

Stakeholder submission for the 30th session of the UPR – Canada

Submitted by The United Church of Canada

The Rights of People of African Descent

About 200 million people of African descent live in the Americas; of this total, 783,795 live in Canada¹. The UN, when proclaiming the Decade for People of African Descent, noted that the international community recognizes that people of African descent represent a distinct group whose human rights must be promoted and protected².

The United Nations further noted that “in many cases, their situation remains largely invisible, and insufficient recognition and respect has been given to the efforts of people of African descent to seek redress for their present condition. They all too often experience discrimination in their access to justice, and face alarmingly high rates of police violence, together with racial profiling.”³

The racial injustices faced by Black people are well documented. For example, the United Nation’s Committee on the Elimination of Racial Discrimination (in its general recommendation No. 34) noted that:

“racism and structural discrimination against people of African descent, rooted in the infamous regime of slavery, are evident in the situations of inequality affecting them and reflected, inter alia, in the following domains: their grouping, together with indigenous peoples, among the poorest of the poor; their low rate of participation and representation in political and institutional decision-making processes; additional difficulties they face in access to and completion and quality of education, which results in the transmission of poverty from generation to generation; inequality in access to the labour market; limited social recognition and valuation of their ethnic and cultural diversity; and a disproportionate presence in prison populations.”

The realities faced by people of African descent—Black people—within Canada also parallels these global inequities.

Between October 17-21, 2016, the Working Group of Experts on People of African Descent visited Canada, and met with representatives from across the country. Their report focussed on anti-Black racism in Canada with many recommendations which they presented to the United Nations’ Human Rights Council at its 36th session in Geneva in September 2017.

In their report, they linked Canada’s history of enslavement, racial segregation, and marginalization to many of the current conditions faced by Black people in Canada. Across the country, Black people have disproportionately higher rates of poverty, poorer health, lower educational attainment, and are overrepresented in the criminal justice system.

¹ <https://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/demo52a-eng.htm>

² Further background about the UN Decade can be found at:
<http://www.un.org/en/events/africandescentdecade>.

³ United Nations “Report of the Working Group of Experts on People of African Descent on its mission to Canada”. United Nations Human Rights Council, September 2017.

The report clearly links the contemporary experiences of Black people in Canada to enslavement and its legacy: this history of anti-Black racism in Canada includes specific laws and practices of segregation. Even though racial segregation is no longer a legal practice, the report writes about “anti-Black racism and racial stereotypes that are so deeply entrenched in institutions, policies and practices”. A particular challenge for the Canadian context is that because racism is institutional and systemic, it is often normalized or rendered invisible to people of the dominant racial group; as such, White people in particular may be quick to deny the existence of racial injustice in an seemingly-tolerant and multicultural Canada.

The UN Decade is an opportunity to have a particular focus on anti-Black racism; however, the pursuit of racial justice as a whole is an important focus for the church. The church, for example, has noted that White privilege is important, and will dedicate time and resources for work with its members on this.

The United Church of Canada also issued a statement⁴ after the August 12, 2017 “United the Right” rally in Charlottesville, asking United Church members to “recommit themselves more fully to challenging the systemic racism manifested by this event, and to accompany those working for racial justice and equity.”

This statement explained that “racial injustice and race-based aggression are both part of the everyday experience of racialized people. These individuals, and those who have been working for racial justice, are keenly aware of the persistent presence of White privilege and White supremacy in society—even in church.

“Events on the scale of what occurred in Charlottesville this past weekend are relatively rare, but systemic racism is a pervasive and dangerous reality. Its effects are even more devastating than an overt and visible representation such as a racist rally. Rather than being a one-off and isolated event, the Charlottesville riots were a manifestation of the continuum of racial inequality that is an ever-present part of mainstream society. The reality of racial injustice all over the world—and the struggle against it—is ongoing.”⁵

The United Church of Canada and the United Church of Christ both has clear anti-racism statement and policies. The United Church of Canada is committed to becoming an intercultural church. This church denounces racism as sin, and both emphasize the imperative for prophetic advocacy by speaking to the world about equity and racial justice.

The church is not exempt from racial injustice; rather, racism continues to find expression in both church and society.

The anti-racism statement⁶ of The United Church of Canada, which was adopted by the 37th General Council in 2000, notes that “We believe racism is a sin and violates God’s desire for humanity. ... We believe racism is present in our society and in our church, and throughout time has manifested itself in many forms in varying degrees.”

⁴ The full statement is available at: <http://www.united-church.ca/news/its-time-re-commit-racial-justice-and-equity>.

⁵ These quotations are excerpts from a statement, available at: <http://www.united-church.ca/news/its-time-re-commit-racial-justice-and-equity>.

⁶ The full anti-racism policy statement of The United Church of Canada is available by searching for “anti-racism” at <https://commons.united-church.ca>.

This anti-racism policy also states that “as an institution within society, the church has a responsibility to contribute leadership and advocacy towards overcoming racism... As a community of believers we are called to live out God’s love in the world, to advocate for and with the oppressed, to model moral leadership and to seek for justice for all people.”

The church asks its ministers to have mandatory training on racial justice, and encourages an anti-racist and intercultural focus in events and gatherings. The church also holds some meetings and events that have a specific focus on anti-racism.

RECOMMENDATIONS:

- The previous Universal Periodic Review of Canada (128.21.) recommended “Remove disparities in the implementation of anti-racism legislation, policies, programmes and best practices; and ensure, without discrimination, the enjoyment of all people living under its jurisdiction of the rights set forth in ICERD by, inter alia, adopting new federal laws (Iran (Islamic Republic of))” and to (128.18) “Introduce legislations to criminalize acts of violence on the basis of race and religion.” The UN Working Group noted in their report that different provinces had different anti-racism policies, but not all. We would recommend adoption and implementation of comprehensive anti-racism policies in each province in Canada as well as federally.
- The previous Universal Periodic Review of Canada (128.19) recommended “adopt a legislation concerning xenophobia, incitement to hatred and hatred to blacks, and to criminalize racial violence (Sudan)”. We would recommend that laws that are focused on anti-racism be strengthened.
- The previous Universal Periodic Review of Canada (128.17) recommended “Incorporate in its legislation a specific offence criminalizing and punishing acts of racist violence (Burundi)” and to (128.20) “Define racial violence as an offence (Togo)”. We would recommend further following up on these recommendations about racial violence.
- Encourage Canada to acknowledge, adopt and affirm the UN Decade and commend it for study nationally; to engage the people of Canada in educational processes related to this Decade, including studying the commodification and colonization of African peoples during the Transatlantic Slave Trade.
- Encourage Canada to also adopt the recommendations contained in the report of the UN Working Group on People of African Descent, from their mission to Canada.
- Recognize Black people as a distinctive group, and ensure that the human rights of Black people in Canada are protected.
- That federal, provincial, and municipal levels of government make anti-racism a priority by ensuring appropriate financial, human and educational resources are designated for this work across government programs.
- Further, in the context of naming systemic racism in the Canadian context, ensure that federal, provincial and municipal government programs that address anti-racism include specific references to white privilege and a culture of whiteness in Canada.
- Encourage Canadian employers to offer anti-racism trainings for their staff, and within this to name White privilege and systemic racism.