

June 3, 2009

Mr. Robert A. Morin
Secretary General
Canadian Radio-Television and Telecommunications Commission
Ottawa, Ontario, K1A 0N2
By Fax: 819-994-0218

Mr. Slava Levin
Ethnic Channel Group Ltd
907 Alness Street
Toronto, Ontario, M3J 2J1
By Fax: 416-736-7677

Dear Mr. Morin and Mr. Levin:

Re: Broadcasting Notice of Consultation CRTC 2009-254

1. The British Columbia Civil Liberties Association (BCCLA) is pleased to make a submission in support of the proposed addition of Al Jazeera English (AJE) to the lists of eligible satellite services for distribution on a digital basis.
2. The BCCLA made a submission on the 2003 application by Al Jazeera, which we supported on the grounds of contributing to the diversity of editorial opinion and news coverage in Canadian television. At the time of Al Jazeera's earlier application, we cited our concerns about the concerted opposition from the Canadian Jewish Congress (CJC). The CJC alleged that Al Jazeera had broadcast views that were hostile towards Jews and towards Israel, but did not provide us with the transcripts of the programming that they had referenced when we requested them. Instead, the CJC provided us with summaries of programming which, in our opinion, were entirely insufficient for assessing the contents of the programs at issue. We wrote of our concern that a decision on the application not be based on mere program summaries.
3. Given the disappointing outcome of the last application process, we are particularly pleased that the Commission is taking an open-entry approach that requires a standard of "clear evidence" that the applicant would violate Canadian regulation to rebut a presumption in favour of the applicant. We do not believe there is any evidence of this in the case of AJE .

4. We agree with commentators who have supported AJE's application that the addition of this highly respected news source, available in over 100 countries, with nearly 70 news bureaus worldwide, would bring needed breadth of coverage and opinion to the news media available in Canada.

5. The critical and unique role of the news media in democratic society, whose role is recognized in our constitution, requires diversity of viewpoints. Our courts have, consonant with that, interpreted the constitutional guarantee of freedom of expression to include the right to hear as well as the right to speak. With these constitutional principles in mind, we know of no reasons for the Commission to decline this application or impose conditions on a license.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "R. Holmes", with a long horizontal flourish extending to the right.

Robert Holmes
President

Encl. (Fax Confirmation of Letter to Slava Levin, Ethnic Channel Group Ltd.)

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