

He who controls narratives, controls policies.

In 2022, following a ruling to regulate the use of the N-word by the public broadcaster, Radio-Canada, open letters from a majority of French-speaking white personalities named that the ruling, from CRTC, was an infringement of their freedom of expression.

This is also connected to the idea that at some point in time, white francophones in Quebec were the white N-words of America. The comparison of the situation of white francophones in America with that of black people under slavery is unacceptable.

It is therefore not right that a Black person who asks a western public broadcaster, such as CBC-Radio-Canada, to stop using the N-word has to fight in court for an end to reprisals against him caused by the moral panic created from the dispersed idea that white francophones are being censored a part of their history upon calling to not repeat this word on air.

Canada has a history of anti-black racism, the recognition of which it stifles within its institutions, even when it appoints black people to decision-making positions. This state denial seems fueled by an anxiety to maintain good relations between the descendants of White French-speaking and White English-speaking settlers, perceived as the founders of the state to the detriment of Blacks and Indigenous.

Despite Canada's commitment to strengthen national mechanisms for monitoring implementation of recommendations in the past Universal Periodic Review process of its Human Rights work, official information regarding its implementation it has never provided a mid-term report on progress according to the most recent report submitted by Amnesty International titled Canada: Human rights in peril. Amnesty international: Submission to the 44th session of the UPR working group, 10 November 2023

- The absence of say in the media in Canada, particularly in Quebec, is revealed in the admission of the Attorney General of Canada when it declared that the Canadian Radio-television and Telecommunications Commission did not have the jurisdiction to invite a public broadcaster to review its use of the N-word.
  - The potential issues of jurisdiction should not put, at their core, the usage of the N-word.
- The public broadcaster of Canada must contribute to stop the construed belief that white francophones are the white N-words of America, and this, particularly in Quebec.
- Ask the Minister of Justice and Attorney General of Canada to see the urgency to:
  1. Remove his uncommon request to rescind the Broadcasting Decision CRTC 2022-175 regarding the repeated on-air mention of the N-word by the french services of the Canadian Broadcasting Corporation/Société Radio-Canada
  2. Facilitate the concrete implementation of section 3.1(d)iii of the Canadian broadcasting policy of 1991 by inviting the Federal Court of Appeals to formally designate the entity that has the obligation to enforce it, particularly in programming offered in provinces and territories denying the existence of systemic and anti-black racism.
- We recommend that Canada embark on an in-depth analysis of how its institutions and mechanisms contribute to the production of public discourse that reproduces the cycle of discrimination against black populations.
- We recommend that Canada engage in a collaborative exercise to manage the risk to the preservation of its federation, if it persists in allowing, under any number of pretexts, the continued subordination of issues of recognition of the rights of black people (throughout its territory and on all levels of government), to the agreements, concessions, compromises and tensions that exist between descendants of French-speaking settlers and English-speaking settlers (considered to be the two founding peoples), who in fact, and in the light of an honest engagement to combat anti-black racism, should have no more acquired rights than anyone else.
  - No Caucasian people should have the audacity to claim to be the N-whites of X place. In Quebec, French-speaking whites, descendants of French settlers, have arrogated to themselves the right to not only use this provocative term:
    - notably in the work of Caucasian author Pierre Vallières, who used this title for a book drawing inspiration from the struggles of the black people he met in prison. He inserted the Quebec-white francophone narrative in it to vividly depict the reality of the alienated

- and scorned French-Canadian working class while also denying the French-canadian elites of the time and invisibilizing the conditions of blacks in Canada and Quebec
    - to call into question the structural inequalities that they faced
    - And to demand policies ensuring the preservation of their culture, despite it impeding on other groups who have no history of colonization.
  - This hyperbole, which is not contradicted by the federal government, for the sake of preserving the Union, is used to this day, with no concern of who it offends.
  - the principles and goals outlined in instruments like the ICERD can be applied to address the concerns raised.
    - Article 2 and 5 of the ICERD
      - which requires States Parties to condemn and eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law. This includes recognizing and protecting the rights of black people throughout the territory, ensuring their equal enjoyment of human rights and fundamental freedoms.
- Furthermore, the recommendation can be linked to Article 5 of the ICERD, which calls upon States Parties to take measures to ensure that there is no racial discrimination in the exercise of political, economic, social, and cultural rights. In this context, engaging in a collaborative exercise to manage the risk to the preservation of the National Union would align with the obligation to address systemic discrimination and ensure equal treatment of all individuals, irrespective of their racial or ethnic background.
- \*As Canada enters its fourth Universal Periodic review (UPR) the peer-review process before the United Nations Human Rights Council, we hope it answers the call for real mechanisms to fight anti-black racism instead of asking for the annulment of decisions that do. <https://crtc.gc.ca/eng/archive/2022/2022-175.htm>
- Therefore, we call for the oversight of institutions such as public broadcasters of countries such as Canada and other Western Member States, to be added to the work of this forum.
- Public Broadcasters, such as Radio-Canada, should be regulated by updated Broadcasting Acts and regulatory independent bodies with mandatory obligations to prevent stress and harm on black populations, championing their freedom of expression and giving them equal treatment to white anglophone and francophone Canadians.
- Unless Canada's special immigration program for Ukrainians is expanded to include nationals from all countries, it is in breach of the Charter of Rights and Freedoms.
- Canada must support reparations for Haïti
  - *the restitution of Haiti's money by France: 21 685 135 571,48 dollars+*
    - *(But an economic analysis by the New York Times reveals that the long-term losses caused by Haiti's payments to France could be surprisingly close to the figure put forward by Mr. Aristide.) <https://www.nytimes.com/fr/2022/05/20/world/haiti-aristide-france-reparations.html>*
  - *restitution of gold by the U.S.*
  - *repair for the damages of the Monroe Doctrine and foreign ratification of the Constitution of Haïti*
  - *UN and Member State acknowledgment of the responsibility for the cholera outbreak and reparations*
  - *an end to shameful migration policies (even from one of Haiti's neighbors, the Dominican Republic, which is building a wall with another state and committing an obstacle to freedom of movement).*
  - *In Canada. The closure of Roxham Road is an obstacle to freedom of movement, as it is elsewhere in the EU. Haïti,*
- Must abolish the safe third country Act so that asylum seekers are not sent back in U.S.
- We call on the Member States that have a documented history of benefiting and partaking in the transatlantic trade and the consequences of it to recognize black people as a distinct people deserving of protection, both in their constitutions and through affirmative and protective measures in their institutions.
- If a state claims to support black people, it must also allow freedom of movement for black people fleeing persecution and must implement the recommendations of the Senate report on forced sterilizations suffered by black people, must act on the over-representation of black people in its prisons and in youth protection reports, must protect its activists.
  - I am disturbed to learn of the access issues that Haiti's representatives have had to this forum. This is a continuation of the dynamics that this forum aims to dismantle.
- Real Regularization of Statuses: Urging the government to establish a fair and efficient process for regularizing the status of undocumented individuals, ensuring their rights and opportunities.
- Canada's weak protective laws for whistleblowers hinder efforts to address institutional racism and other systemic issues. According to a 2021 article, Canada ranks among the weakest countries in terms of

protective legislation. Recent incidents, such as the Canadian Human Rights Commission's discrimination against its black and employees and reports of racism experienced by black employees at elsewhere, emphasize the importance of protecting whistleblowers.

- Enforcing robust whistleblowing laws will enable public service employees to speak out against discrimination and wrongdoing while ensuring their safety and protection.
- Whistleblowing Laws: Revising and strengthening whistleblowing laws to protect individuals who expose systemic racism and discrimination within Quebec.
- 3 quarters of the world's mining companies are listed on the Toronto Stock Exchange in Canada.
  - Whereas the fiscal framework of legislation of convenience dispossesses black communities, our work can benefit from legislative measures calling for accountability of the States and mining companies responsible for extractive plunder.
- Accountability of Mining Corporations: Holding mining corporations registered at the TSX accountable for their actions and ensuring they uphold human rights standards.
- Liberty of Speech and Liberty to Drive: Promoting freedom of speech and equitable access to driver's licenses, addressing barriers that disproportionately affect black communities in Quebec.
- Increased Representation of Black Voices in Media and Culture:
  - Recognizing the distinct experiences of black Canadians, it is essential to provide fair and respected platforms for black voices in media and culture. Allocating proper funding to black-led media and cultural programming across Canadian black communities is crucial. By giving more room to black voices in media, we can facilitate the creation of narratives that accurately reflect their experiences, combat hate crimes and online hate, and address institutional flaws in a sustainable manner.
  - Fast-tracking Licenses for Black Media Content Creators:
    - To ensure diversity and inclusion in the media landscape, licenses from the regulatory body of the Broadcasting Act of Canada should be fast-tracked for new forms of media and black media content creators. This approach should prioritize supporting entities committed to inclusion over established white-led media that may pursue diversity for utilitarian purposes.
    - Enforcing section 3.1(d)iii of the Canadian broadcasting policy of 1991 for all licensees will contribute to a more equitable media environment. Additionally, creating alternative mechanisms to support decentralized media content until an updated Broadcasting Act is in place, considering the digital era, is essential.
    - Recognizing the Wealth Potential of Black Heritage and Expression:
      - Moving beyond the lens of crime prevention that is too often attached to blacks, it is crucial to assess the wealth potential of black heritage and expression. Fair legislation should mandate impact studies based on best practices before denying funding to public expressions of black voices. Following UNESCO's recognition of the intangible heritage of Black people, governments should implement functional policies to acknowledge and support the economic and cultural contributions of black communities, benefiting both these communities and the Canadian economy.
    - We invite the Forum to implement measures so that a public funded media based in a Member State, when linked to a story of a racist practice, especially French Services of Société-Radio-Canada, particularly in Quebec, create a favourable and safe environment for the public and broadcast reflection in french *with paid* Black journalists, Black intellectuals, Black academics and Black activists;
    - We invite the Forum to implement measures so that a public funded media based in a Member State, when linked to a story of a racist practice proves sufficient mechanisms to ensure that anti-racist sections in its regulatory processes, such as section 3(d)1(iii) of the Canadian broadcasting policy is truly and efficiently applied to all programming and productions acquired and produced by the public broadcaster;
    - We invite the Forum to implement measures so that Western media considers that media outlets, with the appearance of neutrality, accuracy and balance, can and have been the source of the content that normalises the contexts that are conducive to the lack of sensitivity to the realities of Black people;

- We invite the Forum to implement measures so that Western media understands that the use of the “N-Word” be prohibited in mainstream media across white countries;
- We invite the Forum to implement measures so that Western media issue automatic apologies to people subjected to offensive words, as well as a public apology to members of the Black community while making the persons that committed the harm, accountable;
- We invite the Forum to implement measures so that Western media the SRC withdraw their appeal to the CRTC and be unable to re-appeal.
- Recognize the Black populations in Canada, despite their specific histories, as a distinct group, particularly given continued impacts of systemic racism on these populations.
- Document the specific reality of Afro-descendant people in the areas of health, immigration and policing (arrest and detention) in order to analyze the actual state of systemic racism in each Member State.

Tokenization:

- The West's new minstrel is embodied in the ability to name black people in positions that aim to oppress them. The forum must research this dynamic and seek measures to prevent it amongst its work while naming countries that engage in this practice.

Recommendations inspired by this report

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Health

- Conduct a national consultation on the issue of forced and coerced sterilization of women in Canada with the goal of ending this practice. This consultation should take into account the evidence gathered during the preliminary study on the subject conducted by the Standing Senate Committee on Human Rights and hear survivors and groups particularly affected by this practice while showing sensitivity towards them.
- Implement all the recommendations of the Standing Senate Committee on Human Rights report entitled Forced and Coerced Sterilization of Persons in Canada.
- Adopt legislative measures and policies to prevent and criminalize coerced sterilization of black women, in particular by clearly defining the obligation to obtain free, prior and informed consent and by increasing awareness of this obligation among black women and medical personnel.
- Ensure that all allegations of coerced sterilization are impartially investigated, that those responsible are held accountable and that adequate redress is provided to the victims.
- Recognize the systemic and anti-Black racism that affects interventions with families and children in child welfare, and put in place policies and processes to address this racism, in consultation and collaboration with Black communities.
- Establish, in collaboration with Black communities, a commissioner for children's rights and welfare, with a mandate to pay particular attention to the rights and needs of Black children and their families.
- Implement a mandatory training program on cultural safety and anti-Black racism that takes into account the needs of Black communities for all those working with families and children in the field of child protection.

Immigration

- Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- Abolish the Canada-US Safe Third Country Agreement. Failing abolition, waive the Additional Protocol to the Safe Third Country Agreement, which came into force on March 25, 2023, in order to reopen a safe passage route for migrants and push all Member States to see how similar State to State Agreement may affect Blacks all over the world.
- End immigration detention, including solitary confinement, which is perpetrated largely against Afro-descendants all over the world.
- Ensure that migrants are not detained in the same facilities (prisons, police stations) as criminal offenders, and this, for Afro-descendants all over the world.

- Establish an independent national enquiry into the detention of migrants with a particular focus on issues of systemic racism, discrimination and anti-black racism for Afro-descendants all over the world.
- Develop a national strategy to end the discriminatory treatment of Black persons in detention in prisons and immigration detention centres.
- Create an investigation and redress mechanism to receive and address complaints from detained black migrants who are victims of abuse, discrimination and violation of their human rights by State Border Services. This mechanism should also allow civil society actors all over the world to report such cases.

#### Police and prison arrests

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- Considering that [75% of mining companies](#) globally are headquartered in Canada and almost 60% are listed on the Toronto Stock Exchange (TSX). In 2015, [more than half of all capital investment](#) in the mining business travelled through the exchange. We call for a collective recommendation to hold governments accountable, so that a fiscal framework conducive to the dispossession of black communities can be established.
  - We recommended that Canada adopt an approach focused on accountability, redress and transparency towards black communities in countries where fiscal haven and mining activities are taking place. This involves establishing mechanisms to hold Canadian companies accountable for their actions abroad, and facilitating legal action against these companies for the harm they cause to local communities. Canada should also commit to supporting reparation and development efforts in communities affected by mining and tax activities.
  - The UN has several tools that can support, help or legitimize the recommendation. Some of these tools include:
    - The United Nations Guiding Principles on Business and Human Rights: These principles provide an international framework to prevent and remedy human rights violations caused by the activities of companies, including in the extractive sector.
    - The Working Group on Transnational Corporations and Other Business Enterprises: This working group examines the practices of multinational corporations and makes recommendations to states to ensure that their activities respect human rights.
    - UN monitoring and reporting mechanisms: The UN has mechanisms such as special rapporteurs and monitoring committees that can investigate human rights violations linked to mining and tax activities and make recommendations to the states concerned.
    - Sustainable Development Goals (SDGs)
    - Source:
      - <https://www.theguardian.com/cities/2017/mar/03/toronto-hidden-history-how-city-built-mining>
      - Paradis sous terre <https://alaindeneault.net/livres-recommandes-par-aurore-stephant/>