

CANADIAN  
CIVIL LIBERTIES  
ASSOCIATION



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CANADIENNE DES  
LIBERTES CIVILES

September 10, 2024

Dear University Presidents:

**Re: University Policies on Protests**

We are writing today about the importance of respecting your students' prerogative to exercise their *Charter* rights and freedoms on university campus, including the right to peacefully protest. In our respectful view, university policies that subject demonstrations on campus to a stringent preapproval process, and that grant a wide and opaque discretion to the university in this regard, run contrary to fundamental rights and values that are at the very heart of universities' mission.

The Canadian Civil Liberties Association ("CCLA") is an independent, national, nongovernmental organization that was founded in 1964 with a mandate to defend and foster the civil liberties, human rights, and democratic freedoms of all people across Canada. Our work encompasses advocacy, research, and litigation related to the criminal justice system, equality rights, privacy rights, and fundamental freedoms. One key aspect of our mission relates to the defence of freedom of expression for everyone in Canada – including university students.

Universities, as institutions of higher learning, are places where the free flow of speech, opinions and debate has been and should continue to be encouraged and protected. University campuses should remain accessible spaces where students and communities come together freely to take positions on political, social, and educational issues.

Accordingly, universities' policies on protests should give an expansive and meaningful consideration to students' fundamental rights and freedoms. This starts with presuming that peaceful protests are welcomed on campus and do not require preauthorization. Any limit to a given protest should be carefully crafted by the university and based on a pressing and substantive reason – for instance in case of incitement to imminent violence. The reasons behind any limit should be communicated by the university, and its decisions should be subject to a clear review mechanism. Finally, non-compliance with a university policy should not be met with disproportionate sanctions.

We thank you for your attention to this matter. If the CCLA can be of assistance to your institution in upholding our shared values of freedom of expression, academic freedom, and freedom of peaceful assembly, please do not hesitate to reach out.

A handwritten signature in blue ink, appearing to read 'ABM', with a stylized flourish at the end.

Ana s Bussi eres McNicoll  
Director, Fundamental Freedoms program  
Canadian Civil Liberties Association