a number of them. He noted that it was important to support the freedom of academia regardless of one's personal



feelings about such work. Dr Menzies then went on to describe the internal tensions in disciplines and departments regarding support of one side or another in this conflict. In conclusion, he said that breaking agreements would further alienate progressive voices in Israel and said he would be voting against it.

Senator von Bergmann asked if continuing or discontinuing these agreements was in line with UBC's values.

Senator Yi-Kieran spoke in support of the motion. He noted that Israel has destroyed Palestinian universities and killed Palestinian academics, and Israeli universities have supported the violence, and suppressed their own students' voices and freedom. He argued that UBC must fulfill its responsibility as a member of the global community and stand up for human rights by cutting ties with institutions that perpetuate violence. With respect to the impact of this decision, he noted that the agreements in place were little used, and would not harm the academic interests of any students. In closing, he expressed concern with the statement made by UBC's senior administration to the House of Commons that UBC would reject this motion given that it had yet to be voted upon by this Senate.

Senator Hassib said that many people had personal connections with those in harm's way including himself. With respect to the motion today, these three universities have played a key role in perpetuating cycles of violence by creating tools used to put people in harm's way. As examples, he brought up the military research by Technion. Further, beyond being in a war zone, he noted the lack of freedom of speech at these institutions due to far-right student groups harassing students who expressed support for Palestinian self-determination. He urged senators to vote in favour of the motion.

Senator Kanji reminded senators that this was not a court nor a body that had to follow legal precedent; we made decisions at the time with what we have available on a case-by-case basis. He asked for clarity on what liability there may be with these agreements and if there could be faculty grievances or other legal repercussions as a consequence to passing this motion.

Senator Pindell said that offering any commentary during this time was fraught and that this was unfortunate and deeply saddening. In these moments of conflict it was important for members of a university community to be able to speak their minds. He noted that with respect to other partnerships, he did not believe the University should change its position with institutions because of geopolitics or human rights in their home countries. Dean Pindell said that he was saddened and sickened by the death of Palestinians and the destruction of their infrastructure, but he did not believe that ending agreements, such as his 14-year faculty exchange with Hebrew University, would address ongoing violence in the middle east, and sever connections exactly when these needed to be enhanced.

Senator Averill reminded the Senate of its Statement on Academic Freedom and quoted from that policy. He noted that the practical impact of this motion would be to curtail the ability of our people to be supported by UBC in working with Israeli institutions. He noted that our strategic



plan supported global collaborations and alliances – setting out a vision of a connected university, even in regions of war or famine or in places where we do not agree with policies. With respect to legalities, our agreements allowed us to withdraw.

Senate recognized Mr Matthew Murray of the Office of the University Counsel, who advised that each agreement would need to be reviewed further to see how to enact termination clauses and see what notices may be requires.

Extend the Time to Adjourn

Wendy Norman
HsingChi von Bergmann

That the time to adjourn be extended by 15 minutes.

Approved

Discussion of the Ongoing Violence in Israel and Palestine and Consideration of a Motion Regarding Cutting or Suspending Academic Ties with Israeli Government Entities (Including Public Universities) (Continued)

Senator Kelleher said that we were having a free and open discussion in the principle of academic debate and freedom. Critical to that is the concept of neutrality, as articulated by a number of other institutions and Senator Harrison. We needed to allow space for sides in debates. He suggested that while the motion reflected the horrors of a conflict we all recognized, it also impeded our ability to ensure effective discourses and change perceptions at UBC of what academic freedom meant.

Senator Britton noted that he was presently at a conference, and that conferences and their discussions were a cornerstone of the ability to exchange ideas. He noted that he had he had organized conferences at Tel Aviv and noted the heterogeneity and diversity of voices in academia there. He noted that part of this discussion was UBC putting forward central resources to support relationships with Israeli universities rather than individual choices to do so. With respect to political neutrality, the Senator said that this was an easy position to have when one wants to maintain the status quo. Senator Britton closed in suggesting that we should not be expending UBC resources and thus he supported the motion.

Senator Fontana said that the scholars at risk program should be expanded, given that we all seemed to recognize what was happening in Gaza was abhorrent and there were people being harmed. He suggested that the Research & Scholarships Committee could discuss this as they did so with Academic Policy with regards to Russia.

The Clerk advised that the motion could refer this motion to those committees, or if this motion is voted upon, the Senate could made a second decision there.



Senator Lorien said that the Senate could have its committees look at this matter regardless of how this motion was resolved and they trusted those committees would do so. With respect to earlier comments from Senator Pindell, Senator Lorien said that there was a distinction between institutions that existed in countries with poor human rights records, and those that were participants in those activities.

Senator Pelech reminded senators that universities throughout the world were involved in activities that supported military capabilities, including the United States and Canada.

Senator Bhandar said that no Palestinian scholars submitted materials for this meeting nor were they able to speak today because they are so overwhelmed and overburdened to participate. Their voice was absent today and this was both significant and symbolic. With respect to neutrality, this Senate took decisions with both Russia and Thailand; despite the differences in these conflicts, what we are talking about is basic norms of the international legal order. She encouraged the Senate to vote on the motion today so that UBC made a clear statement that it did not support institutions that are closely tied to the Israeli military.

The President closed the debate.

Not Approved

NB: The vote was 16 in favour, 49 opposed

Adjournment

The President thanked everyone for expressing their individual views on this matter. He said that he was certain we all hoped for a ceasefire and a resolution to this conflict.

Seeing no other business, the meeting was adjourned at 12:30 pm.

