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CANADA

TAKING ACTION AGAINST SYSTEMIC RACISM AND RELIGIOUS DISCRIMINATION INCLUDING ISLAMOPHOBIA

Report of the Standing Committee on Canadian Heritage

Hon. Hedy Fry, Chair

**FEBRUARY 2018
42nd PARLIAMENT, 1st SESSION**

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**Hon. Hedy Fry
Chair**

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Reports from committee presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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has the honour to present its

TENTH REPORT

Pursuant to its mandate under Standing Order 108(2), the Committee has studied Systemic Racism and Religious Discrimination and has agreed to report the following:

TABLE OF CONTENTS

LIST OF RECOMMENDATIONS	1
PART 1: INTRODUCTION AND OVERVIEW	7
1.1 THE COMMITTEE’S STUDY.....	7
1.2 LEGAL FRAMEWORK.....	8
1.2.1 Canadian Charter of Rights and Freedoms	8
1.2.2 Canadian Human Rights Act.....	9
1.2.3 Canadian Multiculturalism Act.....	9
1.2.4 Criminal Code.....	10
1.2.5 United Nations Documents	10
1.2.5.1 Universal Declaration of Human Rights	10
1.2.5.2 International Convention on the Elimination of All Forms of Racial Discrimination	11
1.3 EXISTING INITIATIVES	14
1.3.1 Federal	14
1.3.1.1 Multiculturalism Program	14
1.3.1.2 Canadian Race Relations Foundation.....	15
1.3.1.3 Court Challenges Program.....	15
1.3.1.4 Office of Human Rights, Freedoms and Inclusion	16
1.3.2 Provincial	16
1.4 KEY TERMS	19
1.4.1 Systemic racism.....	19
1.4.2 Religious Discrimination.....	21
1.4.3 Islamophobia	22
1.4.4 Intersectionality.....	24

PART 2: RACE AND RELIGION ISSUES IN CANADA.....	25
2.1 PRESENTATION OF THE CURRENT DATA	25
2.1.1 Police-reported hate crimes	26
2.1.2 Self-reported hate crimes	29
2.2 CHALLENGES WITH COLLECTION AND ANALYSIS	30
2.2.1 Underreporting.....	30
2.2.2 Lack of uniformity	31
2.2.3 Improving reporting.....	32
2.3 RESEARCH.....	34
2.4 ISSUES RAISED BY WITNESSES.....	34
2.4.1 Hate speech, freedom of speech and freedom of conscience.....	36
2.4.2 Discrimination related to employment.....	38
2.4.3 Social discrimination.....	39
2.5 LEGAL CONCERNS RAISED BY WITNESSES.....	41
2.5.1 Criminal Code review	41
2.5.2 Facilitate investigation and prosecution of hate crimes.....	43
2.5.3 Legislation related to Indigenous Peoples.....	44
PART 3: MOVING FORWARD.....	46
3.1 NATIONAL ACTION PLAN—A WHOLE OF GOVERNMENT APPROACH	46
3.1.1 Development of a National Strategy	47
3.1.2 Race Equity Lens.....	49
3.1.3 Benchmarks and Accountability	52
3.1.4 Intersectionality	53
3.1.5 Cross-jurisdictional cooperation	53
3.1.6 Social media	55
3.1.7 “Fake news”	57

3.2 EDUCATION AND TRAINING	58
3.2.1 Public Awareness and Dialogue	59
3.2.2 Education and Training in the Federal Public Service	60
3.2.3 Youth Programming	61
3.2.4 Law Enforcement.....	62
3.2.5 Media	63
3.2.6 Cultural Competency Training	63
3.3 COMMUNITY ENGAGEMENT	64
3.4 IMPROVING DATA COLLECTION IN FEDERAL SERVICES AND IN THE FEDERAL PUBLIC SERVICE	65
IN CLOSING	68
Appendix A: List of Witnesses	69
Appendix B: List of Briefs	75
Request for Government Response	77
Dissenting Opinion of the Conservative Party of Canada	79
Supplementary Opinion of the New Democratic Party of Canada	99

LIST OF RECOMMENDATIONS

As a result of their deliberations, committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

NATIONAL ACTION PLAN

Recommendation 1

Recommends updating and reinstating the previous Canadian Action Plan Against Racism and broadening it to include religious discrimination through consultations with civil society, grassroots organizations, and interfaith groups.

Recommendation 2

Recommends the creation of a directorate at the Department of Canadian Heritage which will develop, implement and monitor this National Action Plan.

Recommendation 3

Recommends the Plan has measurable targets, deadlines and reporting mechanisms, dedicated resources, and adequate monitoring be implemented to ensure that the plan is sustainable and accountable.

Recommendation 4

Recommends that the Government of Canada collect disaggregated data in all relevant ministries and departments to improve monitoring and evaluation of the implementation and impact of policies to eliminate racial discrimination, inequality, and the racialization of poverty.

DATA COLLECTION

Recommendation 5

Recommends that the Government of Canada establish uniform pan-Canadian guidelines and standards for the collection and handling of hate crime data and hate incident data; this would include efforts to standardize the definition and the interpretation, by law enforcement, of hate crimes.

Recommendation 6

Recommends that the Government of Canada create a national database to retain and analyze hate crime and hate incident data.

Recommendation 7

Recommends working with Statistics Canada to enable access to increased information on hate crime offenders and their motivations.

REPORTING OF HATE CRIMES

Recommendation 8

Recommends that the Government of Canada mandate relevant departments and encourage partners at the provincial and municipal levels and within civil society to create additional reporting options for victims of hate crimes and hate incidents, in addition to reporting to law enforcement.

EMPLOYMENT AND SERVICES

Recommendation 9

Recommends that the Government of Canada develop and implement public policies and tools to assist individuals who face barriers to equitable access to services and employment and to eliminate these barriers, such as the racialization of poverty.

Recommendation 10

Recommends the Government of Canada develop and implement tools that foster diverse and equitable hiring within the Federal Public Service.

Recommendation 11

Recommends that the Government of Canada, working with the provinces and territories, establish a task force to assess the comparability of education and credentials obtained outside of Canada.

EQUITY LENS

Recommendation 12

Recommends that the Government of Canada implements an equity lens towards public policy, similar to the Gender Based Analysis lens, taking into account intersectionality. This lens should include but not be limited to different racial, Indigenous, ethnic, linguistic, sexual orientation, gender identity, and religious groups.

GOVERNMENT POLICY MAKING

Recommendation 13

Recommends the Government of Canada develops an anti-racism impact assessment framework to help anticipate and remove unconscious bias in proposed policies, programs, and decisions.

INDIGENOUS AFFAIRS

Recommendation 14

Recommends that the Government of Canada complete the Truth and Reconciliation Commission's Calls to Action.

Recommendation 15

Recommends that the Government of Canada conducts a review of existing legislation, and ensure that all new legislation complies with the United Nations Declaration on the Rights of Indigenous People.

Recommendation 16

Recommends that the Government of Canada implement Jordan's Principle, to ensure that Indigenous children receive the health care that they require in a timely and efficient manner.

Recommendation 17

Recommends that the Government of Canada work with Indigenous Peoples across Canada to increase the number of education partnerships and agreements, respecting the principle that Indigenous Peoples control Indigenous education.

INTERFAITH AND INTERCULTURAL DIALOGUE

Recommendation 18

Recommends that the Government of Canada facilitate, support, and fund efforts across Canada to initiate interfaith and intercultural dialogue to promote better understanding between different communities.

Recommendation 19

Recommends that relevant federal government departments create a mechanism for organizations and communities to share best practices with the federal government.

COMMUNITY CAPACITY BUILDING

Recommendation 20

Recommends that the Government of Canada facilitate, support, and fund efforts across Canada dedicated to capacity building for communities; to strengthen community involvement, civic inclusion, and leadership development.

Recommendation 21

Recommends the Government of Canada increase multiculturalism funding dedicated to eradicating systemic racism and religious discrimination and to promote greater intercultural understanding and awareness. In particular funding should be dedicated to groups whose statistics demonstrate are the most acutely affected by systemic racism and religious discrimination.

EDUCATION AND TRAINING

Recommendation 22

Recommends the Government of Canada take a strong leadership role to actively condemn systemic racism and religious discrimination including Islamophobia.

Recommendation 23

Recommends that the Government of Canada develop a public awareness campaign to promote diversity and inclusion.

Recommendation 24

Recommends that the Government of Canada develop an education campaign to promote media literacy.

Recommendation 25

Recommends that the Government of Canada work in collaboration with the provinces and territories to develop educational materials about different religious and cultural practices as a means to foster cross-cultural and inter-faith awareness and understanding.

Recommendation 26

Recommends that the Government of Canada, working in collaboration with the provinces and territories, institute cultural competency training to combat systemic racism and discrimination and religious discrimination that may be embedded or perceived to be embedded within a number of professions, giving professionals the opportunity to immerse themselves in other cultures to ultimately learn from and connect with these cultures.

Recommendation 27

Recommends that the Government of Canada provide grants; and that they be given to academic experts in Canadian universities to support the creation of research on systemic racism and religious discrimination, which can be used to inform public policy.

LAW ENFORCEMENT

Recommendation 28

Recommends that the Government of Canada work with the Canadian Association of Police Chiefs to incorporate racial and cultural sensitivity training as well as specific training for the handling of hate crime cases for officers and other members of law enforcement.

Recommendation 29

Recommends that the Government of Canada increase funding for law enforcement and security agencies to investigate hate speech on the Internet and to enforce existing laws.

NATIONAL DAY OF REMEMBRANCE AND ACTION

Recommendation 30

That January 29th be designated as a National Day of Remembrance and Action on Islamophobia, and other forms of religious discrimination.



PART 1: INTRODUCTION AND OVERVIEW

1.1 THE COMMITTEE'S STUDY

On 4 April 2017, the House of Commons Standing Committee on Canadian Heritage (the Committee) adopted the following motion:

That, pursuant to Standing Order 108(2) and in accordance with the resolution of the House agreed to on Thursday, March 23, 2017 which read:

That, in the opinion of the House, the government should:

- (a) recognize the need to quell the increasing public climate of hate and fear;
- (b) condemn Islamophobia and all forms of systemic racism and religious discrimination and take note of House of Commons' petition e-411¹ and the issues raised by it; and
- (c) request that the Standing Committee on Canadian Heritage undertake a study on how the government could
 - (i) develop a whole-of-government approach to reducing or eliminating systemic racism and religious discrimination including Islamophobia, in Canada, while ensuring a community-centered focus with a holistic response through evidence-based policy making;
 - (ii) collect data to contextualize hate crime reports and to conduct needs assessments for impacted communities, and that the Committee should present its findings and recommendations to the House no later than 240 calendar days from the adoption of this motion, provided that in its report, the Committee should make recommendations that the government may use to better reflect the enshrined rights and freedoms in the Constitution Acts, including the *Canadian Charter of Rights and Freedoms*. (Private Members' Business M-103)

¹ Petition [e-411 \(Islam\)](#) is an e-petition, sponsored by Frank Baylis, MP, that was presented to the House of Commons on 5 December 2016. The petitioners call upon the House of Commons to join them "in recognizing that extremist individuals do not represent the religion of Islam, and in condemning all forms of Islamophobia." The government published a [response](#) to that petition on 30 January 2017.



The Committee commence a study as requested in paragraph (c) of the motion referenced above; and that the Committee schedule witnesses to appear such that it would complete gathering necessary evidence and give instructions to the Committee analysts to draft a report with the objective of reporting back to the House its findings and recommendations.²

Pursuant to the motion, from 18 September to 8 November 2017 the Committee held 14 meetings on the study and heard testimony from 77 witnesses. It also received 34 briefs. Witnesses included national organizations, groups representing various racial and religious communities from across the country, government officials, academics and experts. The Committee wishes to thank all those who contributed to the study.

This report is divided into three parts:

- 1) Introduction and overview of the context regarding systemic racism and religious discrimination in Canada, including the legal framework, existing initiatives and key terms;
- 2) Issues related to systemic racism and religious discrimination in Canada as raised by witnesses; and
- 3) What the federal government could do moving forward.

1.2 LEGAL FRAMEWORK

1.2.1 Canadian Charter of Rights and Freedoms

Over the years, Canada has established a legal framework to combat discrimination and racism. One part of this framework is the equality provision in section 15 of the *Canadian Charter of Rights and Freedoms* (the Charter):³

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those

2 House of Commons, Standing Committee on Canadian Heritage, *Minutes of Proceedings*, 1st Session, 42nd Parliament, 4 April 2017.

3 *Canadian Charter of Rights and Freedoms*, Schedule B to the *Canada Act 1982*, 1982, c. 11 (U.K.).

that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.⁴

Also relevant to this study is section 2(a), which addresses freedom of conscience and religion, and section 2(b), which addresses freedom of thought, belief, opinion, and expression.⁵

Regarding the promotion of Canada's ethnocultural diversity, section 27 of the Charter sets out the concept of multiculturalism, stipulating that "[t]his Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians."⁶

1.2.2 Canadian Human Rights Act

In addition to the Charter, the *Canadian Human Rights Act*⁷ protects people from discrimination when they are employed by or seek services from the federal government, First Nations governments or federally regulated private companies.⁸ The provinces and territories have adopted similar human rights legislation that is applicable to their respective jurisdictions. The Canadian Human Rights Commission (CHRC) was established to administer the *Canadian Human Rights Act*⁹ when it was passed by Parliament in 1977. The CHRC is responsible for protecting the core principle of equal opportunity and promoting a vision of an inclusive society free from discrimination.¹⁰

1.2.3 Canadian Multiculturalism Act

Adopted in 1988, the *Canadian Multiculturalism Act*¹¹ acknowledges multiculturalism as a fundamental characteristic of Canadian society and ensures that federal institutions are responsive to Canada's multicultural reality.¹² Under section 5 of the Act, the Minister of Canadian Heritage is responsible for implementing the Act and for taking the

4 *Canadian Charter of Rights and Freedoms*, Schedule B to the *Canada Act 1982*, 1982, c. 11 (U.K.).

5 Ibid.

6 Ibid., s. 27.

7 *Canadian Human Rights Act*, R.S.C. 1985, c. H-6.

8 Canadian Human Rights Commission, *Human Rights in Canada*.

9 *Canadian Human Rights Act*, R.S.C. 1985, c. H-6.

10 Canadian Human Rights Commission, *About Us*.

11 *Canadian Multiculturalism Act*, R.S.C. 1985, c. 24 (4th Supp.).

12 Michael Dewing, *Canadian Multiculturalism*, Library of Parliament, Publication No. 2009-20-E, 14 May 2013, p. 15.



measures that she considers appropriate to implement the multiculturalism policy of Canada.

1.2.4 Criminal Code

There are four specific offences considered to be hate propaganda or hate crimes in the *Criminal Code*:¹³

- advocating genocide (section 318(1));
- public incitement to hatred where likely to lead to a breach of the peace (section 319(1));
- willful promotion of hatred (section 319(2)); and
- mischief motivated by hate in relation to religious property (section 430(4.1)).¹⁴

All of these offences list hatred based on religion, race, colour and national or ethnic origin as grounds for pursuing charges.¹⁵ In addition, section 718.2 of the *Criminal Code* outlines sentencing principles to be considered in all cases and considers evidence that an offence was motivated by bias, prejudice or hate based on these grounds as aggravating circumstances that should increase the sentence for an offence.

1.2.5 United Nations Documents

In addition to Canadian legislation, human rights documents adopted by the United Nations regarding freedom of thought, freedom of religion and protection from discrimination were raised by witnesses as part of the legal framework for the Committee's study.

1.2.5.1 Universal Declaration of Human Rights

The Universal Declaration of Human Rights (the Declaration) was proclaimed on 10 December 1948 by the United Nations General Assembly. Canada voted in favour of the Declaration. Though not a legally binding document, the rights listed in the

13 *Criminal Code*, R.S.C., 1985, c. C-46.

14 Note that [Bill C-305](#) expands section 430(4.1) beyond religious property, and received Royal Assent on 12 December 2017.

15 Sections 318 and 319 include other grounds as well.

Declaration have been developed and codified in other legal human rights instruments. Article 18 of the Declaration states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.¹⁶

In his testimony, Jay Cameron, barrister and solicitor at the Justice Centre for Constitutional Freedoms, told the Committee that freedom of expression is enshrined in international documents to which Canada is a signatory.¹⁷ Don Hutchinson, author, further added that “[t]he Supreme Court has asserted a robust definition of freedom of religion that aligns with” the Declaration.¹⁸

1.2.5.2 International Convention on the Elimination of All Forms of Racial Discrimination

The *International Convention on the Elimination of All Forms of Racial Discrimination*¹⁹ was adopted by the General Assembly of the United Nations on 21 December 1965. According to the Preamble:

[T]he Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, color or national origin.

The Convention also recognizes that “all human beings are equal before the law and are entitled to equal protection of the law against any discrimination and against any incitement to discrimination.”²⁰ In addition, the States Parties to the Convention declared they are resolved

to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in

16 United Nations, *Universal Declaration of Human Rights*, 10 December 1948, Article 18.

17 CHPC, *Evidence*, 1st Session, 42nd Parliament, 27 September 2017, 1550 (Jay Cameron, Barrister and Solicitor, Justice Centre for Constitutional Freedoms).

18 CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1535 (Mr. Don Hutchinson, Author, As an Individual).

19 Office of the United Nations High Commissioner for Human Rights, *International Convention on the Elimination of All Forms of Racial Discrimination*, Adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965.

20 *Convention*, Preamble.



order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination.²¹

Canada ratified the Convention on 14 October 1970. As such, Canada must submit reports to the UN Committee on the Elimination of Racial Discrimination (CERD) on the actions that have been taken to implement the Convention.

On 13 September 2017, the CERD released its most recent Concluding Observations on Canada. The CERD commended Canada for a number of recent developments, including the passing of M-103 by the House of Commons, the establishment of Ontario's Anti-Racism Directorate, the work of the Truth and Reconciliation Commission and the resettlement of 46,000 Syrian refugees in 2016.²²

In this report, the CERD also made a series of recommendations for Canada, including:

- **Collection of data:** that Canada provide improved statistical data in its next report to the CERD, and that the Government of Canada begin to systematically collect disaggregated data in all relevant ministries and departments to improve monitoring and evaluation of policies that eliminate racial discrimination and inequality.
- **National action plan:** that Canada develop and launch a new national action plan against racism.
- **Hate crimes:** that Canada take steps to prevent hate crimes, facilitate reporting by victims, and provide mandatory training for law enforcement on recognition and registration of hate crimes.
- **Truth and Reconciliation Commission (TRC) and United National Declaration on the Rights of Indigenous Peoples (UNDRIP):** that Canada develop an action plan to implement the TRC's 94 calls to action and implement UNDRIP.

21 *Convention, Preamble.*

22 United Nations Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined twenty-first to twenty-third periodic reports of Canada*, 13 September 2017.

- **The creation of an anti-racism legal framework:** that Canada “enact legislation in compliance with the requirements in article 4.”²³
- **Racial profiling and disproportionate incarceration:** “That law enforcement agencies have programmes to prevent racial profiling...and that Canada address the root causes of overrepresentation of African-Canadians and Indigenous peoples at all levels of the justice system, from arrest to incarceration.”
- **Indigenous land rights and Indigenous peoples:** that Canada ensure “the full involvement of First Nations, Inuit, Métis and other indigenous peoples...with free, prior and informed consent on all matter concerning their land rights.”
- **Violence against indigenous women and girls:** that Canada take “immediate action to end violence against Indigenous women and girls.”
- **Discrimination against Indigenous children:** that Canada ensure that all children, on and off reserve, have access to all services available to other children in Canada without discrimination.
- **Discrimination in the education system:** that Canada ensure equal access to quality education, without racial discrimination and regardless of whether the child lives on or off of a reserve.
- **Employment discrimination:** that Canada ensure the elimination of discriminatory hiring practices and discrimination in the workplace, conduct a comprehensive review of the existing employment equity regime, and that public bodies collect and publish data on the “ethnic composition of the public service.”

During the Committee’s study, a number of witnesses urged the Committee to consider the CERD’s recommendations. For example, in her appearance before the Committee,

23 Article 4 of the Convention “condemn[s] all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form” and that State Parties “shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin.” See: Office of the United Nations High Commissioner for Human Rights, *International Convention on the Elimination of All Forms of Racial Discrimination*, Adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965.



Ms. Shalini Konanur, Executive Director and Lawyer of the South Asian Legal Clinic of Ontario, said:

I would also urge the committee, as other speakers have done, to review the United Nations CERD closing recommendations for Canada, as they echo many of the things that we are talking about here today. I would urge the committee to review the CERD recommendations on improvements to our immigration system and the embedded systemic racism within it. I would urge the committee to review the comments made about racial profiling within the criminal justice system and the child welfare system. I would urge the committee to also review the call for employment equity, the call for disaggregated data, and the call for a national action plan.²⁴

Other witnesses who spoke in favour of CERD's recommendations included Ms. Avvy Yao-Yao Go, Clinic Director of the Chinese and Southeast Asian Legal Clinic,²⁵ Ms. Tamara Thomas, Policy Researcher and Analyst at the African Canadian Legal Clinic,²⁶ Dr. Cindy Blackstock, Executive Director of the First Nations Child and Family Caring Society of Canada,²⁷ and National Chief of the Assembly of First Nations Perry Bellegarde.²⁸

1.3 EXISTING INITIATIVES

1.3.1 Federal

1.3.1.1 Multiculturalism Program

The Department of Canadian Heritage administers the [Multiculturalism Program](#), which derives its mandate from the *Canadian Multiculturalism Act*.²⁹ Under the Act, the Minister may encourage and assist individuals and organizations to undertake research, encourage and promote exchanges, and support minority communities in overcoming discriminatory barriers. The objectives of the Multiculturalism Program are:

-
- 24 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1645 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario).
- 25 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1540 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).
- 26 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1635 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic).
- 27 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1725 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).
- 28 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1705 (National Chief Perry Bellegarde, National Chief, Assembly of First Nations).
- 29 *Canadian Multiculturalism Act* (R.S.C., 1985, c. 24 (4th Supp.)).

to build an integrated, socially cohesive society; to improve the responsiveness of institutions to the needs of a diverse population; and to engage in discussions on multiculturalism, integration and diversity at the international level.³⁰

The program comprises two main components: Events and Projects. The events component provides funding to community-based events that foster intercultural or interfaith understanding, civic memory and pride or respect for core democratic values.³¹ The projects component funds projects that build bridges and promote intercultural understanding, promote equality, and foster citizenship, civic engagement and a healthy democracy.³² The funding allocated for the Multiculturalism Program is \$8.5M annually.

The Multiculturalism Program also supports Canada's participation in agreements such as the above-mentioned *International Convention on the Elimination of All Forms of Racial Discrimination* and in "institutions that address multicultural issues globally."³³

1.3.1.2 Canadian Race Relations Foundation

Established in 1997, the [Canadian Race Relations Foundation](#) (CRRF) is a Crown corporation that undertakes research, collects data, and develops a national information base to further an understanding of the nature of racism and racial discrimination. As stipulated by the *Canadian Race Relations Foundation Act*,³⁴ CRRF's mission is to

facilitate throughout Canada the development, sharing and application of knowledge and expertise in order to contribute to the elimination of racism and all forms of racial discrimination in Canadian society.³⁵

1.3.1.3 Court Challenges Program

The objective of the Court Challenges Program (CCP) is, among other things, to "help clarify and assert certain constitutional and quasi-constitutional official language rights and human rights in Canada."³⁶

30 Department of Canadian Heritage, [Details on transfer payment programs of \\$5 million or more](#).

31 Department of Canadian Heritage, [Inter-Action: Events component – Funding guidelines](#).

32 Department of Canadian Heritage, [Application Guidelines – Projects component – Inter-Action: Multiculturalism Funding Program](#).

33 Department of Canadian Heritage, [Details on transfer payment programs of \\$5 million or more](#).

34 [Canadian Race Relations Foundation Act](#), S.C. 1991, c. 8.

35 Ibid., s. 4.

36 Department of Canadian Heritage, [Backgrounder – Court Challenges Program](#).



The CCP provides financial support to individuals or groups “to initiate or participate in test cases pertaining to rights and freedoms covered by the Program.”³⁷

1.3.1.4 Office of Human Rights, Freedoms and Inclusion

On 17 May 2016, the government announced the creation of the Office of Human Rights, Freedoms and Inclusion (OHRFI). It replaces the Office of Religious Freedom, which was created in 2013. According to the government, the OHRFI will “work closely with Canadian and international members of civil society, religious groups, academia, and non-governmental organizations” to allow Canada to “truly leverage its pluralistic experience as a multicultural and multi-faith country.”

1.3.2 Provincial

While the New Brunswick Human Rights Commission and the Canadian Human Rights Commission made written submissions to the Committee, the Ontario Government’s 2017 plan – A Better Way Forward: Ontario’s 3-year Anti-Racism Strategic Plan³⁸ (“the Ontario Plan”) was the only provincial initiative discussed by witnesses who appeared before the Committee. It should be noted that British Columbia has not had a human rights commission since 2001.

In February 2016, the Government of Ontario established the Anti-Racism Directorate, which works to eliminate systemic racism in government policies, decisions and programs. The Directorate held community meetings across Ontario, and based on the input it received, the Government of Ontario released the Ontario Plan and the Legislative Assembly passed the *Anti-Racism Act, 2017*³⁹ on 1 June 2017. The *Anti-Racism Act, 2017* permits the government to implement race data collection and an anti-racism assessment framework.

On 20 September 2017, Mr. Sam Erry, Associate Deputy Minister of the Inclusion, Diversity and Anti-Racism Division of the Government of Ontario, appeared before the Committee to discuss the Ontario Plan. Mr. Erry explained why he thought the anti-racism approach in the Ontario Plan is “the best approach to truly ameliorate the harms of systemic racism.”⁴⁰ He argued that the anti-racism approach is different than the

37 Ibid.

38 Ontario, *A Better Way Forward: Ontario’s 3-Year Anti-Racism Strategic Plan*, 7 March 2017.

39 *Anti-Racism Act, 2017*, S.O. 2017 C.15.

40 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1645 (Mr. Sam Erry, Associate Deputy Minister, Cabinet Office, Inclusion, Diversity and Anti-Racism Division, Government of Ontario).

multiculturalism approach as it recognizes that systemic racism exists. He further stated that the traditional multiculturalism approach that promotes diversity is not sufficient in combatting systemic racism. He elaborated by saying:

As Canadians, we are well socialized in the concept of multiculturalism. When we think about diversity, we're celebrating people's individual differences and perspectives. Building a diverse society and focusing on raising awareness about diversity are good and necessary things to do, but they are not sufficient to change the deeply entrenched inequities for indigenous and racialized people, and other groups. The diversity approach has failed to change the power imbalances that result in privilege for some groups and disadvantage for others.⁴¹

Mr. Erry continued:

The anti-racism approach acknowledges and addresses the fact that indigenous youth are more likely to end up in the child welfare system or jail, and the fact that many racialized youth, particularly young black men, are more likely than white kids to drop out of high school and empirically less likely to be represented amongst the ranks of our CEOs and senior leaders.⁴²

The Ontario Government's anti-racism approach recognizes the significance of understanding how racism is experienced differently by different groups along intersectional lines, including gender identity and expression, creed, class, sexual orientation, history of colonization, or other personal attributes, otherwise known as intersectionality.⁴³

The Directorate is also developing an anti-racism impact assessment framework to help anticipate and remove unconscious bias in proposed policies, programs and decisions. Currently, the Directorate is piloting the framework in examining the child welfare, justice and education systems in Ontario.

Specifically, the Ontario Plan is composed of initiatives under four categories:

- Policy, research and evaluation: the Plan acknowledges that to address racial inequities, better race-based disaggregated data is necessary. The plan will also develop an anti-racism impact assessment framework to help anticipate and remove unconscious bias in proposed policies, programs and decisions.

41 Ibid.

42 Ibid.

43 Ibid.



- **Sustainability and Accountability:** the Plan includes the development of measurable targets, public reporting and mandated community engagement.
- **Public education and awareness:** the Plan notes that the targeted education and awareness initiatives will be developed to increase awareness of systemic racism and how it impacts people. According to the Plan, these initiatives will focus on anti-Black racism, anti-Indigenous racism, antisemitism, Islamophobia and others form of racism against racialized groups such as Sikhs.
- **Community Collaboration:** The Plan aims to collaborate with communities on a regular basis through the establishment of an anti-racism consultation group chaired by the Minister responsible for anti-racism and holding an annual anti-racism conference that brings together researchers, community partners, experts and policy makers.⁴⁴

A number of witnesses, including Ms. Thomas,⁴⁵ Renu Mandhane, Chief Commissioner of the Ontario Human Rights Commission,⁴⁶ Serah Gazili, community member of the Frog Hollow Neighbourhood House,⁴⁷ and Ihsaan Gardee, Executive Director of the National Council of Canadian Muslims,⁴⁸ supported the Ontario Plan. Additionally, the CERD's most recent observations for Canada recommended that the federal government establish a national strategy based on the "good practices mentioned in Ontario's anti-racism strategy."⁴⁹ The Ontario Plan has been in place since March 2017 and a full evaluation of the plan is not yet available.

44 Ontario, *A Better Way Forward: Ontario's 3-Year Anti-Racism Strategic Plan*, 7 March 2017.

45 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1725 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic).

46 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1640 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

47 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1605 (Ms. Serah Gazali, Community Member, Frog Hollow Neighbourhood House).

48 CHPC, *Evidence*, 1st Session, 42nd Parliament, 4 October 2017, 1630 (Mr. Ihsaan Gardee, Executive Director, National Council of Canadian Muslims).

49 United Nations Committee on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-first to twenty-third periodic reports of Canada, 13 September 2017.

1.4 KEY TERMS

1.4.1 Systemic racism

Racial discrimination is often understood as an individual act of discrimination, such as a refusal to provide a service, rent an apartment or offer a job to someone because of stereotypes based on ethnicity or race. However, racism can also be systemic or institutional.⁵⁰ Sometimes systemic discrimination is intentional, such as the forced removal of Indigenous children from their families to attend residential schools or the imposition of the Chinese head tax. These were policies that were applied by governments and other institutions in a systemic way.

Shawn Richard, President of the Canadian Association of Black Lawyers, defined systemic racism as follows:

Systemic racism has been defined as the social production of racial inequality in decisions about people and in the treatment they receive. Racial inequality is neither natural nor inherent in humanity. On the contrary, it is the result of a society's arrangement of economic, cultural, and political life. It is produced by the combination of social constructions of races as real, different, and unequal, known as racialization; the norms, processes, and service delivery of a social system, known as structure; and the actions and decisions of people who work for social systems, known as personnel.⁵¹

As society has evolved and with the advent of human rights legislation and the *Canadian Charter of Rights and Freedoms*, these overt forms of systemic discrimination have become rarer. However, more subtle, often unintentional forms of systemic or institutional racism and discrimination continue to exist. Various racialized communities may experience racial discrimination differently based on their specific history of exclusion and marginalization in Canada and the stereotypes that have developed about their community members.

In his testimony, Senator Murray Sinclair explained systemic discrimination as follows:

People have a hard time understanding what systemic discrimination is and what systemic racism is. This is because it's not the kind of racism that comes necessarily from the behaviour, words, and actions of individuals, other than the fact that they are guided by the system in which they are functioning. The phrase that I always like to use is that systemic racism is the racism that's left over after you get rid of the racists. Once

50 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1735 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario).

51 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1630 (Mr. Shawn Richard, President, Canadian Association of Black Lawyers).



you get rid of the racists within the justice system, for example, you will still have racism perpetrated by the justice system. This is because the justice system follows certain rules, procedures, guidelines, precedents, and laws that are inherently discriminatory and racist because those laws, policies, procedures, processes, and beliefs—including beliefs that direct individuals on how and when to exercise their discretion—come from a history of the common law, which comes from a different culture, a different way of thinking.⁵²

In accordance with the language used in M-103, the Committee focused part of this study on understanding systemic discrimination in Canada, and possible solutions. Mr. Erry described the meaning of systemic racism:

Systemic racism is often caused by conscious or unconscious biases in policies, practices, and procedures that privilege or disadvantage particular groups of people based on perceptions of race. It's not always intentional, but whether or not it's intentional has little bearing on the inequitable outcomes indigenous and racialized people experience.⁵³

Ayesha Chaudhry, Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice, stated:

When a population is overrepresented in any institutional context, this is a reflection of systemic inequality, to the detriment of some, and to the advantage of others. Think here about white men in CEO positions and indigenous and black people in Canadian federal prisons.⁵⁴

Some impacts of systemic racism that the Committee heard about include:

- Poverty: Ms. Go discussed how racialized families live in poverty at greater rates than non-racialized families.⁵⁵

52 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 2 October 2017, 1530 (Hon. Murray Sinclair, Senator, Manitoba, ISG).

53 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1645 (Mr. Sam Erry, Associate Deputy Minister, Cabinet Office, Inclusion, Diversity and Anti-Racism Division, Government of Ontario).

54 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1535 (Ms. Ayesha Chaudhry, Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice, As an Individual).

55 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1600 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).

- Unemployment and hiring: some witnesses indicated that racialized persons are more likely to be unemployed, employed in precarious work, or have difficulty being hired.⁵⁶
- Education: some witnesses suggested that racialized youth are not provided with adequate educational programming and opportunities.⁵⁷ Furthermore, content and imagery in school curriculum may also tend to reflect the majority perspective and may not recognize the contributions of racialized communities adequately, which has an impact on both racialized and white students' perceptions about each other. Chief Bellegarde suggested that school curricula should be changed "to teach about inherent rights, treaty rights, aboriginal rights, to teach about the residential schools and the history and the impact of residential schools, and the Indian Act."⁵⁸
- Criminal justice system: some witnesses described that certain groups, particularly Black⁵⁹ and Indigenous⁶⁰ Canadians are likely to be stopped more frequently than white individuals, and are more likely to be refused bail or incarcerated.

1.4.2 Religious Discrimination

The study also focused on religious discrimination in Canada. Some witnesses felt that racial discrimination and religious discrimination should be dealt with distinctly. Father Raymond de Souza distinguished between these two types of discrimination: "Race, of course, involves characteristics inherited at birth. Religion is a matter of faith and

56 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1700 (Dr. Ayse Akinturk, Executive Committee Member, Muslim Association of Newfoundland and Labrador); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1650 (Mr. Larry Rousseau, Executive Vice-President, Canadian Labour Congress); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1535 (Ms. Narges Samimi (Community Member, Frog Hollow Neighbourhood House).

57 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 2 October 2017, 1625 (Mr. Kevin Barlow, Chief Executive Officer, Metro Vancouver Aboriginal Executive Council); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1550 (Mr. Cecil Roach, Coordinating Superintendent of Education, Equity and Community Services, York Region District School Board).

58 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1700 (National Chief Perry Bellegarde, National Chief, Assembly of First Nations).

59 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1630 (Mr. Shawn Richard, President, Canadian Association of Black Lawyers).

60 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 2 October 2017, 1550 (Hon. Murray Sinclair, Senator, Manitoba, ISG).



practice, which can change.”⁶¹ As explained by Andrew Bennett, Senior Fellow at Cardus, members of religious communities “face discrimination variously because of who they are, what they believe, what they wear, and what they value, all of which can be at odds with what secular elites in this country believe to be true.”⁶²

Sikander Hashmi, spokesperson for the Canadian Council of Imams, further noted some of the consequences of religious discrimination. He said:

The right to worship and practice one's faith freely and openly as one sees fit, without infringing upon the rights of others, is a fundamental right, yet this fundamental right of Canadian Muslims is being eroded by those who seek to instill fear within the Canadian Muslim community through attacks and intimidation tactics.⁶³

1.4.3 Islamophobia

The Committee heard differing views on the use of the term Islamophobia.

The Ontario Human Rights Commission's definition of the term is:

Islamophobia can be described as stereotypes, bias or acts of hostility towards individual Muslims or followers of Islam in general. In addition to individual acts of intolerance and racial profiling, Islamophobia leads to viewing Muslims as a greater security threat on an institutional, systemic and societal level.⁶⁴

A number of witnesses provided different definitions of the term, such as:

- “an irrational fear or hatred of Muslims or Islam that leads to discrimination;”⁶⁵
- “anti-Muslim discrimination or hate;”⁶⁶

61 CHPC, *Evidence*, 1st Session, 42nd Parliament, 27 September 2017, 1540 (Father Raymond de Souza, As an Individual).

62 CHPC, *Evidence*, 1st Session, 42nd Parliament, 16 October 2017, 1655 (Dr. Andrew P.W. Bennett, Senior Fellow, Cardus).

63 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1645 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams).

64 Ontario Human Rights Commission, “[Part 1 – Setting the context: understanding race, racism and racial discrimination](#),” *Policy and guidelines on racism and racial discrimination*, 2005.

65 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 September 2017, 1655 (Ms. Iqra Khalid, Mississauga—Erin Mills, Lib.).

66 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1650 (Mr. Faisal Bhabha, Associate Professor, Osgoode Hall Law School, York University, Canadian Muslim Lawyers Association).

- “a criticizing or scathing negative opinion that might directly or indirectly cause humiliation or damage to the reputation and or incite to hatred and to violence against a person or a group of persons for the only reason that they are of Muslim faith;”⁶⁷
- “extends from ‘a fear or hatred of Islam and Muslims’ to acknowledge that these attitudes develop into individual, ideological, and systemic forms of oppression that shore up specific power relations;”⁶⁸
- “anti-Muslim hate;”⁶⁹ and
- “the irrational fear or hatred of Muslims.”⁷⁰

Some witnesses disagreed with the use of the term. Michael Motsyn, Chief Executive Officer of B'nai Brith Canada, noted that the unclear definition of the term could create tension between communities. He said:

The committee's work and its outcome must exercise great care in any definition of Islamophobia, if indeed any is attempted. Any definition that is vague and imprecise, that is embraced by one community but not all, or that catalyzes emotion or irrational debate on scope and meaning can be hijacked and only inflame tensions between and among faith communities in Canada and detract from the committee's objective.⁷¹

Ali Rizvi, author, also noted that the term may have a negative impact on the Muslim community as a whole. He stated:

The word “Islamophobia” is an umbrella term that also conflates legitimate criticism of Islam—as is being done by many of my fellow liberals and secular activists trying to change our societies in the Muslim world—with the demonization of Muslims, which is obviously wrong.⁷²

67 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 2 October 2017, 1645 (Mr. Samer Majzoub, President, Canadian Muslim Forum).

68 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 4 October 2017, 1615 (Dr. Jasmin Zine, Professor, Sociology and Muslim Studies Option, Wilfrid Laurier University, As an Individual).

69 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1700 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams).

70 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1545 (Mr. Cecil Roach, Coordinating Superintendent of Education, Equity and Community Services, York Region District School Board).

71 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1540 (Mr. Michael Mostyn, Chief Executive Officer, National Office, B'nai Brith Canada).

72 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 6 November 2017, 1650 (Dr. Ali Rizvi, Author, As an Individual).



Raheel Raza, President of the Council for Muslims Facing Tomorrow, mentioned that she believed the use of the term could also limit freedom of expression. She held:

I believe, though, that using the word “Islamophobia”—let me be very clear—in the motion will curtail free speech, because no other ethnic community or religious community is mentioned by name in the motion except Islamophobia.⁷³

1.4.4 Intersectionality

A term that was often raised to the Committee by witnesses was intersectionality.⁷⁴ This concept acknowledges that individuals are shaped by multiple factors, such as gender, race, ethnicity, indigeneity, class, sexuality, geography, age, disability and migration status. It also acknowledges that the way individuals experience racism and discrimination can be compounded by a number of features of an individual’s identity.

Mr. Gardee provided an example of how discrimination can be felt differently; noting that Black Muslim women may “face gender-based discrimination, race-based discrimination, and religious discrimination.”⁷⁵ Ms. Thomas also provided an example of how discrimination can be felt differently among different communities. She said:

The African descendant community in Canada has many various intersecting identities, and many members of our community identify as Muslim. Members of our community are often targets of both systemic racism and Islamophobia.⁷⁶

73 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 27 September 2017, 1710 (Ms. Raheel Raza, President, Council for Muslims Facing Tomorrow).

74 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1705 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1715 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1725 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).

75 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 4 October 2017, 1620 (Mr. Ihsaan Gardee, Executive Director, National Council of Canadian Muslims).

76 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1635 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic).

PART 2: RACE AND RELIGION ISSUES IN CANADA

As explained by Ritu Banerjee, Senior Director of the Canada Centre for Community Engagement and Prevention of Violence at the Department of Public Safety and Emergency Preparedness, the various manifestations of hatred, such as discrimination and violence, are linked, and necessitate a common approach composed of “many perspectives, a strong evidence base, and firm commitment on the part of all levels of government and Canadians to address them.”⁷⁷ In the course of the study, witnesses brought forward the question of data collection, recalled instances of discrimination that impacted them, drew attention to legislative action that could be undertaken and offered suggestions as to how government should approach these issues.

Witnesses agreed that accurate data was necessary in order to identify issues facing different communities and to ensure the appropriate response from government bodies. As summarized by Sam Erry, Associate Deputy Minister of the Inclusion, Diversity and Anti-Racism Division of the Government of Ontario: “No data, no problem, no solution.”⁷⁸

2.1 PRESENTATION OF THE CURRENT DATA

Throughout the study, when speaking to the issue of hate crimes in Canada, witnesses referred to Statistics Canada’s most recent data on police-reported hate crime in the country, in 2015.⁷⁹ Representatives of Statistics Canada, which oversees data collection and analysis regarding hate crimes, also appeared as witnesses during the study. For the purpose of its work, the organization uses two separate approaches to quantify hate crime incidence in Canada: police-reported hate crimes and self-reported hate crimes.

77 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 September 2017, 1740 (Ritu Banerjee, Senior Director, Canada Centre for Community Engagement and Prevention of Violence, Department of Public Safety and Emergency Preparedness).

78 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1650 (Mr. Sam Erry, Associate Deputy Minister, Cabinet Office, Inclusion, Diversity and Anti-Racism Division, Government of Ontario).

79 While data for 2016 was released on 28 November 2017, witnesses testified before this date and as such, referred to 2015 data in their testimony. The 2016 data is presented in this report for reference.



2.1.1 Police-reported hate crimes

Every year since 2005, Statistics Canada receives data from police services through the Uniform Crime Survey (UCS), using the automated records management system to collect information on incidents that have been recognized as a crime.⁸⁰

As confirmed by Yvan Clermont, Director of the Canadian Centre for Justice Statistics at Statistics Canada, there was an increase in the number of police-reported hate crimes in 2015, going from 1,295 incidents the previous year to 1,362, a 5% increase. This was out of a total of 1.9 million criminal incidents that were reported during 2015.⁸¹ Data indicates that certain groups faced a greater increase than others: this was due in part to an increase of 61% of incidents against Muslims, from 99 to 159.⁸² However, Mr. Clermont noted that since 2009, the number of hate crimes has declined.⁸³

On 28 November 2017, Statistics Canada released its report [*Police-reported hate crime, 2016*](#). The report indicates there was an increase in the number of hate crimes from the previous year. There were 47 additional incidents, bringing the total to 1,409, an increase of 3%.

In 2015, the data regarding the motivation⁸⁴ behind hate crimes indicated a 5% rise, in the number of incidents motivated by hate of a race or ethnicity, from 611 to 641, which represented “close to half of all hate crimes reported to the police in 2015,” while 35%, or 469 incidents, were motivated by hatred of religion.⁸⁵ In 2016, hate crimes based on hatred of religion represented 33% of all hate crimes; however, 2016 saw a decrease from 469 to 460 incidents.

A further 11% of hate crimes targeted sexual orientation in 2015: the 141 incidents represented a decline of 2% from 2014. In 2016, incidents targeting sexual orientation rose to 176 incidents and accounted for 13% of all hate crimes. Crimes motivated by

80 CHPC, [*Evidence*](#), 1st Session, 42nd Parliament, 8 November 2017, 1655 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

81 Ibid., 1635 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

82 Ibid., 1645 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

83 In 2009, the number of hate crimes reached 1,482. See: CHPC, [*Evidence*](#), 1st Session, 42nd Parliament, 8 November 2017, 1700 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

84 As explained by Statistics Canada, “the hate crime is classified by the perception of the accused (even if this perception is inaccurate), not by the victim’s characteristics.” See: Statistics Canada, [*Collection of police-reported hate crimes*](#), “Police-reported hate crime in Canada, 2015, June 2017.

85 CHPC, [*Evidence*](#), 1st Session, 42nd Parliament, 8 November 2017, 1640 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

other factors, such as mental or physical disability, language, sex and other similar factors (e.g. occupation or political beliefs) increased from 77 to 86, representing less than 1% of hate crimes in 2015.⁸⁶

The 2015 data showed an increase in assaults and threats as crimes motivated by hatred: 38%, or 487, of the total of 1,295 hate-crime incidents were violent, a 15% increase in one year.⁸⁷ However, the majority of police-reported hate crimes targeting a race, an ethnicity or a religion were non-violent: 339 incidents motivated by hatred of a religion were non-violent, which accounted for 76% of hate crimes in this category, and 327 incidents targeting a race or ethnicity, for a total of 55%, of offenses.⁸⁸ These incidents include mischief, vandalism and graffiti. In total, 561 or 44% of all hate-crime incidents in 2015 were qualified as mischief.⁸⁹

Crimes targeting sexual orientation were more likely to be violent: 78 incidents were considered violent, and accounted for 59% of all incidents in this category.

Hate crimes were more violent in 2016, with the number of violent hate-motivated crimes rising from 487 to 565, a 16% increase. In 2016, 43% of all hate crimes were violent, compared to 38% the previous year.⁹⁰ Both non-violent hate crimes and mischief incidents decreased between 2015 and 2016: non-violent hate crimes from 785 to 740 and mischief from 561 to 528.

Concerning hate crimes targeting race or ethnicity, the Black population has been the most targeted group since 2010.⁹¹ Despite a decrease in the number of incidents since 2012, in 2015 the Black population still accounted for 35% of racial hate crimes: 224 out of 641 incidents targeted the Black population. While there was a decrease of 4% in the number of incidents targeting Black populations in 2016, from 224 to 214 incidents, they remained the most targeted race or ethnicity, at 15% of all hate crimes.

86 Statistics Canada, "[Table 3: Police-reported hate crimes, by type of motivation, by province and territory, 2015](#)", Police-reported hate crime in Canada, 2015, June 2017.

87 Statistics Canada, "[Violent hate crimes increased in 2015, driven by an increase in assaults and uttering threats](#)," Police-reported hate crime in Canada, 2015, June 2017.

88 Statistics Canada, "[Highlights](#)," Police-reported hate crime in Canada, 2015, June 2017.

89 Ibid.

90 Statistics Canada, "[Police-reported hate crime, 2016](#)," November 2017.

91 CHPC, *Evidence*, 1st Session, 42nd Parliament, 8 November 2017, 1640 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).



Incidents against Arab and West Asian populations rose from 69 to 92 incidents between 2014 and 2015, an increase of 33%. Meanwhile, there were 35 incidents that targeted Indigenous populations, which represented 5% of hate crimes.

In 2016, there was an increase in the number of incidents against South Asians, Arabs and West Asians. Incidents targeting the South Asian population rose from 48 to 72, those against Arab and West Asian populations increased from 92 to 112.

While the Muslim population was the religious group that saw the greatest increase in the number of hate crimes against them in 2015, the most targeted group in 2015 remained the Jewish population. Despite a decrease from 213 incidents in 2014 to 178 in 2015, incidents against the Jewish population still accounted for 38% of crimes motivated by hatred of a religion.⁹²

The Jewish population was also the most targeted religious group in 2016, with an increase from 178 to 221 incidents, which represented 16% of all hate crimes. Meanwhile hate crimes against the Muslim and the Catholic populations decreased: incidents against Muslims went from 159 to 139, down to 10% of all hate crimes, while those targeting Catholics decreased from 55 to 27, for a total of 2% of all hate crimes.⁹³

Statistics Canada also provided demographic information related to the people accused of hate crimes. In 2015, “youths ages 12 to 17 years accounted for 22% of all persons accused in police-reported hate crimes,” and 87% of all accused are male.⁹⁴ In total, “young males under the age of 25 years old made up more than one-third of all persons accused of hate crimes”⁹⁵ in 2015. Regarding hate crimes targeting religion, the majority of accused were between 12 and 17 years of age, and about half were under 24 years old.⁹⁶ Persons accused of hate crimes motivated by hatred of race or ethnicity tended to be older: 63% were aged 25 years and over.⁹⁷ Regarding the demographics of victims,

92 Ibid., 1645 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

93 Statistics Canada, “[Police-reported hate crime, 2016](#),” November 2017.

94 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 8 November 2017, 1645 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

95 Ibid.

96 Statistics Canada, “[Accused were more likely to be youth in hate crimes targeting religion](#),” Police-reported hate crime in Canada, 2015, June 2017.

97 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 8 November 2017, 1645 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

the majority of victims of hate crimes were male, except for hate crimes targeting Muslim populations, where 53% of victims were women.⁹⁸

2.1.2 Self-reported hate crimes

Conducted every five years, the General Social Survey (GSS) on Victimization asks a sample of Canadians aged 15 and over whether they have been a victim of the following offenses: sexual assault, robbery, physical assault, break and enter, theft of motor vehicles or parts, theft of household property, theft of personal property and vandalism.⁹⁹ Data obtained from the GSS differs from data collected by police services, as it is “based upon the perceptions of individuals regarding whether or not a crime occurred and what the motivation for the crime may have been,” whereas information from the police strictly consists of incidents that fulfilled the criteria for hate crimes as cited in the Criminal Code and were substantiated by an investigation.¹⁰⁰

In the latest GSS, which was conducted in 2014, Canadians cited 330,000 criminal incidents that, according to them, were motivated by hate, corresponding to 5% of all declared incidents.¹⁰¹ According to the GSS, two-thirds of the victims of these incidents did not report them to the police. In a follow-up question, the GSS asked for reasons as to why the crime had not been reported to the authorities. Victims of hate crimes listed “fear of revenge” and a perception that “the police would be biased” as reasons why they did not go to the police. Victims of hate crimes gave these reasons in greater proportion than victims of non-hate crimes.¹⁰²

Mr. Clermont of Statistics Canada told the Committee:

As in 2009, race was the most common motivation for incidents to be motivated by hate, cited by just over half (51%) of victims who believed the incident was motivated by hate. Other motivations included sex (reported by 26% of victims), age (19%), and religion (11%).¹⁰³

98 Statistics Canada, “[Summary](#),” Police-reported hate crime in Canada, 2015, June 2017.

99 See: CHPC, [Evidence](#), 1st Session, 42nd Parliament, 8 November 2017, 1635 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada); and Statistics Canada, “[Self-reported victimization data on hate-motivated incidents](#),” Police-reported hate crime in Canada, 2015, June 2017.

100 Statistics Canada, “[Self-reported victimization data on hate-motivated incidents](#),” Police-reported hate crime in Canada, 2015, June 2017.

101 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 8 November 2017, 1635 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

102 Ibid., 1650 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

103 Yvan Clermont (Statistics Canada), “Hate crime statistics,” *Submitted Brief*, November 2017.



As indicated by Rebecca Kong, Chief of the Policing Services Program of the Canadian Centre for Justice Statistics at Statistics Canada, variations in reporting from year to year mean that one must proceed with caution when comparing one year's report to another, as "small fluctuations can turn into large percentage increases" due to how small the numbers can be.¹⁰⁴ In its report, Statistics Canada specified that "higher rates of police-reported hate crime in certain jurisdictions may reflect differences or changes in the recognition, reporting and investigation of these incidents by police and community members."¹⁰⁵

2.2 CHALLENGES WITH COLLECTION AND ANALYSIS

When commenting on the available data regarding hate crimes in Canada, witnesses raised what they consider to be challenges related to data collection and analysis, including underreporting, a lack of uniformity and the need to provide additional reporting options for victims. These challenges are discussed in the following sections.

2.2.1 Underreporting

One of the main issues raised by witnesses has been underreporting, which has an impact on the quality and usability of the data that is made available. Shalini Konanur, Executive Director of the South Asian Legal Clinic of Ontario, explained:

What is not captured here [in the data] are those people who face racism and discrimination on a daily basis and do not report it. We speak to clients daily who express incidents of hate, incidents of violence, incidents of Islamophobia, and who repeatedly tell us that they will not come out and report it, that they do not feel safe to do so, they do not feel they would be supported if they did so, and they do not feel that anything would happen if they did so.¹⁰⁶

The necessity of reporting hate crimes in order to understand "the magnitude of the problem in our communities"¹⁰⁷ was underlined by Gilles Michaud, Deputy Commissioner of Federal Policing at the Royal Canadian Mounted Police, a point of view

104 CHPC, *Evidence*, 1st Session, 42nd Parliament, 8 November 2017, 1650 (Ms. Rebecca Kong, Chief, Policing Services Program, Canadian Centre for Justice Statistics, Statistics Canada).

105 Statistics Canada, "[Collection of police-reported hate crimes](#)," Police-reported hate crime in Canada, 2015, June 2017.

106 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1640 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario (SALCO)).

107 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 September 2017, 1725 (Gilles Michaud, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police).

echoed by Avvy Yao-Yao Go, Clinic Director of the Chinese and Southeast Asian Legal Clinic.¹⁰⁸

In order to reduce the underreporting rate, Mr. Michaud indicated that “Education programs ... are essential in combatting hate crimes, as they encourage victims to report incidents so law enforcement can initiate investigations.”¹⁰⁹

In its report on police-reported hate crime in 2015, Statistics Canada listed a variety of factors that may affect the reporting of hate crimes incidents:

[T]he presence (or absence) of a dedicated hate crime unit or training program within a particular police service may influence the identification of a crime as hate-motivated. The existence (or inexistence) of community outreach programs, public awareness campaigns, zero tolerance policies and victim assistance programs are all factors that may affect the willingness and/or ability of community members to report incidents to police, or to disclose to police the nature of the crime as hate-motivated.¹¹⁰

This motive was also raised by Ms. Konanur who explained that within the community, “fear of engaging with the police”¹¹¹ prevents some of her clients from reporting.

2.2.2 Lack of uniformity

The lack of uniformity in the data sources was another challenge affecting data collection and analysis that was raised by witnesses.

Bruce Clemenger, President of the Evangelical Fellowship of Canada, stated that government ought to act to ensure this uniformity:

[C]ollect data consistently and uniformly. Develop uniform national standards on collecting, categorizing, and reporting hate crime data to help ensure consistency across the country. This would provide a consistent body of information to inform dialogue and policy-making. Statistics Canada and other government departments should consult

108 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1605 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).

109 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 September 2017, 1725 (Gilles Michaud, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police).

110 Statistics Canada, “[Factors affecting the reporting of hate crimes](#),” Police-reported hate crime in Canada, 2015, June 2017.

111 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1705 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario (SALCO)).



with faith communities in developing data collection. Likewise, faith communities need to be more aware of definitions and reporting protocols.¹¹²

In its brief submitted to the Committee, the Chinese and Southeast Asian Legal Clinic recommended more “mandated standards for identifying and recording all hate incidents and their dispensation in the justice system”¹¹³ in order to better protect racialized groups.

Shimon Fogel, Chief Executive Officer of the Centre for Israel and Jewish Affairs, shared a similar view:

This committee should recommend that the government establish uniform national guidelines and standards for the collection and handling of hate crime and hate incident data. This step will help ensure that local, provincial, and national law enforcement consistently collect, catalogue, and publicize data regarding hate crimes and hate incidents. The more accurate and comprehensive the data available, the more appropriately efforts to counter hatred and bigotry in Canada can be calibrated to address the specific needs of the communities most impacted. Comprehensive empirical data is required to effectively diagnose the problems and prescribe the most appropriate solutions.¹¹⁴

2.2.3 Improving reporting

Witnesses had suggestions for providing additional options for reporting hate crimes and other incidents. Haseen Khan, Executive Committee Member and Treasurer of the Muslim Association of Newfoundland and Labrador, raised the idea of a national registry on a variety of incidents, one that would be more informal and therefore removed from the “burden” of going through law enforcement processes:

[O]ur first recommendation is to create a national registry to record all hateful incidents involving Islamophobia and other forms of racial and religious discrimination.... Our experience is that if you want to have informed decision-making on any issue, you first need to have the information in both quantitative terms as well as qualitative terms, because that is the only way for us to move forward. We need to have a better informal system in the form of some sort of national registry where they can dial in or log in and

112 CHPC, *Evidence*, 1st Session, 42nd Parliament, 6 November 2017, 1605 (Mr. Bruce Clemenger, President, Evangelical Fellowship of Canada).

113 Chinese and Southeast Asian Legal Clinic, “Submission to the Standing Committee on Canadian Heritage Regarding M-103 (Systemic Racism and Religious Discrimination),” *Submitted Brief*, September 2017.

114 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1550 (Mr. Shimon Fogel, Chief Executive Officer, Centre for Israel and Jewish Affairs).

complain and record their report with all the facts and figures without going through any further harassment.¹¹⁵

Soudeh Ghasemi, Vice-President of the Iranian Canadian Congress, suggested that “a racism and discrimination hotline be set up to allow victims of discrimination access to counsel and allow government to collect information on these incidents.”¹¹⁶

Mr. Clermont believed that the current system for collecting data from police services currently works well:

I believe that, with time and with all the mechanisms in place with the police forces in order to report through the uniform crime report.... The standards are given. There is training online. There is data validation that goes with them, individually, when we find there are big differences from year to year. There is a big process of data certification that goes with police forces. I would think that the mechanisms in place are very good at the moment, especially for an administrative data survey.¹¹⁷

When asked to consider what improvements could be brought to the system in place, Ms. Kong added:

I think in terms of working with police, continuing to sensitize them to the importance of the data, and training them, we find that it makes a big difference when a police service has a hate crime unit and has strong relationships with communities in terms of the willingness of victims to come forward. That's where we'll get information on the numbers.¹¹⁸

However, Ms. Kong indicated that there was a gap in the available information on offenders' motivation.¹¹⁹ In order to fill that gap, she suggested that a “specific research project designed where those who would have access to offenders could do interviews and collect that type of information” could be created.¹²⁰ In her testimony, she also

115 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1715 (Mr. Haseen Khan, Executive Committee Member and Treasurer, Muslim Association of Newfoundland and Labrador).

116 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1540 (Ms. Soudeh Ghasemi, Vice-President, Iranian Canadian Congress).

117 CHPC, *Evidence*, 1st Session, 42nd Parliament, 8 November 2017, 1655 (Mr. Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada).

118 CHPC, *Evidence*, 1st Session, 42nd Parliament, 8 November 2017, 1710 (Ms. Rebecca Kong, Chief, Policing Services Program, Canadian Centre for Justice Statistics, Statistics Canada).

119 Ibid., 1710 (Ms. Rebecca Kong, Chief, Policing Services Program, Canadian Centre for Justice Statistics, Statistics Canada).

120 Ibid., 1715 (Ms. Rebecca Kong, Chief, Policing Services Program, Canadian Centre for Justice Statistics, Statistics Canada).



informed the Committee that “it’s not unheard of for [Statistics Canada] to work with non-profit organizations or community-based organizations in data collection.”¹²¹

2.3 RESEARCH

Witnesses raised the need not only for more accurate data and better means of collecting and analysing it, but also for more substantial research once the data is made available. As explained by Yavar Hameed, barrister and solicitor at the Canadian Muslim Lawyers Association:

[T]here needs to be more research done. That research can be done by the government. Civil society can be enlisted, researchers can be brought out to go to the communities.... Doing that research, having people go out and document in the communities—and there are ways in which that can be done—requires a sensitivity to the communities and it requires going to the communities themselves. Taking that research and bringing that research back to where policy is where we see an important gap and where there needs to be development.¹²²

Jasmin Zine, Professor of Sociology and Muslim Studies at Wilfrid Laurier University, suggested that research on Islamophobia, systemic racism and religious discrimination be included as priorities through the Social Sciences Research and Humanities Council, the Canada Council of the Arts and at Canadian Heritage.¹²³ Idris Elbakri, past president of the Manitoba Islamic Association, built on this idea, saying that “there need to be grants to academic experts in universities to study this issue further...to inform our policy-making with scholarly research that has withstood the test of peer review.”¹²⁴

2.4 ISSUES RAISED BY WITNESSES

Throughout the study, witnesses reported instances of racial and religious discrimination they have faced or dealt with in their community. Some examples raised by witnesses include:

121 Ibid., 1715 (Ms. Rebecca Kong, Chief, Policing Services Program, Canadian Centre for Justice Statistics, Statistics Canada).

122 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1720 (Mr. Yavar Hameed, Barrister & Solicitor, Canadian Muslim Lawyers Association).

123 CHPC, *Evidence*, 1st Session, 42nd Parliament, 4 October 2017, 1620 (Dr. Jasmin Zine, Professor, Sociology and Muslim Studies Option, Wilfrid Laurier University, As an Individual).

124 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1720 (Dr. Idris Elbakri, Past President, Manitoba Islamic Association).

- the murder of six Muslim men praying at the Centre culturel islamique de Québec in Quebec City on 29 January 2017;¹²⁵
- anti-Semitic hate speech¹²⁶ and graffiti;¹²⁷
- the frequent carding of Black Canadians in “areas where [they] do not belong;”¹²⁸
- the inequitable access to government services for First Nations children;¹²⁹
- the rejection of a Canadian university’s proposed law school by three provincial law societies because the University has an “underlying philosophy and viewpoint that is Christian;”¹³⁰ and
- the “name-calling and taunting” of members of the Sikh community who are perceived to be Muslim.¹³¹

Witnesses also had recommendations as to how the federal government should approach these issues.

As the Committee listened to witnesses, it was reminded to consider the struggles faced by every community and was asked not to focus on any particular racial or religious groups. As outlined by B’nai Brith Canada in its brief:

The Committee’s work and its outcome must not diminish, or be perceived to diminish, the threat to Canadians of all faith communities who face racism and religious

125 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1650 (Mr. Faisal Bhabha, Associate Professor, Osgoode Hall Law School, York University, Canadian Muslim Lawyers Association).

126 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1610 (Mr. Michael Mostyn, Chief Executive Officer, National Office, B’nai Brith Canada).

127 CHPC, *Evidence*, 1st Session, 42nd Parliament, 6 November 2017, 1655 (Staff Sergeant David Zackrias, Head, Diversity and Race Relations, Ottawa Police Service).

128 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1635 (Mr. Shawn Richard, President, Canadian Association of Black Lawyers).

129 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1655 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).

130 CHPC, *Evidence*, 1st Session, 42nd Parliament, 30 October 2017, 1535 (Mr. Robert Kuhn, President, Trinity Western University).

131 CHPC, *Evidence*, 1st Session, 42nd Parliament, 30 October 2017, 1645 (Mr. Balpreet Singh, Legal Counsel, World Sikh Organization of Canada).



discrimination, and it must not suggest that one form of racism or religious discrimination is more threatening or of greater priority than another.¹³²

This was also the approach prioritized by Renu Mandhane, Chief Commissioner of the Ontario Human Rights Commission:

We need to send a collective message that while the Constitution protects freedom of expression, it also guarantees equality, regardless of race and religion. The government has the power to take action to protect people who are harmed by racism and Islamophobia, and we call on it to boldly do so.¹³³

2.4.1 Hate speech, freedom of speech and freedom of conscience

Many witnesses acknowledged having been subject to hate speech and recounted instances of hateful comments being directed at them. A number of witnesses stressed the importance of both freedom of speech and freedom of conscience.

This view was expressed particularly in relation to the question of Islamophobia and criticism of religion. As expressed by Tarek Fatah, Founder of the Muslim Canadian Congress, “We need to stand up for human beings, for people and their rights. We need to be able to challenge ideas and ideologies without the fear that we will be called ‘racist’ or ‘bigoted.’”¹³⁴ Michel Juneau-Katsuya, President and Chief Executive Officer of the Northgate Group Corp., reiterated this opinion, and added that “We need to be able to criticize what needs to be criticized in order to identify what are the Canadian values and what kind of society our society wants to be.”¹³⁵

Father Raymond de Souza, for his part, warned against “a chill around discussing difficult questions regarding Islam [as] those need to take place,” reminding the Committee that these discussions are already taking place within Muslim communities.¹³⁶ This point of view was also echoed by Peter Bhatti, Chairman of International Christian Voice, who

132 B’nai Brith Canada, “Recommendations from B’nai Brith Canada to the Standing Committee on Canadian Heritage,” *Submitted Brief*, October 2017.

133 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1640 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

134 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1625 (Mr. Tarek Fatah Founder, Muslim Canadian Congress).

135 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1625 (Mr. Michel Juneau-Katsuya, President and Chief Executive Officer, The Northgate Group Corp.).

136 CHPC, *Evidence*, 1st Session, 42nd Parliament, 27 September 2017, 1630 (Father Raymond de Souza, As an Individual). This view was also expressed: CHPC, *Evidence*, 1st Session, 42nd Parliament, 27 September 2017, 1655 (Ms. Raheel Raza, President, Council for Muslims Facing Tomorrow).

stressed that it is “the fundamental freedoms of all Canadians to lawfully and respectfully criticize any Islamic religious idea.”¹³⁷ The question of freedom of expression was raised by other witnesses, such as Jay Cameron, barrister and solicitor at the Justice Centre for Constitutional Freedoms, who reminded the Committee that the concept protects both “speakers” and “listeners.”¹³⁸

Regarding freedom of conscience, witnesses underlined the need for the government to ensure that individual freedoms are respected for all Canadians, no matter their religion. According to Julia Beazley, Director of Public Policy at the Evangelical Fellowship of Canada, government’s commitment to freedom of religion should be distinct from the “more general category of human rights.”¹³⁹ She remarked that religious perspective should be included in public debate and emphasized that:

This is an important part of what it means to be a free and democratic society. Government should not compel or coerce Canadians to act against their beliefs or to celebrate beliefs that are counter to their faith. We recommend that robust conscience protection be legislated so that no one is forced to act against their conscience or deeply held beliefs.¹⁴⁰

Some witnesses had recommendations that were specific to situations faced by the groups they represent. For example, Trinity Western University recounted instances of discrimination faced by their students, alumni and faculty members.¹⁴¹ Appearing before the Committee, the University’s President, Robert Kuhn, recommended that the government should apply the concept of “duty to consult” to religious groups as well:

Before embarking on legislative or other responses to what might be characterized as moral issues, I believe it would be a prudent and positive step to ensure consultation with religious organizations in order to understand the perspective of religious people in Canada.¹⁴²

137 CHPC, *Evidence*, 1st Session, 42nd Parliament, 27 September 2017, 1545 (Mr. Peter Bhatti, Chairman, International Christian Voice).

138 CHPC, *Evidence*, 1st Session, 42nd Parliament, 27 September 2017, 1550 (Jay Cameron, Barrister and Solicitor, Justice Centre for Constitutional Freedoms).

139 CHPC, *Evidence*, 1st Session, 42nd Parliament, 6 November 2017, 1600 (Ms. Julia Beazley, Director, Public Policy, Evangelical Fellowship of Canada).

140 Ibid.

141 Robert Kuhn (Trinity Western University), “Brief of Submissions to House of Commons, Heritage Committee Regarding Member’s Motion 103,” *Submitted Brief*, October 2017.

142 Ibid.



In its brief, the Christian Medical and Dental Society stated that legislation should “protect members of religious minorities...from being forced to act against the tenets of their faith or their conscience in the service of their patients.”¹⁴³

Another theme that was raised by witnesses was the presence of hateful speech online. Sikander Hashmi, spokesperson of the Canadian Council of Imams, expressed the need for more resources dedicated to this issue:

Increase funding for law enforcement and security agencies to investigate hate speech on the Internet, to enforce existing laws, and to gather intelligence on, investigate, and prosecute radical individuals and groups who believe in terrorizing Canadian minorities through criminal acts with the same vigour and allocation of resources as has been done so far against individuals and groups who believe in terrorizing Canadians indiscriminately through criminal acts.¹⁴⁴

2.4.2 Discrimination related to employment

Some witnesses presented their experiences with employment discrimination based on their racial or religious identity.¹⁴⁵ In order to provide more employment opportunities for underrepresented groups, Larry Rousseau, Executive Vice-President of the Canadian Labour Congress, called on the government to “immediately introduce proactive pay equity legislation that will close the wage disparity, in particular for racialized Muslim,

143 Larry Worthen (Christian Medical and Dental Society), “Brief,” *Submitted Brief*, October 2017.

144 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1650 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams).

145 For examples, see: CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1635 (Mr. Shawn Richard, President, Canadian Association of Black Lawyers); CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1540 (Ms. Narges Samini, Community Member, Frog Hollow Neighbourhood House); CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1545 (Ms. Serah Gazali, Community Member, Frog Hollow Neighbourhood House); CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1710 (Dr. Mansoor Pirzada, President, Muslim Association of Newfoundland and Labrador); CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1640 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic); CHPC, *Evidence*, 1st Session, 42nd Parliament, 4 October 2017, 1615 (Dr. Jasmin Zine, Professor, Sociology and Muslim Studies Option, Wilfrid Laurier University, As an Individual); CHPC, *Evidence*, 1st Session, 42nd Parliament, 30 October 2017, 1605 (Mr. Robert Kuhn, President, Trinity Western University); CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1540 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic); CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1555 (Mr. Pouyan Tabasinejad, Policy Chair, Iranian Canadian Congress).

Black, and Indigenous women.”¹⁴⁶ Tamara Thomas, policy researcher and analyst at the African Canadian Legal Clinic, also supported “mandatory pay equity.”¹⁴⁷

Speaking on the current situation in the federal public service, Carl Trottier, Assistant Deputy Minister of the Governance, Planning and Policy Sector at the Treasury Board Secretariat, recognised the low representation of certain groups, and explained that a name-blind recruitment strategy pilot project was currently in place.¹⁴⁸

For Ayse Akinturk, Executive Committee Member of the Muslim Association of Newfoundland and Labrador, eliminating the barriers to employment should be the priority, and the government should “introduce and implement appropriate tools that will promote equity and inclusion.”¹⁴⁹ She argued that when “people feel they are socially and economically empowered...their self-esteem and their resistance to attempts to be discriminated against rises.”¹⁵⁰

2.4.3 Social discrimination

Another aspect raised by witnesses was the discrimination faced by youths in the education system, particularly Indigenous youths. Kevin Barlow, Chief Executive Officer of the Metro Vancouver Aboriginal Executive Council, found that there are “systemic issues” within the system.¹⁵¹ This point of view was shared by Cecil Roach, Coordinating Superintendent of the Education, Equity and Community Services at the York Region District School Board, who called on the government to:

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- 146 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1650 (Mr. Larry Rousseau, Executive Vice-President, Canadian Labour Congress).
- 147 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1640 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic).
- 148 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 September 2017, 1745 (Mr. Carl Trottier, Assistant Deputy Minister, Governance, Planning and Policy Sector, Treasury Board Secretariat).
- 149 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1700 (Dr. Ayse Akinturk, Executive Committee Member, Muslim Association of Newfoundland and Labrador).
- 150 *Ibid.*, 1720 (Dr. Ayse Akinturk, Executive Committee Member, Muslim Association of Newfoundland and Labrador).
- 151 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1625 (Kevin Barlow, Chief Executive Officer, Metro Vancouver Aboriginal Executive Council).



[D]eclare indigenous education as a national emergency and develop a plan of action with defined timelines to ensure that the national dropout rates of indigenous students fall within the average of white students.¹⁵²

Some witnesses offered examples of social discrimination faced by their community. In her testimony, Ms. Go reminded the Committee that “if you're a person of colour, if you're indigenous, you are two to six times more likely to live below the poverty line compared to a non-racialized person.”¹⁵³ In his appearance before the Committee, Sam Erry, Associate Deputy Minister of the Inclusion, Diversity and Anti-Racism Division of the Government of Ontario, stressed the need to solve the underlying issues that can cause discrimination against certain groups:

Tackling the systemic institutional barriers that prevent indigenous and racialized people from achieving their full potential is not only a moral imperative, it's also an economic imperative.¹⁵⁴

Cindy Blackstock, Executive Director of the First Nations Child and Family Caring Society of Canada, urged the government to ensure that “First Nations children can access all the public services they need, when they need them, and without additional red tape related to their First Nations status.”¹⁵⁵ She also called on support and funding for Indigenous languages.¹⁵⁶

Another example of discrimination focused on financial institutions. In his testimony, Pouyan Tabasinejad, policy chair of Iranian Canadian Congress explained that following Canadian sanctions against Iran in 2012, “banks have refused to deal with those who had or were perceived to have any financial links to Iran whether personal or business. This resulted in the closure of the bank accounts of Iranian Canadians, including Canadian citizens, for no other reason than because they were Iranian.”¹⁵⁷

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- 152 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1550 (Mr. Cecil Roach, Coordinating Superintendent of Education, Equity and Community Services, York Region District School Board).
- 153 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1600 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).
- 154 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1645 (Mr. Sam Erry, Associate Deputy Minister, Cabinet Office, Inclusion, Diversity and Anti-Racism Division, Government of Ontario).
- 155 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1655 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).
- 156 Ibid., 1700 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).
- 157 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1540 (Mr. Pouyan Tabasinejad, Policy Chair, Iranian Canadian Congress).

2.5 LEGAL CONCERNS RAISED BY WITNESSES

In addition to relating instances of discrimination, witnesses also expressed legal concerns that they believed could be addressed by the federal government.

2.5.1 Criminal Code review

Many witnesses mentioned that the provisions in the *Criminal Code* that oversee hate crimes ought to be revised in order to better protect victims and address their needs. For example, the Chinese and Southeast Asian Legal Clinic, in its brief submitted to the Committee, asked for amendments that would “take hate motivation into account more effectively and consistently.”¹⁵⁸ B’nai Brith Canada recommended that:

The Committee should clearly outline the provisions of the Charter and the Criminal Code that apply to hate speech and hate crimes. The Committee should examine how the provisions of the Criminal Code, in particular, can be strengthened, stressing the consequences to be faced by those who act contrary to the Charter and the Criminal Code.¹⁵⁹

Furthermore, during the course of the study, *Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act* and to make consequential amendments to another Act, was in the process of being examined by the House of Commons. As some of the provisions in the Bill concerned sections of the Criminal Code related to religious communities, some witnesses discussed the Bill during their appearance before the Committee. Don Hutchinson, author, called for Bill C-51 to be amended in order to retain section 176 of the Criminal Code, regarding obstruction or violence to officiating clergyman and disturbing religious worship. However, he approved the proposed removal of section 296, concerning blasphemy, as “all beliefs and practices, religious and non-religious, must be open to critical evaluation and peaceful dialogue, debate, and dissension.” Ms. Ghasemi agreed with Mr. Hutchinson, stating that the government should not remove “parts of the Criminal Code that provide protection to places of

158 Chinese and Southeast Asian Legal Clinic, “Submission to the Standing Committee on Canadian Heritage Regarding M-103 (Systemic Racism and Religious Discrimination),” *Submitted Brief*, September 2017.

159 B’nai Brith Canada, “Recommendations from B’nai Brith Canada to the Standing Committee on Canadian Heritage,” *Submitted Brief*, October 2017.



worship, religious ceremonies, and faith communities” at a time “when hate crime against people from specific religious backgrounds is rising.”¹⁶⁰

In her testimony, Ms. Ghasemi stated that “a systematic review of our Criminal Code legislation in regard to hate crimes and hate speech is long overdue.”¹⁶¹ She added that “numerous sources have reported that a significant part of the problem in prosecuting hate crimes is that the Criminal Code limits what can be done and does not allow speedy and efficient prosecution.”¹⁶²

One of the recommendations in Frog Hollow Neighbourhood House’s brief is the need to “[r]eview and strengthen the laws against hate speech and hate crimes by providing a more inclusive and clear definition of what, exactly, constitutes a hate crime.”¹⁶³ Participants added that “these laws should specifically detail and define Islamophobia.”¹⁶⁴

Some witnesses specified sections of the *Criminal Code* which, according to them, ought to be revised. Mr. Hashmi argued that section 319 should be expanded “to characterize all physical attacks against religious symbols in public places... as public incitement of hatred or willful promotion of hatred”¹⁶⁵ and asked the Committee to “consider expanding subsection 430(4.1) of the Criminal Code to include religious schools.”¹⁶⁶

Aurangzeb Qureshi, Vice-President of Public Policy and Communications at the Alberta Muslim Public Affairs Council, also stated the need to clarify “the ambiguous nature of section 319.”¹⁶⁷ He also touched upon section 318, which he said should be amended

160 See: CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1535 (Mr. Don Hutchinson, Author, As an Individual) and CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1540 (Ms. Soudeh Ghasemi, Vice-President, Iranian Canadian Congress).

On 20 November 2017, the House of Commons Standing Committee on Justice and Human Rights reported the bill with amendments, including those called for by the witnesses.

161 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1635 (Ms. Soudeh Ghasemi, Vice-President, Iranian Canadian Congress).

162 Ibid.

163 Frog Hollow Neighbourhood House, “We need to move beyond feelings and look at the systemic impacts of racism on our economic and social status,” *Submitted Brief*, September 2017.

164 Ibid.

165 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1650 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams).

166 Ibid.

167 CHPC, *Evidence*, 1st Session, 42nd Parliament, 8 November 2017, 1540 (Mr. Aurangzeb Qureshi, Vice-President, Public Policy and Communications, Alberta Muslim Public Affairs Council).

“so that a hate incident can be charged as a crime without having to specifically meet such an unrealistic threshold of genocide.”¹⁶⁸ Mr. Qureshi also called for an expansion on the section on mischief.

2.5.2 Facilitate investigation and prosecution of hate crimes

As indicated by Statistics Canada, there is a discrepancy between the number of times people consider themselves to have been a victim of a hate crime and the number of hate-crime incidents reported by the police.¹⁶⁹ In their testimonies, witnesses proposed ways to facilitate both the investigation and prosecution of hate crimes.

Mr. Fogel told the Committee that “In an era when statements can live on in perpetuity online...the statute of limitations for hate promotion should be extended.”¹⁷⁰ He also called on the federal government to support the development of hate crime units within police services. He stated that:

These units have been integrated into several police services across Canada and have constituted an unqualified success. Units specifically trained to investigate hate-motivated crime ensure that incidents are handled with particular sensitivity and understanding of the distinct nature of the crime and its impact on the victims, their families, and their communities. Universalizing hate crime units would ensure that as many vulnerable Canadians as possible can benefit from these services that ensure the officers responding to hate incidents are the best equipped to do so.¹⁷¹

In its brief, Frog Hollow Neighbourhood House also called upon the government to “Strengthen the legislation pertaining to human rights redress in cases of discrimination.”¹⁷² However, Ms. Mandhane argued that the current laws are not enforced enough and that “we really need to start thinking about defining hate in a way that captures the lived experience of people who experience it.”¹⁷³

168 Ibid.

169 Statistics Canada, “[Self-reported victimization data on hate-motivated incidents](#),” Police-reported hate crime in Canada, 2015, June 2017.

170 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1550 (Mr. Shimon Fogel, Chief Executive Officer, Centre for Israel and Jewish Affairs).

171 Ibid.

172 Frog Hollow Neighbourhood House, “We need to move beyond feelings and look at the systemic impacts of racism on our economic and social status,” *Submitted Brief*, September 2017.

173 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1720 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).



2.5.3 Legislation related to Indigenous Peoples

Witnesses also shared legal concerns and suggestions for government actions that could help combat the discrimination Indigenous Peoples face. National Chief Perry Bellegarde, of the Assembly of First Nations, asked for the “full adoption and implementation of the United Nations Declaration on the Rights of Indigenous Peoples [UNDRIP],” calling the document “a road map to reconciliation,”¹⁷⁴ a recommendation supported by other witnesses.^{175, 176} In addition, he stated that a close examination of legislation would be necessary should Canada adopt UNDRIP and that there needs to be “a process for the law review and the policies.”¹⁷⁷

A number of witnesses, including Chief Bellegarde, Mr. Rousseau and Ms. Blackstock, also supported the implementation of the 94 recommendations of the Truth and Reconciliation Commission and the work of the National Inquiry into Missing and Murdered Indigenous Women and Girls.¹⁷⁸

Senator Murray Sinclair, former Commissioner of the Truth and Reconciliation Commission, argued that systemic discrimination and racism are embedded within Canadian laws, and that Canada needs to change “those laws that ... continue to have an impact, or those laws which on the face of it do not have an intentionally negative impact but have a differential impact by virtue of practice.”¹⁷⁹ Regarding the judicial

174 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1650 (National Chief Perry Bellegarde, National Chief, Assembly of First Nations).

175 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1725 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada); and CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1650 (Mr. Larry Rousseau, Executive Vice-President, Canadian Labour Congress); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 2 October 2017, 1610 (Hon. Murray Sinclair, Senator, Manitoba, ISG).

176 On 21 November 2017, Justice Minister Jody Wilson-Raybould announced that the Liberal government would back bill [C-262, An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples](#). The bill is currently at second reading in the House of Commons. See: John Paul Tasker, “Liberal government backs bill that demands full implementation of UN Indigenous rights declaration,” *CBC News*, 21 November 2017.

177 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1650 (National Chief Perry Bellegarde, National Chief, Assembly of First Nations).

178 See : CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1650 (Mr. Larry Rousseau, Executive Vice-President, Canadian Labour Congress); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1650 (National Chief Perry Bellegarde, National Chief, Assembly of First Nations); and CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1655 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).

179 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 2 October 2017, 1610 (Hon. Murray Sinclair, Senator, Manitoba, ISG).

system currently in place, Chief Bellegarde asked for an “overhaul” to “work towards restorative justice systems instead of punitive justice systems.”¹⁸⁰

In her testimony, Ms. Blackstock called on the federal government to “comply fully with the Canadian Human Rights Tribunal's orders” regarding Indigenous children and the inequity in funding for child welfare services.¹⁸¹ In his testimony, Senator Sinclair denounced this situation, stating that “the factors that are utilized and followed in order to make a decision as to whether to take a child into care...do not include those factors that are unique to indigenous families.”¹⁸² He also told the Committee about the discriminatory rules still present in the justice system.¹⁸³ For Senator Sinclair, the key to helping Indigenous populations, whether it is about child welfare or the justice system, is “empowering Indigenous communities” as they have the knowledge to do it better than non-indigenous agencies.¹⁸⁴

180 CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1655 (National Chief Perry Bellegarde, National Chief, Assembly of First Nations).

181 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1700 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).

182 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1555 (Hon. Murray Sinclair, Senator, Manitoba, ISG).

183 *Ibid.*, 1535 (Hon. Murray Sinclair, Senator, Manitoba, ISG).

184 *Ibid.*, 1555 (Hon. Murray Sinclair, Senator, Manitoba, ISG).



PART 3: MOVING FORWARD

3.1 NATIONAL ACTION PLAN—A WHOLE OF GOVERNMENT APPROACH

Much of the Committee’s deliberations focused on finding practical solutions that the federal government could introduce to decrease and/or eliminate systemic racism and religious discrimination in Canada.

Canada has long been a leading promoter of multiculturalism, which is recognized in section 27 of the *Canadian Charter of Rights and Freedoms* and codified in the *Canadian Multiculturalism Act*. Although these policies are significant in the promotion of a diverse Canada, some witnesses suggested that they are not sufficient in combatting racism and discrimination. Mr. Sam Erry, Associate Deputy Minister of the Inclusion, Diversity and Anti-Racism Division for the Government of Ontario, stated:

Building a diverse society and focusing on raising awareness about diversity are good and necessary things to do, but they are not sufficient to change the deeply entrenched inequities for indigenous and racialized people, and other groups. The diversity approach has failed to change the power imbalances that result in privilege for some groups and disadvantage for others.¹⁸⁵

As will be discussed in the section below, the Committee heard a range of suggestions regarding a whole-of-government approach that the federal government could take to address systemic racism and religious discrimination in Canada. Many witnesses advocated for a national action plan that encompasses all parts of the federal government because systemic racism and discrimination requires a systemic response.¹⁸⁶

The suggestion aligns closely with a recommendation made by the UN Committee on the Elimination of Racial Discrimination (CERD) that Canada “develop and launch a new national action plan against racism.”¹⁸⁷ Cindy Blackstock, Executive Director of First Nations Child and Family Caring Society of Canada, supported CERD’s recommendation. She stated:

185 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1645 (Mr. Sam Erry, Associate Deputy Minister, Cabinet Office, Inclusion, Diversity and Anti-Racism Division, Government of Ontario).

186 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1625 (Ms. Ayesha Chaudhry, Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice, As an Individual).

187 United Nations Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined twenty-first to twenty-third periodic reports of Canada*, 13 September 2017, 2.

There should be an anti-racism strategy. That's something that United Nations Committee on the Elimination of Racial Discrimination recommended to Canada in its recent review. That is an important piece.¹⁸⁸

It should be noted that in 2005, the Government of Canada launched a national action plan entitled *A Canada for All: Canada's Action Plan Against Racism*.¹⁸⁹ In the plan, the government committed to remove race-related barriers in the workplace and in the community and to consult racial and ethnic groups on the development of public policy to achieve this objective. The plan, which had a five-year funding commitment, lapsed in 2010.

Some witnesses noted that Canada's social landscape has evolved considerably since 2005, and they suggested that a new plan would require "refreshing."¹⁹⁰ Avvy Yao-Yao Go, Clinic Director of the Chinese and Southeast Asian Legal Clinic, noted that since 2005:

...things have changed. The action plan back then may not be as relevant today. One of the issues which I think the action plan back then didn't address was Islamophobia, which I think is a very important issue for us to address today.¹⁹¹

3.1.1 Development of a National Strategy

As racism and religious discrimination affect various groups differently across Canada, many witnesses discussed the significance of the development of such a national strategy. Some of them recommended that to fully understand and address the effects of systemic racism and religious discrimination, there needs to be direct and regular consultation with those directly affected.

For example, Haseen Khan, Executive Committee Member and Treasurer of the Muslim Association of Newfoundland and Labrador, noted:

I think the strategy has to be developed and implemented in consultation with grassroots organizations, because they are at the forefront. They are familiar with the

188 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1725 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).

189 Government of Canada, *A Canada for All: Canada's Action Plan Against Racism*, 2005.

190 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1715 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

191 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1600 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).



realities on the ground. On a day-to-day basis, they get complaints. They counsel those who have been victims of these scenarios, these serious situations.¹⁹²

Shalini Konanur, Executive Director of the South Asian Legal Clinic of Ontario, echoed this opinion. She stated:

I would just say that it is really critical that in creating these plans you have a community-based approach. You need to hear from the community. You need to hear from the people facing these issues in order to create strategies that will have some impact on those cases.¹⁹³

Andrew P.W. Bennett, Senior Fellow with Cardus, agreed that community groups and non-government organizations should be consulted, but cautioned that a wide array of opinions should be sought. He emphasized:

If you're going to bring together [Non-Government Organizations] and community groups...there has to be a constant check on political inclination...You should always be seeking to engage broadly.¹⁹⁴

In terms of the hands-on development of the strategy, Ihsaan Gardee, Executive Director of the National Council of Canadian Muslims, recommended the establishment of a specialized group within the public service to lead the development and implementation process. He suggested that an anti-racism directorate be established within the Department of Canadian Heritage and could lead in developing, implementing and monitoring a national plan.¹⁹⁵

Witnesses also encouraged the government to engage with faith communities to combat religious discrimination. Don Hutchinson, author, encouraged parliamentarians to “engage openly with people of various religious beliefs, and this includes connecting with faith-based organizations in the community and those participating in the process of policy development.”¹⁹⁶ Julia Beazley, Director of Public Policy at the Evangelical Fellowship of Canada, further suggested the establishment of “a forum for dialogue and

192 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1715 (Mr. Haseen Khan, Executive Committee Member and Treasurer, Muslim Association of Newfoundland and Labrador).

193 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1655 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario).

194 CHPC, *Evidence*, 1st Session, 42nd Parliament, 16 October 2017, 1730 (Dr. Andrew P.W. Bennett, Senior Fellow, Cardus).

195 CHPC, *Evidence*, 1st Session, 42nd Parliament, 4 October 2017, 1630 (Mr. Ihsaan Gardee, Executive Director, National Council of Canadian Muslims).

196 CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1535 (Mr. Don Hutchinson, Author, As an Individual).

co-operation” or a “multifaith advisory group or council.”¹⁹⁷ Peter Bhatti, Chairman of International Christian Voice, also argued in favour of creating an interfaith council, saying that “it needs to be about protecting interfaith harmony and other objectives where we put all the religions together, through seminars and conferences, to chill the hatred of one for the other.”¹⁹⁸

3.1.2 Race Equity Lens

When devising policies and programs, it is important to understand the needs of the population served. Systemic racism occurs when government actions fail to address the needs of certain racialized groups within the population, resulting in unfair, discriminatory practices and outcomes. To expose and prevent systemic racism, a number of witnesses suggested the development of a race equity lens as a key element of a national action plan.

The race equity lens is a tool to assist the government in developing, implementing, and evaluating government programs, policies, and services.¹⁹⁹ Ms. Mandhane recommended that the federal government consider a tool similar to Gender-based Analysis Plus (GBA+) for race equity. GBA+ is “an analytical tool used to assess how diverse groups of women, men and gender-diverse people may experience policies, programs and initiatives.”²⁰⁰ Ms. Mandhane stated:

For over 20 years, the government has required federal departments to conduct gender-based impact assessments. Our final recommendation is to require impact analysis based on race.²⁰¹

Ayse Akinturk, Executive Committee Member of the Muslim Association of Newfoundland and Labrador, said that a race equity lens similar to GBA+, could

197 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 6 November 2017, 1600 (Ms. Julia Beazley, Director, Public Policy, Evangelical Fellowship of Canada).

198 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 27 September 2017, 1610 (Mr. Peter Bhatti, Chairman, International Christian Voice).

199 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1640 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

200 Status of Women Canada, [What is GBA+?](#)

201 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1640 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).



“promote equity and inclusion and eliminate racial and religious barriers to employment.”²⁰²

The application of such a lens does not necessarily mean a targeted policy or program response but rather ensures that policy makers have the necessary information to evaluate whether policies or practices could have a discriminatory outcome.

Ms. Mandhane stated that the implementation of a race equity lens would fit into Canada’s legal framework, and would be “consistent with the values of Canadians and with the *Charter*.”²⁰³

Ms. Konanur added that creating such a lens could be an “incredible starting point” for the federal government in identifying the indicators of systemic racism.²⁰⁴ The lens could be used to understand how future government activities affect racialized groups and indigenous peoples, it could also be used to analyze and improve current legislation and programming that may have unintentionally racist effects.²⁰⁵ For example, Ms. Go noted that had a race equity lens been placed on the [recently eliminated] conditional permanent residence regulation,²⁰⁶ “it would have shown that there was a disproportionate impact on racialized women from that policy.”²⁰⁷

Tamara Thomas, Policy Researcher and Analyst for the African Canadian Legal Clinic, explained that a flexible tool like a race equity lens would be a beneficial tool to many racialized communities because, “A one-size-fits-all approach is not going to work...” She

202 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1700 (Dr. Ayse Akinturk, Executive Committee Member, Muslim Association of Newfoundland and Labrador).

203 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1640 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

204 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1710 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario).

205 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2017, 1620 (Mr. Shahan Mirakian, President, Armenian National Committee of Canada); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 6 November 2017, 1635 (Mr. Frank Huang, National Secretary-General, National Congress of Chinese Canadians).

206 The Conditional permanent residence policy required sponsored spouses or partners of Canadian citizens and permanent residents to live with their sponsor in order to keep their permanent resident status. On 28 April 2017, the Government of Canada announced that this policy was eliminated because the requirement of a sponsored spouse or partner to live with their sponsor could create “an imbalance between the sponsor and the sponsored spouse or partner,” rendering the sponsored spouse or partner “more vulnerable.” See: Government of Canada, [Notice—Government of Canada Eliminates Conditional Permanent Residence](#), 28 April 2017.

207 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1645 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).

added that to fully understand how different racialized groups are affected by different government activities, the Government “need[s] to apply a racial equity lens.”²⁰⁸

Pouyan Tabasinejad, Policy Chair of the Iranian Canadian Congress, suggested that the adoption of such a lens could promote a positive change in the public service. He explained: “There needs to be a change in the mentalities and the approaches we have in government. We need to accept that systems of privilege and under-privilege are at play here, and an equity lens would definitely help dismantle and alleviate some of these issues.”²⁰⁹ As such, similar to GBA+, federal employees could also be trained to apply the lens to their daily activities, with the goal of creating a federal government that is sensitive to and aware of the population it serves.

Some witnesses also recommended that the gender-based equity budgeting process be expanded to include a race-based model as well.²¹⁰ Mr. Gardee stated:

Just as the federal budget was rightly subjected to a gender-based analysis, this lens should be expanded to include a diversity, equity, and inclusion analysis. When spending decisions are tied to policy and the rationales that underpin it, they can have far more broad-reaching impacts than attempting to address social phenomena after they occur.²¹¹

208 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1715 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic).

209 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1600 (Mr. Pouyan Tabasinejad, Policy Chair, Iranian Canadian Congress).

210 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1610 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).

211 CHPC, *Evidence*, 1st Session, 42nd Parliament, 4 October 2017, 1630 (Mr. Ihsaan Gardee, Executive Director, National Council of Canadian Muslims).



Ms. Go,²¹² Ms. Akinturk²¹³ and Mansoor Pirzada, President of the Muslim Association of Newfoundland and Labrador,²¹⁴ made similar suggestions with respect to the budget and a race equity lens.

3.1.3 Benchmarks and Accountability

A number of witnesses noted that to ensure that a national action plan is effective, sustainable and accountable, it must include clearly defined targets, deadlines and reporting mechanisms.²¹⁵ In the UN CERD's recommendation that Canada establish an action plan against racism, it was further suggested that "legislation, dedicated resources, targets, and adequate monitoring and reporting mechanisms" be implemented to ensure the plan is sustainable and accountable.²¹⁶

Similarly, Ms. Mandhane explained that in order for national strategy to produce meaningful results, it must be adequately-resourced, transparent, and sustainable from government to government:

I think what's really important in these plans is that the government set out benchmarks for how it's going to report publicly on progress against the plan, because we see a lot of plans that, quite frankly, look wonderful but without resources and without a commitment to be transparent about how you're going to measure progress against the plan, it's very hard for the public to understand the value of the plan and how we're moving forward. There needs to be a longer-term initiative.²¹⁷

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- 212 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1610 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).
- 213 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1700 (Dr. Ayse Akinturk, Executive Committee Member, Muslim Association of Newfoundland and Labrador).
- 214 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1645 (Dr. Mansoor Pirzada, President, Muslim Association of Newfoundland and Labrador).
- 215 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1715 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1715 (Mr. Haseen Khan, Executive Committee Member and Treasurer, Muslim Association of Newfoundland and Labrador).
- 216 United Nations Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined twenty-first to twenty-third periodic reports of Canada*, 13 September 2017.
- 217 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1715 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

3.1.4 Intersectionality

According to Ms. Mandhane, “[M]ost racialized people experience discrimination in an intersectional way.”²¹⁸ As such, some witnesses suggested that, similar to the Ontario Plan, intersectionality should be a core component of a national strategy. Mr. Erry described the Ontario Anti-Racism Directorate’s approach:

For the directorate, it also means we fully acknowledge intersectionality. This is important, because racism is experienced differently by various racialized groups and within groups along intersectional lines, including gender identity, creed, class, sexual orientation, history of colonization, or other personal attributes.²¹⁹

Ms. Konanur agreed that intersectionality is key to a national strategy. She cautioned:

If you don't have that type of framework, you will not have the success that you're hoping to have and the intention is to have that success. We are all intending for things to improve for people. You cannot do it if you are ignoring a specific part of a person's identity.²²⁰

Ms. Blackstock also discussed the significance of taking an intersectional approach, particularly for Indigenous peoples because of their “distinct historical and discriminatory relationship”²²¹ with the government. She supported the development of a national strategy, but added:

It's so easy sometimes to collapse people's experiences together and try to come up with general solutions... I think that we need to totally respect the distinct circumstances that different groups experience in this country.... What we want to do is respect differences by co-creating a peaceful and respectful society where diversity is welcomed.²²²

3.1.5 Cross-jurisdictional cooperation

Combatting systemic racism and religious discrimination does not fall under the jurisdiction of any single level of government. Transforming racist or biased systems and

218 Ibid., 1705 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

219 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1645 (Mr. Sam Erry, Associate Deputy Minister, Cabinet Office, Inclusion, Diversity and Anti-Racism Division, Government of Ontario).

220 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1715 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario).

221 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1725 (Dr. Cindy Blackstock, Executive Director, First Nations Child and Family Caring Society of Canada).

222 Ibid.



institutions and addressing deeply entrenched discrimination requires a cohesive, collaborative and cross-jurisdictional approach.

Although the focus of this study was addressing systemic racism and religious discrimination at the federal level, it was suggested repeatedly that any meaningful solution will require cooperation across all levels of government.²²³

Witnesses suggested that cooperation between the federal, provincial and territorial governments is necessary in a number of areas, including data collection,²²⁴ education and training for students and educators,²²⁵ and employment standards.²²⁶

Other witnesses, including Ms. Mandhane and Mr. Hashmi recommended that the federal government meet directly with provincial governments to discuss human rights and discrimination in Canada. Ms. Mandhane noted:

I think even bringing together all the ministers of justice or ministers responsible for human rights or ministers responsible for anti-racism to talk about common areas of concern and how to attack those across the country in a concerted evidence-based way would be a huge real mark of success for this government. As many of you know, we haven't had a federal-provincial-territorial meeting related to human rights for over 30 years. These are concrete steps through which the federal government can show a real leadership role.²²⁷

223 See: CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1640 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1715 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1720 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1655 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario); CHPC, [Evidence](#), 1st Session, 42nd Parliament, 4 October 2017, 1630 (Dr. Anver Emon, Professor of Law & Canada Research Chair in Religion, Pluralism, and the Rule of Law, University of Toronto, As an Individual).

224 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1640 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic).

225 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1530 (Ms. Serah Gazali, Community Member, Frog Hollow Neighbourhood House).

226 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1535 (Ms. Narges Samimi, Community Member, Frog Hollow Neighbourhood House).

227 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1720 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

Mr. Hashmi agreed, and further suggested that municipalities be involved in such discussions.²²⁸

3.1.6 Social media

The role played by social media in diffusing hateful speech was raised by various witnesses throughout the Committee’s study. Mr. Roach mentioned that within educational institutions they “are seeing the rise of anti-Semitic graffiti, students making anti-Semitic comments or posting anti-Semitic images on their social media.”²²⁹ Samer Majzoub, President of the Canadian Muslim Forum, raised the issue of far-right groups who are using social media to “[express] their hatred, their violent expressions openly” and deplores that “no one has really approached them.”²³⁰

Other witnesses stated that social media can be isolating and prevent users from encountering with those who hold different views. Ms. Chaudhry said that “people online sort of live in a social media bubble” which prevents them from seeking out “news that they do not agree with.”²³¹ Kevin Barlow, Chief Executive Officer of the Metro Vancouver Aboriginal Executive Council, further added that “anti-social media also puts people in corners” and that consequently “people are becoming more segregated.”²³²

In order to address issues of discrimination that occur online, Ritu Barnerjee, Senior Director of the Canada Centre for Community Engagement and Prevention of Violence at the Department of Public Safety and Emergency Preparedness, expressed the need to identify and implement best practices:

Examples of best practices include the use of humour and the building of empathy between speakers and recipients of hate speech to shift the conversation away from expressions of hate and de-escalate the risk of violence. Other best practices highlight the need for alternative narrative campaigns to be sustainable, to use appropriate

228 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1715 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams).

229 CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1545 (Mr. Cecil Roach, Coordinating Superintendent of Education, Equity and Community Services, York Region District School Board).

230 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1705 (Mr. Samer Majzoub, President, Canadian Muslim Forum).

231 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1625 (Ms. Ayesha Chaudhry, Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice, As an Individual).

232 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1540 (Kevin Barlow, Chief Executive Officer, Metro Vancouver Aboriginal Executive Council).



platforms to reach the targeted audience, and to better understand the needs of a particular audience.²³³

Ms. Banerjee raised the example of Project Someone, a programming initiative overseen by the Canada Centre for Community Engagement and Prevention of Violence. This online project, described as “social media education every day” provides “tools and training for educators who want to promote discussions on and awareness of hate speech through art and multimedia platforms.”²³⁴ Project Someone was also cited by Anver Emon, Professor of Law and Canada Research Chair in Religion, Pluralism, and the Rule of Law at the University of Toronto, who highlighted the project’s themes of “empathy and critical thinking” but criticized it as “[perpetuating] the all too common idea that links Islam and terrorism, for the purpose of combatting radicalization.”²³⁵

Witnesses called on the government and Parliament to act to address this issue.

Ms. Mandhane said that we must “challenge the very real hatred that we are seeing, not only in the media, but just generally, online and otherwise.”²³⁶ Regarding those who use social media to “fuel insecurity”, Michel Juneau-Katsuya, President and Chief Executive Officer of the Northgate Group, said that:

This phenomenon must be broadly denounced by companies, professional monitoring and accreditation associations, as well as members of the public and anyone on the Internet. We must also hold to account those who have more direct access to the public. It is generalized inaction that could have serious consequences right across the country.²³⁷

Mr. Roach, for his part, believed in the positive influence of social media, and said: “let’s embrace social media. Let’s use social media as a force for good.”²³⁸

233 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 September 2017, 1735 (Ritu Banerjee (Senior Director, Canada Centre for Community Engagement and Prevention of Violence, Department of Public Safety and Emergency Preparedness)).

234 Ibid., 1740 (Ritu Banerjee (Senior Director, Canada Centre for Community Engagement and Prevention of Violence, Department of Public Safety and Emergency Preparedness)).

235 CHPC, *Evidence*, 1st Session, 42nd Parliament, 4 October 2017, 1610 (Dr. Anver Emon, Professor of Law & Canada Research Chair in Religion, Pluralism, and the Rule of Law, University of Toronto, As an Individual).

236 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1720 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

237 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1540 (Mr. Michel Juneau-Katsuya, President and Chief Executive Officer, The Northgate Group Corp.).

238 CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1600 (Mr. Cecil Roach, Coordinating Superintendent of Education, Equity and Community Services, York Region District School Board).

3.1.7 “Fake news”

Some witnesses expressed concern over the spread of “fake news” and discussed the role the government should play in combatting it. Mr. Juneau-Katsuya described the negative implications of the spread of fake news, and stated: “the era of fake news and “alternative facts” have contributed a great deal to that insecurity taking root.”²³⁹

He added:

We're constantly bombarded with fake news, fake facts or “alternative facts” is an issue that we're facing and that we can't dismiss. Today, young people are always on social media. It takes about 15 minutes to write fake news, but it takes months to counter it.²⁴⁰

As a solution, Mr. Juneau-Katsuya noted that Canada has the “necessary laws and regulations in place,” but stronger enforcement of these policies is necessary.²⁴¹

According to Mr. Hashmi, the spread of fake news “can have very real consequences.”²⁴² To decrease the spread of fake news, he made a number of suggestions regarding the role of political leaders. He suggested that political leaders have a “zero tolerance policy for any type of hate” and that they be responsible for “call[ing] it out when it happens.”²⁴³ He added that political leaders have training for their staff and volunteers so that they “know what's appropriate and what's not, and also so they understand the importance and the power of their words.”²⁴⁴ Mr. Hashmi also suggested that political leaders ought to “bring in people from different communities to come and just talk to share their perspectives.”²⁴⁵

239 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1540 (Mr. Michel Juneau-Katsuya, President and Chief Executive Officer, The Northgate Group Corp.).

240 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1630 (Mr. Michel Juneau-Katsuya, President and Chief Executive Officer, The Northgate Group Corp.).

241 *Ibid.*, 1600 (Mr. Michel Juneau-Katsuya, President and Chief Executive Officer, The Northgate Group Corp.).

242 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1650 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams).

243 *Ibid.*, 1740 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams).

244 *Ibid.*

245 *Ibid.*



Mr. Barlow echoed this suggestion by stating that the government has a role to play in educating the public when there is “fake news.”²⁴⁶

Frank Huang, National Secretary-General of the National Congress of Chinese Canadians, agreed that the spread of “incorrect” and “misleading” comments is problematic, particularly on social media.²⁴⁷ He recommended that the government establish “special working groups” to monitor the spread of “fake information and to disseminate the true facts.”²⁴⁸

3.2 EDUCATION AND TRAINING

The Committee heard that cultural and societal changes are necessary to end systemic racism and religious discrimination and as that part of this shift, the federal government should develop a public awareness campaign to promote tolerance and diversity, as well as training programs for professionals²⁴⁹ and work with the provinces to create educational programs in schools.

Mr. Khan articulated the views of many witnesses when he stated that “education and awareness are the most powerful tools to address any type of ignorance or misconception.”²⁵⁰ Idris Elbakri, past president of the Manitoba Islamic Association echoed this view and stated, “Education, in addition to our existing hate laws, is our best defence, and offence, in dealing with racism and hatred.”²⁵¹

As will be discussed in greater detail below, the Committee heard that education and training on racism and religious discrimination in Canada are required for the population at large, the federal public service, young Canadians and educators, law enforcement and the media.

246 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1545 (Mr. Kevin Barlow, Chief Executive Officer, Metro Vancouver Aboriginal Executive Council).

247 CHPC, *Evidence*, 1st Session, 42nd Parliament, 6 November 2017, 1610 (Mr. Frank Huang, National Secretary-General, National Congress of Chinese Canadians).

248 Ibid., 1630 (Mr. Frank Huang, National Secretary-General, National Congress of Chinese Canadians).

249 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1700 (Dr. Ayse Akinturk, Executive Committee Member, Muslim Association of Newfoundland and Labrador); CHPC, *Evidence*, 1st Session, 42nd Parliament, 30 October 2017, 1645 (Mr. Muainudin Ahmed, Director, Muslim Food Bank and Community Services Society).

250 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1725 (Mr. Haseen Khan, Executive Committee Member and Treasurer, Muslim Association of Newfoundland and Labrador).

251 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1640 (Dr. Idris Elbakri, Past President, Manitoba Islamic Association).

3.2.1 Public Awareness and Dialogue

Several witnesses spoke of the need for greater awareness of systemic racism and religious discrimination in order to create an open dialogue and empower individuals to speak openly about it.²⁵² Through a public awareness campaign for the population at large, the federal government could initiate a conversation about “understanding and diversity.”²⁵³

Ms. Mandhane discussed the need to change the narrative regarding racism and discrimination in Canada:

At an individual institutional and leadership level, we need to counter that with our own narratives and our own views. I think we are very scared of using the word “racism” but I think that we do need to be bold and to counter those narratives...How do we bring the majority of Canadians, and not just racialized Canadians, into this conversation so that they can talk about their concerns about racism?²⁵⁴

In a written brief, B’nai Brith stated that the Committee’s study could spark a broader discussion and education campaign on religious discrimination:

The Committee can catalyze a government-supported education campaign engaging Canadian civil society groups, the media, policy institutes and faith communities, to promote understanding of the societal threat from hatred and discrimination based on religion.²⁵⁵

Mr. Hutchinson discussed the role of Parliament in promoting religious freedom in Canada. He stated:

We need to understand that we actually have great religious freedom in this country, but what's missing is the promotion component. The media's not interested in telling us good news about our freedoms. Parliament and the legislatures are in the ideal position

252 See for example: CHPC, *Evidence*, 1st Session, 42nd Parliament, 8 November 2017, 1555 (Ms. Yasmine Mohammed, Author, As an Individual).

253 CHPC, *Evidence*, 1st Session, 42nd Parliament, 27 September 2017, 1725 (Ms. Raheel Raza, President, Council for Muslims Facing Tomorrow).

254 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1720 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

255 B’Nai Brith Canada, “Recommendations from B’nai Brith Canada to the Standing Committee on Canadian Heritage Study of Motion M-103 on Systemic Racism and Religious Discrimination,” Submitted Brief, 18 October 2017.



to give greater promotion to our freedoms as parliamentarians engage with the public and with religious bodies.²⁵⁶

3.2.2 Education and Training in the Federal Public Service

Some witnesses felt the federal government could improve education and training on racism and discrimination in the federal public service. Carl Trottier, Assistant Deputy Minister of the Governance, Planning and Policy Sector at the Treasury Board Secretariat, informed the Committee that some work is being done to educate the public service on equity and race issues. He explained:

The Canada School of Public Service has a full suite of learning and development programs, including orientation training for new recruits and other courses that incorporate information on employment equity.²⁵⁷

Mr. Hashmi said that the federal government could do more to promote understanding and diversity, by providing mandatory, regular training sessions featuring discussions with members of diverse groups for management and employees.²⁵⁸ Serah Gazali,

256 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2017, 1605 (Mr. Don Hutchinson, Author, As an Individual).

257 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 September 2017, 1740 (Mr. Carl Trottier, Assistant Deputy Minister, Governance, Planning and Policy Sector, Treasury Board Secretariat).

258 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1645 (Mr. Sikander Hashmi, Spokesperson, Canadian Council of Imams).

community member of Frog Hollow Neighbourhood House,²⁵⁹ and Ms. Akinturk²⁶⁰ offered similar suggestions.

3.2.3 Youth Programming

The Committee heard that the impact of systemic racism and religious discrimination should be taught in primary and secondary schools.²⁶¹ As well, there should be cross cultural understanding and interfaith awareness.

Although witnesses conceded that education is outside federal jurisdiction, some suggested that the federal government could provide a targeted federal funding stream to the provinces and territories to revise elementary and high school curricula to include lessons on race, religion, diversity and related topics.²⁶² Mr. Erry said:

We need to think about public education and awareness in a very evidence-based way and use as many channels as we can to achieve a higher level of consciousness in the country, in the province, and also a special focus in the early years. We're waiting too late, respectfully, to have these conversations. We need to talk about this in grade one, in grade two, and so on, because there's a lot of hate spewing in playgrounds.²⁶³

National Chief Perry Bellegarde of the Assembly of First Nations added that the federal government should lobby the provinces to ensure curricula includes lessons on inherent rights, treaty rights, Indigenous rights and the history of Indigenous peoples in Canada.²⁶⁴

259 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1530 (Ms. Serah Gazali, Community Member, Frog Hollow Neighbourhood House).

260 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1700 (Dr. Ayse Akinturk, Executive Committee Member, Muslim Association of Newfoundland and Labrador).

261 See: CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1535 (Rabbi Reuven Bulka, Congregation Machzikei Hadas, As an Individual); CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1705 (National Chief Perry Bellegarde, National Chief, Assembly of First Nations); CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1625 (Mr. Cecil Roach, Coordinating Superintendent of Education, Equity and Community Services, York Region District School Board); Frog Hollow Neighbourhood House, "We need to move beyond feelings and look at the systemic impacts of racism on our economic and social status," *Submitted Brief*, September 2017.

262 Frog Hollow Neighbourhood House and Kiwissa Neighbourhood House, "Recommendations from Vancouver East on M-103," *Submitted Brief*, September 2017; CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1700 (Ms. Barbara Landau, Co-chair, Canadian Association of Jews and Muslims).

263 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1725 (Mr. Sam Erry, Associate Deputy Minister, Cabinet Office, Inclusion, Diversity and Anti-Racism Division, Government of Ontario).

264 CHPC, *Evidence*, 1st Session, 42nd Parliament, 1 November 2017, 1700 (National Chief Perry Bellegarde, National Chief, Assembly of First Nations).



In addition to improving education for students on cultural, racial and religious diversity, some noted the significance of training educators. Ms. Gazali recommended that “the federal government should collaborate with the provinces to ensure that this training is mandatory for all teachers, including college and university professors.”²⁶⁵

3.2.4 Law Enforcement

Witnesses stated that law enforcement and justice systems have a critical role to play in responding to hate crimes. While legislation provides important guidance to law enforcement, some witnesses suggested that basic understanding and the application of the *Criminal Code* provisions on hate crimes could be improved.²⁶⁶

As one solution, a number of witnesses stated that law enforcement in federal, provincial and municipal forces should receive ongoing training on cultural diversity, unbiased policing, and the investigation of hate crimes and enforcement of hate crime legislation.²⁶⁷

Shimon Fogel, Chief Executive Officer of the Centre for Israel and Jewish Affairs, added that “federal government resources should be allocated to support the development of dedicated local police hate crime units.”²⁶⁸ Coupled with increased training, he said these steps could lead to more consistent and robust application of hate laws.²⁶⁹

Ms. Chaudhry said that engaging the communities that are often targeted by hate crimes during the course of law enforcement training could be a useful exercise.²⁷⁰

265 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 23 October 2017, 1530 (Ms. Serah Gazali, Community Member, Frog Hollow Neighbourhood House).

266 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 4 October 2017, 1630 (Mr. Ihsaan Gardee, Executive Director, National Council of Canadian Muslims).

267 Chinese and Southeast Asian Legal Clinic, “Submission to the Standing Committee on Canadian Heritage regarding M-103,” Submitted Brief, September 2017; CHPC, [Evidence](#), 1st Session, 42nd Parliament, 4 October 2017, 1630 (Mr. Ihsaan Gardee, Executive Director, National Council of Canadian Muslims); B’Nai Brith Canada, “Recommendations from B’nai Brith Canada to the Standing Committee on Canadian Heritage Study of Motion M-103 on Systemic Racism and Religious Discrimination,” Submitted Brief, 18 October 2017; Frog Hollow Neighbourhood House and Kiwissa Neighbourhood House, “Recommendations from Vancouver East on M-103,” Submitted Brief, September 2017; CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1550 (Mr. Shimon Fogel, Chief Executive Officer, Centre for Israel and Jewish Affairs).

268 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 18 October 2017, 1550 (Mr. Shimon Fogel, Chief Executive Officer, Centre for Israel and Jewish Affairs).

269 Ibid.

270 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1605 (Ms. Ayesha Chaudhry, Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice, As an Individual).

Community involvement in such training could provide an opportunity for fostering positive relationships and building trust.

3.2.5 Media

The Committee heard that the media have an important role to play in educating the public, and could play a more “thriving role” in discussing issues of diversity.²⁷¹ Some suggested that sensationalized reporting of certain groups, particularly Muslims, can distort reality and promote hate.²⁷²

Ms. Chaudhry noted that in particular, the media play a role in perpetuating and sustaining ideas about Muslims as violent. As a solution, she suggested that media outlets offer training sessions “so reporters can understand when they are participating in conversations that include entrenched ideas about Islam as inherently violent.”²⁷³

Such training could assist in preventing the spread of misinformation or “fake news.” Ms. Chaudhry added that when racist and discriminatory misinformation is presented in the media, “it is the responsibility of political leaders to really lead the nation and to call out Islamophobia or systemic racism when they see it and when they hear it.”²⁷⁴

3.2.6 Cultural Competency Training

Senator Murray Sinclair suggested that cultural competency training could be a useful form of training to offer. It could combat systemic racism and discrimination that may be embedded or perceived to be embedded within a number of professions, including social workers, teachers, policy makers, public servants, lawyers, judges and health professionals. Senator Sinclair advocated for this form of training as it gives professionals the opportunity to “immerse themselves in the culture,” and ultimately learn from and connect with other cultures.²⁷⁵

271 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 27 September 2017, 1725 (Ms. Raheel Raza, President, Council for Muslims Facing Tomorrow).

272 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 20 September 2017, 1550 (Mr. Michel Juneau-Katsuya, President and Chief Executive Officer, The Northgate Group Corp.).

273 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1625 (Ms. Ayesha Chaudhry, Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice, As an Individual).

274 Ibid.

275 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 2 October 2017, 1545 (Hon. Murray Sinclair, Senator, Manitoba, ISG).



Muainudin Ahmed, Director of the Muslim Food Bank and Community Services Society, also suggested cultural competency training be provided for professionals who work with immigrants and refugees.²⁷⁶

3.3 COMMUNITY ENGAGEMENT

Witnesses also called on the government to ensure that dialogue aimed at addressing systemic racism and religious discrimination involves members of the communities concerned. The government's role, according to Mr. Bennett, should be to "act as a facilitator within communities."²⁷⁷ He added that government should also encourage "greater public expressions of religious faith and different beliefs so that we can hear one another and talk to one another again."²⁷⁸ For Raheel Raza, President of the Council for Muslims Facing Tomorrow, the priority should be to empower communities to bring about change within themselves, particularly for the Muslim community.²⁷⁹

A number of witnesses argued in favour of additional funding from Canadian Heritage. Ms. Ghasemi called for programs that support "initiatives of diverse community organizations dedicated to improving interfaith and intercultural understanding."²⁸⁰ Ms. Go recalled funding her organization received from Canadian Heritage in the past to do community consultation and said that "more funding of that nature should be given out."²⁸¹ In their brief, Frog Hollow Neighbourhood House also called for funding to support "community-based events intended to convene diverse groups of newcomers, First Nations, and other Canadians at community-organizations."²⁸²

Other witnesses made recommendations regarding interfaith and intercommunity dialogue. The role that government can play in encouraging conversation and exchange between communities was presented by Mr. Elbakri:

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- 276 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2017, 1645 (Mr. Muainudin Ahmed, Director, Muslim Food Bank and Community Services Society).
- 277 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2017, 1730 (Dr. Andrew P.W. Bennett, Senior Fellow, Cardus).
- 278 Ibid., 1655 (Dr. Andrew P.W. Bennett, Senior Fellow, Cardus).
- 279 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 27 September 2017, 1655 (Ms. Raheel Raza, President, Council for Muslims Facing Tomorrow).
- 280 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 October 2017, 1540 (Ms. Soudeh Ghasemi, Vice-President, Iranian Canadian Congress).
- 281 CHPC, [Evidence](#), 1st Session, 42nd Parliament, 25 September 2017, 1540 (Ms. Avvy Yao-Yao Go, Clinic Director, Chinese and Southeast Asian Legal Clinic).
- 282 Frog Hollow Neighbourhood House, "We need to move beyond feelings and look at the systemic impacts of racism on our economic and social status," *Submitted Brief*, September 2017.

We need to empower our communities to continue the work they do, to partner with one another and to work with school divisions, law enforcement, and social services to create the awareness and understanding needed to support the victims of hatred and racism. Government can also play an important role in creating a better and deeper understanding of the phenomenon of racism and discrimination as they re-emerge in different forms and target different victims.²⁸³

Other witnesses, such as Ms. Mandhane²⁸⁴ and Laurence Worthen, Executive Director of the Christian Medical and Dental Society of Canada,²⁸⁵ also underlined the importance of involving communities to exchange and learn from each other and the positive role this can have on society as a whole. When members are involved in intercommunity dialogue, “they are less likely to maintain prejudices, biases, and stereotypes against those groups,”²⁸⁶ explained Ms. Chaudhry. Ms. Thomas added that working directly with the communities means more efficient communication and that “putting in the effort to try to identify who the community leaders are, where these people are going, how they are spending their time, and then reaching out to those cultural hubs, is one of the best ways to communicate information.”²⁸⁷

In her testimony, Ms. Ghasemi encouraged the government to increase funding for already existing programmes which “support the initiatives of diverse community organizations dedicated to improving interfaith and intercultural understanding, and target these programs at impacted groups.”²⁸⁸

3.4 IMPROVING DATA COLLECTION IN FEDERAL SERVICES AND IN THE FEDERAL PUBLIC SERVICE

Witnesses also proposed actions that government departments could take to address issues related to systemic discrimination. Suggestions included the collection of disaggregated data across the federal public service “in a way that enables analysis of

283 CHPC, *Evidence*, 1st Session, 42nd Parliament, 23 October 2017, 1640 (Dr. Idris Elbakri, Past President, Manitoba Islamic Association).

284 CHPC, *Evidence*, 1st Session, 42nd Parliament, 20 September 2017, 1725 (Ms. Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission).

285 CHPC, *Evidence*, 1st Session, 42nd Parliament, 16 October 2017, 1555 (Mr. Laurence Worthen, Executive Director, Christian Medical and Dental Society of Canada).

286 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1610 (Ms. Ayesha Chaudhry, Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice, As an Individual).

287 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1730 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic).

288 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1540 (Ms. Soudeh Ghasemi, Vice-President, Iranian Canadian Congress).



the intersecting effects of ethno-racial background with gender identity, sexual orientation, socioeconomic status, immigration status, age, and (dis)ability,”²⁸⁹ as explained by the Chinese and Southeast Asian Legal Clinic in its brief.²⁹⁰ In her testimony, Ms. Thomas went further, proposing that such data collection and analysis should be all-encompassing and mandatory:

It is impossible to solve a problem when you are unable to identify where the issue lies, or its gravity. This data collection must be mandatory across all federal and provincial ministries, agencies, and boards. The federal government needs to work with the provinces and territories, particularly those with high concentrations of African-Canadian and other racialized people, to develop a consistent data collection strategy. The federal government also needs to work with community groups to collect this data directly from the communities themselves.²⁹¹

In his testimony, Mr. Trottier mentioned that his department is responsible for monitoring and collecting data on employment equity in the public service for “[a]ll four employment equity designated groups, meaning women, aboriginal people, persons with disabilities and members of visible minorities.”²⁹²

The importance of collecting disaggregated data was stressed by Ms. Konanur, who said:

The truth is that disaggregated data, particularly around such things as race, is specific...There is an importance to being able to collect data at that level of specificity, because it allows you then to measure what is actually happening.²⁹³

David Matas, senior legal counsel for B’nai Brith Canada, further proposed that non-government organizations collect information about non-criminal radicalism, and that government set standards for consistency and support organizations in this

289 Chinese and Southeast Asian Legal/Southeast Asian Legal Clinic, “Submission to the Standing Committee on Canadian Heritage Regarding M-103 (Systemic Racism and Religious Discrimination,” *Submitted Brief*, September 2017.

290 This view was also expressed by Larry Rousseau, see: CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 October 2017, 1650 (Mr. Larry Rousseau, Executive Vice-President, Canadian Labour Congress).

291 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1640 (Ms. Tamara Thomas, Policy Researcher and Analyst, African Canadian Legal Clinic).

292 See: CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 September 2017, 1745 (Mr. Carl Trottier, Assistant Deputy Minister, Governance, Planning and Policy Sector, Treasury Board Secretariat). The latest report from the Treasury Board Secretariat on this subject covers the years 2015-2016: [Employment Equity in the Public Service of Canada 2015–2016](#).

293 CHPC, *Evidence*, 1st Session, 42nd Parliament, 25 September 2017, 1705 (Ms. Shalini Konanur, Executive Director and Lawyer, South Asian Legal Clinic of Ontario (SALCO)).

endeavour.²⁹⁴ Yavar Hameed, barrister and solicitor at the Canadian Muslim Lawyers Association, encouraged the government to create a database for complaints related to discrimination in order to better identify what is occurring and how to address those situations.²⁹⁵

294 CHPC, *Evidence*, 1st Session, 42nd Parliament, 18 October 2017, 1600 (Mr. David Matas, Senior Legal Counsel, National Office, B'nai Brith Canada).

295 CHPC, *Evidence*, 1st Session, 42nd Parliament, 2 October 2017, 1725 (Mr. Yavar Hameed, Barrister & Solicitor, Canadian Muslim Lawyers Association).



IN CLOSING

The Committee heard from many witnesses about the various aspects of systemic racism and religious discrimination in Canada. While witnesses noted the significant achievements made in terms of equality and diversity, some acknowledged that Canada is not perfect and can do better.

Systemic racism and religious discrimination affect Canadians in different ways. For a country as diverse as Canada, it became apparent that there cannot be a one-size-fits-all solution to these issues. Delivering credibly on combatting racism and religious discrimination requires not only leadership, but meaningful cooperation and comprehensive action.

The Committee's recommendations focus on the federal government's role in addressing these issues. However, the Committee recognizes that to adequately address systemic racism and religious discrimination, all levels of government ought to be involved.

APPENDIX A LIST OF WITNESSES

Organizations and Individuals	Date	Meeting
<p>Department of Canadian Heritage</p> <p>Jenifer Aitken, Assistant Deputy Minister Strategic Policy, Planning and Corporate Affairs</p> <p>Jérôme Moisan, Director General Strategic Policy, Planning and Research Branch</p> <p>Department of Public Safety and Emergency Preparedness</p> <p>Ritu Banerjee, Senior Director Canada Centre for Community Engagement and Prevention of Violence</p> <p>House of Commons</p> <p>Iqra Khalid, Mississauga—Erin Mills</p> <p>Royal Canadian Mounted Police</p> <p>Gilles Michaud, Deputy Commissioner Federal Policing</p> <p>Treasury Board Secretariat</p> <p>Carl Trottier, Assistant Deputy Minister Governance, Planning and Policy Sector</p> <p>Margaret Van Amelsvoort-Thoms, Executive Director People Management and Community Engagement, Governance, Planning & Policy Sector</p>	2017/09/18	71
<p>Government of Ontario</p> <p>Sam Erry, Associate Deputy Minister Cabinet Office, Inclusion Diversity and Anti-Racism Division</p> <p>Akwatu Khenti, Assistant Deputy Minister Cabinet Office, Inclusion Diversity and Anti-Racism Division</p> <p>Christopher Williams, Senior Research Advisor Cabinet Office, Inclusion Diversity and Anti-Racism Division</p> <p>Muslim Canadian Congress</p> <p>Tarek Fatah, Founder</p>	2017/09/20	72

Organizations and Individuals	Date	Meeting
Ontario Human Rights Commission Shaheen Azmi, Director Policy, Education, Monitoring and Outreach Renu Mandhane, Chief Commissioner	2017/09/20	72
The Northgate Group Corp. Michel Juneau-Katsuya, President and Chief Executive Officer		
As an individual Ayesha S. Chaudhry, Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice	2017/09/25	73
Canadian Association of Black Lawyers Shawn Richard, President		
Chinese and Southeast Asian Legal Clinic Avvy Yao-Yao Go, Clinic Director		
South Asian Legal Clinic of Ontario Shalini Konanur, Executive Director and Lawyer		
As an individual Raymond J. de Souza	2017/09/27	74
Council for Muslims Facing Tomorrow Raheel Raza, President		
International Christian Voice Peter Bhatti, Chairman		
Justice Centre for Constitutional Freedoms Jay Cameron, Barrister and Solicitor		
Canadian Muslim Forum Mohammed-Nur Alsaieq, Outreach Coordinator Samer Majzoub, President	2017/10/02	75

Organizations and Individuals	Date	Meeting
<p>Canadian Muslim Lawyers Association</p> <p>Faisal Bhabha, Associate Professor Osgoode Hall Law School, York University</p> <p>Yavar Hameed, Barrister & Solicitor</p>	2017/10/02	75
<p>Metro Vancouver Aboriginal Executive Council</p> <p>Kevin Barlow, Chief Executive Officer</p>		
<p>Senate</p> <p>Murray Sinclair, Senator</p>		
<p>As an individual</p> <p>Anver Emon, Professor of Law & Canada Research Chair in Religion, Pluralism, and the Rule of Law University of Toronto</p> <p>Jasmin Zine, Professor, Sociology and Muslim Studies Option Wilfrid Laurier University</p>	2017/10/04	76
<p>National Council of Canadian Muslims</p> <p>Ihsaan Gardee, Executive Director</p> <p>Eve Torres, Public Affairs Coordinator</p>		
<p>As an individual</p> <p>Sherif Emil, Professor and Associate Chair, Department of Pediatric Surgery, Faculty of Medicine, McGill University, Director, Pediatric General and Thoracic Surgery, Montreal Children's Hospital</p> <p>Farzana Hassan, Author, Columnist</p>	2017/10/16	77
<p>Cardus</p> <p>Andrew P.W. Bennett, Senior Fellow</p>		
<p>Christian Medical and Dental Society of Canada</p> <p>Laurence Worthen, Executive Director</p>		
<p>Voice of Vedas Cultural Sabha</p> <p>Budhendranauth Doobay, Chairman</p>		
<p>As an individual</p> <p>Reuven Bulka, Congregation Machzikei Hadas</p>	2017/10/18	78

Organizations and Individuals	Date	Meeting
African Canadian Legal Clinic Tamara Thomas, Policy Researcher and Analyst	2017/10/18	78
B'nai Brith Canada David Matas, Senior Legal Counsel National Office Michael Mostyn, Chief Executive Officer National Office		
Canadian Council of Imams Sikander Hashmi, Spokesperson		
Centre for Israel and Jewish Affairs Shimon Fogel, Chief Executive Officer		
Frog Hollow Neighbourhood House Serah Gazali, Community Member Narges Samimi, Community Member	2017/10/23	79
Manitoba Islamic Association Idris Elbakri, Past President Osaed Khan, President		
Muslim Association of Newfoundland and Labrador Ayse Akinturk, Executive Committee Member Haseen Khan, Executive Committee Member and Treasurer Mansoor Pirzada, President		
Canadian Labour Congress Elizabeth Kwan, Senior Researcher Larry Rousseau, Executive Vice-President	2017/10/25	80
First Nations Child and Family Caring Society of Canada Cindy Blackstock, Executive Director		
Iranian Canadian Congress Soudeh Ghasemi, Vice-President Pouyan Tabasinejad, Policy Chair		

Organizations and Individuals	Date	Meeting
American Islamic Forum for Democracy Zuhdi Jasser, President	2017/10/30	81
Armenian National Committee of Canada Shahan Mirakian, President		
Muslim Food Bank and Community Services Society Muainudin Ahmed, Director Azim Dahya, Chief Executive Officer		
Trinity Western University Robert Kuhn, President		
World Sikh Organization of Canada Balpreet Singh, Legal Counsel		
As an individual Don Hutchinson, Author	2017/11/01	82
Assembly of First Nations Perry Bellegarde, National Chief Jed Johns, Senior Advisor		
Canadian Association of Jews and Muslims Shahid Akhtar, Co-Chair Barbara Landau, Co-Chair		
York Region District School Board Cecil Roach, Coordinating Superintendent of Education, Equity and Community Services		
As an individual Ali Rizvi, Author	2017/11/06	84
Evangelical Fellowship of Canada Julia Beazley, Director Public Policy Bruce Clemenger, President		

Organizations and Individuals	Date	Meeting
National Congress of Chinese Canadians Frank Huang, National Secretary-General	2017/11/06	84
Ottawa Police Service David Zackrias, Head Diversity and Race Relations		
As an individual Karim Achab, Professor of linguistics University of Ottawa Yasmine Mohammed, Author	2017/11/08	85
Alberta Muslim Public Affairs Council Aurangzeb Qureshi, Vice-President Public Policy and Communications Faisal Khan Suri, President		
Statistics Canada Yvan Clermont, Director Canadian Centre for Justice Statistics Rebecca Kong, Chief Policing Services Program, Canadian Centre for Justice Statistics		

APPENDIX B LIST OF BRIEFS

Organizations and Individuals

Aardoom, Annemieke

Achab, Karim

Alberta Muslim Public Affairs Council

Bahdi, Reem

B'nai Brith Canada

British Columbia Humanist Association

Campbell, Catherine

Canadian Human Rights Commission

Chinese and Southeast Asian Legal Clinic

Christian Cultural Association of South Asians

Christian Heritage Party of Canada

Christian Medical and Dental Society of Canada

Cooper, Russ

Dean, Danny

Emon, Anver

First Nations Child and Family Caring Society of Canada

Frog Hollow Neighbourhood House

Gray, Ron

Hiebert, Al

Organizations and Individuals

Hutchinson, Don

Justice Centre for Constitutional Freedoms

Kanji, Azeezah

Kanji, Khadijah

Keough, Ian

Knutson, Gayle

Lloyd, Stephen

Mattson, Ingrid

Precht, Leslie

Province of New Brunswick

Schubert, Paul

Secular Connexion Séculière

Siddiqui, Shahina

Sisterhood of Salaam Shalom

Smouter, William

Stork, Barry

Tessellate Institute

Trinity Western University

Zine, Jasmin

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 67, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 85, 88, 89, 90, 91 and 92](#)) is tabled.

Respectfully submitted,

Hon. Hedy Fry
Chair

CONSERVATIVE PARTY OF CANADA – MINORITY REPORT OF THE STANDING COMMITTEE ON CANADIAN HERITAGE ON SYSTEMIC RACISM AND RELIGIOUS DISCRIMINATION

INTRODUCTION

In the fall of 2016, MP Iqra Khalid introduced Motion No. 103 (M-103).¹ M-103 was an attempt to challenge anti-Muslim hatred in Canada and urged the Government of Canada to address the overall issue of religious discrimination within Canada. While the motion is clearly well meaning, its language is problematic. As the Official Opposition, we made an attempt to amend M-103 and make it more inclusive.

The debate on M-103 captured the attention of Canadians and the mainstream media for several weeks. The main objection Canadians had to M-103 was that it complicated and confused the issue of anti-Muslim bigotry and violence rather than clarified it. The word ‘Islamophobia’, which features prominently in M-103, has a long history. Unfortunately, ‘Islamophobia’ has received many definitions, and the failure to use just one definition for the word is highly problematic.

We believed that the motion would have better achieved its goal by condemning “all forms of systemic racism, religious intolerance, and discrimination of Muslims, Jews, Christians, Sikhs, Hindus, and other religious communities.”

Our amendment to this effect was rejected by the Liberals, who then voted to pass M-103. The public reaction to this by Canadians, both inside and outside of the Muslim community, was one of widespread concern that the issue was being politicized in a way that was limiting healthy debate rather than encouraging it. The hearings that followed in the fall of 2017 have shown that this Liberal government is more focused on political maneuvering than in addressing the underlying issues in a practical way.

Our intent in this minority report is to highlight five of the subjects addressed in M-103: the unsubstantiated claim of an “increasing public climate of hate and fear” in Canada, the definition of ‘Islamophobia’, the pressures faced by religious and racial communities in Canada, the collection and organization of adequate data regarding hate activity, and the application of a “whole of Canada approach” to these issues.

“AN INCREASING PUBLIC CLIMATE OF HATE AND FEAR”

¹ M-103 was placed on notice in the House of Commons on December 1, 2016; debated on February 15 and March 21, 2017; and agreed to on March 23, 2017 by a vote of 201 to 91. For more information: [https://www.ourcommons.ca/Parliamentarians/en/members/Iqra-Khalid\(88849\)/Motions?sessionId=152&documentId=8661986](https://www.ourcommons.ca/Parliamentarians/en/members/Iqra-Khalid(88849)/Motions?sessionId=152&documentId=8661986)

M-103 begins with the assertion that Canada is experiencing an “increasing public climate of hate and fear” and that it is the Government of Canada’s responsibility to “quell” such a phenomenon. However, witness testimony and Statistics Canada data suggests that this assumption does not fully reflect reality.

Dr. Sherif Emil, pediatric surgeon at the Montreal Children’s Hospital, was clear with Committee members about his experience as a visible minority Canadian:

“If systemic racism and religious discrimination existed, I probably wouldn't be a pediatric surgeon today...Nobody had ever asked me in my training, in my selection, who I was or what I believed in. No, I do not believe systemic racism and discrimination exists. I believe discrimination and racism exists. It existed in many circumstances, it exists in many situations and that's totally unfortunate, but I don't think it's systemic.”²

Others were adamant in their view that ‘systemic racism,’ or a ‘climate of hate and fear’ in Canada is not as pronounced as the motion would suggest. Jay Cameron, Litigation Manager for the Justice Centre for Constitutional Freedoms, suggested that the “committee should be exceedingly wary of assuming that there is a rising ‘public climate of hate and fear’ in this country.” Mr. Cameron noted that Canada currently ranks eighth out of 163 countries on the 2017 Global Peace Index, ahead of Switzerland and Sweden.³

Jenifer Aitken of the Department of Canadian Heritage pointed to the general social survey of 2013,⁴ which reported that 87 percent of Canadians 15 years of age or older, including visible minorities, are “proud to be Canadian” and express “very high levels of pride in Canada.”⁵ Ms. Aitken went on to cite a 2011 report⁶, which found Canada to be “the top-ranking OECD country on a measure of tolerance with respect to community acceptance of minority groups and migrants, with a score of 84% compared with an OECD average of 61%.”⁷ Ms. Raheel Raza, President of the Council of Muslims Facing Tomorrow, referenced the existence of “over 100 mosques and 50 Islamic organizations just in the greater Toronto area, where I live. There are 11 Muslim MPs in our government and Muslim prayers are taking place in some public schools. This doesn't look like systemic racism to me.”⁸

Peter Bhatti, President of International Christian Voice and brother of martyr Shahbaz Bhatti, pointed to his work with the Pakistani-Canadian community in a critical response to the motion:

² CHPC, Evidence, 1st Session, 42nd Parliament, 16 October 2017, 1550 (Emil).

³ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1550 (Cameron).

⁴ Maire Sinha, “Canadian Identity, 2013”, Statistics Canada, <http://www.statcan.gc.ca/pub/89-652-x/89-652-x2015005-eng.htm>.

⁵ CHPC, Evidence, 1st Session, 42nd Parliament, 18 September 2017, 1715 (Aitken).

⁶ “Society at a Glance 2011: OECD Social Indicators,” OECD, <http://www.oecd-ilibrary.org/docserver/download/8111041e.pdf?expires=1516649887&id=id&accname=guest&checksum=78C72FA0AC4A5AAAA22630E054F3828A>, 98-99.

⁷ CHPC, Evidence, 1st Session, 42nd Parliament, 18 September 2017, 1715 (Aitken).

⁸ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1645 (Raza).

“Canadians of Pakistani origin have chosen to call Canada their new home because of the religious liberty, freedoms, and democratic system they can enjoy here, which allow them to thrive and prosper. We left our homes to live in a country where we are free to voice our opinions and concerns without fear or hesitation, whether they are religious, social, political, or otherwise. I believe this is an essential part of the framework of our free society in Canada.”⁹

This assertion is also not borne out by the available statistics on hate crime in Canada. Comparable data is available for the years 2009-2016. In 2009, 1,482 incidents were reported. This decreased to 1,167 incidents in 2013, and has since risen to 1,409 incidents in 2016.¹⁰ During this period, Canada’s population grew from 33.6 million to 36.3 million, meaning that on a per capita basis, hate incidents dropped from 4.4 incidents per 100,000 people in 2009 to 3.9 incidents per 100,000 people in 2016 - a drop of nearly 13% on a per capita basis.¹¹

Statistics are also available for those groups within Canadian society that have historically been the targets of hate crimes. For these groups, the trends vary. Shimon Fogel of the Centre for Israel and Jewish Affairs drew the Committee’s attention to the fact that, at 54 incidents per 100,000 community members in 2015, Jews remain the most-targeted group in the country in absolute number and on a per capita basis.¹² The per capita number of hate incidents targeting Jews was 86 in 2009 and 67 in 2016.¹³

Witnesses cautioned Committee members to not hastily legislate in response to an ‘increasing public climate of hate and fear.’ Instead, witnesses recommended that the Government of Canada enforce existing laws. Mr. Cameron noted that “existing laws already place careful limits on conduct between Canadians... it is not the government's role to make everyone love each other. Government's role is to uphold constitutional freedoms.”¹⁴ He was joined by Ms. Yasmine Mohammed, who said that “we don't believe in laws that aim to protect any ideologies, including religion, from scrutiny, criticism, questioning, debate, and even ridicule.”¹⁵ Ms. Raza, while acknowledging the existence of bigotry and racism, encouraged the Committee to “strengthen the laws to curb hatred and discrimination against all Canadians, not just one section of Canadians.”¹⁶

⁹ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1545 (Bhatti).

¹⁰ “Police-Reported hate crime, 2016”, Statistics Canada, 28 November 2017, <https://www.statcan.gc.ca/daily-quotidien/171128/dq171128d-eng.pdf>.

¹¹ “Estimates of population, by age group and sex for July 1, Canada, provinces and territories”, Statistics Canada, accessed January 22, 2018, <http://www5.statcan.gc.ca/cansim/a47>.

¹² CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1545 (Fogel).

¹³ Based on 2011 Census, which reported that there are 329,500 adherents to the Jewish faith in Canada.

¹⁴ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1550 (Cameron).

¹⁵ CHPC, Evidence, 1st Session, 42nd Parliament, 8 November 2017, 1555 (Mohammed).

¹⁶ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1640 (Raza).

A number of witnesses pointed out that the purpose of the law is to protect people, not to shelter ideas from criticism. Dr. Zuhdi Jasser, President of the American Islamic Forum for Democracy, suggested that legislation would stifle tough conversations among faith communities and would actually make a climate of hate and fear more pronounced.¹⁷

Dr. Andrew Bennett, Senior Fellow at Cardus and former Ambassador of Religious Freedom, stated that, "we need to address anti-Muslim hatred that exists in this country... these self-same evils manifest themselves in hatred of Jews, Catholics, LGBTQ persons, people who oppose same-sex marriage, first nations people, pro-lifers."¹⁸

THE DEFINITION OF 'ISLAMOPHOBIA'

Public interest and comment on M-103 centered, to a great degree, on the term 'Islamophobia'. During hearings, media coverage and much witness testimony continued to focus on the issue of defining 'Islamophobia' and determining what the policy implications would be, if one or another of the definitions was made official in policy or in law. Witnesses offered, by our count, twenty-six different definitions of the term, ranging from narrow to all-inclusive. Opinions ranged from those who felt any further usage of this word will only confuse the issue, to witnesses who asserted that all perceived criticism of Muslims must be considered 'Islamophobia':

"It's been said numerous times by numerous speakers, and I add my voice to the chorus, as long as M-103 has the term 'Islamophobia' in it, it will only serve to divide and cause more hate, more discrimination, and more fear."¹⁹ (Yasmine Mohammed)

"If someone says it's Islamophobia and they feel they have been discriminated against, then that's what you should use."²⁰ (Larry Rousseau, Executive Vice-President, Canadian Labour Congress)

"There are recognized international and Canadian definitions that I've supplied in the materials. What I start with is that each group should propose its preferred definition and label, not have the label chosen by another group as this feels disrespectful."²¹ (Barbara Landau, Co-Chair, Canadian Association of Jews and Muslims)

The concerns raised, regarding the dangers of an over-broad definition, or of attempting to condemn 'Islamophobia' without defining which thoughts and actions are thereby also being condemned, were widespread. In particular, the Heritage Committee heard testimony from many moderate or reformist Muslims who expressed concern that if the Canadian government responds to this report by condemning 'Islamophobia' — rather than condemning anti-Muslim

¹⁷ CHPC, Evidence, 1st Session, 42nd Parliament, 30 October 2017, 1550 (Jasser).

¹⁸ CHPC, Evidence, 1st Session, 42nd Parliament, 16 October 2017, 1655 (Bennett).

¹⁹ CHPC, Evidence, 1st Session, 42nd Parliament, 8 November 2017, 1555 (Mohammed).

²⁰ CHPC, Evidence, 1st Session, 42nd Parliament, 25 October 2017, 1715 (Rousseau).

²¹ CHPC, Evidence, 1st Session, 42nd Parliament, 1 November 2017, 1645 (Landau).

bigotry, discrimination and violence — it will be making life much more difficult for independent and dissenting Muslim voices.

A key point, made by witness after witness, is that the Government of Canada cannot control the meaning of the word 'Islamophobia.' Tarek Fatah, Founder of the Muslim Canadian Congress, pointed out that the term could have many connotations: "...in the western world, no one—not Oxford, not Mr. Hitchens, and not other critics or defenders—has ever talked about the connotation of the meaning of Islamophobia."²² Parliament may want, simply, to condemn anti-Muslim bigotry, discrimination and violence. But in choosing instead to quell 'Islamophobia', Parliament would be understood in many quarters to have condemned any action that any person chooses to characterize as 'Islamophobic.' The first victims of such a chill on free speech, according to a number of Muslim witnesses, will be dissenting and moderate Muslims who dare to speak out against extremism and hate actions masquerading as the true or legitimate voice of Islam.

Witnesses testified that the term 'Islamophobia' divides Canadians and can foster extremism:

"I think it will backfire and end up separating Muslims out more and feeding to both extremes—those who are too ignorant of the realities within the Muslim communities, and those who actually might be blaming all of Islam for the acts of radicals."²³ (Jasser)

"M-103, as it stands, with usage of the term 'Islamophobia', has divided Canadians into us and them. By singling out one faith community in this motion, it seems that Islam and Muslims are exclusive and demand special attention when in fact, statistics show us that crimes against the Jews, the black community, and the LGBTQ communities are the highest."²⁴ (Raza)

"[E]ven using the terms 'Islamophobia' and getting the government into the business of monitoring any form of speech will end up paradoxically heightening social division....[T]rying to suppress what can be painful speech about Islam at society's fringes will actually paradoxically feed an unintended consequence of fomenting non-Muslim fears of Islam."²⁵ (Jasser)

The Committee heard testimony that the proper role in law of human rights is to protect humans, not ideas; and the goal should be to protect the faithful, not the faith:

"Islam, like any other religion, is a set of ideas in a book. Muslims, on the other hand, are human beings. Human beings have rights and are entitled to respect. Ideas, books

²² CHPC, Evidence, 1st Session, 42nd Parliament, 20 September 2017, 1535 (Fatah).

²³ CHPC, Evidence, 1st Session, 42nd Parliament, 30 October 2017, 1530 (Jasser).

²⁴ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1640 (Raza).

²⁵ CHPC, Evidence, 1st Session, 42nd Parliament, 30 October 2017, 1545 (Jasser).

and beliefs don't and aren't. The right to believe what we want is sacred; the beliefs themselves aren't."²⁶ (Ali Rizvi, Author)

"Human rights are about protecting people, not ideologies."²⁷ (Karim Achab, Professor of linguistics, University of Ottawa)

Muslim moderates are concerned that use of the term can be used to marginalize them:

"This silencing of all debate and discussion in Islam has put us Muslims in a ridiculous position. It also puts a target on the backs of those who want change."²⁸ (Raza)

"[W]ithin certain segments of the Islamic community here [in Canada], if one were to question certain Islamic practices, certain segments would have this sort of leverage over whoever would want to challenge Islamic precept and practice. Not everyone is going to go and check what the definition [of Islamophobia] is, the way you've described it or the way you're going to define it....There will always be that danger of not knowing exactly what Islamophobia is. It will remain vague in certain communities....Someone like me is extremely vulnerable. If something like this were to go through, I would be extremely vulnerable. It's not just about legal action; it's also about social censure and other things that the motion will start a process towards."²⁹ (Farzana Hassan, Author, Columnist)

"[M]uch of what we say on behalf of liberal rights, liberal ideas, women's rights, minority rights, within [Muslim communities] is often identified as blasphemy by Islamic regimes. It is identified as heretical by mosques in the West and identified as 'Islamophobic' by mosques and leaders in the West..."³⁰ (Jasser)

There was concern that because M-103 cites Petition e-411, and petition e-411 condemns "all forms of 'Islamophobia'", the motion has, in essence, adopted the most all-inclusive, and therefore, the most anti-free-speech, of all the possible definitions of 'Islamophobia':

"I will provide a few comments on the word 'Islamophobia', as a linguist first. Dictionaries do not offer the same definition of the word.... From the different dictionaries, only one matches the one that was officially retained by the committee Let me tell you that it's also the one that matches the definition that the Islamist activists also use."³¹ (Achab)

²⁶ CHPC, Evidence, 1st Session, 42nd Parliament, 6 November 2017, 1645 (Rizvi).

²⁷ CHPC, Evidence, 1st Session, 42nd Parliament, 8 November 2017, 1550 (Achab).

²⁸ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1640 (Raza).

²⁹ CHPC, Evidence, 1st Session, 42nd Parliament, 16 October 2017, 1725 (Hassan).

³⁰ CHPC, Evidence, 1st Session, 42nd Parliament, 30 October 2017, 1545 (Jasser).

³¹ CHPC, Evidence, 1st Session, 42nd Parliament, 8 November 2017, 1545 (Achab).

Witnesses felt that use of the term creates a situation where non-Muslims are afraid of being labeled 'racist/Islamophobic':

"[In the university course I teach in Toronto,] people are afraid to use the terms "Muslim" or "Islam", even when asking a question like whether it was the radicals who did the bombing in London, England. They're afraid to speak out, because this motion has got them worried that they'll be called racist."³² (Raza)

"[O]rganizations like the Muslim Brotherhood ... have popularized the term 'Islamophobia' for a very clever reason. It allows them to exploit the pain of real victims of anti-Muslim hate for the political purpose of stifling criticism of religion."³³ (Rizvi)

"The antidote to bigotry and fear is education, but M-103 is telling Canadians, no, you have no right to question, criticize, or fight against this ideology that is killing your fellow human beings. You must bite your tongue when you learn that 13 countries will execute you for being gay, or that the overwhelming majority of girls in Egypt and Sudan have had their clitoris cut out. You must turn the other cheek when you see a child wrapped up in clothing that restricts every single one of her five senses. You must smile and nod when you see yet another child being forced into marriage where she'll be raped for the rest of her life."³⁴ (Mohammed)

The term could be used to silence those who draw attention to anti-Semitic hate within the Muslim community:

"[T]his October's Islamic Heritage Month guidebook issued by the Toronto District School Board contained a definition of Islamophobia that included, 'dislike ... towards Islamic politics or culture'. This incident exposes significant problems associated with relying on ad hoc, inadequate definitions of Islamophobia. Muslims can be protected from hate without restricting critique of ideologies, especially those that are explicitly anti-Semitic."³⁵ (Fogel)

"Islamic-based terrorist organizations should not be able to hide behind claims of Islamophobia to shield themselves from criticism of their incitement to terror and hatred....The combat against Islamophobia must not facilitate antisemitism by giving shelter to antisemitism within the Islamic community acting out Islamic extremist ideology."³⁶ (David Matas, Senior Legal Counsel, B'nai Brith Canada)

One of the major concerns raised by witnesses in relation to the use of the term 'Islamophobia' related to the way in which the term is used beyond Canada's borders, and to the fact that if is

³² CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1650 (Raza).

³³ CHPC, Evidence, 1st Session, 42nd Parliament, 6 November 2017, 1645 (Rizvi).

³⁴ CHPC, Evidence, 1st Session, 42nd Parliament, 8 November 2017, 1555 (Mohammed).

³⁵ CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1550 (Fogel).

³⁶ David Matas, written submission (pp. 6, 10).

it used in Canada, the implication would be drawn in some countries that do not have freedom of religion, that Canada has given its consent to their own regimes' very aggressive definitions of the term (and of what they deem to be appropriate responses to 'Islamophobic' speech). This could have serious overseas consequences, including for relatives of Canadians:

"[Use of the term] Islamophobia is a slippery slope. It often starts focused and then has its own life, as has happened in one nation after another where people have been persecuted and imprisoned first under a narrow definition, and then the definition widens."³⁷ (Emil)

"The fears of Pakistani Christian immigrants living in Canada are not imaginary. The consequences of being labelled under M-103 under the garb of Islamophobia can have an indirect effect on our relatives and friends who are still living in Pakistan, a country in which blasphemy laws hold a sentence of life in prison, or death."³⁸ (Bhatti)

"In the Indian subcontinent, where close to half the world's Muslims live ... the word 'Islamophobia' is roughly translated as Islam dushmani, or being enemies of Islam. This is as opposed to Islam pasand, or being friends of Islam. Unless you place these two one against the other, you won't understand what is actually the connotation behind the explosive use of this word 'Islamophobia.' We saw this unfold in Darfur, where black Muslims, half a million, were killed. When more than one million dark-skinned fellow Muslims were killed, the argument presented in 1971 by the Pakistanis or Bangladeshis was that the Bangla Muslims were Islam dushmani or Islamophobes, while the Pakistani Muslims were Islam pasand, or lovers of Islam."³⁹ (Fatah)

"[In Pakistan,] there are many mainstream Muslims that think that they [the Ahmadiyya] should be put to death. This is, again, one of the problems with the terms 'Islamophobia—when you talk about criticism of Islam and you don't differentiate it from anti-Muslim hate, then you're going into territory that's very difficult to navigate."⁴⁰ (Rizvi)

Several witnesses testified that in their opinion the widespread use of the term 'Islamophobia' is not contributing to the resolution of the tensions that have arisen in Canada with regard to religion. The suggestion was made that other language which is less politically charged and less confusing is more appropriate. Some suggested not using 'Islamophobia' at all, or else regard the term as unnecessary in resolving the important problem of anti-Muslim bigotry:

³⁷ CHPC, Evidence, 1st Session, 42nd Parliament, 16 October 2017, 1620 (Emil).

³⁸ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1545 (Bhatti).

³⁹ CHPC, Evidence, 1st Session, 42nd Parliament, 20 September 2017, 1535 (Fatah).

⁴⁰ CHPC, Evidence, 1st Session, 42nd Parliament, 6 November 2017, 1715 (Rizvi).

“In order for M-103 to both protect human beings and not protect any ideology, the term needs to be removed, clarified, or amended to ‘anti-Muslim bigotry’.”⁴¹
(Mohammed)

“We understand Islamophobia to mean anti-Muslim hate, but our focus is really on action and the problem itself. Whichever term you use is really up to you. There’s a problem, and we need to deal with it.”⁴² (Sikander Hashmi, Spokesperson, Canadian Council of Imams)

Others suggested replacing ‘Islamophobia’ with ‘Anti-Muslim bigotry’:

“Here is my proposal regarding M-103. If the motion simply uses the term, ‘Anti-Muslim bigotry,’ instead of ‘Islamophobia’, I would back it 100%... [I]f we truly care about the goals and purpose of this motion—to help curb anti-Muslim bigotry—why not call it anti-Muslim bigotry, or anti-Muslim hate, or anti-Muslim sentiment? It does exactly the same thing and it doesn’t take away an iota of the meaning of the motion and what we want to achieve. Yet it also removes the barriers preventing its [M-103’s] critics from backing it. If we Liberals care about the substance of this motion over semantics we lose nothing and gain everything from making this one small change.”⁴³ (Rizvi)

RELIGIOUS DISCRIMINATION IN CANADA

Witnesses testified that religious and racial discrimination exists in Canada. This discrimination takes form in various ways. Pressures faced by the Muslim community in Canada have been in the forefront of the public’s mind, particularly following events such as the tragic shootings in Quebec City. Witnesses were clear that religious discrimination exists for Canada’s Muslim community and that the phenomenon needs to be addressed:

“As has been well established in the presence of this committee, hate crimes against Muslims are on the rise. The heartbreaking attack at the Islamic cultural centre in Quebec City on January 29 of this year was the single most horrific mass killing at a place of worship in Canadian history. Aboriginal, black, Jewish, and Sikh communities, among others, also continue to be targeted in Canada.”⁴⁴ (Hashmi)

“Let’s be clear on what needs to be addressed, as many of your other witnesses have said. We need to address anti-Muslim hatred that exists in this country. This is a hatred that is bred from three specific evils—ignorance, indifference, and fear—all of which must be addressed at the level of our own communities.”⁴⁵ (Bennett)

⁴¹ CHPC, Evidence, 1st Session, 42nd Parliament, 8 November 2017, 1600 (Mohammed).

⁴² CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1700 (Hashmi).

⁴³ CHPC, Evidence, 1st Session, 42nd Parliament, 6 November 2017, 1650 (Rizvi).

⁴⁴ CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1645 (Hashmi).

⁴⁵ CHPC, Evidence, 1st Session, 42nd Parliament, 16 October 2017, 1655 (Bennett).

Although M-103 specifically emphasizes discrimination faced by the Muslim community, the Committee heard valuable testimony from representatives of other religious groups facing religious discrimination.

Michael Mostyn, Chief Executive Officer of B'nai Brith Canada lauded the opportunity to address hatred directed toward the Jewish community: "we strongly endorse the importance for your work on M-103 to be broad-based. An unbalanced emphasis on Islamophobia creates the impression that Canadian Muslims are the only victims of hate crimes."⁴⁶

Cecil Roach of the York Region District School Board addressed anti-Semitic hatred directly:

"We also know that anti-Semitism is very real for Jewish Canadians. In Canada, Jews are still the number one target of hate based on religion. Hateful acts and hate crimes against Jews have spiked recently. In education we are seeing the rise of anti-Semitic graffiti, students making anti-Semitic comments or posting anti-Semitic images on their social media. We also cannot ignore the fact that white supremacists seem to now feel emboldened and are crawling away from their computer screens, publicly demonstrating their hatred for Jews, Muslims, for immigrants, and for all racialized people. The question then becomes how to fight against systemic racism and religious discrimination which, I'm sure we all agree, lessens us as Canadians."⁴⁷

In Mr. Mostyn's testimony, he explained that:

"Over a five-year period, anti-Semitism has been on the rise. Statistics Canada has reported that in 2015, the most recent year with complete figures, Jews were the most targeted group in this country for hate crimes, a serious trend that has been continuing for nine years."⁴⁸

Robert Kuhn, President of Trinity Western University, was one witness to address religious persecution facing Canada's Christian community. He noted decisions made by three provincial law societies that:

"...rejected the ability of graduates from Trinity Western's proposed law school to enter the practice of law in those provinces. This was despite approval given by the national Federation of Law Societies and the minister of higher education in British Columbia, and it was despite the fact that it is universally acknowledged that TWU law school graduates would have been fully qualified. The sole reason for their rejection is that Trinity Western University, as a Christian university..."⁴⁹

⁴⁶ CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1540 (Mostyn).

⁴⁷ CHPC, Evidence, 1st Session, 42nd Parliament, 1 November 2017, 1545 (Roach).

⁴⁸ CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1540 (Mostyn).

⁴⁹ CHPC, Evidence, 1st Session, 42nd Parliament, 30 October 2017, 1535 (Kuhn).

Mr. Kuhn concluded by stating that “Trinity Western and its staff, students, and faculty experience significant financial, emotional, and systemic discrimination. It is getting worse, and it should not be.”⁵⁰

As author Don Hutchinson explained, “Anti-religious discrimination in Canada has not been confined to any one religious community, and such incidents cannot be considered to be of greater or lesser significance based simply on which religious community is targeted.”⁵¹

DATA COLLECTION

Improving the collection of adequate data was a recommendation made by several witnesses. They asked that better forms of data collection be put in place that will allow for officials and the public to have a more comprehensive understanding of just how racial and religious discrimination is occurring. This was clearly expressed on October 23rd, 2017 by witness Idris Elbakri, Past President of the Manitoba Islamic Association. He stated: “I think it's very important to be able to deeply study these phenomena and track them and record data. One of the challenges we have is the lack of data so that we can understand the extent of this problem and this issue.”⁵² This need for better data collection was also expressed by Mr. Hutchinson on November 1st, 2017 when he stated that the government should, “continue to collect and share data in regard to religious observance by Canadians.”⁵³

The government must take into consideration how to make the collection of data more consistent and reliable. This is a key step in fully understanding the current climate of discrimination in Canada. On October 18th, 2017, Mr. Fogel stated:

“This committee should recommend that the government establish uniform national guidelines and standards for the collection and handling of hate crime and hate incident data. This will help ensure that local, provincial, and national law enforcement consistently collect, catalogue and publicize data regarding hate crimes and hate incidence. The more accurate and comprehensive the data available the more appropriately efforts to counter hatred and bigotry in Canada can be calibrated to address the specific needs of the communities most impacted. Comprehensive empirical data is required to effectively diagnose the problems and prescribe the most appropriate solutions.”⁵⁴

It is apparent that there is a need for consistent and across-the-board mechanisms that should be implemented in services that would deal with the reporting of discrimination and hate crimes. Not only should data be reported in a uniform way in order to have clearer idea as to

⁵⁰ Ibid, 1540.

⁵¹ CHPC, Evidence, 1st Session, 42nd Parliament, 1 November 2017, 1535 (Hutchinson).

⁵² CHPC, Evidence, 1st Session, 42nd Parliament, 23 October 2017, 1700 (El-Bakri).

⁵³ CHPC, Evidence, 1st Session, 42nd Parliament, 1 November 2017, 1535 (Hutchinson).

⁵⁴ CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1550 (Fogel).

what is occurring in Canada, but this data should be compiled together and released annually in order to have juxtaposition for following years.

It is also important in the collection of data to have it broken down by the type of discrimination occurring. Witnesses suggested that figures should show details of the discrimination that occurs involving race or religion. Improved information, factual evidence and more complete statistics can be further used to address the necessary issues around religious and racial discrimination.

'A WHOLE OF CANADA APPROACH'

M-103 suggests that the Government of Canada devise and execute a “whole-of-government approach to reducing or eliminating systemic racism and religious discrimination including Islamophobia, in Canada...” It is the opinion of the Conservative members and many witnesses that, instead, the Government of Canada should work to foster a ‘whole of Canada’ approach to increased inter-community, intra-community, interfaith, and intrafaith dialogue.

As an alternative to a government-centred approach, witnesses from the Christian, Jewish, Muslim, and other cultural communities urged the Committee to empower the communities themselves. Several witnesses testified on the merits of a community-centred approach to addressing racial and religious discrimination:

“...to respect and to champion difference is to promote a deep and genuine pluralism in which disagreement—even deep disagreement—is allowed. In our disagreements with one another we must always exhibit great charity, recognizing the inherent dignity we all bear as human beings.”⁵⁵ He later added, “I think government should act as a facilitator within communities to encourage them to engage with one another.”⁵⁶ (Bennett)

“I think there's a tremendous need for improved and increased dialogue, and for what I would call a deep pluralism—a pluralism that does not shy away from our differences, but articulates them, develops them, and understands them.”⁵⁷ (Laurence Worthen, Executive Director, Christian Medical and Dental Society)

“We need to empower our communities to continue the work they do, to partner with each other, to work with school divisions, with law enforcement and social services to create the awareness and understanding that is needed to support the victims of hatred and racism.”⁵⁸ (Elbakri)

⁵⁵ CHPC, Evidence, 1st Session, 42nd Parliament, 16 October 2017, 1655 (Bennett).

⁵⁶ Ibid, 1730.

⁵⁷ CHPC, Evidence, 1st Session, 42nd Parliament, 16 October 2017, 1615 (Worthen).

⁵⁸ CHPC, Evidence, 1st Session, 42nd Parliament, 23 October 2017, 1640 (El-Bakri).

“Consider establishing a forum for dialogue and cooperation to help foster relationships, improve co-operation, and dispel the stereotypes that cause misunderstandings. This might take the form of an annual dialogue between parliamentarians, ministers, and faith leaders or establishing a multi-faith advisory group or council.”⁵⁹ (Julia Beazley, Director, Public Policy, Evangelical Fellowship of Canada)

“My recommendation to you is that we don't need extra regulations or motions to combat racism or to protect one religion or another...But if there needs to be more, it needs to be about protecting interfaith harmony and other objectives where we put all the religions together, through seminars and conferences, to chill the hatred of one for the other.”⁶⁰ (Bhatti)

“My recommendation is that the communities themselves should be empowered to bring about change...I don't see this happening. I don't see round-table conferences in mosques or in Islamic organizations in which this issue is being discussed, regarding the concerns or the way that we can deal with it.”⁶¹ (Raza)

“We would call upon the government to redirect some of its funding from promoting intercultural dialogue to instead work on community building among faith and cultural communities... Participation by more groups will create more opportunities to identify and address systemic racism and religious discrimination.”⁶² (Shahen Mirakian, President, Armenian National Committee of Canada)

The need to create a ‘whole of Canada approach’ was echoed by other prominent religious leaders in Canada. Rabbi Reuben Bulka, a leader of Ottawa’s Jewish community, noted that “the power of the clergy is enormous and getting together sends a very loud and a potent signal that we are together.”⁶³ Likewise, Mr. Hashmi noted that while faith and racial communities are often drawn into forming preconceived notions about others, the presence of a united voice among faith leaders “sends a very strong message of cooperation.”⁶⁴

If government is to play a bureaucratic role in the promotion of religious freedom and racial harmony, it should re-establish the semi-autonomous Office of Religious Freedom (2013-2016). Mr. Hutchinson pointed to a concerning level of ignorance within the ranks of the public service with regard to issues of religious freedom and suggested that the Department of Foreign Affairs, alone, is particularly ill-equipped to discuss these issues:

“I was shocked at the disinterest in understanding the religious realities of the world we live in, and the ideological realities of dealing for example with communist China, or

⁵⁹ CHPC, Evidence, 1st Session, 42nd Parliament, 6 November 2017, 1600 (Beazley).

⁶⁰ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1610 (Bhatti).

⁶¹ CHPC, Evidence, 1st Session, 42nd Parliament, 27 September 2017, 1655 (Raza).

⁶² CHPC, Evidence, 1st Session, 42nd Parliament, 30 October 2017, 1535 (Mirakian).

⁶³ CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1605 (Bulka).

⁶⁴ CHPC, Evidence, 1st Session, 42nd Parliament, 18 October 2017, 1705 (Hashmi).

with Russia, or North Korea. The ideologies are themselves a religiously structured mechanism for oversight and control in those nations.”⁶⁵

Mr. Hutchinson recommended that a “dedicated office rather than an office that has multiple responsibilities...that overlap and are at times in contradiction with one another” would service these issues better.⁶⁶ He urged the Committee to “ensure religious representatives are participants in appropriate government activities,” and recommended the re-establishment of annual Global Affairs Canada consultations, “where representatives from religious and other communities of concern may comment on developing global situations.”⁶⁷

Interfaith dialogue is central to a ‘whole of Canada’ solution to racial and religious discrimination.

CONCLUSION

The Liberal government has failed to take up the challenge presented in M-103. M-103 has instead been misused by the Liberal government to politicize an issue important to millions of Canadians. The Liberal leadership’s actions have had the effect of being divisive, more threatening to Canadians, and have done nothing to bring Canadians of all spiritual backgrounds together in a spirit of understanding and cooperation.

240 days were provided for study under the terms of Motion M-103. The motion was adopted by the Commons in March, but the first witness was invited to testify only in September. The Liberals have engineered a majority report which deliberately avoids meaningfully addressing the issues around the term ‘Islamophobia’, which were such a dominant part of the M-103 debate in the House, and formed the subject-matter of much witness testimony.

One of our greatest concerns was that Liberal MPs consistently failed to treat moderate Muslim witnesses respectfully. They deliberately avoided Muslim witnesses and their personal testimony – much of which testimony was critical of the use of the term ‘Islamophobia’, which spoke to the consequences that a fluid definition would have on public policy, and which addressed potential restrictions on the free speech and beliefs of Muslims and non-Muslims alike. On two occasions, moderate Muslim witnesses were belittled by Liberal MPs and accused of being divisive, or of being complicit via guilt by association, of complicity in right-wing extremism. Liberal MPs even resorted to the practice of filibustering their own question time in an attempt to avoid inconvenient testimony.

It is regrettable that the assumption in M-103 is that Canadian society is far more hate-filled and xenophobic (particularly towards Muslims) than it actually is. Statistical evidence, and the testimony of many witnesses, including a striking number of courageous and thoughtful

⁶⁵ CHPC, Evidence, 1st Session, 42nd Parliament, 1 November 2017, 1605 (Hutchinson).

⁶⁶ Ibid, 1605.

⁶⁷ Ibid, 1535.

Muslim-Canadians, demonstrated otherwise. We hope that Canadians of all faiths will take note, and will build better cooperation between all religions, races and cultures in the coming years.

RECOMMENDATIONS

1. *That the Government of Canada issue a statement acknowledging the positive role that religious faith has played in the history of Canada and reaffirming to Canadians that it will continue to be welcomed as a major contributor to the fabric of Canada in the future.*
2. *That the Government of Canada recognize that every person lives with a set of beliefs that inform their life and that every person works to live consistently with those beliefs irrespective of whether or not they have a religious component and, given that freedom of belief is a cherished right in Canada, the Government of Canada ensure that Canadians can freely practice their faith without fear of intimidation, coercion or violence.*
3. *That the Government of Canada reiterate its full support for, and stand firmly behind, the principle of religious freedom enshrined in our Charter of Rights and Freedoms and expressed in Article 18 of the UN Declaration on Human Rights; that is, that every person has the right to believe, that they have the right to change that belief, and that every person has the right to practice that belief in action and in worship..*
4. *That the Government of Canada cease using the term 'Islamophobia' because of the inability to agree on the specific definition of the term.*
5. *That the Government of Canada cease using the term 'Islamophobia' because groups outside of Canada will use that to justify acts of violence and terror, particularly against women and girls.*
6. *That the Government of Canada work with faith communities to condemn, in the strongest of terms, any hateful acts committed against religious communities, including places of worship and that the Government take seriously its responsibility to provide safety and security for those communities and religious property*
7. *That the Government of Canada recognize that all faith groups are impacted when dealing with the challenges of religious pressure and discrimination, and that the Government immediately appoint a multi-faith Advisory Committee to advise it on domestic issues.*
8. *That the Government of Canada re-establish an advisory council of faith groups to better understand the role that faith plays in international affairs.*

9. *That the Government of Canada participate in single and multi-faith dialogue to better understand the dynamics of Canadian faith groups and to better understand the relationships between the various faith groups and to find solutions to the issues of intolerance and discrimination within Canada.*
10. *That the Government of Canada reiterate its full support for the protection of free speech in Canada, and that the Government reject any call to further restrict free speech within Canada.*
11. *That the Government of Canada launch a public information campaign on Female Genital Mutilation being a harmful practice.*
12. *That January 29th be established as a National Day of Solidarity with Victims of Anti-religious Bigotry and Violence.*
13. *That the Government of Canada commit to the re-establishment of the Office of Religious Freedom.*
14. *That the Government of Canada promote the principles of international Religious Freedom in its foreign policy and international trade agenda.*
15. *That the Government of Canada take measures to restrict free trade with countries until these countries comply with internationally-recognized human rights standards.*
16. *That, in order to address the lack of knowledge and/or interest in faith issues, the Government of Canada immediately commit itself to ensuring that its employees, including parliamentarians, are trained to better understand the role that faith perspectives play in global thought and action, and in both national and international policy development.*

APPENDIX 1: DEFINITIONS OF 'ISLAMOPHOBIA' PRESENTED IN THE M-103 HEARINGS

Sept. 18:

1. "Islamophobia, to me, means **uttering death threats, assaulting, hatred, threats of violence towards people, and vandalism of their places of worship.**" Mr. Arif Virani, MP
2. "The definition of Islamophobia I subscribe to is **an irrational fear or hatred of Muslims or Islam that leads to discrimination.**" Iqra Khalid, MP
3. "**expressions of fear and negative stereotypes, bias, or acts of hostility towards the religion of Islam and individual Muslims**" Definition of Canadian Race Relations Foundation, as reported to the committee by Dan Vandal, MP.
4. "**stereotypes, bias or acts of hostility towards individual Muslims or followers of Islam in general**". Definition by Ontario Human Rights Commission, as reported to the committee by Dan Vandal, MP.

Sept. 20:

1. "**Intense dislike or fear of Islam, esp. as a political force; hostility or prejudice towards Muslims.**" Definition found in the *Oxford English Dictionary*, as reported to the committee by Tarek Fatah, founder, Muslim Canadian Congress
2. "Then there is the definition by Andrew Cummins, who once said, in a quote that is often misattributed to Christopher Hitchens, that **Islamophobia is 'a word created by fascists, and used by cowards, to manipulate morons'.**" Tarek Fatah, founder, Muslim Canadian Congress

Sep. 25:

1. "I am in no way interested in promoting a definition of Islamophobia that would restrict my own speech. Legitimate critique, in my mind, is not Islamophobic. **Islamophobia is irrational and hyperbolic speech about Islam and Muslims that demonizes them, that dehumanizes them.** I trust the hate speech laws in Canada, which I think are robust along with the legislative system. When somebody makes an accusation of Islamophobia, and if they appear before a judge, he or she will make a decision about whether that is, indeed, Islamophobic or a legitimate critique." Ayesha Chaudhry (Associate Professor and Chairholder of Canada Research Chair in Religion, Law and Social Justice at the University of British Columbia)

Oct. 2:

1. "**a widespread mindset and fear-laden discourse in which people make blanket judgments of Islam as the enemy as the 'other' as a dangerous and unchanged, monolithic bloc that is the natural subject of well-deserved hostility from Westerners.**" Definition proposed in 2008 by J.P. Zuquete, as reported to the committee by Samer Majzoub (President, Canadian Muslim Forum)
2. "**a rejection of Islam, Muslim groups, and Muslim individuals on the basis of prejudice and stereotypes. It may have emotional, cognitive, evaluative as well as action-oriented elements like discrimination and violence.**" Definition proposed in 2005 by J.

Stolz, as reported to the committee by Samer Majzoub (President, Canadian Muslim Forum)

3. "As for us, we have opted for the following definition. It is a **criticizing or scathing negative opinion that might directly or indirectly cause humiliation or damage to the reputation and or incite to hatred and to violence against a person or a group of persons for the only reason that they are of Muslim faith.**" Definition preferred by the Canadian Muslim Forum, as reported by its president, Samer Majzoub.
4. "Islamophobia is simply **anti-Muslim discrimination or hate.**" Prof. Faisal Bhabha (Associate Professor, Osgoode Hall Law School, York University, Canadian Muslim Lawyers Association)

Oct. 4:

1. "I want to offer my working definition of Islamophobia that I have developed to capture its complex dimensions. **The definition I use extends from "a fear or hatred of Islam and Muslims" to acknowledge that these attitudes develop into individual, ideological, and systemic forms of oppression that shore up specific power relations. This broader definition outlines the sociology of Islamophobia as being dynamic and multi-faceted, and not simply about negative beliefs or attitudes.** Jasmin Zine (Professor, Sociology and Muslim Studies Option, Wilfrid Laurier University)
2. "I locate anti-Muslim racism under the broader umbrella of Islamophobia as a manifestation. While violence, hatred, and discrimination are enacted against Muslim bodies, these acts rely upon **the demonization of Islam** to sustain and reproduce their racial logic. One does not exist without the other." Jasmin Zine (Professor, Sociology and Muslim Studies Option, Wilfrid Laurier University)
3. "Islamophobia is **hate, hostility, prejudice, and discrimination directed towards Muslims.**" Ihsaan Gardee (Executive Director, National Council of Canadian Muslims)
4. "Islamophobia includes **racism, stereotypes, prejudice, fear or acts of hostility towards individual Muslims or followers of Islam in general. In addition to individual acts of intolerance and racial profiling...Islamophobia can lead to viewing and treating Muslims as a greater security threat on an institutional, systemic and societal level.**" Definition by the Ontario Human Rights Commission, as reported to the committee by Ihsaan Gardee, who told the committee, "the NCCM subscribes to" this definition.

Oct. 16:

1. "The term "Islamophobia" is often falsely equated with the term "anti-Semitism". MP Khalid has also alluded to an equivalence between the two, yet the two are vastly different....**A common dictionary meaning of anti-Semitism is 'hostility to or prejudice against Jews'. Islamophobia, on the other hand, also includes criticism of Islam as a religion.** The common dictionary meaning is 'intense dislike or fear of Islam, esp. as a political force; hostility or prejudice towards Muslims'." Farzana Hassan (Author/Columnist, Individual). The dictionary definition she cites is from the *Oxford English Dictionary*.
2. "'Phobia' is a medical term, implying a pathological and irrational fear. As far as I know, the only religion it has been applied to is Islam. **The proper definition of Islamophobia, therefore, is not 'irrational hatred of Muslims' but 'irrational fear of Islam'.**" Dr. Sherif Emil (McGill University):

Oct. 18:

1. “The term ‘Islamophobia’ has been defined in multiple ways, some effective and some problematic. Unfortunately, it has become a lightning rod for controversy, distracting from other important issues at hand. **While some use the term ‘Islamophobia’ to concisely describe prejudice against Muslims, others have expanded it significantly further to include opposition to political ideologies. For example, this October’s Islamic Heritage Month Guidebook issued by the Toronto District School Board contained a definition of Islamophobia that included, ‘dislike...towards Islamic politics or culture’.**” Shimon Fogel (Chief Executive Officer, Centre for Israel and Jewish Affairs)
2. **“Islamophobia refers to fear, prejudice, hatred or dislike directed against Islam or Muslims, or towards Islamic politics or culture.** Islamophobia is similar to other types of discrimination such as: anti-Semitism, homophobia and racism. Discriminating against anyone based on an identifiable characteristic is contrary to both the Canadian Charter of Rights and Freedoms and universal values of human rights and dignity.” Toronto District School Board definition, in full, cited by Shimon Fogel
3. “As opposed to certain terms of racism—such as anti-Semitism, which may have been confusing at one point, but on which there is now an international consensus, and the Ottawa protocol process was part of that—‘Islamophobia’ is a confusing term, unfortunately, at the moment. **I would just like to point, as an example, to witnesses from the NCCM, the National Council of Canadian Muslims, who appeared before this committee two weeks ago. They testified that they were in favour of the definition consistent with the Ontario Human Rights Code, the OHRC, yet it was this organization that vetted and put its logo on the Toronto District School Board guide my colleague from CIJA just mentioned, which had a very problematic definition of Islamophobia, including criticism of politics in Islam or culture in Islam.**” Michael Mostyn (Chief Executive Officer, B’nai Brith)
4. **“We understand Islamophobia to mean anti-Muslim hate,** but our focus is really on action and the problem itself. Whichever term you choose to use is really up to you. There’s a problem, and we need to deal with it.” Sikander Hashmi, spokesman, Canadian Council of Imams

Oct. 25:

1. “Islamophobia is a very simple term. The Greek part is “phobia”. It means fear. Islam...I think everybody gets that. **Anything that is against Islam, that is anti-Islam, is Islamophobia. If anybody’s using that to justify any kind of action, whether it is against or for policies, etc., then that is what it is.** I really think we have a problem when people are going to start saying one thing is Islamophobia, but another doesn’t fall under it. Larry Rousseau (Executive Vice-President, Canadian Labour Congress)
2. “If anyone who is a Muslim finds that an action is against them as a Muslim, that should define or at least characterize what it is. **Islamophobia means anything that will hurt, denigrate, etc., just as any other group would see it if it was a different group...**” Larry Rousseau (Executive Vice-President, Canadian Labour Congress)
3. “As far as coming out with a definition for Islamophobia, I would stay away from that because it should be very wide-ranging and it shouldn’t forgive anything. Look, if you’re going to do anything that denigrates—actually oppresses or suppresses a group, namely

people who are Muslim—then it is Islamophobia....” Larry Rousseau (Executive Vice-President, Canadian Labour Congress)

“One of the fundamental notions of harassment is this: **it is not the person who is doing the harassing, but the person who has been impacted by the harassment. If someone says it’s Islamophobia and they feel they have been discriminated against, then that’s what you should use.**” Larry Rousseau (Executive Vice-President, Canadian Labour Congress)

Oct. 30:

1. “We have noted the opposition to this motion with concern and believe that, **while Islamophobia should be clearly defined, reluctance to name and condemn anti-Muslim behaviour is unacceptable.** A refusal to address the rise in anti-Muslim sentiment may lead to the further marginalization and victimization of Muslims in Canada... We believe that the definition of Islamophobia proposed by the Ontario Human Rights Commission is valuable, and we’d encourage its adoption. It reads, ‘**Racism, stereotypes, prejudice, fear or acts of hostility directed towards individual Muslims or followers of Islam in general**’. Balpreet Singh (Legal Counsel, World Sikh Organization of Canada)
2. “People have asked, ‘Is criticizing Islam, or criticizing some political interpretation of Islam, a part of Islamophobia?’ **It has to be clear that criticizing an ideology or a faith is not part of this. It’s actual discrimination. It’s actual stereotypes about Muslims. We can all agree that any sort of discrimination against individuals following a faith is wrong...**” Balpreet Singh (Legal Counsel, World Sikh Organization of Canada)

Nov. 1:

1. “Regarding the definition of Islamophobia and anti-Semitism. There are recognized international and Canadian definitions that I’ve supplied in the materials. What I start with is that **each group should propose its preferred definition and label, not have the label chosen by another group as this feels disrespectful.**” Barbara Landau (Co-Chair, Canadian Association of Jews and Muslims)

Supplementary Report by New Democrats

Introduction:

In the face of increasing hate crimes in Canada, Motion M-103, was a motion that was supposed to unite the voices of parliamentarians from coast to coast to stand against all forms of systemic discrimination and racism. Instead, it became highly contentious, partisan and controversial. This was not only disappointing to New Democrats, it was simply heartbreaking to witness how Government members and Members of the Official Opposition let partisan politicking win the day as they absolutely refused to work collaboratively to address what should be a non-partisan issue for all elected officials. As a result, this motion, while supported by the majority, was not unanimous.

At the heart of the controversy is the term “Islamophobia” in the motion. First, there was considerable debate and concern over the term Islamophobia and what it meant as its use is relatively new in Canada. New Democrats believe that Motions and Bills before the House of Commons should be written in clear, concise, and plain language so that all Canadians can be engaged in our democratic institutions. With that in mind, it would have been beneficial for the government and the mover of the Motion to be more open to amending the Motion to include an agreed upon definition. In fact, agreement was reached from all parties on 26 October 2016 where all members of the house had no trouble unanimously passing the motion moved by the Member from Outremont,

“That the House join the 69,742 Canadian supporters of House of Commons e-petition (e-411) in condemning all forms of Islamophobia.”ⁱ

Misinformation around the Motion itself, combined with a lack of general agreement to the understanding of the term Islamophobia, fueled a fear both in the public and advanced by some witnesses that M-103 either itself changed laws or that by using the term Islamophobia in the Motion it would elevate Islam’s protection to be above any other minority group in Canada.

It is very unfortunate that the same spirit of cooperation shown on October 26, 2016 was not applied with M-103. It is the view of New Democrats that it would have been entirely feasible for all members of the house to come to some agreed upon language regarding the term “Islamophobia” so that the passage of Motion M-103 can be unanimous and public fear regarding the intent of M-103 can be put to rest. Not only did this not happen, in fact, there was so much partisan posturing that the Official Opposition attempted to pass a motion in the House of Commons on 16 February 2017 that was essentially the same as M-103, and called for an identical study to occur at CHPC.

New Democrats, refused to be part of such political posturing. We examined each motion independently and assessed them on their merit. We are in favour of any motion that aims to address and combat discrimination in any form and believe that as elected officials and

representatives of our communities in the House of Commons, it is our duty to stand up together, against racism and discrimination in any form.

New Democrats note with profound disappointment the deep irony that whereas the intent of M-103 is to “quell the increasing public climate of hate and fear”, the motion itself actually became the target of a disturbing online misinformation campaign which was based on dog whistle xenophobia/racism/Islamophobia. MP offices across the country received a massive amount of correspondence containing that troubling misinformation. MPs were being lobbied to vote against a ‘law’ well after the motion had already passed, and it was clear that in some cases witnesses appearing before the committee were under the impression that the study at committee was to determine whether or not M-103 should be supported. During this study, it also became apparent that some witnesses were not aware of what the passing of M-103 in the House of Commons meant. It needs to be stated that the committee’s responsibilities as dictated by M-103 was to study the issue and to make recommendations to the government on a “...whole-of-government approach to reducing or eliminating systemic racism and religious discrimination...” and to “collect data to contextualize hate crime reports and to conduct needs assessment for impacted communities....”ⁱⁱ

It must be emphasized that the work of the committee is completed following the tabling of the report.

No new law is adopted with the passage of M-103.

Aside from the issue regarding the lack of definition for the term “Islamophobia”, concerns were raised by the Official Opposition regarding why the term “Islamophobia” was the only term singled out and stated in Motion M-103. There is no question that the level of hate crimes varies amongst different communities. In Canada, hate crimes against the Jewish community remain the highest. As noted by Shimon Fogel, CEO of the Centre for Israel and Jewish Affairs:

“Confronting hate is an all too familiar experience for Jewish Canadians. In report after report, Statistics Canada and police services across the country continue to confirm ... that Jews are the religious minority most targeted by hate-motivated crime, in both absolute numbers and on a per capita basis. Nationally, there were 54 hate crimes targeting Jews per 100,000 individuals in 2015.”ⁱⁱⁱ

Equally significant is the fact that the hate crimes against the Muslim community have the highest rate of increase. Mr. Fogal further stated: “In fact, Muslims were the next most targeted group, with 15 incidents per 100,000 individuals.”^{iv} This was affirmed by Yvan Clermont, Direct of the Canadian Centre for Justice Statistics who stated:

“The increase in the total number of hate crimes in 2015 was attributable in part to an increase in the number of cases targeting Muslims. The number of hate crimes against Muslims reported to the police increased from 99 to 159, an increase of 61%. At the same time, the number of hate crimes targeting Jews decreased from 213 in 2014 to

178 in 2015. So, hate crimes against the Jewish population is still the largest number, but the number was followed very closely by crimes targeting the Muslim population.”^v

The intent of including the word “Islamophobia” in the motion was to recognize this fact. Since the terrorist attacks in the United States on September 11, 2001, people of the Muslim faith and those who appear to be of the Muslim faith have been increasingly under the microscope of the public and law enforcement. This increased scrutiny has led to Muslim people and places of faith being targeted for acts of violence. Statistics show that hate crimes are on the rise in Canada. Mr. Clermont, informed the committee that,

“Between 2014 and 2015, incidents of hate crimes reported by the police increased from 1,295 to 1,362. Certain groups saw greater increases. For example, in 2015, the number of incidents involving the Arab and West Asian population increased from 69 to 92 incidents and incidents involving the Muslim population increased from 99 to 159 incidents. I am still talking about incidents reported to the police.”^{vi}

It is with this trend in mind, along with the tragedy that occurred at Quebec City’s Great Mosque which saw a white-nationalist gunman injured 25 worshippers, killing 6, that New Democrats support explicitly condemning Islamophobia. The motion is clearly worded that the study was to be aimed at addressing systemic racism and religious discrimination in all forms.

Given the nature of the study, the NDP had hoped that partisan positions and talking points would be set aside once the committee got down to work, especially regarding decisions on the recommendations to put forward to government. After all, it was made clear by members of all parties that the support for eliminating racism and discrimination was universally supported. New Democrats worked hard and across partisan lines in an attempt to put forward comprehensive recommendations which included concrete actions and accountability measures. New Democrats support the recommendations in the main report; however, the main report also failed to adopt some significant recommendations in some key areas.

It is with this in mind, that the NDP includes our supplementary report. With the clear support of witnesses appearing before the committee, the NDP calls on the government to take additional actions around the following areas:

- 1) Canada’s Indigenous Community
- 2) Economic Issues
- 3) Financial Institutions
- 4) Training/Education
- 5) Public Awareness
- 6) Social Cohesion and Integration
- 7) Best Practices
- 8) Hate Speech and Hate Crimes
- 9) Data

10) Social Media/'Fake News'

Canada's Indigenous Community:

The systemic discrimination and racism that has been faced by Canada's Indigenous Peoples is well documented throughout Canada's history. Sadly, it continues to today, and as a result of the extreme acts perpetuated against generations of Indigenous peoples, the legacy of this racism continues to impact people today. The committee heard compelling testimony from Indigenous leaders such as Assembly of First Nations Chief Perry Belegarde, Executive Director of the First Nations Child and Family Caring Society of Canada Dr. Cindy Blackstock, Executive Director of the Metro Vancouver Aboriginal Executive Council Kevin Barlow, and the Hon. Murray Sinclair, Senator and Chair of the Truth and Reconciliation Commission (TRC). Witnesses spoke about the wide range of discrimination; be that historic, overt, systemic, or residual that Indigenous People have been and are subjected to. Witnesses also provided the committee with thoughtful, whole of government approaches to truly achieve reconciliation and justice.

Indigenous leaders and many non-Indigenous witnesses that appeared were clear that moving forward on the Calls to Action contained with the TRC was an important first step, alongside Canada adhering to the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP), and supporting the National Inquiry in Missing and Murdered Indigenous Women. National Chief Belegarde stated:

"One of the most important ways is for the full adoption and implementation of the United Nations Declaration on the Rights of Indigenous Peoples. That, to us, is a road map to reconciliation. It's a road map to ending discrimination and racism in this country and throughout the world."^{vii}

Dr. Blackstock focused on the ongoing systemic discrimination towards First Nations children, and the recent Canadian Human Rights Tribunal rulings which have called on the federal government to end this practice. She explained that,

"In this case, it is the Canadian government that continues to racially discriminate against first nations children. That has to be acknowledged, not only because it relates to the Truth and Reconciliation Commission's top call to action about equity and child welfare to make sure that we raise this generation of children safely in their families, but also because it's simply the right thing to do. What have we learned from history? That is the other piece. We apologized for residential schools, and then we apologized for the sixties scoop, and now Canada is out of compliance with four legal orders of the Canadian Human Rights Tribunal to end racial discrimination with children. What have we actually learned from residential schools? What have we learned from the past? How do we prepare this generation of children to learn from those past actions of racial discrimination, affecting indigenous peoples and others, in ways that prepare them to address injustices, both in a contemporary format and going forward into the future?"

Today we saw in census figures that we're not holding up our promise to the residential school survivors in terms of the Truth and Reconciliation Commission's call to action number one. Over 40% of all children under four in child welfare care today are first nations children. Keep in mind that when children were removed for residential schools, they were removed at the tender age of five, and we saw the cataclysm that created. These are preschoolers."^{viii}

Dr. Blackstock also talked about her organization's efforts to ensure that all of history is discussed, as often the discrimination enacted and perpetuated by our historical leaders is overlooked or completely ignored.

"We've created historical plaques that accurately tell the stories of these people. Duncan Campbell Scott, for example, is recognized as being a confederate poet, but he is also recognized as being a key actor in what the Truth and Reconciliation Commission found to be cultural genocide. His historical plaque includes both passages: confederate poet and cultural genocide. For Dr. Bryce, the full story of his career is told as well, and it's the same with Nicholas Flood Davin. I think this is something very essential: teaching, at a time when people are talking about taking down monuments. I actually don't agree with taking down monuments. I agree with telling the full and proper truth, and this is something that I'd like to see the National Capital Commission embrace with a lot more vigour. For example, just a couple of years ago there was an exhibit on Laurier and Macdonald, and it talked about the building of the railway and the first francophone prime minister. It said nothing about their respective roles in residential schools. John A. Macdonald was an enthusiastic endorser of them, and hired Duncan Campbell Scott; Laurier was prime minister at the time when Dr. Bryce's reforms hit the newspaper, and he did not press for those reforms to be implemented and those kids' lives to be saved."^{ix}

Renu Mandhane, Chief Commissioner at the Ontario Human Rights Commission noted how little Canadians actually know about Canada's history of colonialism and the injustices that have been committed, stating, "Up until recently, many Canadians, including me, knew very little about the history of colonialism and the ongoing impact of intergenerational trauma on indigenous people and families."^x The need to increase awareness of the general public to help reduce the ongoing and future continuation of the perpetuation stereotypes and discrimination was clear. Additionally, better consultation with Indigenous communities, which is referenced in the TRC Calls to Action was also discussed at length.

Though the Government has repeatedly promised to restore a nation to nation relationship; however, actions speak louder than words. Many of the recommendations from witnesses with concrete calls for action and accountability measures that would be critical to the elimination of systemic discrimination for Indigenous peoples are missing from the main report. It is with this in mind that New Democrats make the following recommendations:

Recommendation One:

That the Government support Bill C-262, private member's bill from the Member for Abitibi – Baie-James – Nunavik – Eeyou, which is an Act to ensure that the laws of Canada are in harmony with the UNDRIP.^{xi}

Recommendation Two:

For government departments providing services to First Nations children and families to undergo a thorough and independent 360 degree evaluation to identify any ongoing discriminatory ideologies, policies or practices, outline ways to address them, and for these evaluations to be made public.

Recommendation Three:

That the Government of Canada immediately comply fully with the Canadian Human Rights Tribunal's orders regarding First Nations children.

Recommendation Four:

That the Government of Canada fully and properly implement Jordan's Principle.

Recommendation Five:

For the Parliamentary Budget Officer (PBO) to publicly cost out the shortfalls in all federally funded public services provided to First Nations children, youth, and families (education, health, water, child welfare etc) and propose solutions to address these shortfalls.

Recommendation Six:

For the Government of Canada to consult with First Nations people to co-create a holistic Spirit Bear Plan to end all of the inequalities, with deadlines and confirmed investments.

Recommendation Seven:

That the Government of Canada work with the National Capital Commission (NCC) to create historical plaques here in Ottawa that recognize the true telling of history as it relates to injustices committed against Indigenous Peoples.

Recommendation Eight:

For all public servants, including those at seniors levels, to receive mandatory training to identify and address government ideology, policies, and practices that fetter the implementation of the TRC's Calls to Action.

Recommendation Nine:

For the Government of Canada to declare Indigenous education as a national emergency and develop a plan of action with defined timelines to ensure that the national dropout rates of Indigenous students fall within the average non-indigenous student population.

Training/Education:

While it is important to adequately address discrimination and racism when it occurs, it is even more important that we as a society work together to prevent these issues from happening in the first place. The only way to do this is through training and education. It was made clear that this must begin at a young age. It is a firm belief of New Democrats that racism and hate is a learned behavior. If we educate against that, we give future generations the tools and knowledge to push forward, to break down barriers, and to eliminate the systemic issues that remain.

Chief Belegarde, recommended adding more Indigenous education to our school curriculums, advocating that,

“I think education and awareness leads to understanding and leads to action. The education school systems across Canada.... I know this is a federal one, but lobby the provincial premiers and everyone across Canada to change the school curricula to teach about inherent rights, treaty rights, aboriginal rights, to teach about the residential schools and the history and the impact of residential schools, and the Indian Act. The curricula have to change. That's one big piece.”^{xii}

The call for more education directed at young people was echoed by Soudeh Ghasemi, Vice-President of the Iranian Canadian Congress who stated:

“On the education issue, yes. In the education system, I do believe that it's very important that there are curricula to teach students how to address discrimination, to battle discrimination, and to understand these concepts. Training in the school environment is very important.”^{xiii}

New Democrats agree that it is essential that we ensure this foundational piece is supported by the Federal Government. Aside from ensuring that the education materials about different religious and cultural practices are developed, it is important that supports are provided to all government employees and educators. To that end, New Democrats recommend:

Recommendation Ten:

That the Government of Canada work in collaboration with all levels of government to devise a national plan to fund and provide cross-cultural and inter-faith training to all government employees and educators in our school systems.

Economic Issues:

As identified by a number of witnesses, systemic racism and religious discrimination have far ranging impacts on individuals and communities subjected to it. While the more overt instances of racism and discrimination are increasingly less tolerated by our society, the more subtle and implicit forms of racism and discrimination are harder to detect, understand, and address. This discrimination can also manifest unintentionally, a result of the unconscious biases of individuals in positions of power that stem from longstanding stereotypes and myths around ethnic and/or religious minority groups.

It was brought to the attention of the committee that this can be seen and has in fact been measured in employment and economic outcomes amongst Canada's minority populations. Avvy Yao-Yao Go, Clinic Director of the Chinese and Southeast Asian Legal Clinic, spoke at the length to the committee about the existence, persistence of these issues and their generational impacts:

“There are significant racialized and gendered wage and employment gaps in Canada. For instance, data from the 2011 national household survey show that women of colour earned 32% less than non-racialized men, and immigrant women earned 28% less than non-immigrant men. Wage gaps increase for indigenous women, women of colour, and immigrant women with university degrees. There are multiple studies that confirm employers discriminate against job applicants with Asian-sounding names, who are 33% to 37% less likely to get a callback for interviews. As a result of the labour market discrimination, poverty in Canada has also become racialized. The last census shows that 18.7% of racialized families live in poverty as compared to only 6% of non-racialized families, yet the federal government's current national poverty reduction strategy makes little or no mention of how it would address poverty experienced by communities of colour.”^{xiv}

She went on to say that,

“Because of discrimination, they are unable to access good-paying, decent jobs. You are trapped in precarious employment situations where your income tends to be lower and you tend to be living in poverty. Your life chances are lower. The future of your children is more restricted. It becomes a generational issue as a result of that one area of systemic racism. Of course, some call this a prison pipeline for the indigenous, and the African Canadian community as well.”^{xv}

The committee was provided with additional examples such as resumes being passed over because of ‘ethnic sounding’ names and one a troubling example described by Narges Samimi

of the Frog Hollow Neighbourhood House who described a workplace incident of discrimination that she was a victim of:

“I was one of those employees who went through that systemic discrimination in the workplace. I was wearing the hijab before, and one day my manager came to me and said, ‘Nerges, if you want to have this job, you need to give up something.’ I wasn’t sure what she was talking about. She said she meant my hijab, that I couldn’t have my hijab there because of the place where I worked. She said she didn’t want me to change my religion, but she didn’t want me to have a scarf on my head there.”^{xvi}

Balpreet Singh of the World Sikh Organization of Canada explained that,

“That's really the insidious part of discrimination. The discrimination we used to see before was blatant. You're wearing a turban, you have beard, this isn't going to work. What we are seeing now, like I said, is ‘You're not the right fit’ or ‘Your interview didn't go as well as it should have’. I've had anecdotal evidence of individuals who say they didn't get any success until they tied their beard, until they brought their beard together and looked a little bit more Western, as it were. We do hear these sorts of stories, but without data, it's very hard to get the whole extent of the problem. I think it's very clear that, for the Sikh community, anyway, whether you're first generation, second generation, or third, you're going to have the articles of faith if you're a practising Sikh. With time, your accent goes away, but you do look different and sometimes that's a problem.”^{xvii}

An individual being passed over for a job leaving a job because of their name or ‘non-Western’ appearance, or leaving a job because they feel unwelcome or have been subject to this subtle racism and/or discrimination has significant impacts that allow for the perpetuation of these issues to continue in our society. We must act to break these cycles which allow for the continuation of employment discrimination that in turns creates generational poverty. New Democrats acknowledge that it is important to have tools to assist individuals who face barriers to equitable access to services and employment or tools that foster diverse and equitable hiring; however, we must work to break these cycles in a more cohesive way. It is with this in mind that New Democrats make the following recommendations to the Government of Canada:

Recommendation Eleven:

That the Government of Canada improve processes for labour market and economic achievement by devising a national strategy on labour market integration and achievement that acknowledges the economic inequalities experienced by immigrants, people of visible minorities, religious minorities, and Indigenous Peoples.

Recommendation Twelve:

That the Government of Canada follows Ontario and Manitoba's lead and establish provincial Fairness Commissioners to ensure that regulated professions have registration practices that are transparent, objective, impartial, and fair.

Recommendation Thirteen:

That the Government of Canada

- a) Centre the problem of racialization of poverty in the National Poverty Reduction Strategy.**
- b) Reinstate mandatory compliance with employment equity for federal contractors and effectively enforce the regime.**

Recommendation Fourteen:

That the Government of Canada work with the Provinces and Territories to

- a) Introduce and effectively enforce employment equity legislation;**
- b) Collect and analyze data on the racialization of poverty; and**
- c) Remove barriers to recognition of international training by institutions, regulatory bodies, and employers.**

Social Cohesion and Integration:

The goals of better education and increased public awareness of these issues is to increase Canada's social cohesion, and to strengthen the integration process for newcomers to Canada. Changes to our education system, and public awareness campaigns take a long-term focus on the issues of systemic racism and discrimination. Throughout our communities, countless individuals and organizations are working hard to help create a sense of belonging and harmony amongst diverse groups. There are concrete actions that can be taken immediately to increase social cohesion and integration.

In their written submission to the committee, *We need to move beyond feelings and look at the systemic impacts of racism on our economic and social status*, the Frog Hollow Neighbourhood House and Kiwassa Neighbourhood House advance three recommendations that the NDP support regarding actions to increase social cohesion in our communities.

Recommendation Fifteen:

That the Government of Canada establish additional programs to facilitate integration and reduce segregation by supporting community based events intended to convene diverse groups of newcomers, First Nations, and other Canadians at community-organizations.

Recommendation Sixteen:

That the Government of Canada provide a new funding stream for media and arts programs aimed at the most marginalized and vulnerable communities of newcomers and/or ethnic religious minorities.

Recommendation Seventeen:

That the Government of Canada foster institutional participation and leadership by providing funding to identify how members of diverse groups, especially women of colour, can be supported to become leaders in the community.

Public Awareness:

For those no longer in Canada's education system, New Democrats believe we can always learn more and do better, especially when it comes to recognizing our own implicit biases and understanding the impacts of systemic racism and discrimination. Staff Sergeant David Zackrias of the Ottawa Police Service called on the government to, "support public awareness campaigns that are community-led, working hand in hand with law enforcement. We all have a stake in this fight to eradicate discrimination."^{xviii}

Sikander Hashmi, a spokesperson for the Canadian Council of Imams called for the government to "run regular national public awareness campaigns to instill a sense of national pride in Canadian diversity and to highlight the positive contributions of Canadians of all types."^{xix} The NDP supports the ideas brought to committee about raising public awareness of the benefits that we as a country receive from being a diverse and inclusive society, and therefore recommend:

Recommendation Eighteen:

That the Government of Canada provide targeted new funding for NGOs who have been leading the way in settlement and integration training to deliver workshops in community spaces and schools to facilitate public awareness and education campaigns to combat systemic racism and religious discrimination

Best Practices:

Education materials, public awareness campaigns, and social cohesion efforts undertaken by communities should not be done in a vacuum. To have the greatest success from coast-to-coast-to-coast, being able to share best practices easily was brought to the attention of the community. It is important for organizations to have the opportunity to know what is out there, what is working well, and how successful programs can be tailored to be as effective as possible in their communities. It is through the sharing of best practices that we will be able to see the greatest gains in all of these areas.

With this in mind, The NDP supports the recommendation put forward in *We need to move beyond feelings and look at the systemic impacts of racism on our economic and social status*, the Frog Hollow Neighbourhood House and Kiwassa Neighbourhood House.

Recommendation Nineteen:

Develop a national web-based portal where community organizations and agencies can share best practices for programs and strategies to address racism and religious discrimination.

Recommendation Twenty:

That the Government of Canada host a federal-provincial-territorial meeting to discuss the rise in hate crimes in Canada to develop best practices to countering this trend.

Hate Crimes and Hate Speech:

The committee heard from several witnesses that the current threshold for a crime to be considered a hate crime was incredibly high. Aurangzeb Quershi, Vice President of Public Policy and Communications for the Alberta Muslim Public Affairs Council (AMPAC) explained:

“We have found it extremely difficult to charge an individual with a hate crime, and it demands a threshold that is unrealistic. For example, section 319 specifically requires the consent of the Attorney General in order to lay charges, a high bar and something that very few other sections require.”^{xx}

Renu Mandhane explained the importance of accurately defining hate so that the laws that do exist can be enforced properly, he stated:

“We have seen very little enforcement of laws against hate crimes under the Criminal Code. I think if we want to avoid what we’re seeing in the United States, we really need to start thinking about defining hate in a way that captures the lived experience of people who experience it.”^{xxi}

Some witnesses also drew attention to issues that minority groups are not being taken seriously by law enforcement when they do come forward to report that a hate crime has been committed. Ihsaan Gardee, Executive Director of the National Council of Canadian Muslims suggested that, “law enforcement should be required to retain and undertake regular and ongoing training in bias-free policing as well as victim-based approaches to dealing with hate crimes.”^{xxii}

Once a crime has been reported and is being investigated, witnesses before the committee noted that in some cases that motivation - i.e. hate – was not being examined. David Matas Senior legal counsel at B’nai Brith Canada explained,

“One of the problems we see with the police forced dealing with hate-motivated crimes is sometimes – indeed, perhaps all too often – they will identify a crime without looking at the motivation. I mean, obviously if somebody paints a swastika, you can see the motivation, but it’s a simple assault, they may just go after the assault without looking at the motivation. The low figures we hear about hate-motivated crimes are in some instances the result of the police just not looking to see whether it’s a hate-motivated crime. One of the things we could usefully do in terms of training is sensitize police forces, so that when there is a hate dimension to a crime, it gets noticed, it gets reported, and it gets acted on.”^{xxiii}

The difficulty in laying a hate crime charge, difficulties in having complaints responded to in a standardized and thoughtful manner, and the lack of trust that complaints will be taken seriously led to what many witnesses described as significant underreporting of hate crimes in Canada. This is because official statistics rely only on police reported hate crimes. Shimon Fogel, Chief Executive Officer of the Centre for Israel and Jewish Affairs recommended that, “the government establish uniform national guidelines and standards for the collection and handling of hate crime and hate incident data.”^{xxiv} Additionally, other witnesses recommended ways for hate incidents to be reported and counted that were outside of police statistics. For example, the Mr. Quershi highlighted AMPAC’s Islamophobia hotline, informing the committee that, “the AMPAC Islamophobia hotline was launched in April 2016... was introduced as a tool for the Muslim community to monitor Islamophobic incidents across Alberta... Over the last year, the hotline has received over 400 calls”^{xxv}.

New Democrats firmly believe an ounce of prevention is worth a pound of cure, and therefore every effort should be made to prevent hate crimes from happening in the first place. However, once a crime has been committed, we need to make sure our laws, our law enforcement agencies, and our judicial system adequately recognizes what has happened and acts accordingly to ensure that justice is served. With this in mind, New Democrats recommend:

Recommendation Twenty-One:

That the Government of Canada strengthen the legal and regulatory responses to discrimination by reviewing and strengthening the laws against hate speech and hate crimes by providing a more inclusive and clear definition of what, exactly constitutes a hate crime.

Recommendation Twenty-Two:

That the Government of Canada better protect minority groups from hate incidents by taking hate motivation into account more effectively and consistently.

Recommendation Twenty-Three:

That the Government of Canada establish standards for identifying and recording all hate incidents and their dispensation in the justice system.

Recommendation Twenty-Four:

That the Government of Canada create a standardized hotline to allow for the reporting of hate crimes and/or discrimination for the collection of data that goes beyond instances reported to the police.

Recommendation Twenty-Five:

That the Government of Canada collaborate with municipalities, provinces, and territories to create and fund dedicated police hate crime units.

Financial Institutions:

New Democrats were deeply troubled by the testimony provided to the committee by representatives of the Iranian Canadian Congress (ICC), regarding the discrimination that Iranian-Canadians can face from Canada’s financial institutions. Pouyan Tabasinejad told committee members that:

“Since 2012, as a result of strict sanctions placed on Iran by the Canadian government, banks have refused to deal with those who had or were perceived to have any financial links to Iran, whether personal or business. This resulted in the closure of the bank accounts of Iranian Canadians, including Canadian citizens, for no other reason than because they were Iranian. For example, the bank account of an Iranian engineering student in Quebec was closed with only \$700 in the account. When he approached the bank he was only told that his account was closed because he had an Iranian passport.

Even today, after the government eased some of its sanctions on Iran in February 2016, financial institutions are still applying the same discriminatory rules, and we have received several reports from ordinary Iranian Canadians who have been subject to discrimination by banks.”^{xxvi}

This level of discrimination is simply unacceptable. Therefore, New Democrats recommend:

Recommendation Twenty-Six:

That the Government of Canada immediately undertake to work, in collaboration with the responsible regulatory agencies, to ensure that individuals are not being discriminated against in their access to banking services.

Data:

Data is a key component to policy making. Without a complete understanding of any given situation, it is incredibly difficult to implement good policy. The reinstatement of Canada’s long form census has rebuilt some of the data collection processes needed to ensure policy makers

can make informed policy decisions. However, it was brought to the attention of the committee by Ms. Go that complementary race-based administrative data sets are missing from all levels of government. This has led the varying levels of governments to not have the high quality information required to fully acknowledge and understand the impacts of racism and discrimination in Canadian society, especially as it pertains to issues like poverty. Often, what data is available is not detailed enough. For example, Ms. Go highlighted in the brief submitted to the committee by the Chinese and Southeast Asian Legal Clinic that while the new Poverty Reduction Strategy prioritizes communities at heightened risk of poverty, the broad category of 'recent immigrant' is used, and 'people of colour' is not mentioned at all. The NDP believes that we must do more to ensure we know how policy is impacting different communities.

New Democrats support the recommendation brought forward by Ms. Go in the brief the Chinese and Southeast Asian Legal Clinic submitted to committee:

Recommendation Twenty-Seven:

That the Government of Canada collect and track disaggregated data with respect to ethno-racial background across all Departments, Ministries, Divisions and relevant institutions, and use this data to develop strategies for addressing systemic racism. Immigration status should not be used as a proxy or substitute category for race, and racial groups should not be homogenized under the category of "visible minority". Data should be collected in a way that enables analysis of the intersecting effects of ethno-racial background with gender identity, sexual orientation, socioeconomic status, immigration status, age, and (dis)ability.

Social Media and Fake News:

In today's increasingly connected world, and in a world where information spreads quickly and no longer necessarily through 'trust' or 'reliable' channels, so-called 'fake news' has emerged as a real concern for many people. Often, this 'fake news' or misinformation is spread through social media, meaning people are reading and sharing information that they're being shown by friends and colleagues. As media has diversified greatly, independent sources - whether they are legitimate or not - can look just as polished and trustworthy as traditional media. There has also been a continued blurring between editorials, 'info-tainment', and journalism which further clouds things.

As discussed in the introduction, misinformation was rampant regarding M-103 itself. Much of this was a result of editorials and an online campaign of misinformation that was initiated by sources that would describe themselves not as journalists, but as pundits, or commenters, despite the look and feel of journalism.

During this study, witnesses touched on role that social media and misinformation plays in shaping public opinion. Frank Huang, the National Secretary-General of the National Congress of Chinese Canadians (NCCC), spoke about misinformation that was shared amongst the

Chinese Canadian community through social media that negatively influenced opinions on refugees:

“In the Chinese online community, there was sensational news. A social media WeChat account with the name T*T TD Canada Trust posted the following information: “I received at least 20 refugees to open bank accounts today. I just learned that the government gave each of them \$800 every month and this family has four adults and six children, that means \$8,000 per month and they don't even need to pay tax. So after tax, \$8,000 a month means \$200,000 per year.” This was posted by somebody who says that he's a TD Bank staff member working in Montreal. This news triggered intense responses in the Chinese community and was re-posted many times. It triggered backlash and outcry against the Chinese government and even the prime minister. These kinds of irresponsible words incite hostile sentiments towards refugees.”^{xxvii}

Mr. Huang would later explain that:

“We know that this is misleading and incorrect information. However, because it is on social media, a lot of people don't know what's true and what's not true. A lot of people felt very strongly about this, so they began to repost it to spread the fake posted information, and they began to express their hostile sentiments towards refugees and the Canadian government. It's very hard to regulate social media.”^{xxviii}

Former CSIS analyst and CEO of Northgate Group Michel Jeneau-Katsuya spoke about the impact of fake news and the difficulty in addressing it, saying, “It takes about 15 minutes to write fake news, but it takes months to counter it.”^{xxix} Ms. Mandhane addressed possible ways that individuals and society as a whole can work to counter these false narratives:

“I think first of all that, at an individual institutional and leadership level, we need to counter that with our own narratives and our own views. I think we are very scared of using the word ‘racism’ but I think that we do need to be bold and counter those narratives. I have to say that we're in a new era where everyone's ideas are of equal weight. On social media you can kind of lose sight of the fact that these very vocal voices don't often represent the majority of Canadians.”^{xxx}

This sentiment was echoed by Cecil Roach of the York Region District School Board, who urged:

“I think we have to embrace social media... There's a small percentage of them who hold views that are insidious. However, the majority of our students are good students who want to do the right thing... Let's use social media as a force for good.”^{xxxi}

Mr. Huang used thoughtful and provoking examples from his own life, including the above mentioned one to highlight how our own internal biases, and those biases that are contained within our communities help foster an environment where misinformation can thrive because it conforms to our biased views. He stated, “Personally, I believe this kind of discrimination is due

to a lack of understanding and deep-rooted prejudice. To get over this kind of discrimination, we need to strengthen communication and education.”^{xxxii}

New Democrats appreciate the ability that social media has given us which is that we can now share ideas and thoughts to wide audience quickly and easily. It is also recognized though that this ability can be misused to divide communities, play upon people’s fears and to misinform. It is therefore important that we recognize the responsibilities that come with these new, powerful tools. Therefore, New Democrats recommend:

Recommendation Twenty-Eight:

That the Government of Canada develop a strategy to address the spread of false information and fake news through social media.

Recommendation Twenty-Nine:

That the Government of Canada explore and make available tools that will help individuals identify and recognize their own internal biases.

Conclusion:

It is clear to New Democrats that much of the negative reactions to M-103, be that within partisan politics, implicit biases, or through misinformation campaigns, highlighted precisely why passing the motion and conducting this study at the Standing Committee for Canadian Heritage was important at this time in Canada. As we look internationally, it is clear that Canada has thus far remained an outlier to the dramatic increase in xenophobia and the rise of far-right politics. The majority of Canadians remain committed to and value Canada’s multiculturalism and the idea that diversity is our strength. However, at this junction in time, it is important that we do not rest on our laurels but that we commit to doing more, as individuals, as communities, and as governments to ensure that we continue on this path.

Committee members heard compelling testimony about how far Canada has come, and how far we still have yet to go to address and eliminate systemic racism and religious discrimination. It is important that we confront these issues with open minds, open hearts, compassion, and with understanding that we can and must do better.

The Committee was given important and thoughtful recommendations for how the federal government can take action and show leadership on this. While new Democrats strongly advocated for many of the recommendations in the main report; however, in the end, it was felt that a supplementary report is needed to ensure that these additional specific concrete recommendations with accountability measures are brought to the government’s attention as part of the whole of government action plan to tackle something as important as systemic discrimination, racism and religious discrimination for our nation. To eliminate systemic racism and religious discrimination, we must think big and act boldly.

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- ⁱ House of Commons, Routine Proceedings, 1st Session, 42nd Parliament, 26 October 2016, 15:10
- ⁱⁱ [Motion M-103](#)
- ⁱⁱⁱ House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 18 October 2017 15:45
- ^{iv} Ibid.,
- ^v House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 8 November 2017 16:45
- ^{vi} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament 8 November 2017 16:35
- ^{vii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 1 November 2017 16:50
- ^{viii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament 25 October 2017 16:55
- ^{ix} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament 25 October 2017 17:00
- ^x House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament 20 September 2017 16:35
- ^{xi} [Bill C-262](#)
- ^{xii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament 1 November 2017 17:00
- ^{xiii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament 25 October 2017 16:35
- ^{xiv} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 25 September 2017, 15:40
- ^{xv} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 25 September 2017, 16:05
- ^{xvi} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 23 October 2017 15:40
- ^{xvii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 30 October 2017, 17:35
- ^{xviii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 6 November 2017 17:00
- ^{xix} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 18 October 2017 16:50
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- ^{xxi} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 20 September 2017 17:20
- ^{xxii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 4 October 2017 16:30
- ^{xxiii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 18 October 2017 16:15
- ^{xxiv} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 18 October 2017 15:50
- ^{xxv} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 8 November 2017 15:35
- ^{xxvi} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 25 October 2017 15:40
- ^{xxvii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 6 November 2017 16:10

^{xxviii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 6 November 2017 16:30

^{xxix} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 20 September 2017 16:30

^{xxx} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 20 September 2017 17:20

^{xxxi} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 1 November 2017 16:00

^{xxxii} House of Commons, Standing Committee on Canadian Heritage, Evidence, 1st Session, 42nd Parliament, 6 November 2017 16:10

