

Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026

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JEWISH COUNCIL

AUSTRALIA

Submission to Queensland Parliament Justice, Integrity and Community Safety Committee

Submitted by: The Jewish Council of Australia

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Introduction

The Jewish Council of Australia welcomes the opportunity to make a submission to the Queensland Parliament Justice, Integrity and Community Safety Committee on the '*Fighting Antisemitism and Keeping Guns Out of the Hands of Terrorists and Criminals*' Amendment Bill 2026.

The Jewish Council is a registered charity made up of a diverse coalition of Jewish policy experts, academics, lawyers, writers, and educators with expertise in areas including Jewish history, human rights law, antiracism and other areas of public policy. We provide an independent, expert Jewish voice opposing antisemitism and racism and supporting human rights in Australia and in Palestine.

We work with policymakers, civil society organisations, faith communities and the media to advocate on issues of human rights, racism and antisemitism. We also host community events and forums, as well as facilitating discussion groups and events for thousands of Jewish people around the country.

The Jewish Council was formed in February 2024 amid Israel's bombardment of Gaza, to provide an alternative Jewish perspective to that provided by pro-Israel Jewish organisations. We are made up of an Executive and Advisory Committee of twenty four Jewish people and have over 1,400 Australian Jewish supporters who have signed on to support our statement of Core Principles, publicly listed on our website.¹ The Jewish Council's formation in February 2024 reflects a growing movement of Jewish people in Australia, the USA, UK, Israel, and elsewhere in the world, who support human rights for all.

¹ <https://www.jewishcouncil.com.au/supporters>

Jewish Council of Australia's submission

Executive Summary

As a Jewish organisation engaged in combatting antisemitism and all forms of racism, our submission focuses on the proposed legislation's new offence prohibiting the public distribution, publication, display or recitation of proscribed phrases. We note the Queensland Government have indicated that this offence is intended to be applicable to two specific political phrases "Globalise the Intifada" and "From the River to the Sea" that it (falsely in our view) argues are intrinsically threatening to Jewish people.

We oppose the proposed banning of these political slogans for four key reasons:

1. **The Bill's targeted phrases are discriminatory:** It selectively targets Arabic language and Palestinian political expression while ignoring hate speech affecting other communities.
2. **Banning slogans risks increasing, not decreasing, racism and antisemitism:** Targeting Arabic-speaking communities will further entrench racism and division while associating Jewish people with crackdowns on democratic freedoms.
3. **International evidence shows these bans fail:** The UK experience demonstrates that criminalising political speech leads to state overreach, human rights violations, and no improvement in community safety.
4. **Hate speech laws must comply with human rights:** Expanding laws to outlaw political language damages democratic freedoms and risks selective enforcement and overreach without improving community safety.

The Jewish Council of Australia supports the agreement of National Cabinet in December 2025 to reform the National Firearms Agreement and Queensland's implementation of aspects of this agreement in this Bill but note with concern several components have not been included.

We recommend that sections related to offences for proscribed phrases be removed from this Bill.

1. The Targeting of Arabic and Palestinian political phrases is discriminatory

The Queensland Government's exclusive focus on Arabic and Palestinian political phrases is fundamentally flawed in its selective focus. The Premier's statement announcing the legislation cites only two examples of allegedly intimidatory speech – 'globalise the intifada' and 'from the river to the sea' – while offering no examples of hateful speech affecting Aboriginal and Torres Strait Islander peoples, Muslims, Arabs, LGBTQIA+ communities, or any other marginalised communities, despite well-documented instances of genuine hate speech targeting these groups.

The term 'intifada' is an Arabic word meaning 'shake-off' or 'uprising'. Its use and meaning are far more complex than suggested by the Queensland Government's framing and singling out the term for special scrutiny reproduces anti-Arab and Islamophobic assumptions that Arabic political expression is inherently threatening.

The United Nations General Assembly, representing 193 countries, used the term "intifada" in 1988 to describe the Palestinian uprising, expressing that it had "received significant attention and sympathy from world public opinion" while noting "deep concern" at Israel's occupation policies.²

In 2024, the Ontario Superior Court of Justice considered both "intifada" and "from the river to the sea" in in *University of Toronto (Governing Council) v. Doe, 2024*. The Court noted that different groups interpret 'intifada' in fundamentally different ways:

- Some argued it refers to violence against Jews.
- Others submitted that as an Arabic noun derived from "nafada" (meaning "shaking off"), it is "popularly used by Palestinians to refer to an uprising against oppression" and that "dozens of 'intifadas' have occurred throughout history in the Arab world"
- Palestinian advocates explain that "globalize the intifada" is not a call for global violence but for "international support to end the oppression of the Palestinian people," noting that uprisings need not be violent and can take the form of peaceful protests.³

Considering both phrases, the Court affirmed that "the automatic conclusion that those phrases are antisemitic is not justified". The court stated that:

"The genuine pain that some feel when seeing or hearing these phrases may be the result of attributing malevolent intentions to the speakers when there is no such intention and as well as to speakers using certain phrases in potentially insensitive ways which cause pain to others when that is not intended".⁴

² The uprising (intifadah) of the Palestinian people, GA Res 43/21, UN GAOR, 43rd sess, 45th plen mtg, UN Doc A/RES/43/21 (3 November 1988)

³ *University of Toronto (Governing Council) v. Doe et al. 2024 ONSC 3755*, [100] www.canlii.org/en/on/on/onsc/doc/2024/2024onsc3755/2024onsc3755.pdf

⁴ *Ibid* [107]

The word ‘intifada’ has a long, complex history in the Arabic world that cannot be reduced to a single definition. Much like English translation ‘uprising’ or ‘revolution’, the term ‘intifada’ has been associated with violent and non-violent actions depending on the context, meaning that the violent association is merely one interpretation and not the word’s inherent or exclusive meaning. We note that phrases such as ‘Israel has a right to self-defence’ are also associated with violent actions but do not face comparable scrutiny.

The focus on ‘intifada’ as strictly a call for violence decontextualises this Arabic word and falsely implies it inherently causes social harm and violence in Australia. This approach has repeatedly been used as a rhetorical and legal weapon to delegitimise Arab, Palestinian, and Muslim activists and community leaders. Neither government nor media have made serious attempts to engage with the term's history, diverse meanings, and implications.

The proposed ban singles out Arabic political expression for criminalisation while ignoring all other comparable speech. This is the definition of discriminatory treatment. It positions Muslim and Arab communities as ‘extremist’ and ‘unsafe,’ frames them as threats to social cohesion, and will result in increased policing, control, and social ostracization of these communities. This approach does not protect Jews – it makes all marginalised communities, including Jewish communities, less safe.

The related phrase ‘from the river to the sea’ is also often erroneously invoked as hateful.

Dr Max Kaiser, The Jewish Council of Australia’s Executive Officer, discussed this phrase with *The Guardian*:

"In our interpretation, and as it's explained by Palestinian people the world over, [it] is a call for freedom and equality for all people, Jewish and Palestinian. Palestinian leaders in Australia have been very clear when they say freedom from the river to the sea, it extends to all people... It's definitely not something that should be construed as a threat to Jewish people or Israelis."⁵

The phrase has been used by a variety of political actors both within Israel/Palestine and globally to signify a range of political commitments. In Modern Israeli Hebrew, the most common version of the phrase ‘from the River to the Sea’ is ‘beyn hayarden layam,’ meaning ‘between the Jordan River and the Mediterranean Sea.’ The 1977 platform of the ruling Likud Party in Israel pronounced a maximalist idea that “between the Sea and the Jordan there will be only Israeli sovereignty.” Conversely, the Hebrew phrase was used by Israeli Jewish pro-democracy protesters in 2023 in chants of “beyn hayarden layam demokratiya

⁵ Josh Butler and Caitlin Cassidy, ‘Peter Dutton Compares “River to the Sea” Chants at Pro-Palestinian Protests to Hitler’, *The Guardian* (online, 9 May 2024)

lekulam” which translates as “between the Jordan and the Sea democracy for everyone”.⁶ Banning the phrase “from the river to the sea” flattens the distinctions between these varied uses of the phrase, whether those variations are Palestinian or Israeli in origin.

The Queensland Parliament must consider how Palestinians and their supporters understand and use these terms, rather than accepting skewed, ignorant, and misleading interpretations. Palestinian solidarity leaders in Australia and internationally have consistently clarified that "from the river to the sea" is a call for democracy, equality, and justice between the Jordan River and the Mediterranean Sea.

2. Banning slogans risks increasing, not decreasing, antisemitism

As a Jewish organisation, the Jewish Council is deeply concerned that this proposed ban will lead to *more* polarisation and discrimination and, consequently, *less* safety for racialised communities, including the Jewish community:

- Banning a phrase used by a specific racial/religious/ethnic group to raise awareness about injustice will be experienced by that group as discriminatory targeting, marginalisation, and demonisation
- This will worsen social cohesion, increase racism and strengthen the narratives relied upon by the far right to grow - that migrants, Palestinians and Muslims are an inherent problem for Australian society
- All marginalised communities, including Jews, become less safe in a more racist society.

When these bans are justified through the language of combating antisemitism or protecting Jewish safety, they risk producing a symbolic association of Jewish communities with the erosion of civil liberties. In pluralist democracies, Jewish safety has historically been secured not through exceptional security measures, but through robust democratic norms: freedom of expression, equal protection under the law, and resistance to collective blame. Policies that curtail these norms in the name of protecting Jews invert this historical lesson and place Jewish communities in an untenable position, appearing to benefit from restrictions that harm other minorities.⁷

This association has material consequences. It can fuel resentment among targeted communities, distort public understanding of antisemitism by conflating it with political dissent, and ultimately weaken solidarity against genuine antisemitic threats. It risks reproducing an old and dangerous antisemitic trope: that Jewish safety is achieved at the expense of broader democratic freedoms, rather than through their defence.

⁶ Elhalaby, Emon, Paz, Roach, and Rogin ‘From the River to the Sea: Palestine Will Be Free a Primer on History, Context and Legalities in Canada’, University of Toronto Hearing Palestine, 2023.

⁷ Kenneth S. Stern, *The Conflict over the Conflict: The Israel/Palestine Campus Debate* (Toronto: University of Toronto Press, 2020); David Feldman, Ben Gidley, and Brendan McGeever, *Facing Antisemitism: The Struggle for Safety and Solidarity* (Runnymede Trust, 2025).

3. International evidence shows these bans fail

Queensland should resist the legislative trajectory observed in the United Kingdom, where the expansion of public order laws to criminalise specific slogans and political expressions has resulted in significant human rights concerns. As documented by Human Rights Watch, UK authorities have severely restricted the right to protest, in contravention of their international human rights obligations.⁸

The recent designation of Palestine Action—a group primarily engaged in nonviolent direct action—as a terrorist organisation serves as a critical cautionary tale. Since July 2025, more than 2,787 people were arrested for simply participating in a protest supporting Palestine Action. Under UK legislation it is now an offence to display in public any item that arouses "reasonable suspicion" that the person is a member or supporter of the proscribed group. The ban was subsequently found by UK High Court to have been unlawful. This demonstrates one dangerous trajectory of laws that criminalise political expression.⁹

Rather than enhancing community safety, the UK's approach demonstrates how the broad application of counter-terrorism frameworks to civil advocacy can lead to systemic legal overreach that damages democracy.

In the Netherlands, a court held that activist Thomas Hofland should not be prosecuted for using "from the river to the sea" because the phrase is "subject to various interpretations" and "relates to the state of Israel and possibly to people with Israeli citizenship, but not to Jews because of their race or religion"¹⁰

International legal analysis consistently finds that these slogans have contested meanings and cannot be deemed inherently hateful or violent. Attempts to ban them result in discriminatory enforcement, legal challenges, and violations of civil liberties—without improving safety.

4. Hate speech laws must comply with human rights

Queensland currently has criminal laws addressing incitement to violence, threats and harassment and genuine intimidation. These laws focus on harmful conduct and actual threats, not on policing the content of political speech.

The Rabat Plan of Action, widely recognised as the international standard for addressing hate speech, requires assessment of six factors:

1. Context of the speech
2. The speaker
3. Intent

⁸ Human Rights Watch, *Silencing the Streets: The Right to Protest Under Attack in the United Kingdom* (London: Human Rights Watch, January 8, 2026).

⁹ Robyn Vinter. 'Arrested retirees 'vindicated' by ruling against Palestine Action proscription.' (London: *The Guardian* February 16, 2026).

¹⁰ European Legal Support Center, 'Victory: "From the river to the sea" is protected speech, Dutch court rules' (18 October 2023) <https://elsc.support/victory-from-the-river-to-the-sea-is-protected-speech-dutch-court-rules>

4. Content and form
5. Extent of the speech
6. Likelihood of producing immediate harm¹¹

Automatic bans bypass this contextual analysis, treating words as inherently criminal regardless of context, intent, or actual harm caused.

The UN Human Rights Committee's General Comment 37 on the Right to Peaceful Assembly states:

"Generally, the use of flags, uniforms, signs and banners is to be regarded as a legitimate form of expression that should not be restricted, even if such symbols are reminders of a painful past. In exceptional cases, where such symbols are directly and predominantly associated with incitement to discrimination, hostility or violence, appropriate restrictions should apply."¹²

The slogans at issue do not meet this high threshold of being "directly and predominantly associated" with incitement.

Gun law reform

While not a central focus of this submission, the Jewish Council of Australia supports the agreement of National Cabinet in December 2025 to reform the National Firearms Agreement and Queensland's implementation of aspects of this agreement in this Bill.

We note with concern several components have not been included, including restrictions on the unlimited number of guns that a person can have, strengthened background checks, and limitations on open-ended firearms licence periods. We also note with concern that the Queensland Government has already ruled out other evidence-based measures including participating in a national gun buyback scheme or implementing a mandatory mental health check for all weapons licence applicants.

¹¹ Rabat Plan of Action on the Prohibition of Advocacy of National, Racial or Religious Hatred that Constitutes Incitement to Discrimination, Hostility or Violence' in Human Rights Committee, Annual Report of the United Nations High Commissioner for Human Rights, UN Doc A/HRC/22/17/Add 4 (11 January 2013)

¹² UN Human Rights Committee, *General Comment No. 37 on the Right of Peaceful Assembly (Article 21)*, 129th sess, UN Doc CCPR/C/GC/37 (17 September 2020) [51].

We recommend the Queensland Government reconsider its aversion to comprehensive gun law reform in the interest of community safety and properly preventing another mass shooting like that which was visited upon the Jewish community in Bondi.

Recommendations

The Jewish Council of Australia recommends that the Committee:

1. Reject proposals to ban political slogans, including ‘globalise the intifada,’ ‘from the river to the sea,’ or related political phrases
 2. Recognise that Palestinian symbols, slogans, and expressions of solidarity constitute political communication, not hate speech
 3. Reject the racial discrimination inherent in selectively policing Palestinian and Arabic political expression while ignoring hate speech in other contexts
 4. Distinguish clearly between universally recognised hate symbols and political expression opposing occupation, apartheid, or state violence
 5. Learn from international failures, particularly the UK experience, rather than replicating approaches that have demonstrably failed to improve community safety while causing severe human rights violations
 6. Protect, rather than restrict, the right to protest and freedom of political expression in Queensland.
 7. Fully implement the December 2025 National Cabinet agreement to reform the National Firearms Agreement and other evidence-based gun law reforms.
 8. Prioritise evidence-based policies to reduce hatred including community education, dialogue, and anti-racism initiatives in place of broad prohibitions or expanded police powers
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Conclusion

As Jews committed to fighting antisemitism, we state unequivocally: banning political slogans will not make Jewish people safer.

What endangers Jewish safety is:

- Increased polarisation and racism
- The erosion of civil liberties that protect all minorities
- The scapegoating of marginalised communities
- The political misuse of antisemitism claims to silence legitimate political speech.

What genuinely protects Jewish safety is:

- A society committed to genuine pluralism and robust debate.
- Solidarity and dialogue between marginalised communities
- Education that fosters social harmony and active citizenship
- Gun laws that minimise the risk of mass shootings
- Strong civil liberties that protect everyone's right to dissent

This Bill proceeds from a false premise: that Arabic and Palestinian political expression inherently threatens community safety. We reject this premise as discriminatory and dangerous. We call on the Queensland Parliament to reject it as well.