

□ VICTORY FOR BDS CAMPAIGN ON THE BOYCOTT OF ISRAELI PRODUCTS: FRANCE CONDEMNED BY THE ECHR

BDS France Campaign, 11 June 2020

The BDS France Campaign is delighted at the ruling of the European Court of Human Rights (Baldassi et al v. France, motion no. 15271/16 and others), handed down today 11 June 2020, which convicts France for having violated the right to freedom of expression of the community activists who called for a boycott of Israeli products on sale in supermarkets.

Article 10 of the European Convention on Human Rights protects freedom of expression, which may be restricted under certain conditions. The BDS activists asserted that those conditions did not apply and that their freedom of expression had been breached by France. The European Court of Human Rights ruled unanimously that France had violated that Article 10.

France has therefore been convicted of violation of Article 10 of the European Convention on Human Rights, which protects freedom of expression, and must pay within three months 7,380 Euros to each individual defendant (for material and moral prejudice), and an additional 20,000 Euros to them jointly, as reimbursement of their legal fees.

The BDS France Campaign also notes that the Court

did take into account the specificity of the calls to boycott Israeli products made by the community activists. The ruling declares that: "the statements for which the defendants were reproached concerned a subject of general interest, that of respect for international public law by the State of Israel and the human-rights situation in the occupied Palestinian territories, and were in line with a contemporary debate, open in France as it is throughout the international community" (paragraph 78).

Those statements are thus protected under freedom of speech in a democracy. The call to boycott the products of an apartheid regime is indeed a right for the movements promoting respect for international law, a right that was exercised by the peaceful movements that struggled against colonialism and discrimination in India, in the United States and in South Africa.

The ruling by the European Court of Human Rights proves, as we have always maintained, that the French authorities were wrong in wishing to criminalize our non-violent and responsible movement which, while denouncing any form of racism including anti-semitism, demands that boycott measures be taken against the Israeli regime, its companies and its institutions, as long as that State does not abide by international law. This ruling highlights the false and dishonest nature of the attempts at defamation waged against the BDS Campaign, attempts aimed at silencing all those who promote action against Israeli apartheid.

As a consequence of the ECHR ruling, we request the French authorities to immediately repeal the Alliot-Marie and Mercier circulars in order to recognize

the legality and legitimacy of our non-violent methods of action and to initiate a dialogue with us in order to contribute together to exert pressure on the State of Israel so that respect for international law be achieved.

We ask French companies to disinvest from Israel and ask French institutions to cease any collaboration with Israeli state institutions.

We are determined to pursue our actions for a boycott of Israeli products and international institutions that are complicit in Israeli apartheid. We also call for a boycott of complicit Israeli universities and institutions, as well as cultural and sports events promoting Israeli apartheid.

Israel, the apartheid State, can not for ever prevent the triumph of justice and freedom for the Palestinian people!

We invite all citizens of good will and all movements attached to the respect for human rights and international legality to join the BDS Campaign. Our mobilization is more than ever legitimate and indispensable at this time when the Israeli authorities are planning, in violation of international law, to annex a swathe of the West Bank, thus continuing the dispossession of the indigenous Palestinian people, as endorsed by the Trump plan.

BDS for justice, dignity and equality!