

**Report of the 613-819 Black Hub (“the Hub”) to the United Nations Human Rights Council
Universal Periodic Review of Canada
4th Cycle (April 2023)**

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Overview of the 613-819 Black Hub

Since December 2017, the 613-819 Black Hub has regularly brought people of African descent in Ottawa-Gatineau together to coordinate volunteer-led efforts to address anti-Black racism through systemic change primarily in education, justice, employment, business and politics. Our goal is Ottawa-Gatineau Black communities that are strong financially, institutionally, politically and socially and working to grow stronger every day.

Introduction and overview

1. The 613-819 Black Hub is pleased to submit to the fourth Universal Periodic Review (“UPR”) of its state party, the Government of Canada. This report contains a collection of systemic concerns that compromise Canada’s fulfillment of its human rights obligations to African Canadians.
2. The issues identified below reiterate the need for the Government of Canada to create permanent structures to ensure it addresses institutional anti-Black racism, identified by various United Nations (“UN”) bodies since the previous UPR in 2013, effectively and in the long term.
3. The most recent recognition of these concerns at the international level were the remarks of the Canadian civil society delegation at the first meeting of the UN Permanent Forum on People of African Descent, Dec. 5-8 in Geneva. Their remarks confirm that many of the issues the Working Group of Experts on People of African Descent (“Working Group”) reported from its 2016 mission to Canada persist. The Working Group’s Report was released on September 24, 2017 and provides a clear overview of Canada’s legacy of anti-Black racism and its effects on African Canadians.
4. The Working Group articulated the dire socio-economic framework facing African Canadians today. In particular, the Working Group wrote: *“It is important to underline that the experience of African Canadians is unique because of the particular history of anti-Black racism in Canada, which is traceable to slavery and its legacy, through specific laws and practices enforcing segregation in education, residential accommodation, employment and other economic opportunities. History informs anti-Black racism and racial stereotypes that are so deeply entrenched in institutions, policies and practices, that its institutional and systemic forms are either functionally normalized or rendered invisible, especially to the dominant group.”*

Areas of concern since last review

5. Despite having taken some concrete actions to address the concerns of African Canadians, the Government of Canada is still falling far short of fulfilling its commitments under the following human rights conventions to which it is a signatory: CERD articles 1-5, 7; CCPR articles 2, 7, 10, 14, 17, 24, 26; CESCR articles 1, 3, 10-15; CEDAW articles 9, 11, 15; and, CRC articles 1, 2, 9, 20. (The Convention on the Rights of the Child; The International Covenant on Civil and Political Rights; The Convention on the Elimination of Discrimination Against Women; The International Covenant on Economic, Social and Cultural Rights; The Convention on the Elimination of All Forms of Racial

Discrimination)

6. Since 2020, the Government of Canada has made several targeted investments supporting African Canadian businesses and community groups, and addressing disaggregated data and housing needs. In November 2022, the Government also passed Bill C5 repealing mandatory minimum sentences that disproportionately impacted Black Canadians.
7. However, the federal government's 2022 budget had concerning items - and omissions. Chapter 2 on *Making Housing More Affordable* contained no measures targeting Black Canadians. This is despite the fact that, according to the [Canadian Housing Survey](#), in 2021, Black and Indigenous Canadians were 2 times more likely to be evicted compared to white Canadians. This same study found that 12% of Black and 13% of Indigenous respondents had experienced an eviction in their lifetime compared to 7% of respondents who identified as neither Black nor Indigenous.
8. Budget 2022 announced the launch of a National Action Plan on Combatting Hate to be combined with a new Anti-Racism Strategy that would replace the existing one. The issue is that initiatives to combat hate at the local municipal level, including in Ottawa which is the seat of the federal government, have had the impact of funneling money to the police while doing little to address hate, let alone systemic anti-Black hate. This, despite the fact that [Statistics Canada reported](#) that Black Canadians faced the most hate crimes in Canada in 2020.
9. Budget 2022 announced permanent funding for the Special Envoy on antisemitism and funding for a new Special Representative on Islamophobia, however it didn't include funding for a similar representative to address systemic anti-Black racism.
10. Budget 2022 committed \$172 million over five years to enhance the government's ability to collect disaggregated data, especially on diverse populations but, like the housing initiative, didn't mention or commit funds specifically to collecting data on Black Canadians.
11. On December 2nd, 2022, and January 20th, 2023, the **Parliamentary Black Caucus (PBC)** hosted over forty Black-led, Black focused and Black serving organizations in Ottawa, as well as virtually. Every organization had the opportunity to share their ideas and perspectives on actions the Government of Canada should take to improve the lives and well-being of Black Canadians.
12. **Economic development** - Black groups at the PBC meeting called for training in the sciences, engineering, mathematics, and technology to ensure Black youth are full parts of the emerging economy. They called for government action that would directly benefit small black businesses, including in government procurement. And they spoke of how many Black households lack access to resources to live more sustainably, energy efficient and affordable lives and how the government should seek to identify, target and eliminate energy poverty as experienced by many Black families.
13. **Building Black youth** - PBC consultation participants called for investments in Black Youth. Stakeholders expressed the need for programs to enable Black Youth to engage in policy work, both locally and internationally, including professional degrees such as law, and the need to invest in upskilling and reskilling of Black youth to address inequality in Black youth employment.

14. **Francophones** - Participants said Francophone Blacks are full members of the francophone community and should be considered as such. These organizations should have full access to resources given to francophone organizations throughout the country.
15. **Supports for Women** - In many presentations the PBC heard the need for additional supports for Black women. In every sector, programs focused on Black women and girls are few and far between, and this is a gap that must be addressed by the Government of Canada. There is a special need for further support for women who are victims of intimate partner violence, in particular the need for culturally appropriate health services for Black women. Stakeholders noted with great urgency that sexual health support for women, as well as HIV prevention and health care is an issue of great concern.
16. **2SLGBTQ+ Supports** - PBC consultation participants raised concerns about Black 2SLGBTQ+ programs in Canada. They noted that there is limited funding available and that recent and ongoing projects do not consider intersectionality and ignore race, queerness, disability etc. Stakeholders hope to see dedicated federal funding streams that support programs and initiatives led by the Black 2SLGBTQ+ community.
17. **Criminal justice** - The government committed to creating a Black Canadian Justice strategy in the 2021 election campaign after advocacy groups and the United Nations pointed out systemic racism in the criminal justice system. Black people are overrepresented in Canadian jails, making up about eight per cent of those in prison despite making up less than four per cent of the overall population. In addition, in his [latest report](#), Canada's Correctional Investigator said, "*I am very disappointed to report that the same systemic concerns and barriers identified nearly a decade ago, including discrimination, stereotyping, racial bias and labeling of Black prisoners, remain as pervasive and persistent as before. In fact, the situation for Black people behind bars in Canada today is as bad, and, in some respects, worse than it was in 2013.*" In addition, prior to legalization of cannabis, [those arrested for minor marijuana possession offenses in Canada were primarily Black people or Indigenous people](#). The government has still not delivered on the very needed justice strategy. In February 2023, the government announced that the strategy will be developed by a committee of community leaders.
18. **Federal public sector** - The government has failed to address the concerns of Black federal employees. This resulted in Black federal employees filing a class action suit against the government in 2020 claiming decades of anti-Black discrimination in hiring and promotion. In March 2023, the federal government announced its finding that the Canadian Human Rights Commission had discriminated against its own Black and racialized employees. The government reached that conclusion after nine CHRC employees filed a policy grievance through their unions in October 2020. Their grievance alleged that "Black and racialized employees at the CHRC face systemic anti-Black racism, sexism and systemic discrimination."
19. **COVID19 pandemic** - Black Canadians experienced disproportionate sickness and death during the COVID19 pandemic. In August 2022, media reported that a Statistics Canada study had found that some racialized populations in Canada had significantly higher mortality rates from COVID-19. The study revealed that the COVID-19 death rate was much higher for racialized people compared to non-racialized people. It found 31 deaths per 100,000 for racialized people and 22 deaths per 100,000 for the non-

racialized population. Black people had the highest mortality rate -- more than two times higher than non-racialized residents.

20. **Employment Equity Act** - The federal *Employment Equity Act* still uses the category ‘Visible Minority’ which has had the effect of rendering Black Canadians invisible in terms of the equity initiatives the Act is meant to support. The [Employment Equity Act Review Task Force](#) will submit its report to the Minister of Labour in the spring of 2023. Black Canadians are pushing to designate Black Canadians as a distinct group under the Act.
21. **Foreign credential recognition** - Anecdotal evidence abounds via stories of “foreign trained Black doctors driving taxis”. A [2018 study](#) backed this up finding that “although foreign trained immigrants have higher educational qualifications than Canadian born, they are significantly less likely to work in regulated professions that match their field of study (29.6%) compared to Canadian-born and foreign-trained (57.6%) who are working in the field for which they were trained.”
22. **Bank discrimination** - Anecdotal evidence suggests Canadian banks may be engaging in racist redlining loan practices that disproportionately affect Black Canadians leading to intergenerational poverty. Evidence also suggests the banks’ anti money laundering practices and policies are having a disproportionately negative impact on Black Canadians - especially Black women - depositing funds they have collected through systems like community “susus”. Data must be collected to see if this is the case and, if so, if this could be impacting Black Canadians’ access to credit that is so crucial for economic development.
23. **Black businesses** - Community members are reporting that the loan-based Black Entrepreneurship Loan Fund has simply left many Black businesses more in debt and are calling for the program to be expanded to include grants. They say the government should consider these factors as barriers to economic empowerment and develop a different type of lending and granting programs (micro grants) specifically geared towards Black entrepreneurs that is supported by training.
24. **Education** - There’s a need to develop a Pan-Canadian African Education Strategy to address the education system barriers faced by Canadians who identify as African Nova Scotian (a distinct people), people of African descent and/or Black. This strategy would be led by a coalition of African Canadian charities mandated to address education needs at the provincial level by providing actionable recommendations. The strategy would center Africentric research and aim to influence policy. The focus would be to advocate for policy makers to address the inordinately low educational attainment levels, high levels of students on Individual Program Plans (IPP’s), pushout (dropout) rates, suspensions and expulsions experienced by African Canadian children and youth.

Conclusion

25. The federal government has made some progress implementing some of the recommendations from the third cycle of the UPR as they pertain to African Canadians. However, it continues to contravene the various human rights conventions to which it is signatory, despite repeated recommendations and calls for action by various stakeholders, including multiple UN human rights committees.

26. The situation for African descendants in Canada must improve. Canada has responsibilities to its Black community that are presently unfulfilled. As stated by the Working Group, Canada's "contemporary form of racism replicates the historical de jure and de facto substantive conditions and effects of spatial segregation, economic disadvantage and social exclusion." The Hub endorses the entirety of Working Group's recommendations from its Final Report to Canada, particularly:
- i. Recognize African Canadians as a "distinct group" (83(b))
 - ii. Create a national department of African Canadian Affairs (85(b))
 - iii. Implement national African Canadian justice and corrections strategies (89(a)(b))

Recommendations

27. **Black Equity Commissioner** - Appoint a Black Equity Commissioner, similar to the ones on antisemitism and Islamophobia the government announced in Budget 2022, supported by a deputy minister level Special Representative and a budgeted secretariat. Have the Commissioner in place by the end of 2023.
28. **Justice** - Complete and begin implementing the Black Canadian Justice Strategy, including fully expunging all simple possession cannabis records, by the end of 2023.
29. **Disaggregated data**: commit funds specifically to Black Canadians related to health and justice.
30. **Employment equity** - designate Black Canadians as a distinct group under the *Employment Equity Act*. Fall 2023.
31. **Foreign credential recognition** - Work with Black communities to greatly reduce barriers to foreign credential recognition. Produce a report with proposed solutions by spring 2024.
32. **Education** - Develop and implement a Pan-Canadian African Education Strategy including supporting provinces in developing Black student achievement centres of excellence like the [Toronto District School Board](#) has done. Aim to meet with provinces in early 2024.
33. **Federal procurement** - That the federal government set a low-dollar, sole-source government procurement target for Black businesses, to be set at 20% in the first year and 4% in the second year. Set the 20% target in fall 2023.
34. **Banking** - require banks to start collecting race-based disaggregated data on who they loan and deposit practices. Pass legislation in early 2024.

Signatories

ANCHOR (African Canadian Coalition Against Hate, Oppression and Racism)
 The Delmore "Buddy" Daye Learning Institute
 CAFCAN