



### RACE-BASED DISAGGREGATED DATA COLLECTION

Statistics Canada has recently launched the Disaggregated Data and Analytics Framework (DDAF), designed to establish disaggregated data standards, identify existing and potential data sources, and leverage innovative data foundation projects. However, Canada's approach to the collection of disaggregated data has still not progressed at a rate that acknowledges the growing populations of racialized people in Canada and the growing disparities in all of their life outcomes.<sup>1</sup>

3rd UPR Cycle State Recommendation to Canada:

- **142.72:** “ensure the consistent collection of data on ethnic and racial discrimination in the criminal justice system, and intensify the fight against racial profiling and ethnic and religious intolerance.” (Status: not fully implemented)

### OVER-REPRESENTATION OF RACIALIZED PEOPLE IN CRIMINAL JUSTICE, CORRECTIONS, POLICING, AND CHILD WELFARE

Black people in Canada continue to be racially profiled and over-represented across the Canadian criminal justice system, corrections and policing. Black Canadians account for **9%** of federal inmates in Canada despite making up only **4%** of the national population. Moreover, Black offenders are overrepresented among those involved in use-of-force incidents in federal corrections.<sup>2</sup>

In 2022, the Ontario Association of Children's Aid Societies noted that Black children in Ontario make up **7%** of the population but account for **13.9%** of the investigations from child welfare agencies. Data submitted by the Black Legal Action Centre for the 3rd UPR cycle is relatively the same, and that systemic racism and discrimination continues to lead to the over-representation of Black people in criminal justice, corrections, and policing.<sup>3</sup>

### HATE-CRIMES AND ONLINE HATE

Hate crimes targeting race or ethnicity have increased from 2019-2021, with a **72%** increase in police-reported hate crimes. Hate crimes in Canada

targeting the Arab and West Asian populations have increased by **46%**, the East and Southeast Asian populations which have increased **16%**, and the South Asian population which has increased by **21%**.<sup>4</sup>

The increase in hate crimes has coincided with an exponential increase in hate speech and hate content on online platforms. Online hate disproportionately impacts women, youth and those who are racialized or Indigenous. There are currently no mechanisms to track, report, investigate and remove hate content online other than what is arbitrarily deemed to violate each social media platform's standards. According to Statistics Canada, the most targeted populations for online hate in 2017 included the Muslim population (**17%**), groups with diverse sexual orientation (**15%**), the Jewish population (**14%**), and the Black population (**10%**)

3rd UPR Cycle State Recommendations to Canada:

- **142.52:** “strengthen its efforts to fight racial discrimination, including by enhancing institutional capacity to systematically document, investigate and prosecute racially motivated crimes.” (Status: not implemented)
- **142.72:** “ensure the consistent collection of data on ethnic and racial discrimination in the criminal justice system, and intensify the fight against racial profiling and ethnic and religious intolerance.” (Status: not fully implemented)

### GENDER-BASED VIOLENCE AND VIOLENCE AGAINST RACIALIZED AND INDIGENOUS WOMEN

During the pandemic, shelters and service providers were overwhelmed and at capacity. Canada's federal funding system does not currently recognize community needs and benefits historically funded organizations, leaving smaller organizations scrambling to apply for funds on a continuous basis.

*Zero Tolerance for Barbaric Cultural Practices Act* is not based on statistical data or research, and will continue to perpetuate myths about practices of polygamy and forced marriages. The Act targets racialized women and perpetuates the myth that violence against racialized women, and in this case



South Asian and Muslim, woman is a “cultural” issue. Although the problematic title of this Act has been removed, it continues to operate as a legislation.<sup>5</sup>

3rd UPR Cycle State Recommendation to Canada (Status: not implemented):

- **142.207:** “continue working with partners at all levels to address the significant levels of violence against aboriginal women, and its root causes.”
- **142.206:** “continue to strengthen protection of the rights of Indigenous women and girls against violence, in particular by systematically conducting investigations and ensuring the collection and dissemination of data on violence against indigenous women.”
- **142.185:** “step up efforts to protect victims of violence and ensure a sufficient number of adequate shelters for them.”

## RECOMMENDATIONS

1. The Federal, Provincial, Territorial and Municipal governments in Canada must mandate the collection, monitoring and tracking of disaggregated data with respect to ethno-racial and faith backgrounds across **all** Department;
2. Ministries, Divisions and relevant institutions must be mandated to use this data to develop strategies for addressing systemic racism, faithism and human rights violations;
3. Significantly increase the Federal Government’s contribution to legal aid programs in all provinces and territories, with a significant portion earmarked for racialized communities, who are over-represented within criminal justice, immigration law and poverty-related law;

4. Mandate provinces, territories and municipalities to prioritize community and social supports over criminal justice system, incarceration, and child welfare for racialized communities;
5. Renew the Federal Government’s commitments to work with civil society to create and implement a renewed, enhanced and comprehensive National Action Plan Against Racism;
6. Immediately launch and release a National Anti-hate Strategy and support provincial and territorial ministries in establishing inter-ministerial committees to combat hate crimes and hate speech;
7. Immediately develop an effective regulatory framework based on a set of comprehensive, basic minimum standards, to which online service providers would be required to adhere as a condition of operating and have a significant sanctions regime which will compel all online service providers to comply;
8. Reinstate a provision akin to the previous Section 13 of the Human Rights Act to hold individuals accountable for promoting hatred, especially online;
9. Repeal the *Zero Tolerance for Barbaric Cultural Practices Act*, providing more greater economic and social support for racialized women experiencing violence;
10. Develop a comprehensive National Action Plan on Gender-based Violence addressing unique barriers for victims from racialized and Indigenous communities, replacing the current National Roadmap without concrete commitments;
11. Provide equitable funding to community-based and ethnic organizations serving racialized and Indigenous survivors of gender-based violence

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1. [https://upr-info-database.uwazi.io/library/?q=\(allAggregations:!f,filters:\(cycle:\(values!\(%27567eec7b-d5ab-4c36-a712-57c38fae9124%27\)\)\),response:\(values!\(%2734b4d35c-8157-40cf-a42f-c3cd7353d692%27\)\)\),state\\_under\\_review:\(values!\(ayppdufx2if\)\)\),from:0,includeUnpublished:!f,limit:30,order:desc,sort:\\_score,treatAs:number,types!\(%275d8ce04361cde0408222e9a8%27\),unpublished:!f\)](https://upr-info-database.uwazi.io/library/?q=(allAggregations:!f,filters:(cycle:(values!(%27567eec7b-d5ab-4c36-a712-57c38fae9124%27))),response:(values!(%2734b4d35c-8157-40cf-a42f-c3cd7353d692%27))),state_under_review:(values!(ayppdufx2if))),from:0,includeUnpublished:!f,limit:30,order:desc,sort:_score,treatAs:number,types!(%275d8ce04361cde0408222e9a8%27),unpublished:!f))

2. <https://www.justice.gc.ca/eng/rp-pr/jr/obpccjs-spnsjpc/index.html#:~:text=In%202020%2F21%2C%209%25,4%25%20of%20adults%20in%20Canada.>

3. <https://www.oacas.org/wp-content/uploads/2022/06/Black-Children-in-Care-OIS-Report-2022-Final.pdf>

4. <https://www150.statcan.gc.ca/n1/daily-quotidien/230322/dq230322a-eng.htm>

5. <https://www.cbc.ca/news/politics/barbaric-cultural-practices-bill-debate-limited-by-conservatives-1.2992181>