

ENGLISH only

**OSCE Conference on Combating Discrimination and Promoting Mutual Respect and Understanding - Follow-up to the Cordoba Conference on Anti-Semitism and Other Forms of Intolerance
Romania, Bucharest, 7 - 8 June 2007**

Plenary Session 3: Combating Racism, xenophobia, and discrimination also focusing on intolerance and discrimination against Christian and members of other religions.

Organization: National Anti-Racism Council of Canada.

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Good morning everyone

Thank you Mr. Chairman

My name is Estella Muyinda and I represent the National Anti-Racism Council of Canada, a Canadian Non-Governmental Organization, where I am the Executive Director. The views I express today are those of my organization.

The National Anti-Racism Council of Canada, is comprised of national, regional and local community based organization that provide a national voice against racism, racialization and all forms of related discrimination.

As an NGO we commend the spirit in which the OSCE member states have repeatedly acknowledged the importance of NGO work.

We commend Canada for the efforts it has made to combat racism under the Action Plan Against Racism particularly, those initiatives that have solicited community input and the Justice initiative that supported the gathering of best practices exercised by racialized communities. Nevertheless, our recommendations indicate that more needs to be done.

In Canada as well as around the world racialized communities are challenged by many aspects of racism. Today, I will briefly focus on racial profiling because it has emerged as the most controversial issue.

Racial profiling is a practice that is recognized mostly in the criminal justice context. However, it is a practice that permeates other spheres of racialized group members lives for instance, in access to education, employment, health and consumer services.

Today, within the immigration context racial profiling relates to efforts to combat terrorism and decisions regarding who is permitted to enter and remain in Canada and why. Since September 11, racial profiling has become common place for members from the Muslim community.

In Canada, to address this phenomenon, a dialogue between racialized communities and law enforcement and customs officials in relation to border crossings was initiated. This is only a starting point. A bold step taken by the Kingston police was the initiation of a study of police stops, (a first in Canada) which found that while Blacks constitute 0.6% of the Kingston

population they accounted for 2.2% of all police stops or they were 3.67 times more likely to be stopped and questioned by police.

First Nations make up 1.6% and they were 1.38 times more likely to be stopped.

This initiative led to measures being put in place to address racial profiling by the Kingston police services.

Canadian courts starting from the Supreme Court have recognized racial profiling and cases such as Richards, Brown and Khan and more recently, Nassiah at the Ontario Human Rights Commission have ensured that stakeholders can commence a challenge if racially profiled.

Unfortunately, our government is yet to get on board. In fact one for the best practices, the Court Challenges Program of Canada that provided funding support to communities which intervened in the above cases was cancelled.

We recommend that OSCE participating states including Canada

- Continue to support initiatives that enable coalition building and dialogue between law enforcement and stakeholders;
- Consult stakeholder communities, lawyers on the merits of legislating against racial profiling
- And in Canada reinstate the court challenges program of Canada.