



National Secretariat Against Hate and Racism in Canada (NSAHC)

Proposal on Racial Profiling Advocacy

Introduction:

At its October 14, 2004 meeting in Calgary, Racial Profiling has been identified as a key issue by the NSAHC. This issue has a significant impact on Aboriginal peoples and people of colour resulting from domestic law enforcement and at Canada's borders. The impact of Racial Profiling has been felt by Aboriginal peoples in such cases as the deaths of individuals left out in the cold to die; by peoples of African descent in terms of the war on drugs and gangs; on persons of South Asian and Arabic background due to the post 9/11 anti-terrorism regime.

Basically defined as criminal profiling based on race, Racial Profiling is an affront to a democratic society which believes that society should be free of racism. It is debilitating in its impact on Aboriginal and racialized communities, particularly because it is a harm inflicted by the state through its law enforcement authorities who are often supported through the courts, the media and in public opinion.

Background:

Given the impact of Racial Profiling on Aboriginal and racialized communities, it is an appropriate issue for the NSAHC to address through a national strategy. While there are numerous groups active on this issue, none have the national scope of the NSAHC; nor do these other organizations combine collaborative efforts between Aboriginal peoples and non-Aboriginal organizations and led by Aboriginal peoples.

Another factor to consider is that there will be three significant events in 2005 that will be useful venues to raise the NSAHC's concerns and, through the NSAHC, to mobilize national attention:

- 1) The Federal NDP is preparing a private members bill on this topic and will be conducting cross-Canada consultations (document attached);

- 2) Senators Jaffer and Oliver have conducted cross-Canada consultations on this and will also be introducing a private members' bill;
- 3) The Federal Government is obligated to review its anti-terrorism legislation in 2005 and will likely be convening a committee which will hold public hearings.

In addition to the above, the Canadian Bar Association has passed a resolution on Racial Profiling and will be advocating for legislation to address it (copy attached). The CBC Journal has begun doing research on this and may be releasing a documentary in 2005.

Further, the Canadian Centre for Policy Alternatives will be releasing the research of Charles C. Smith on racial profiling in 2005. As part of the release, effort will be made to bring together advocacy groups to join the release and to use this research, as well as other evidence, to bring forward to the Federal government.

Actions to Consider:

To have an impact on this issue, the NSAHRC will:

- 1) Communicate with those groups currently active on this issue to determine their interest in taking action in a coordinated fashion to have an impact on Federal legislation;
- 2) Encourage and enable NSAHRC members to take supportive actions through letter writing campaigns and appearing in the cross-Canada consultations as well as before any government committee examining the anti-terrorism legislation;
- 3) Write the Minister of Justice and provincial attorneys-general expressing concern about Racial Profiling and the need to have legislation to eliminate it.