



Right Honourable Justin Trudeau
Prime Minister of Canada
80 Wellington Street
Ottawa, Ontario
K1A 0A2

Honourable Bardish Chagger
Minister of Diversity and Inclusion
and Youth
15 Eddy Street, 14th Floor
Gatineau, Quebec
K1A 0M5

Honourable Bill Blair
Minister of Public Safety and
Emergency-Preparedness
269 Laurier Avenue West
Ottawa, Ontario
K1A 0P8

June 15, 2020

Dear Prime Minister Trudeau and Ministers Chagger and Blair,

We write this Open Letter, on behalf of 400,000 supporters of Amnesty International across Canada, to urge your government to advance transformative change addressing anti-Black racism in Canada, including but not limited to the systemic anti-Black racism in policing and justice systems. We write to the three of you collectively because of the clear responsibility you each carry by virtue of your roles within government to act immediately to address this entrenched crisis.

The realities and concerns about anti-Black racism in Canada are not in any way new or recent. Far from it, systemic anti-Black racism long predates Canadian confederation and has been a stark and disgraceful reality in this country throughout the 153 years since. In recent weeks, demands for action – led by community organizers, educators, health-workers, writers, lawyers, academics, journalists, politicians and other leaders and activists in the Black community across Canada – have become particularly visible and urgent. A failure by your government, and governments at all levels in the country, to respond with concrete and meaningful action to address this grave and longstanding human rights crisis would be tantamount to complacency.

Recent demonstrations, rallies and vigils in Canada have been sparked by outrage around the killing of George Floyd by Minneapolis police officers. The focus of protesters has broadened to the realities of anti-Black racism and associated police violence in this country. Demonstrations have also highlighted the racism and police violence that Indigenous peoples across the country face on a daily basis. These protests do not reflect a tangential concern that *what happens in the United States, happens in Canada too*. Rather it is a fundamental concern that *this happens in Canada, has been happening for far too long, and it must end, full stop*.

Canadians have heard many expressions of dismay, regret and even outrage from politicians and police officials in recent days. Many leaders have taken a knee during protests or as part of moments of silence extending to 8 minutes and 46 seconds, reflective of the length of time it took police to kill George Floyd. It is not always clear what motivates these public displays by leaders. Prime Minister, you have made frequent recent public comments acknowledging that anti-Black racism is an unacceptable reality in Canada, and there was considerable media coverage when you took a knee during the protest in Ottawa on June 5th. However, with images of your brownface and blackface photos still fresh for Canadians, these gestures risk appearing to be empty when not accompanied by announcements of concrete change that will truly begin to tackle anti-Black racism in the country. That, of course, is what truly matters.

It is particularly crucial because many political and policing leaders in the country continue to deny that systemic racism is a reality and a serious human rights crisis in Canada. There have been particularly troubling indications of this from RCMP leaders. Deputy Commissioner Curtis Zablocki, the RCMP's commanding officer for Alberta, has asserted that, "I don't believe that racism is systemic through Canadian policing. I don't believe

National Office:

312 Laurier Avenue East, Ottawa, ON K1N 1H9
Tel: (613) 744-7667 Fax: (613) 746-2411
info@amnesty.ca

Toronto Office:

1992 Yonge Street, 3rd floor, Toronto ON M4S 1Z7
Tel: (416) 363-9933 Fax: (416) 363-3103
toronto@amnesty.ca

Vancouver Office:

Suite 430, 319 West Pender, Vancouver, BC V6B 1T3
Tel: (604) 294-5160 Fax: (604) 294-5130
vancouver@amnesty.ca

it's systemic through policing in Alberta.”¹ RCMP Commissioner Brenda Lucki has stated that she does not consider it to be a concern for the RCMP, noting, “I have to admit, I really struggle with the term ‘systemic racism. I have heard about five or 10 different definitions on TV. I think that if systemic racism is meaning that racism is entrenched in our policies and procedures, I would say that we don’t have systemic racism.”² Commissioner Lucki and Deputy Commissioner Zablocki both subsequently backtracked and acknowledged systemic racism within the RCMP, after considerable political and public pressure following a series of recent incidents and revelations of Indigenous people being beaten, injured, shot and killed by RCMP officers.³

The shameful reality is that there is already ample evidence that anti-Black racism and systemic racism exist in Canada, and countless indications of the immediate steps that can and must be taken to address it. These come from United Nations reviews by such bodies as the Working Group of Experts on People of African Descent and the Committee on the Elimination of Racial Discrimination. The Working Group, following an extensive visit to Canada in 2016, decried the “structural racism that lies at the core of many Canadian institutions and the systemic anti-Black racism that continues to have a negative impact on the human rights situation of [Black people in Canada]”, noting in particular that “there is clear evidence that racial profiling is endemic in the strategies and practices used by law enforcement.”⁴

In fact, the list of recommendations from UN reviews and comprehensive reports by independent bodies and experts in Canada in recent years is disgracefully long. These reviews and reports document the extent and the consequences of anti-Black racism in the country, particularly in connection with the law enforcement and justice systems, and include the Ontario Human Rights Commission,⁵ Nova Scotia Human Rights Commission,⁶ Independent Review of Street Checks,⁷ and an independent report commissioned by the City of Montreal Police Service.⁸

The list is disgraceful not only because of its length but because of the consistent failure to move forward in implementing the important recommendations that have been put in front of governments and police agencies

¹ Alberta RCMP deputy commissioner denies systemic racism in policing in Canada, CBC News, 9 June, 2020, <https://www.cbc.ca/news/canada/calgary/alberta-rcmp-racism-policing-1.5605360>.

² Trudeau contradicts Commissioner Lucki over existence of systemic racism in the RCMP, Globe and Mail, 11 June, 2020, <https://www.theglobeandmail.com/politics/article-trudeau-vows-to-keep-working-with-rcmp-commissioner-to-combat-systemic/>.

³ RCMP Commissioner, top officers reverse course, acknowledge that systemic racism exists in the force, Globe and Mail, 12 June, 2020, <https://www.theglobeandmail.com/canada/article-rcmp-commissioner-top-officers-reverse-course-acknowledge-that/>.

⁴ Report of the Working Group of Experts on People of African Descent on its mission to Canada, UN Document A/HRC/36/60/Add.1, 16 August, 2017, paragraphs 74 and 78,

⁵ A Collective Impact: Interim report on the inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service, Ontario Human Rights Commission, 10 December, 2018, <http://www.ohrc.on.ca/en/public-interest-inquiry-racial-profiling-and-discrimination-toronto-police-service/collective-impact-interim-report-inquiry-racial-profiling-and-racial-discrimination-black>.

⁶ Halifax, Nova Scotia: Street Checks Report, Nova Scotia Human Rights Commission, March, 2019, https://humanrights.novascotia.ca/sites/default/files/editor-uploads/halifax_street_checks_report_march_2019_0.pdf

⁷ Honourable Michael H. Tulloch, Report of the Independent Street Checks Review, 11 December, 2018, <https://www.mcscs.jus.gov.on.ca/sites/default/files/content/mcscs/docs/StreetChecks.pdf>.

⁸ Les interpellations policières à la lumière des identités racisées des personnes interpellées: Analyse des données du Service de Police de la Ville de Montréal (SPVM) et élaboration d’indicateurs de suivi en matière de profilage racial, Victor Armony, Mariam Hassaoui and Massimiliano Mulone, August, 2019, https://spvm.gc.ca/upload/Rapport_Armony-Hassaoui-Mulone.pdf.

in Canada. That is what must change, and the change must start now. Amnesty International urges you to move immediately on these three fronts:

First, we call on you to fulfill your 2019 election promise⁹ to strengthen *Building a Foundation for Change: Canada's Anti-Racism Strategy 2019-2022*,¹⁰ including by doubling the funding to support the strategy. Minister Chagger, you have been mandated by the Prime Minister to “develop policies that tackle systemic discrimination and unconscious bias in our country, including anti-Black racism; expand and advance Canada’s Anti-Racism Strategy and ensure community-based projects are prioritized and meet the goals and outcomes of the Strategy; and to establish an Anti-Racism Secretariat.”¹¹ These tangible and crucially important steps of doubling funding, establishing the Secretariat and strengthening the strategy have not advanced.¹² There can be no further delay.

Second, it is time for an ambitious initiative to absolutely ban any and all practices of carding, street checks and racial profiling carried out by police forces in Canada. The Independent Street Checks Review, which comprehensively examined this issue over the course of 18 months, was clear: “no police officer should arbitrarily or randomly stop individuals to request their identifying information.”¹³ In its recent review of Canada, the UN Working Group of Experts on People of African Descent has explicitly urged that “the practice of carding, or street checks, and all other forms of racial profiling be discontinued and that the practice of racial profiling be investigated and the perpetrators sanctioned.”¹⁴ It is a practice that fosters, encourages and enables racism. It violates Canada’s international human rights obligation to actively prohibit and prevent discrimination. It must end.

Too often the excuse provided with respect to advancing police reforms of any nature in Canada is that it is complicated because of competing jurisdictions and would require decisions at not only the federal level, but also provincial, territorial and municipal governments across the country. That may indeed pose a challenge, but it cannot in any way justify inaction. Prime Minister Trudeau and Minister Blair, your government can begin by expressly prohibiting carding, street checks and racial profiling by policing and law enforcement agencies under federal jurisdiction, including the RCMP and the Canada Border Services Agency. Going further, the federal government can play a lead role in working with other governments in the country to develop national standards to be applied with respect to all policing and law enforcement agencies across Canada.

Minister Blair, we would be remiss not to underscore the considerable responsibility you bear to demonstrate genuine personal commitment to these particular reforms. Your decision to continue with the practice of carding while you served as Chief of Police for the City of Toronto, contrary to previous policy reforms initiated by the Toronto Police Services Board, means that you have come to your current position as Minister of Public Safety with a controversial legacy of anti-Black racism, having adopted a policy that has been widely discredited as racist by UN bodies and numerous independent reviews and studies. This understandably makes it difficult

⁹ Forward: A real plan for the middle class, Liberal Party of Canada, September, 2019, pg. 47, <https://www2.liberal.ca/wp-content/uploads/sites/292/2019/09/Forward-A-real-plan-for-the-middle-class.pdf>

¹⁰ <https://www.canada.ca/content/dam/pch/documents/campaigns/anti-racism-engagement/ARS-Report-EN-2019-2022.pdf>.

¹¹ Minister of Diversity and Inclusion and Youth Mandate Letter, 13 December, 2019, <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-diversity-and-inclusion-and-youth-mandate-letter>

¹² Jolson Lim, Liberal election promise to strengthen anti-racism strategy, double funding still unmet, iPolitics, 3 June, 2019, <https://ipolitics.ca/2020/06/03/liberal-election-promise-to-strengthen-anti-racism-strategy-double-funding-still-unmet/>

¹³ Footnote 7, page 223.

¹⁴ Footnote 4, paragraph 90.

for many Canadians to have trust and confidence that you will champion policies that will demonstrably tackle anti-Black racism. The actions you take at this time, including acknowledgement of the harm caused by your previous decisions, will therefore be subject to heightened scrutiny by the Black community, and by human rights and civil liberties groups, including Amnesty International.

Third, much more is of course required. This is not a time for tweaks and a piecemeal reform process, it is time for fundamental change. Such change includes wholesale transformation of policing in the country to address the systemic anti-Black and anti-Indigenous racism that has long been at its core. Calls for that type of reform agenda have gathered considerable attention and momentum in recent weeks, in both the United States and Canada, and include proposals to:

- refrain from additional funding for law enforcement;
- consider significant reductions in spending on policing;
- curtail militarization of police forces;
- discontinue programs that put police in schools;
- ban the use of facial recognition technology by police for mass surveillance purposes, to address racially discriminatory policing and racial profiling of Black people;¹⁵
- acknowledge and address the intersectionality that exists in policing Black women and Black trans individuals in particular;
- collaborate with provincial and territorial governments to comprehensively overhaul oversight of police and law enforcement agencies, to ensure the complete independence of such bodies and consistency in all jurisdictions across the country;¹⁶ and
- work with Black, Indigenous and other racialized communities to actively identify and end other harmful and racist policing and law enforcement policies and practices.

Prime Minister Trudeau, Minister Chagger and Minister Blair, now is the time to advance this agenda of change. We call on you to engage in broad and time-bound consultations about community-led proposals that reimagine and propose new, transformative approaches to upholding public safety and setting and apportioning police budgets in ways that end racism and uphold human rights. We look forward to hearing in very short order of the steps you will be taking.

Sincerely,



Alex Neve
Secretary General
Amnesty International Canada
(English branch)



France-Isabelle Langlois
Directrice générale
Amnistie internationale Canada francophone

¹⁵ Amnesty International, As global protests continue, facial recognition technology must be banned, 11 June, 2020, <https://www.amnesty.ca/news/global-protests-continue-facial-recognition-technology-must-be-banned>.

¹⁶ One source to inform reforms to police oversight is the 2017 Report of the Independent Police Oversight Review, conducted in Ontario by the Honourable Michael H. Tulloch. https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/police_oversight_review/