

**Joint Submission to:**

**The Special Rapporteur on Contemporary Forms of Racism, Xenophobia and  
Related Intolerance**

**June 2020**

**By:**

**Chinese and Southeast Asian Legal Clinic  
Chinese Canadian National Council For Social Justice**



The **Chinese and Southeast Asian Legal Clinic (CSALC)** is a Canadian non-governmental organization mandated to provide free legal services to low-income members of the Chinese and Southeast Asian communities in Ontario. CSALC also engages in systemic advocacy to advance the rights of immigrants, racialized communities, and other disadvantaged members of society. CSALC has ECOSOC consultative status at the United Nations.

The **Chinese Canadian National Council for Social Justice (CCNC-SJ)** is a national non-governmental organization that educates, engages, and advocates for equity and justice for all in Canada.

## **A. Introduction**

CSALC and CCNC-SJ appreciate the opportunity to respond to the call for submissions by the Special Rapporteur on contemporary forms of racism, xenophobia and related intolerance regarding the increase in racism and xenophobia as a result of COVID-19. In light of the communities that our respective organizations serve, our submission is focused on:

- incidents of anti-Asian racism related to COVID-19 across Canada;
- key issues and challenges in combating hate-motivated ideologies, propaganda, and actions;
- existing measures to eliminate or alleviate xenophobia, hateful messaging, and conspiracy theories; and
- recommendations to all levels of government on ways to better meet their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination (*ICERD*).

## **B. Data, Statistics, and Trends Detailing Anti-Asian Racism and Intolerance Related to COVID-19**

Soon after the first case of COVID-19 was confirmed in Canada in late-January and six weeks before the World Health Organization declared COVID-19 a pandemic, Chinese Canadians and other Asian Canadians began to experience related incidents of racism and xenophobia. This disturbing trend, reminiscent of the stigmatization experienced by this community during the SARS outbreak in 2003, prompted CSALC and CCNC-SJ to hold a joint press conference with the City of Toronto Mayor and senior health officials on January 29, 2020 (see Section D below).<sup>1</sup>

As COVID-19 spread around the world and permeated our borders, so did fear and mistrust of Asian communities, which manifested in the form of racism, discrimination, violence, harassment, and propaganda.

Anti-Asian racism – in particular, anti-Chinese racism associated with fear of disease – has a long history in Canada. From “yellow peril” to the Chinese head tax to the Chinese Exclusion

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<sup>1</sup> Nick Boisvert, “Chinese Canadians, health officials taking stand against 'unfair stigmatization' during coronavirus outbreak”, *CBC News* (29 January 2020), online: <<https://www.cbc.ca/news/canada/toronto/coronavirus-racism-news-conference-1.5444434>>.

Act of 1923<sup>2</sup> to the SARS outbreak,<sup>3</sup> anti-Chinese racism has long been entrenched in Canadian institutions and social fabric. Prevailing anti-Chinese sentiments are well documented in the Report of the Royal Commission on Chinese Immigration of 1885, which described the country's Chinatowns as filthy "hotbeds of disease and vice."<sup>4</sup> The Report echoed the commonly held belief that Chinese people were carriers of infection and thus, a danger to white populations.<sup>5</sup> Both politicians and the public at large connected disease with race<sup>6</sup> – an erroneous perception that persists today.

The individual incidents of hate crimes and interpersonal racism enumerated chronologically below must be viewed in the context of a larger pattern – one that traces its roots to historic marginalization and longstanding racist beliefs, and challenges the "model minority" myth often associated with Asian Canadians. In contrast to the image of Canada as multicultural and welcoming, many Canadians have been emboldened to use the pandemic as a licence to exhibit hate and racism.<sup>7</sup>

Moreover, since the outbreak of the pandemic, anti-Asian hate speech has proliferated on social media platforms, fuelled by right-wing extremists who are using the pandemic as an opportunity to stir up racist ideologies.<sup>8</sup> The collision of conspiracy theories, anti-China sentiment, and white supremacy has rendered dangerous results, including the movement of racist theories and messaging from the fringe to the mainstream.<sup>9</sup>

People of Chinese descent are not alone in being targets of racism and discrimination. Asians of various backgrounds, as well as Indigenous people, have been the victims of racial taunts and

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<sup>2</sup> Paula Larsson, "Anti-Asian racism during coronavirus: How the language of disease produces hate and violence", *The Conversation* (31 March 2020), online: < <https://theconversation.com/anti-asian-racism-during-coronavirus-how-the-language-of-disease-produces-hate-and-violence-134496>>.

<sup>3</sup> Arti Patel and Olivia Bowden, "'A lot of fear': Asian community a target of racism amid coronavirus threat", *Global News* (28 January 2020), online: <<https://globalnews.ca/news/6467500/coronavirus-racism/>> (Ho-Fung Hung, a sociology professor at Johns Hopkins University, noted that many Chinese-Canadians felt they were targets of racist abuse during the SARS outbreak in 2003).

<sup>4</sup> Canada, Royal Commission on Chinese Immigration, *Report and Evidence* (Ottawa: The Royal Commission, 1885), online: <<http://www.canadiana.ca/view/oocihm.14563/3?r=0&s=1>>.

<sup>5</sup> *Ibid.*

<sup>6</sup> Larsson, *supra* note 2.

<sup>7</sup> See generally: Robin Gill, "Asian communities across Canada report rising racist behavior during COVID-19 crisis", *CBC News* (7 June 2020), online: < <https://globalnews.ca/news/7033253/coronavirus-asian-racism-crisis-canada/>>.

<sup>8</sup> Olivia Bowen, "These Asian Canadians are concerned as hate crimes spike in the coronavirus pandemic" *Global News* (25 April 2020), online: <<https://globalnews.ca/news/6858850/these-asian-canadians-are-concerned-as-hate-crimes-spike-in-the-coronavirus-pandemic/>>.

<sup>9</sup> Steven Zhou, "Coronavirus Conspiracies Give Boost to Canada's Far-Right", *Foreign Policy* (18 May 2020), online: < <https://foreignpolicy.com/2020/05/18/coronavirus-conspiracies-give-boost-canada-far-right/>>.

violence. Incidents were also not limited to first-generation immigrants,<sup>10</sup> proving that integration has not shielded Asian Canadians from hateful rhetoric and acts.

- Similar to the 2003 SARS outbreak, since news about the novel coronavirus first broke in January 2020, the public has largely been avoiding Chinatowns in Canada's major cities and Chinese businesses in general.<sup>11</sup>
- In late-January, a conspiracy theory circulated online, claiming that two scientists working at the National Microbiology Laboratory in Winnipeg were Chinese spies that had smuggled the coronavirus to a lab in Wuhan. The widely shared claim and ensuing social panic prompted the Public Health Agency of Canada to publicly deny any connection between the Chinese researchers and COVID-19.<sup>12</sup>
- On January 27, the school board of York Region, a municipality north of Toronto, received an online petition of more than 8,000 parents to keep students from attending school for 17 days if their family members had recently travelled to China. The petition followed the discovery of two cases of the coronavirus in Toronto.<sup>13</sup>
- In late-January, a video of a woman eating a bat with chopsticks in a restaurant in Micronesia, which was shot in 2016 as part of a travel segment, went viral. The racist rhetoric that accompanied the post attributed the outbreak to “dirty” eating habits, vilifying Chinese people as responsible for the transfer of the virus from animals to humans.<sup>14</sup> The proliferation of this and other sources of misinformation<sup>15</sup> demonstrate, according to a York University sociologist, how racist content “feeds into already pre-existing underlying biases or prejudices.”<sup>16</sup>

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<sup>10</sup> Suyin Haynes, “As Coronavirus Spreads, So Does Xenophobia and Anti-Asian Racism”, *Time* (6 March 2020), online: < <https://time.com/5797836/coronavirus-racism-stereotypes-attacks/>>.

<sup>11</sup> See: Dakshana Bascaramurty, “Fear over coronavirus prompts school board in Ontario to warn parents about racism against Chinese community”, *Globe and Mail* (27 January 2020), online: <<https://www.theglobeandmail.com/canada/article-panic-over-coronavirus-prompts-school-board-in-ontario-to-warn-parents/>>; Ari Patel and Olivia Bowden, “‘A lot of fear’: Asian community a target of racism amid coronavirus threat”, *Global News* (28 January 2020), online: <<https://globalnews.ca/news/6467500/coronavirus-racism/>>.

<sup>12</sup> Karen Pauls and Jeff Yates, “Online claims that Chinese scientists stole coronavirus from Winnipeg lab have 'no factual basis'”, *CBC News* (27 January 2020), online: <<https://www.cbc.ca/news/canada/manitoba/china-coronavirus-online-chatter-conspiracy-1.5442376>>.

<sup>13</sup> Desmond Brown, “Ontario school board concerned parents' petition prompted by coronavirus fears could stoke racism”, *CBC News* (28 January 2020), online: <<https://www.cbc.ca/news/canada/toronto/coronavirus-chinese-stigma-york-regional-school-board-1.5443128>>.

<sup>14</sup> Bascaramurty, *supra* note 11.

<sup>15</sup> Josh Taylor, “Bat soup, dodgy cures and 'diseasology': the spread of coronavirus misinformation”, *The Guardian* (31 January 2020), online: <<https://www.theguardian.com/world/2020/jan/31/bat-soup-dodgy-cures-and-diseasology-the-spread-of-coronavirus-bunkum>>.

<sup>16</sup> Bascaramurty, *supra* note 11.

- On Jan. 26, CTV reporter Peter Akman tweeted a photo of him next to an Asian barber wearing a surgical mask with the caption: “Hopefully ALL I got today is a haircut.” He later apologized when faced with intense backlash.<sup>17</sup>
- A January 27 online review of a new Chinese restaurant in Toronto resulted in a torrent of racist comments, including advice to avoid the restaurant due to health and safety concerns and references to Asian people eating bats.<sup>18</sup>
- Asian grocery stores have been the targets of misinformation and hate propaganda since January 2020. Rumours circulated on social media that staff are infected with COVID-19. While some posts have been taken down, false claims continued to be shared online, stoking public fears.<sup>19</sup>
- In February, three Buddhist temples in Montreal were vandalized. Security camera footage shows individuals breaking statues, including statues of lions and the Buddha. Police are investigating these incidents as potential hate crimes.<sup>20</sup>
- While shopping at a grocery store in Vancouver, a pregnant woman of Korean descent was confronted by a stranger who told her to “go back to China.” Police investigated the March 5 incident but made no arrests.<sup>21</sup>
- On the same day, Tiffany Sung was walking in Old Montreal when two strangers knocked aggressively on the window of a restaurant. The diners pointed to the window, which had the words “No Coronavirus here!” written in white marker.<sup>22</sup>

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<sup>17</sup> Larry Heng, “Chinese Canadians facing hate, racism for coronavirus outbreak — much like the SARS outbreak in 2003”, *National Post* (30 January 2020), online: <<https://nationalpost.com/news/chinese-canadians-facing-hate-racism-for-coronavirus-outbreak-much-like-the-sars-outbreak-in-2003>>.

<sup>18</sup> Patel and Bowden, *supra* note 3; Leyland Cocco, “Canada’s Chinese community faces racist abuse in wake of coronavirus”, *The Guardian* (28 January 2020), online: <<https://www.theguardian.com/world/2020/jan/28/canada-chinese-community-battles-racist-backlash-amid-coronavirus-outbreak>>.

<sup>19</sup> Kristen Robinson, “Coronavirus: B.C. Asian grocers continue to fight false rumours amid COVID-19 outbreak”, *Global News* (8 March 2020), online: <<https://globalnews.ca/news/6647980/coronavirus-b-c-asian-grocers-continue-to-fight-false-rumours-amid-covid-19-outbreak/>>.

<sup>20</sup> Canadian Press, “Montreal police investigating vandalism of Buddhist temples”, *Montreal Gazette* (4 March 2020), online: <<https://montrealgazette.com/news/local-news/montreal-police-investigating-vandalism-of-buddhist-temples>>.

<sup>21</sup> Yvette Brend, “‘Go back to China’ comment prompts VPD investigation”, *CBC News* (6 March 2020), online: <<https://www.cbc.ca/news/canada/british-columbia/racist-attack-no-frills-covid-19-coronavirus-mask-slur-1.5488923>>.

<sup>22</sup> Rachel Lau, “‘No coronavirus here’: Montreal restaurant apologizes for ‘bad joke’ after Vancouverite confronts owners”, *CTV* (9 March 2020), online: <<https://montreal.ctvnews.ca/no-coronavirus-here-montreal-restaurant-apologizes-for-bad-joke-after-vancouverite-confronts-owners-1.4828215?cache=>>>.

- On March 13, a 92-year-old Chinese man with severe dementia was assaulted by a stranger at a convenience store in Vancouver. The white male made racist remarks relating to COVID-19 and pushed the victim outside, which caused him to fall to the ground and hit his head.<sup>23</sup> While the suspect has been identified, to date, no charges have been laid.<sup>24</sup>
- A Chinese restaurant in Calgary received an anonymous threat on March 14, which police believe was motivated by the pandemic.<sup>25</sup>
- In mid-March, a South Korean man working in Montreal was stabbed on a street in Montreal, prompting the South Korean consulate to issue a warning to Korean nationals living in the city. After the incident, Montreal residents of Asian descent reported that while micro-aggressions and racist remarks were commonplace, this incident marked the first time that they felt unsafe, fearful, or unwelcomed.<sup>26</sup>
- Several hate-related graffiti directed towards the Asian community appeared in Edmonton during the latter two weeks of March.<sup>27</sup>
- A white male defaced the windows of the Chinese Cultural Centre in Vancouver's Chinatown with racist messages attributing the COVID-19 pandemic to the Chinese community. Vancouver police confirmed that the April 2 incident is part of an increasing number of "anti-Asian hate-motivated incidents and criminal acts."<sup>28</sup>
- The Canadian Anti-Hate Network reported that members of far-right movements in Canada bragged about real-life harassment of people of Asian descent in recent months.<sup>29</sup>

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<sup>23</sup> Vancouver Police Department, Media Release, "VPD seeks help in identifying suspect in racially motivated East Van Attack" (22 April 2020), online: <<https://mediareleases.vpd.ca/2020/04/22/vpd-seeks-help-in-identifying-suspect-in-racially-motivated-east-van-attack/>>; Mike Hager, "Vancouver sees surge in hate crimes against East Asian people", *Globe and Mail* (22 April 2020), online: <<https://www.theglobeandmail.com/canada/british-columbia/article-vancouver-sees-surge-in-hate-crimes-against-east-asian-people/>>.

<sup>24</sup> David Molko, "Suspect in 'despicable' East Vancouver attack on 92-year-old identified", *CTV News* (23 April 2020), online: <<https://bc.ctvnews.ca/suspect-in-despicable-east-vancouver-attack-on-92-year-old-identified-1.4909788>>.

<sup>25</sup> Calgary Police Service, Media Release, "Police investigating threats connected to pandemic" (1 April 2020), online: <<https://www.facebook.com/CalgaryPolice/posts/10158213898254530>>.

<sup>26</sup> Kamila Hinkson, "Montreal's Korean consulate issues safety warning after man stabbed", *CBC News* (18 March 2020), online: <<https://www.cbc.ca/news/canada/montreal/koreans-montreal-safety-warning-1.5501963>>.

<sup>27</sup> Emily Mertz, "Coronavirus: Edmonton police see 'hate-related graffiti' directed at Asian community" *Global News* (27 March 2020), online: <<https://globalnews.ca/news/6742704/coronavirus-edmonton-racist-graffiti-asian-community/>>.

<sup>28</sup> "Vancouver's Chinese Cultural Centre defaced with 'hateful' graffiti: police", *CBC News* (1 May 2020), online: <<https://www.cbc.ca/news/canada/british-columbia/vancouver-chinese-cultural-centre-defaced-hateful-graffiti-police-1.5552340>>.

<sup>29</sup> Alex Boutilier, "Worries grow that discrimination against Chinese Canadians is getting worse as pandemic continues", *The Star* (2 April 2020), online: <<https://www.thestar.com/politics/federal/2020/04/02/worries-grow-that-discrimination-against-chinese-canadians-is-getting-worse-as-pandemic-continues.html>>.

- On April 8, a stranger assaulted registered nurse Katherine Cheung while she was taking a work break in downtown Toronto. The elderly white female told her to “go back to wherever you came from,” called her racial slurs, and spat on her face. Toronto police are investigating but are not treating the incident as a hate crime.<sup>30</sup>
- On April 12, a white male suspect approached an Asian woman at a bus stop and punched her in the face without provocation. Vancouver police are investigating the incident as a stranger assault.<sup>31</sup>
- A survey conducted in mid-April in Manitoba found that one in five frontline healthcare support workers of Asian heritage reported having experienced racism in the workplace in recent months. During the same period, only 1% of non-Asian respondents reported being the target of racism in the workplace.<sup>32</sup>
- On April 15, aboard a Vancouver city bus, a man verbally harassed two Asian women, telling them to go back to their own country since “that’s where it all began.” When a non-Asian woman intervened, the man brutally assaulted her before running out of the bus.<sup>33</sup>
- A stranger assaulted a woman of Asian descent and subjected her to a profanity-laced racist tirade inside a grocery store in North Vancouver on April 17. The stranger kicked the victim’s ankle after accusing her of spreading the coronavirus.<sup>34</sup>
- A poll conducted by CCNC-SJ on April 24 in three major Canadian cities confirmed the prevailing racist perception of Chinese/Asian Canadians being the carriers of the coronavirus. 14 per cent of respondents either believed that all Chinese or Asian people carry the coronavirus (4 per cent) or were uncertain whether that is true (10 per cent). Further, one in five respondents do not think it is safe to sit next to an Asian or Chinese person on a bus if they have no mask (21%), while nearly a quarter do not know (24%). The

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<sup>30</sup> Phil Tsekouras, “It happened because I’m Asian!: Toronto ER nurse says she was spit on, verbally assaulted”, *CTV News* (9 April 2020), online: <<https://toronto.ctvnews.ca/it-happened-because-i-m-asian-toronto-er-nurse-says-she-was-spit-on-verbally-assaulted-1.4890363>>.

<sup>31</sup> “Witnesses sought after woman punched in face at bus stop and man attacked outside home”, *CBC News* (5 May 2020), online: <<https://www.cbc.ca/news/canada/british-columbia/vancouver-assaults-police-looking-for-witnesses-1.5556053>>.

<sup>32</sup> Scott Billeck, “Health-care workers fending off COVID-19 and racism”, *Winnipeg Sun* (14 April 2020), online: <<https://winnipegnews.com/news/news-news/health-care-workers-fending-off-covid-19-and-racism>>.

<sup>33</sup> Stephanie Ip, “Transit Police seek suspect after woman grabbed, kicked, punched following racist comments”, *Vancouver Sun* (13 May 2020), online: <<https://vancouvernews.com/news/local-news/transit-police-look-for-suspect-who-grabbed-kicked-punched-woman-following-racist-comments>>.

<sup>34</sup> Alissa Thibault, “Caught on camera: Woman kicked by fellow shopper in North Vancouver”, *CTV News* (19 April 2020), online: <<https://bc.ctvnews.ca/caught-on-camera-woman-kicked-by-fellow-shopper-in-north-vancouver-1.4903152>>.

poll also found that 15 per cent of respondents were aware of racist incidents in their neighbourhood since the pandemic began.<sup>35</sup>

- On April 21, Conservative Member of Parliament, Derek Sloan, posted a video on social media in which he questioned the loyalty of Canada's chief public health officer, Dr. Theresa Tam, asking if she works "for Canada or for China." Mr. Sloan has ignored calls from within his own caucus to apologize for his comments. Conservative Leader Andrew Scheer initially refused to condemn the post, but days later, noted that it is not "acceptable to question people's loyalty to Canada."<sup>36</sup>
- On April 26, a man aboard a SkyTrain in downtown Vancouver punched a woman, grabbed her hair, and slammed her face repeatedly into the seats, then pushed her out of the train when it arrived at the next station. While assaulting her, the perpetrator yelled: "you people are why my daughter is sick!"<sup>37</sup>
- On May 1, Vancouver police confirmed that of the 15 hate crimes reported in April 2020, 11 were against East Asian people.<sup>38</sup> By late-May, 29 hate crimes had been reported against this group in 2020.<sup>39</sup> To date, no charges have been laid in connection to a growing number of hate crimes in the city.<sup>40</sup>
- In early May, Ottawa police sought information about the occupants of a car, who approached several pedestrians of Asian descent and hurled racial slurs and other obscenities at them. The news release acknowledged that the pandemic has caused increases in displays of prejudice, xenophobia, and discrimination, which have, in some cases, led to violence against Asian Canadians.<sup>41</sup>

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<sup>35</sup> Daniel J. Rowe, "Anti-Asian racism on the rise in Canada's biggest cities amid COVID-19 crisis: poll", *CTV News* (27 April 2020), online: <<https://montreal.ctvnews.ca/anti-asian-racism-on-the-rise-in-canada-s-biggest-cities-amid-covid-19-crisis-poll-1.4913957>> [Rowe, "Anti-Asian Racism"].

<sup>36</sup> Peter Zimonjic, Catherine Cullen, "Derek Sloan ignores calls to apologize for attack on Canada's top doctor", *CBC News* (29 April 2020), online: <<https://www.cbc.ca/news/politics/tam-sloan-china-caucus-apology-ontario-1.5550103>>.

<sup>37</sup> Kendra Magione, "Violent SkyTrain attack: Surveillance video leads to arrest of suspect, charges laid", *CTV News* (30 April 2020), online: <<https://bc.ctvnews.ca/violent-skytrain-attack-surveillance-video-leads-to-arrest-of-suspect-charges-laid-1.4918930>>.

<sup>38</sup> Mike Hager and Ian Bailey, "Hate crimes against Vancouver's East Asian population surge for second straight month", *Globe and Mail* (1 May 2020), online: <<https://www.theglobeandmail.com/canada/british-columbia/article-hate-crimes-against-vancouver-east-asian-population-surge-for-second/>>.

<sup>39</sup> Amy Judd, "Anti-Asian hate crimes: 29 cases in Vancouver so far this year, compared to 4 last year", *Global News* (22 May 2020), online: <<https://globalnews.ca/news/6974373/vancouver-hate-crimes-coronavirus/>>.

<sup>40</sup> Simon Little, "Lion statues in Vancouver's Chinatown hit with racist graffiti again", *Global News* (29 May 2020), online: <<https://globalnews.ca/news/7005761/vancouver-chinatown-more-racist-graffiti/>>.

<sup>41</sup> "Hate crime unit investigating incidents targeting Asian community", *CBC News* (5 May 2020), online: <<https://www.cbc.ca/news/canada/ottawa/police-investigate-hate-incident-covid19-1.5556686>>.

- In Richmond, British Columbia, Clara Kan and her mother were verbally attacked by two white men in a car when out for a walk on May 8. The men yelled racial insults at the women, telling them to “go back to your country” and “look at your masks – you’re what’s wrong with society.”<sup>42</sup>
- On May 9, Trixie Ling of Vancouver was walking down the street when a white man approached, directed racial and sexual epithets at her, and then spat on her face.<sup>43</sup>
- In a May 11 Instagram post, Canadian singer Bryan Adams blamed the COVID-19 pandemic on “some f—king bat eating, wet market animal selling, virus making greedy bastards.” His post propagates two conspiracy theories on the origin of the coronavirus: that it spread to humans as a result of Chinese people’s consumption of bats and that it was produced in a Chinese laboratory. In response to criticism of his post as stigmatizing, scapegoating, and hate-baiting, Adams apologized the following day, writing that his intention was to promote veganism.<sup>44</sup>
- An Indigenous woman was mistaken for Asian and punched in the head after a man heard her sneeze while walking her dog on May 15. The man yelled at her to “go back to Asia.” Vancouver police is investigating the incident as a hate crime.<sup>45</sup>
- On May 22, a 15-year-old boy from Saskatoon was attacked by a man while riding his bicycle. The unidentified man accused the boy of spreading the coronavirus and yelled racial slurs. When the boy tried to record the incident, the man became more agitated, pushed the teenager off of his bicycle, and punched him on the head. The boy’s father told reporters that in 30 years of living in Saskatoon, nothing like this had ever happened before.<sup>46</sup>
- In the early hours of May 27, three masked individuals spray-painted the words “China virus” and other messages condemning “the Chinese” on the front wall of the Chinese

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<sup>42</sup> Ian Young, “Coronavirus ‘scapegoats’: Chinese-Canadians slam anti-Asian hate crimes, and China’s government too”, *South China Morning Post* (7 May 2020), online: <<https://www.scmp.com/news/china/article/3083228/covid-19-scapegoats-chinese-canadian-group-denounces-anti-asian-hate>>.

<sup>43</sup> Simon Little and John Hua, “New campaign urges Canadians to speak up amid surge in anti-Asian racism”, *Global News* (22 May 2020), online: <<https://globalnews.ca/news/6977278/coronavirus-anti-racism-campaign/>>.

<sup>44</sup> Josh K. Elliott, “Bryan Adams apologizes for racist ‘bat-eating’ coronavirus rant”, *Global News* (12 May 2020), online: <<https://globalnews.ca/news/6932481/bryan-adams-coronavirus-instagram-post/>>; “Bryan Adams apologizes for COVID-19 Instagram post condemned as racist, inflammatory”, *CBC News* (12 May 2020), online: <<https://www.cbc.ca/news/canada/british-columbia/bryan-adams-instagram-apology-1.5565996>>.

<sup>45</sup> Stephanie Ip, “Indigenous woman mistaken for Asian, punched after sneezing”, *Vancouver Sun* (18 May 2020), online: <<https://vancouver.sun.com/news/local-news/indigenous-woman-mistaken-for-asian-punched-after-sneezing>>.

<sup>46</sup> “Saskatoon teen subjected to racial slurs and virus accusations, then attacked while riding his bike”, *CBC News* (23 May 2020), online: <<https://www.cbc.ca/news/canada/saskatoon/saskatoon-teen-subjected-to-racial-slurs-and-virus-accusations-then-attacked-while-riding-his-bike-1.5582270>>.

consulate in Calgary. The incident marks the second time that the building has been tagged in the past week. These incidents are the latest in a series of racist graffiti painted around the city.<sup>47</sup>

- In May 2020, the lion statues at the foot of the Millennium Gate in Vancouver’s historic Chinatown were twice targeted with racist graffiti, including with the words “COVID-19.”
- Online reporting tools set up by organizations in Toronto, Vancouver, Montreal, and Calgary allow Canadians to report if they have personally encountered racist verbal, physical, or online attacks relating to COVID-19. CCNC Toronto Chapter gathered 138 self-reports between February and May, 80% of which were from Canadians of East Asian descent.<sup>48</sup> Between April 23 and May 18, Project 1907 received online submission from 128 individuals, 85% of whom identify as East Asian. Over half (53%) of incidents occurred on public streets or sidewalks. One in five incidents involved assault.<sup>49</sup>
- On June 5, the message "No dogs or Chinese allowed" was written on a marble column in the City of Victoria’s historic Chinatown. Police are asking for help in identifying those responsible for the graffiti on the cultural landmark.<sup>50</sup>

### **Key Issues, Dilemmas, and Challenges in Combatting Anti-Asian Racism**

- The Royal Canadian Mounted Police (RCMP) does not collect race-based data on its investigations. Due to the lack of disaggregated data, it is impossible to reliably track whether race-motivated incidents have increased in areas under RCMP jurisdiction since the COVID-19 outbreak.<sup>51</sup> The RCMP provides provincial or local policing services in all provinces and territories, with the exception of Ontario and Quebec.
- While municipal police departments do record data on hate crimes, statistics are collected on an annual basis, and it can take up to two years for the information to be released to the

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<sup>47</sup> Bill Kaufmann, “Graffiti attacks on Calgary Chinese consulate reflects rising racism against Asians, say activists”, *Calgary Herald* (28 May 2020), online: <<https://calgaryherald.com/news/graffiti-attack-on-calgary-chinese-consulate-reflects-rising-racism-against-asians-say-activists>>.

<sup>48</sup> Marites N. Sison, “Website launched to track, report COVID-19 related attacks against Asian-Canadians”, *Rappler* (31 May 2020), online: <<https://www.rappler.com/world/regions/us-canada/262439-website-track-report-coronavirus-related-attacks-asian-canadians>>.

<sup>49</sup> “Racism Incident Reporting Centre”, online: *Project 1907* <[project1907.org/reportingcentre](http://project1907.org/reportingcentre)>.

<sup>50</sup> “Racist graffiti targets landmark building in Victoria’s Chinatown”, *CBC News* (8 June 2020), online: <<https://www.cbc.ca/news/canada/british-columbia/racist-graffiti-targets-landmark-building-in-victoria-s-chinatown-1.5604058>>.

<sup>51</sup> Andree Lau, “Burnaby RCMP Release Video Of Senior Tripped Near Metrotown”, *Huffington Post* (29 May 2020), online: <[https://www.huffingtonpost.ca/entry/video-senior-tripped-burnaby-metrotown\\_ca\\_5eb96cc3c5b63f38ee7f947d](https://www.huffingtonpost.ca/entry/video-senior-tripped-burnaby-metrotown_ca_5eb96cc3c5b63f38ee7f947d)>.

public.<sup>52</sup> As such, most police services cannot accurately discern whether there have been increases in anti-Asian attacks amid the coronavirus pandemic. The gap in information is a barrier for law enforcement to target crime prevention efforts and identify trends to help prevent possible escalation.<sup>53</sup> As well, given the stigma and shame often felt by victims, hate-motivated incidents are generally under-reported.<sup>54</sup>

- Canada also lacks independent bodies that record hate crimes, leaving these important tasks to community-based organizations.<sup>55</sup>
- Even police services that have a dedicated hate crimes unit are not sufficiently staffed to address the increase in racist incidents related to the origin and propagation of COVID-19. For example, in Vancouver, which has seen one of the highest numbers of such incidents, only one investigator is assigned to its hate crimes unit.<sup>56</sup>
- While it is challenging to identify the perpetrators and curb the occurrences of discriminatory acts in person, the task is even more difficult when dealing with racist and xenophobic propaganda online. Oftentimes, the account holders are anonymous, and race-baiting, bigoted claims can be spread quickly and widely without fact-checking or censorship. Even if the original post is removed, subsequent iterations continue to circulate on social media, perpetuating misinformation.

### **C. Legal and Policy Measures Aimed at Addressing Anti-Asian Racism Arising from COVID-19**

- In Ontario, the Ministry of the Attorney General (AG) publishes a Crown Prosecution Manual, which outlines prosecution policies and guiding principles issued by the AG.<sup>57</sup> The manual discusses the treatment of hate propaganda and hate-motivated offences, which are prohibited by the *Criminal Code* (the “Code”).<sup>58</sup> The document emphasizes that there is a substantial public interest in the prosecution of these offences, which are particularly serious because of the devastating impact on the individuals involved, the target group, and vulnerable communities as a whole.<sup>59</sup> Further, the *Code* specifically prohibits mischief to religious property where the act is motivated by bias, prejudice, or hate – such as the

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<sup>52</sup> Hager, *supra* note 23.

<sup>53</sup> Boutilier, *supra* note 29.

<sup>54</sup> VPD, *supra* note 23.

<sup>55</sup> Bowden, *supra* note 8.

<sup>56</sup> Hager and Bailey, *supra* note 38.

<sup>57</sup> Ontario, Criminal Law Division – Ministry of the Attorney General, *Crown Prosecution Manual*, (Toronto: MAG, 2017), online: < <https://www.ontario.ca/document/crown-prosecution-manual/d-16-hate-propaganda-and-hate-motivated-offences> > [Crown Manual].

<sup>58</sup> *Criminal Code*, RSC 1985, c C-46 [*Criminal Code*].

<sup>59</sup> Crown Manual, *supra* note 57.

destruction of religious statues.<sup>60</sup> The Manual provides that diversion is generally not an appropriate resolution of hate crimes. On the contrary, the *Code* directs courts to consider evidence of bias, prejudice, or hate as aggravating factors on sentencing.<sup>61</sup>

- In February 2020, the Government of Canada launched a \$27 million research fund in an effort to address the novel coronavirus outbreak. The government awarded funds to 47 research projects, including the Pandemic Rapid response Optimization To Enhance Community Resilience and Health (PROTECH) project.<sup>62</sup> PROTECH<sup>63</sup> aims to reduce stress and stigma, and promote the collective resilience of affected groups.<sup>64</sup> CCNC-SJ is one of 14 collaborators on the project.
- CCNC-SJ is also a collaborator of a project funded by the Canadian Institutes of Health Research, which examines how COVID-19-related public health and government social media messaging have been received by the public generally and by Chinese Canadian communities specifically. In particular, the project will analyze whether these messages have contributed to misinformation and misconception about the spread of the coronavirus.
- The Government of Canada provided funding to CSALC to combat online misinformation about COVID-19 through the launch of covidracism.ca (for details, see Section D below).
- At the federal level, the National Anti-Racism Strategy is silent on the issue of anti-Asian racism.
- While the Prime Minister (PM) has remarked that “hate, violence, and discrimination have no place in Canada” and his government stands with “Asian Canadians across the country,”<sup>65</sup> his government has failed to take any concrete steps to address the surge of hateful violence and messaging that has arisen during the pandemic. Following the death of George Floyd, the PM called for Canadians to “stand in solidarity” against anti-Black, anti-Asian, or any other type of racial hate.<sup>66</sup>

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<sup>60</sup> *Criminal Code*, *supra* note 58 at s. 430(4.1).

<sup>61</sup> Crown Manual, *supra* note 57.

<sup>62</sup> Canadian Institutes of Health Research, “Government of Canada invests \$27M in coronavirus research – Details of the funded projects” (16 March 2020), online: *Government of Canada* <<https://www.canada.ca/en/institutes-health-research/news/2020/03/government-of-canada-invests-27m-in-coronavirus-research--details-of-the-funded-projects.html>>.

<sup>63</sup> “PROTECH” (2020), online: *PROTECH* <<https://projectprotech.ca/>>.

<sup>64</sup> Jessica Leach, “From SARS to COVID-19: Putting the spotlight on anti-Asian racism”, *Ryerson News* (14 May 2020), online: <<https://www.ryerson.ca/news-events/news/2020/05/from-sars-to-covid-19-putting-the-spotlight-on-anti-asian-racism/>>.

<sup>65</sup> Samantha Beattie, “Trudeau condemns surge of anti-Asian hate crimes in Canada”, *Huffington Post* (22 May 2020), online: <[https://www.huffingtonpost.ca/entry/trudeau-vancouver-anti-asian-hate-crimes\\_ca\\_5ec82050c5b6e549e05d3ef7](https://www.huffingtonpost.ca/entry/trudeau-vancouver-anti-asian-hate-crimes_ca_5ec82050c5b6e549e05d3ef7)>.

<sup>66</sup> Kerri Breen, “George Floyd death: Trudeau condemns anti-Black racism in Canada as protests erupt in U.S.”, *Global News* (29 May 2020), online: <<https://globalnews.ca/news/7002419/george-floyd-trudeau-racism/>>.

- At the provincial level, while some political leaders have condemned the racial discrimination and hatred linked to the pandemic,<sup>67</sup> few<sup>68</sup> appear to have undertaken “to adopt immediate and positive measures designed to eradicate” anti-Asian propaganda and acts, as required by *ICERB*.<sup>69</sup> In Ontario, the government significantly cut the budget of the Anti-Racism Directorate,<sup>70</sup> which has prevented the body from collecting race-based data to inform government policy and working with community groups to take collective action against discrimination and racism.<sup>71</sup>
- On May 29, the Government of British Columbia launched #DifferentTogether, a campaign celebrating diversity and opposing racism. In a video message circulated on social media and the provincial government websites, the Lieutenant Governor called on the public to uphold the Canadian values of diversity and inclusion and to oppose hate in all forms.<sup>72</sup>
- At the local level, in Toronto, the mayor and city councillors spoke out early in the pandemic to urge the public not to “give in to xenophobia and racism” against the Chinese Canadian community.<sup>73</sup> Similarly, the mayor of Montreal asked residents to not connect the virus to any specific communities and to be cautious about what they write on social media.<sup>74</sup>
- In mid-April, the Canadian Human Rights Commission called attention to the impact of racial discrimination on public safety and human rights. The Chief Commissioner noted that

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<sup>67</sup> Andrew Horwath, “Statement on rising incidents of anti-Chinese and anti-Asian racism” (5 May 2020), online: *Ontario NDP* <<https://www.ontariondp.ca/news/ndp-leader-andrea-horwath-s-statement-rising-incidents-anti-chinese-and-anti-asian-racism/>>; Roshini Nair, “‘Hate has no place in British Columbia,’ says premier on rise in anti-Asian crimes”, *CBC News* (6 May 2020), online: <<https://www.cbc.ca/news/canada/british-columbia/covid-19-racism-bc-1.5558842>>.

<sup>68</sup> “They can expect the full weight of the law to come down upon them”, *Global News* (20 May 2020), online: <<https://globalnews.ca/video/6966842/they-can-expect-the-full-weight-of-the-law-to-come-down-upon-them-b-c-premier-on-racist-acts-during-pandemic>> (Premier John Horgan of British Columbia (BC) has commented that those who commit racist acts during the pandemic “can expect the full weight of the law to come down upon them” and intends to “beef up” the province’s anti-racism plan); Bridgette Watson, “B.C. leaders from every level of government condemn rise in anti-Asian racism”, *CBC News* (13 May 2020), online: <<https://www.cbc.ca/news/canada/british-columbia/b-c-government-condemn-racism-1.5568228>> (BC political leaders from every level of government spoke out collectively against anti-Asian racism).

<sup>69</sup> *ICERB* at Article 4.

<sup>70</sup> MPP Michael Cocteau, “Fact Checking Ford on Funding for the Anti-Racism Directorate” (3 June 2020), online: *Ontario Liberal Party* <<https://ontarioliberal.ca/coteau-fact-checking-ford-on-funding-for-the-anti-racism-directorate/>>.

<sup>71</sup> MPP Michael Coteau and MPP Mitzie Hunter, “Open Letter to Premier Ford regarding Anti-Racism Action” (3 June 2020), online: *Mitzie Hunter, MPP* <<https://mitziehunter.onmpp.ca/open-letter-to-premier-ford-regarding-anti-racism-action/>>.

<sup>72</sup> LG Jane Austin, “#DifferentTogether: Join Me in Opposing Racism” (29 May 2020), online: *Lieutenant Governor of British Columbia* <<https://ltgov.bc.ca/blog/equality-and-inclusion/differenttogether-join-me-in-opposing-racism/>>.

<sup>73</sup> Heng, *supra* note 17.

<sup>74</sup> Hinkson, *supra* note 26.

verbal and physical attacks both in public and online spaces have proliferated and that these acts of racism and xenophobia have contributed to misinformation during a global health crisis. She asked the public to be vigilant and to call out racism and intolerance.<sup>75</sup>

- In response to the surge of hate crimes against Vancouver’s sizable East Asian population, police have installed cameras in a block of Chinatown that has been repeatedly vandalized. Officers with the diversity unit have also been dispatched in the community to educate people about what constitutes and how to report hate crimes.<sup>76</sup>
- At the federal, provincial, and local levels, public health authorities have mentioned that COVID-19 has negatively impacted more marginalized communities but did not provide specific data. In Toronto, higher per capita infection rates correspond with neighbourhoods with lower incomes and a higher percentage of immigrants and racialized residents.<sup>77</sup> Some, but not all, provincial and local public health authorities have publicly committed to collecting data based on race, gender, social-economic status, and other social determinants of health.<sup>78</sup>

#### **D. Good Practices to Eliminate Racist Ideologies or Alleviate the Manifestation of Anti-Asian Racism During the Pandemic**

- In partnership with City of Toronto officials, CSALC and CCNC-SJ held a press conference on January 29 to warn against the spread of misinformation and the unfair stigmatization of Chinese Canadians following the first confirmed case of COVID-19 in Canada. The event called attention to the rise of anti-Asian racism and discrimination across the country.<sup>79</sup>
- CCNC-SJ launched its “Stop the Spread” campaign on March 3. In partnership with an advertising firm, members dressed in hazmat suits gave out customized hand sanitizers with messages such as “protects against toxic behaviour” and “works best with common sense” at

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<sup>75</sup> Bernise Carolino, “Canadian Human Rights Commission on racism amid COVID-19: ‘We are not safe unless we are all safe’”, *Law Times News* (15 April 2020), online: <<https://www.lawtimesnews.com/practice-areas/human-rights/canadian-human-rights-commission-on-racism-amid-covid-19-we-are-not-safe-unless-we-are-all-safe/328697>>.

<sup>76</sup> Hager and Bailey, *supra* note 38.

<sup>77</sup> See: Ryan Flanagan, “Does COVID-19 discriminate? This is how some Canadians are harder-hit”, *CTV News* (15 April 2020), online: <<https://www.ctvnews.ca/health/coronavirus/does-covid-19-discriminate-this-is-how-some-canadians-are-harder-hit-1.4897298>>; Olivia Bowden and Patrick Cain, “Black neighbourhoods in Toronto are hit hardest by COVID-19 — and it’s ‘anchored in racism’: experts”, *Global News* (2 June 2020), online: <<https://globalnews.ca/news/7015522/black-neighbourhoods-toronto-coronavirus-racism/>>.

<sup>78</sup> See: “Toronto pushing province to start collecting and sharing COVID-19 data around race and jobs”, *CBC News* (2 June 2020), online: <<https://www.cbc.ca/news/canada/toronto/toronto-race-based-data-ontario-1.5594715>>; Peter Zimonji, “Trudeau, Ontario health minister say they’re looking at collecting race-based pandemic data”, *CBC News* (5 June 2020), online: <<https://www.cbc.ca/news/politics/trudeau-elliott-covid-19-race-based-data-1.5600824>>.

<sup>79</sup> Boisvert, *supra* note 1.

Toronto City Hall. The campaign was created in response to the rise of misinformation and racism towards the Chinese Canadian community during the coronavirus pandemic.<sup>80</sup>

- In March, McGill University law student, Lily Maya Wang, and Montrealer Kyungseo Min spearheaded a project to document instances of abuse or racism towards people of Asian descent during the pandemic.<sup>81</sup> In less than three months, they have received almost 20 reports of Asian people, mostly female, being targeted.<sup>82</sup>
- In response to growing reports of acts of racism against Montrealers of Asian descent, the Center for Research Action on Race Relations (CRARR), in partnership with a dozen community groups in Montreal,<sup>83</sup> launched a campaign on April 1 to mobilize affected individuals and communities. The campaign includes multilingual resources on how to deal with discrimination and hate crimes, documentation of incidents, and support for victims.<sup>84</sup> The campaign also called on the federal government to take concrete actions to combat rising anti-Asian racism linked to COVID-19. Wang and Min are collaborators of CRARR on this campaign.<sup>85</sup>
- CSALC and CCNC-SJ issued prompt public statements denouncing the hateful messages from Sloane<sup>86</sup> and Adams<sup>87</sup> and urging government action in response.
- Asian Canadians Together to End Racism (ACT2endracism) formed in late-April to combat the racism that has emerged during the pandemic. The network called for Derek Sloan to be kicked out of his party after his remarks against Dr. Theresa Tam.<sup>88</sup> ACT2endracism also

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<sup>80</sup> Jessica Patton, “Chinese Canadian group creates ‘Stop the Spread’ awareness program aimed at COVID-19 related racism”, *Global News* (3 March 2020), online: <<https://globalnews.ca/news/6623644/chinese-canadian-coronavirus-racism-toronto/>>.

<sup>81</sup> Jesse Feith, “Abuse or racism toward people of Asian descent is now being documented”, *Montreal Gazette* (14 May 2020), online: <<https://montrealgazette.com/news/local-news/abuse-or-racism-toward-people-of-asian-descent-is-now-being-documented/>>.

<sup>82</sup> Katelyn Thomas, “Groups call on city to denounce racism towards Asian Montrealers, incidents on the rise”, *CTV News* (3 June 2020), online: <<https://montreal.ctvnews.ca/groups-call-on-city-to-denounce-racism-towards-asian-montrealers-incidents-on-the-rise-1.4967411?cache=yes%3FclipId%3D89750>>.

<sup>83</sup> Rowe, “Anti-Asian Racism”, *supra* note 35.

<sup>84</sup> “CRARR launches campaign against COVID-19-related discrimination” (1 April 2020), online: *CRARR* <<http://crarr.org/?q=node/20092>>.

<sup>85</sup> Daniel J. Rowe, “Anti-Semitic and anti-Asian incidents on the rise during COVID-19: reports”, *CTV News* (4 May 2020), online: <<https://montreal.ctvnews.ca/anti-semitic-and-anti-asian-incidents-on-the-rise-during-covid-19-reports-1.4924306>>.

<sup>86</sup> CCNC-SJ, Media Release, “Chinese Canadians Call for Action Against Derek Sloan” (30 April 2020), online: *CCNC-SJ* <<https://cncsj.ca/actionagainstdsloan/>>.

<sup>87</sup> “Our response to Bryan Adams’ race baiting tweet and apology” (12 May 2020), online: *CCNC-SJ* <<https://cncsj.ca/bbc-news-bryan-adams-apologises-for-coronavirus-tirade/>>.

<sup>88</sup> Anna Junker, “New national group forms to combat racism against Asian Canadians”, *Edmonton Journal* (27 April 2020), online: <<https://edmontonjournal.com/news/local-news/new-national-group-forms-to-combat-racism-against-asian-canadians/>>.

produced a series of cartoons to advise bystanders on how to react to racist attacks in various settings.<sup>89</sup>

- Also in late April, Project 1907 and the Vancouver Asian Film Festival partnered to launch the Eliminate Hate campaign, which offers an online incident reporting form<sup>90</sup> to encourage victims of racist attacks to come forward without having to deal with police – a step that many people who are racialized or have precarious immigration status are reluctant to take. The campaign will aggregate data collected to develop strategies, design interventions, raise awareness, and advocate for policies that improve outcomes for Asian Canadian communities.<sup>91</sup>
- On May 1, CSALC and CCNC-SJ made a presentation to the federal Equity Seeking Communities and COVID-19 Task Force and called for immediate and concrete actions and resources to combat Anti-Asian racism.<sup>92</sup>
- In early May, a group of prominent Vancouverites of Asian descent issued a statement denouncing anti-Asian hate crimes amid the COVID-19 pandemic.<sup>93</sup>
- A group of artists gave performances in Vancouver’s Chinatown on May 11 to raise awareness and promote solidarity and healing following a spate of racist attacks in the city.<sup>94</sup>
- On May 19, the Institute of Canadian Citizenship initiated the Stand Together campaign, which highlights the many immigrants and people of colour who are employed as frontline healthcare workers in Canada and the essential nature of their contributions.<sup>95</sup>
- A grassroots group of Canadians launched the #HealthNotHate campaign in late-May. The initiative calls on Canadians to speak out against racism, to focus on combating the coronavirus, and not misdirect fear and hatred towards scapegoating particular groups. The

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<sup>89</sup> Kaufmann, *supra* note 47.

<sup>90</sup> John Price, “Anti-Asian Racism Has Gone Global. So Has the Battle against White Supremacy”, *The Tyee* (1 June 2020), online: <<https://theyee.ca/Opinion/2020/06/01/Anti-Asian-Racism-Gone-Global/>>;

<sup>91</sup> “Report a Racist Incident”, online: *Eliminate Hate* <<https://www.eliminatehate.org/fileareport>>.

<sup>92</sup> CCNC-SJ, Media Release, “Chinese Canadian Communities Call for Direct Action to Address Systemic Racism in Canada” (4 June 2020), online: *CCNC-SJ* <<https://ccncsj.ca/chinese-canadian-communities-call-for-direct-action-to-address-systemic-racism-in-canada/>>.

<sup>93</sup> Young, *supra* note 42.

<sup>94</sup> “Chinatown performance aims to bring healing after racist incidents”, *CBC News* (11 May 2020), online: <<https://www.cbc.ca/news/canada/british-columbia/protest-chinese-cultural-centre-1.5565287>>.

<sup>95</sup> Omar Mosleh, “Front-line health-care workers speak up about racism at work, from questioning credentials to being seen as ‘just the help’”, *The Star* (31 May 2020), online: <<https://www.thestar.com/news/canada/2020/05/31/front-line-health-care-workers-speak-up-about-racism-at-work-from-questioning-credentials-to-being-seen-as-just-the-help.html>>.

campaign is recruiting people, including public figures, to post masked self-portraits onto social media using its hashtag.<sup>96</sup>

- On May 28, a group of Chinese Canadian organizations, including CCNC-SJ and CSALC, launched a website<sup>97</sup> where the public can file incident reports, trace documented cases through an interactive timeline and map, and find a range of relevant resources.<sup>98</sup>
- On May 29, a motion prepared by CRARR was tabled, asking the City of Montréal to “unanimously and vigorously denounce acts of hatred, discrimination, and violence directed against Montrealers of various Asian origins.” It will be voted on in the upcoming city council meeting on June 15.<sup>99</sup>
- On May 31, CSALC and CCNC-SJ participated in a Virtual Town Hall hosted by the federal Minister of Diversity, Inclusion and Youth, which convened Asian community leaders across the country. CCNC-SJ was one of four organizations invited to make a presentation at the event.

## **E. Recommendations**

1. In accordance with its obligations under Article 4 of *ICERD*,<sup>100</sup> the Government of Canada (GOC), including Cabinet Ministers, must take a stand against racism by publicly denouncing racist remarks (such as those made by Derek Sloan against Dr. Theresa Tam).
2. Anti-Asian racism should be explicitly incorporated into Canada’s Anti-Racism Strategy (2019-2022).
3. The GOC must provide dedicated funding and offer educational programs to combat anti-Asian racism during this pandemic and beyond, in addition to funds already granted in response to COVID-19.

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<sup>96</sup> Little and Hua, *supra* note 43.

<sup>97</sup> “Fight COVID-19 Racism”, online: *Fight COVID Racism* <<https://www.covidr racism.ca/>>.

<sup>98</sup> Nicholas Keung, “Fighting ‘the essence of scapegoating’: Facing racist violence during COVID-19, Chinese Canadians launch new website”, *The Star* (28 May 2020), online: <<https://www.thestar.com/news/gta/2020/05/28/fighting-the-essence-of-scapegoating-facing-racist-violence-during-covid-19-chinese-canadians-launch-new-website.html>>.

<sup>99</sup> Thomas, *supra* note 82.

<sup>100</sup> Which includes, *inter alia*, the obligation of State Parties to condemn all propaganda and organizations that promote or justify racial hatred and discrimination in any form, and to adopt immediate and positive measures designed to eradicate such acts and incitements thereof.

4. The GOC should follow the example of civil society and work with community groups to produce public service announcements on television and social media to denounce scapegoating specific communities as racist and xenophobic. These efforts should be supplemented by provincial and territorial governments in the form of anti-racism workshops in schools and workplaces.
5. The GOC should develop an action plan to counter the spread of online hate and propaganda.
6. The GOC should ensure the collection of disaggregated data based on race, gender, language, sexual orientation, and other analogous ground to enable the examination of the differential impacts of racism and discrimination on racialized and other marginalized groups in terms of health and other life opportunities and outcomes.
7. The GOC should ensure that education curricula across the country are uniformly overhauled to reflect an inclusion and equity lens, one which acknowledges and documents the contributions of and hardships faced by Chinese Canadians and other racialized groups throughout Canadian history.
8. The GOC should ensure that systemic barriers due to racism experienced by Chinese Canadians and other racialized communities, including in employment and access to services, are removed through comprehensive and concrete measures (e.g. employment equity).
9. The Anti-Racism Secretariat should document and study hate-motivated incidents against Asian Canadians nationwide so that the federal government can develop responsive and timely policies to mitigate their proliferation.
10. The Government of Ontario should restore funding to its Anti-Racism Directorate so that it can better respond to COVID-19-related anti-Asian racism.
11. In furtherance of governments' obligation to ensure security of the person and State protection against violence or bodily harm,<sup>101</sup> every major city in Canada should enhance policing of hate crimes by establishing dedicated hate crimes units within their police services.
12. Provincial governments, through their ministries of the attorney general (MAGs), should provide more responsive and effective support to victims of hate crimes. MAGs should also vigorously prosecute incidents as hate crimes if police investigations confirm that such additional charges are warranted in the circumstances.

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<sup>101</sup> *ICERB* at Article 5(b).