



# Policy Recommendations

## 2021 Submission to National Summit on Islamophobia

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# Table of Contents

[About Us](#)

[Introduction](#)

[1. Hate Crimes](#)

[Violent Attacks Against Muslims](#)

[Terror Attacks Against Muslims](#)

[Bomb Threats and Vandalism Against Mosques](#)

[Recommendations: Hate crimes](#)

[2. Digital Hate Speech & Radicalization](#)

[Recommendations: Digital hate speech, radicalization](#)

[3. Right-Wing Extremism](#)

[Recommendations: Right-wing extremism](#)

[4. Institutional Islamophobia](#)

[Recommendations: Institutional Islamophobia](#)

[5. Islamophobia in Media](#)

[Recommendations: Islamophobia in the media](#)

[Recommendations: Islamophobic legislation](#)

[ISSUED BY](#)

[Authors](#)



## About Us

Justice For All Canada is a non-profit Canadian human rights organization with Consultative Status at the United Nations (DPI). Our work advocates on behalf of vulnerable minorities facing oppression, crimes against humanity, and genocide. Justice for All Canada has been instrumental in shaping the discourse around the genocide debate in Canada.

Major advocacy campaigns by Justice for All Canada include **Burma Task Force**, **Save Uighur**, **Free Kashmir**, **Save India**, **Sri Lanka Task Force**, and **Indigenous Peoples Solidarity**.

## Introduction

On June 6, 2021, a man deliberately rammed a pickup truck into a Canadian Muslim Family at an intersection in London, Ontario, Canada. Four members of the family were killed, and a 9-year-old child was seriously injured. Police say the attack was motivated by Islamophobia. The attack was the largest mass killing in London's history.

It is not the first time members of the Muslim community in Canada have come under attack.

Islamophobia has heightened in Canada with a dangerous escalation of incidents such as vandalism of mosques and physical assaults on Muslims, including violence against Muslim women wearing the hijab.



# 1. Hate Crimes

## Violent Attacks Against Muslims

In October 2013, 6 Queen's University students in Kingston, Ontario 'were attacked for no reason other than that they looked differently'.<sup>1</sup> The attackers threatened their victims saying 'We have a machete, let's slit their throat,' and 'Asians, Muslims, [N-word], go back to your country,' 'White power, white power.'

In 2011, a Muslim woman wearing the niqab was with her children when she was attacked at a Mississauga mall. She was shopping with her three-year-old son and two-year-old daughter when she was approached by two women. One of these women began swearing at her, expressing remarks about her religion and her veil, saying, "Leave our country. Go back to your country."<sup>2</sup>

In the aftermath of the 2013 Quebec Charter of Values, many Muslim women wearing the headscarf were attacked. A 17-year old Muslim girl was attacked in St. Catharines. She was punched in the nose, leaving her bleeding, and her headscarf was pulled off. A woman wearing the hijab in Montreal was attacked by two men; one of them spat on her, while the other pulled off her headscarf. One woman wearing a hijab was attacked when another woman tried to forcibly remove her headscarf.

In September 2015, a pregnant woman wearing the hijab was attacked by youth in Toronto. They tried to pull off her headscarf, causing her to fall.<sup>3</sup>

In December 2020, two Muslim women in hijab were attacked by a man who hurled racial slurs at them. He then shattered one of the glass windows of their car, and physically assaulted them in the parking lot as one of the women tried to run away.<sup>4</sup>

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<sup>1</sup> "Hate-Based Attack' on 6 Kingston Men Leads to Arrests. CBCnews, 11 Oct. 2013, [www.cbc.ca/news/canada/muslim-students-attacked-in-apparent-kingston-ont-hate-crime-1.1991230](http://www.cbc.ca/news/canada/muslim-students-attacked-in-apparent-kingston-ont-hate-crime-1.1991230)

<sup>2</sup> "GTA Woman Has Niqab Pulled off in Assault | CBC News." CBCnews, 23 Nov. 2011, [www.cbc.ca/news/canada/toronto/gta-woman-has-niqab-pulled-off-in-assault-1.1022672](http://www.cbc.ca/news/canada/toronto/gta-woman-has-niqab-pulled-off-in-assault-1.1022672)

<sup>3</sup> "Montreal Police Investigate Attack on Pregnant Muslim Woman, CBC/Radio Canada, 2 Oct. 2015, [www.cbc.ca/news/canada/montreal/montreal-police-muslim-woman-1.3253668](http://www.cbc.ca/news/canada/montreal/montreal-police-muslim-woman-1.3253668)

<sup>4</sup> "Man Charged after 2 Women in Hijabs Attacked in Edmonton Mall Parking Lot" CBC News. 10 Dec. 2020, [www.cbc.ca/news/canada/edmonton/edmonton-hate-crime-attack-southgate-1.5835187](http://www.cbc.ca/news/canada/edmonton/edmonton-hate-crime-attack-southgate-1.5835187)

In June 2021, a masked man attacked two young women wearing hijabs, knocking one unconscious and assaulting the second at knifepoint. This occurred during the daytime in Edmonton.<sup>5</sup>

## Terror Attacks Against Muslims

In January 2017, a gunman opened fire upon worshipers in the Islamic Cultural Center of Quebec, killing 6 men and wounding 19 others. The media reported that the attacker was a university student with right-wing and anti-Muslim political tendencies.<sup>6</sup>

On September 12, 2020, Mohamed-Aslim Zafis, a volunteer at the International Muslim Organization, was stabbed in the neck while sitting outside the mosque. Toronto Police arrested and charged 34-year-old Guilherme "William" Von Neutegem with first-degree murder. Von Neutegem had shared content from a neo-Nazi group in social media posts.<sup>7</sup>

On June 6, 2021, members of the Afzaal family, Salman (46), his mother Talat (74), his wife Madiha (44), daughter Yumna (15), and son Fayez (9), were out for a walk when they were struck by a pick-up truck. The entire family was killed, except Fayez, who was hospitalized with serious injuries. London Police Chief, Steve Williams, told reporters that following an investigation, they concluded this was an intentional act. He added, "We believe the victims were targeted because of their Islamic faith".<sup>8</sup>

## Bomb Threats and Vandalism Against Mosques

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<sup>5</sup>Wakefield, Jonny. "Muslim Woman Knocked Unconscious in Alleged 'Hate-Motivated' Attack in St. Albert; Suspect at Large." *Edmonton Journal*, 25 June 2021, [edmontonjournal.com/news/local-news/muslim-woman-knocked-unconscious-in-alleged-hate-motivated-attack-in-st-albert-suspect-at-large](https://www.edmontonjournal.com/news/local-news/muslim-woman-knocked-unconscious-in-alleged-hate-motivated-attack-in-st-albert-suspect-at-large)

<sup>6</sup> Fred Lum, et al. "The Quebec City Mosque Attack: What We Know so Far." *The Globe and Mail*, 30 Jan. 2017, [www.theglobeandmail.com/news/national/quebec-city-mosque-shooting-what-we-know-so-far/article33826078/](https://www.theglobeandmail.com/news/national/quebec-city-mosque-shooting-what-we-know-so-far/article33826078/)

<sup>7</sup> "Trudeau Offers Condolences to Family of Toronto Mosque Stabbing Victim" *CBCnews*, 22 Sept. 2020, [www.cbc.ca/news/canada/toronto/trudeau-offers-stabbing-victim-condolences-1.5733734](https://www.cbc.ca/news/canada/toronto/trudeau-offers-stabbing-victim-condolences-1.5733734)

<sup>8</sup> "Canada Truck-Attack Suspect Charged with Terrorism." *BBC News*, 14 June 2021, [www.bbc.com/news/world-us-canada-57474745](https://www.bbc.com/news/world-us-canada-57474745)

On December 31, 2013, a bomb threat was made against a Vancouver mosque and the building was evacuated by the RCMP.<sup>9</sup>

On November 26, 2014, a bomb threat was made against a Montreal mosque and the police found a suspicious package.<sup>10</sup> 12 buildings in the area were evacuated until the police neutralized the package.

On May 20, 2014, a man tried to throw a Molotov cocktail through the window of a mosque in Montreal but was stopped by the police.<sup>11</sup> The police had been watching the mosque because it had already been the target of multiple attacks.

On November 14, 2015, a day after the Paris attacks, the only mosque in Peterborough, Ontario was set on fire.<sup>12</sup>

On October 12, 2020, Toronto Police confirmed they were investigating threats being made against a local mosque.<sup>13</sup> The messages received by the mosque included the threat to “do a Christchurch all over again,” referring to the attacks on two mosques in Christchurch, New Zealand, during which a gunman killed 51 people (March 2019).

The rising violent assaults and discrimination against Muslims pose a threat to the moral pillar of Canada. Time and again, after every attack, we have seen political leaders making statements, condemning Islamophobia, and participating in vigils in memory of the victims. But in terms of curbing Islamophobia through action, Canada is far from achieving this goal without establishing effective policies that can yield the desired result.

In this regard, Justice For All Canada presents its recommendations to Canadian policymakers in their efforts against Islamophobia.

According to Statistics Canada, Canadian police reported 1,798 criminal incidents motivated by hate in 2018, the second-highest number in a decade. Only 31 per cent of

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<sup>9</sup> “North Vancouver Mosque Bomb Threat - BC.” Global News, [www.globalnews.ca/news/1056442/north-vancouver-mosque-bomb-threat/amp/](http://www.globalnews.ca/news/1056442/north-vancouver-mosque-bomb-threat/amp/)

<sup>10</sup> “Mosque in Chateauguay Target of Bomb Threat.” *Montreal*, 26 Nov. 2014, [www.montreal.ctvnews.ca/mosque-in-chateauguay-target-of-bomb-threat-1.2120000](http://www.montreal.ctvnews.ca/mosque-in-chateauguay-target-of-bomb-threat-1.2120000)

<sup>11</sup> “Man with Sword Stopped by Stun Gun Outside Islamic Centre | CBC News.” *CBCnews*, 20 May 2014, [www.cbc.ca/news/canada/montreal/man-with-sword-stopped-by-stun-gun-outside-islamic-centre-1.2647822](http://www.cbc.ca/news/canada/montreal/man-with-sword-stopped-by-stun-gun-outside-islamic-centre-1.2647822)

<sup>12</sup> Freeze, Colin. “Mosque in Peterborough, Ont., Deliberately Set on Fire.” *The Globe and Mail*, 15 Nov. 2015, [www.theglobeandmail.com/news/national/mosque-in-peterborough-ont-deliberately-set-on-fire/article27265878/](http://www.theglobeandmail.com/news/national/mosque-in-peterborough-ont-deliberately-set-on-fire/article27265878/)

<sup>13</sup> Staff. “Toronto Police Investigating Violent Threats Made against Mosque - Toronto.” *Global News*, Global News, 13 Oct. 2020, [www.globalnews.ca/news/7393234/toronto-mosque-threats/](http://www.globalnews.ca/news/7393234/toronto-mosque-threats/)

those crimes were solved, and of those, 68 per cent resulted in charges against one or more individuals.

Most "hate crimes" are charged as regular offences under the Criminal Code —such as assault, uttering threats or harassment.<sup>14</sup> This is a setback to victims of hate crimes, who not only suffer physical trauma but mental trauma as well.

Toronto-based researcher Abbee Corb works with police forces across Canada, teaching officers how to investigate hate crimes and speak with victims.

She says hate crimes are vastly underreported, and that many victims are wary of speaking to police because they come from backgrounds where police are part of the issue. The result is a circular problem. "People don't report because they don't think anything's going to be done," said Corb. "And nothing will be done if they don't report it."

## Recommendations: Hate crimes

- Criminalize Islamophobia in all forms, including hate speech and violent hate crimes targeting Muslim individuals and institutions
- Introduce an annual Islamophobia report at all levels of government, with focus on hate crimes motivated by Islamophobia
- Abolish the requirement that seeks consent from the Attorney General consent to prosecute individuals promoting hatred against Canadian minorities.
- Accelerate trial processing for hate crimes to ensure speedy justice for victims of hate crimes
- Fund Muslim institutions with special grants for security apparatus, to equip and protect against vandalism and physical attacks. Review the efficiency of Security Infrastructure Programs (SIPs) to make the funding process accessible and less complicated for religious institutions.
- Invest in and work with marginalized Muslim communities to develop special awareness programs for public safety, self-defence, civil rights, and hate crime prevention and reporting
- Make hate crime reporting accessible and taboo-free through community engagement by police and RCMP

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<sup>14</sup>"The Difficult History of Prosecuting Hate in Canada | CBC News." *CBCnews*, CBC/Radio Canada, 13 June 2020, [www.cbc.ca/news/canada/british-columbia/racists-attacks-court-hate-crimes-1.5604912](http://www.cbc.ca/news/canada/british-columbia/racists-attacks-court-hate-crimes-1.5604912)



## 2. Digital Hate Speech & Radicalization

The internet and social media have become a breeding ground for violent extremist ideas that are actively promoted across most digital platforms. The rampant presence of hate material has radicalized thousands of followers and expanded the network of extremist groups both locally and internationally.

According to the United Nations, tackling hate speech is crucial to prevent armed conflict, atrocity crimes and terrorism, end violence against women and other serious violations of human rights, and promote peaceful, inclusive and just societies.

Addressing hate speech does not mean limiting or prohibiting freedom of speech. It means keeping hate speech from escalating into something more dangerous, particularly incitement to discrimination, hostility and violence, which is prohibited under international law.

Government must gauge the impact of hate speech in inciting violence against Muslims and other minorities. Cyber crime units must effectively curb hate speech before it turns into hate crimes.

Human rights advocate Amira Elghawaby spent more than a year examining online hate. She said Canada's regulations on hate speech are failing.

"It's really unfortunate that the real work that would make a substantial change in the lives of people, not only Canadian Muslims, but other racialized groups that are targeted online, that type of change has not yet happened," Elghawaby said. "And that really is a shame for us and Canadians." Elghawaby said there have been a number of "wake-up calls" that have made it obvious something has to be done.

In 2017, Alexandre Bissonnette killed six men at a Quebec City mosque. An investigation revealed the gunman was radicalized online and was consumed by far-right media sources.

Bernie Farber, chair of the Canadian Anti-Hate Network, said the majority of people who commit crimes similar to the mosque shooting have been radicalized online, and that the best way to prevent further attacks is through legislation.



In 2015 Statistics Canada released alarming figures about hate crimes in Canada. It showed that the Muslims communities were among the groups that saw the highest increase of hate crimes perpetrated against them.<sup>15</sup>

## **Recommendations: Digital hate speech, radicalization**

- Criminalize online Islamophobic organizing by imposing a fine on those engaged in violent hate speech, as a deterrent to potential hate crimes being carried-out in society (while protecting legitimate right to freedom of expression)
- Through a review of the Canadian Human Rights Act (CHRA), legislate accountability for social media companies such as Facebook, Twitter, Instagram and Youtube to monitor, regulate and remove content and groups promoting racism, violence, and hateful ideology
- Penalize social media platforms for their failure to remove hateful content
- Develop anti-radicalization programs for suspects belonging to White supremacist groups

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<sup>15</sup>“Anti-Muslim Crimes in Canada up 60%, StatsCan Reports | CBC News.” *CBCnews*, CBC/Radio Canada, 13 June 2017, [www.cbc.ca/news/politics/hate-crimes-muslims-statscan-1.4158042](http://www.cbc.ca/news/politics/hate-crimes-muslims-statscan-1.4158042)



### 3. Right-Wing Extremism

According to the report *An Online Environmental Scan of Right-wing Extremism in Canada*, acts of terrorism committed by the far-right have increased by 320% over the past five years.<sup>16</sup> This rise is supported by an increasingly connected and internationalist community of right-wing extremism. Canada has not been isolated from this trend, and in recent years, the number of hate groups operating in the country has tripled.

Central to this increase in activity is the use of social media, providing avenues for a broad spectrum of right-wing extremists to:

- Mobilize by recruiting new members
- Broadcasting disinformation and propaganda
- Harass opponents
- Coordinate activity including publicity stunts, protests, and acts of violence.

The types of social media used include popular platforms like Facebook, YouTube, and Twitter. This includes a constellation of fringe forums, including ultra-libertarian platforms with lax content moderation policies such as Gab, and specifically created extremist hubs like Iron March and Fascist Forge.

The report also noted that across major Canadian cities, the far-right vigilante groups “Soldiers of Odin” and “Sons of Odin” have patrolled streets to ‘protect’ Canadian citizens from what they perceive as the ‘Islamic’ threat. Their dangerous mandate seeks to silence and marginalize Muslims through intimidation and a show of force. More recently, they’ve been joined by the “Three Percenters”, an Islamophobic armed militia group.

Barbara Perry, director of the Centre on Hate, Bias, and Extremism at Ontario Tech University, identified just over 100 far-right and white supremacist groups in 2015.

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<sup>16</sup>“An Online Environmental Scan of Right-Wing Extremism in Canada.” *ISD*, 22 Apr. 2021, [www.isdglobal.org/isd-publications/canada-online/](http://www.isdglobal.org/isd-publications/canada-online/)

However, in an updated study, she highlights more than 300 active groups, saying, “some of which are explicitly Islamophobic.”<sup>17</sup>

## Recommendations: Right-wing extremism

- A Federal review of actions taken by Canadian Security Intelligence Service (CSIS), Canadian Securities Exchange (CSE), and the Royal Canadian Mounted Police (RCMP), in connection with violent right-wing extremist groups in Canada
- Strengthen and expand cybercrime units across Canada to track right-wing extremists engaged in the promotion of violence against minorities on social media
- Ban all armed extremist groups who promote hatred against minorities
- Direct a new policy mandate through Public Safety Canada to develop means to counter right-wing terrorism through detection and prevention
- Enhance the monitoring of social media to identify individuals engaging with violent right-wing groups
- Arrange offline interventions, such as counselling and deradicalization programs with members of such racist hate groups

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<sup>17</sup>Reynolds, Christopher. “Two More Extreme Right-Wing Groups Join Proud Boys on Canada's Terror List.” CTV News, 25 June 2021, [www.ctvnews.ca/politics/two-more-extreme-right-wing-groups-join-proud-boys-on-canada-s-terror-list-1.5485502](http://www.ctvnews.ca/politics/two-more-extreme-right-wing-groups-join-proud-boys-on-canada-s-terror-list-1.5485502)



## 4. Institutional Islamophobia

The International Civil Liberties Monitoring Group, Islamic Social Services Association, and Noor Cultural Centre reported the following observations to the UN Special Rapporteur on Freedom of Religion or Belief.<sup>18</sup>

Government reports on national security by Public Safety Canada and CSIS focus predominantly on Muslim individuals and organizations as the primary source of terrorism. A comprehensive 2019 study of all terrorism prosecutions in Canada since 2001 found that 98% were against Muslims or defendants linked to Muslim groups; the vast majority did not involve any executed act of violence. Pre-criminal measures imposing behavioural restrictions, such as “terrorism peace bonds,” have also been overwhelmingly applied against Muslims. This disproportionate focus persists, despite the fact that extreme right-wing and White supremacist groups have been linked to many times more incidents of violence than individuals and groups connected to Islam; the number of hate groups active in Canada has tripled since 2015 to 300.

For example, anti-Islam groups like the III% have been conducting live-fire paramilitary training exercises and surveilling mosques.

According to the Ontario Human Rights Commission’s 2017 report on racial profiling, young Muslims have been targeted for monitoring by CSIS or police intelligence because of participation in activism for causes such as Palestinian rights.

There have also been several reported cases of Muslims being denied security clearance by CSIS for employment purposes, due to apparent discriminatory reasons. For example, participation in paintball—described by CSIS as “a form of jihad for Sunni Muslims”—has been cited as a reason for denial, according to lawyer Khalid Elgazzar.

A 2017 lawsuit filed against CSIS by five intelligence officers and analysts depicts a culture of institutionalized Islamophobia and discrimination. A Muslim analyst was regularly called names like “Muslim Brotherhood” and “Imam” by management, and was told to “complain to Allah.”

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<sup>18</sup> : International Civil Liberties Monitoring Group, et al. “Islamophobia in Canada.” *Office of the United Nations High Commissioner for Human Rights*, 30 Nov. 2020, [www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/Civil\\_Society\\_or\\_Individuals/Noor-ICLMG-ISSA.pdf](http://www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/Civil_Society_or_Individuals/Noor-ICLMG-ISSA.pdf)

A Muslim intelligence officer was subjected to a polygraph examination concerning her religious practices and clothing, and was restricted from associating with Muslim community organizations under threat of revocation of her security clearance. The woman was told by a supervisor that “Muslim women are inferior.” A poster displayed in the office depicted the burning World Trade Centre towers, with the words “Ninety-Nine Names of Allah”.

CSIS Director David Vigneault acknowledged that CSIS has major problems with systemic racism and harassment, stating, “Yes, systemic racism does exist here, and yes there is a level of harassment and fear of reprisal within the organization.”

When asked about Islamophobia and systemic racism at CSIS, the Director stated that he agreed with members of NS-TAG, that CSIS’ culture needs to evolve. He stated, “I’ve said publicly and I’ve said privately to our employees that yes, systemic racism does exist here, and yes, there is a level of harassment and fear of reprisal within the organization, and that CSIS has launched a workplace assessment to address these issues.”<sup>19</sup>

Materials produced by the RCMP for police training on radicalization, obtained by academics Jeffrey Monaghan and Adam Molnar through Access to Information requests, portray a Muslim-centric focus—even though “Canada is at far greater risk of right-wing political violence.” Training modules on Islam “are not intended to demonstrate a nuanced understanding of Islam, but instead represent menacing and threatening aspects of Islam as a violent enemy of the West,” according to Monaghan and Molnar. One slide in a workshop presentation, titled “The future of terrorism?”, contains nothing but an image of a young girl dressed in what appears to be a hijab, with no explanatory text.

A recently released report by the International Civil Liberties Monitoring Group said the Review and Analysis Division of the Canada Revenue Agency’s (CRA) charities directorate works with national security agencies to carry out the audits, with little accountability.

It further stated that from 2008 to 2015, 75 percent of the organizations whose charitable status was revoked following division audits were Muslim charities. At least another four charities have had their status pulled since then.

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<sup>19</sup>Canada, Service. “Summary of the Special Meeting of the National Security Transparency Advisory Group (NS-TAG) December 14, 2020.” *Government of Canada*, 13 May 2021, [www.canada.ca/en/services/defence/nationalsecurity/national-security-transparency-commitment/national-security-transparency-advisory-group/summary-report-meeting-december-14-2020.htm](http://www.canada.ca/en/services/defence/nationalsecurity/national-security-transparency-commitment/national-security-transparency-advisory-group/summary-report-meeting-december-14-2020.htm)

The report also shows that the Canadian government’s risk assessment for terrorism financing in the charitable sector focuses almost exclusively on Muslim charities, with little to no public substantiation of the risk; that it is used to justify surveillance, monitoring and audits of Muslim charities on questionable grounds; and that these policies have resulted in the revocation of charitable status for Muslim charities, “harming the sector and impacting the larger Muslim community”.

## **Recommendations: Institutional Islamophobia**

- CRA should discontinue and review its policies that disproportionately target Muslim-led charities and enact measures that prevent the subjective and arbitrary application of policies that have potential for discrimination
- Mandate Canada’s security watchdog, the National Security and Intelligence Review Agency, to examine the Review and Analysis Division’s (RAD) processes to ensure Muslim Charities are not being unfairly investigated, audited, or revoked due to racial or religious prejudice, or due to suspicion of radicalization or terrorism financing
- Establish an ethics committee to monitor discrimination & bias against the Muslim community by government agencies such as RCMP, CSIS, CBSA, and CRA.
- Replace the “Countering Violent Extremism” programs with relevant and unbiased mechanisms to counter extremism.
- Institute special mandatory training for law enforcement personnel to understand and curb racial profiling.



## 5. Islamophobia in Media

Legal academic and writer, Azeezah Kanji, argued the following points in her research titled 'Framing Muslims in the "War on Terror"'.<sup>20</sup>

"Representations of Ideological Violence by Muslim versus Non-Muslim Perpetrators in Canadian National News Media" mentions that media coverage perpetuated the racialization of terrorism as a predominantly Muslim phenomenon. While attacks and plots by Muslims were consistently characterized as "terrorism," an incident such as (non-Muslim) Justin Bourque's shooting spree targeting specifically RCMP officers was not, despite research indicating that incidents targeting state entities (like police) are more likely to be interpreted as terrorism.

In a comparative analysis on "Coverage of Incidents in National News Media", Azeezah's research noted that incidents with Muslim perpetrators received, on average, 1.5 times as much coverage as incidents with non-Muslim perpetrators. Muslim violence and plots were 23 times more likely to be labelled terrorism than non-Muslim violence and plots. Coverage of incidents with Muslim perpetrators was three times more likely to refer to the perpetrator's religious, political, or ideological motive; 8.5 times more likely to specify the perpetrator's ethno-racial identity and/or immigration status; twice as likely to mention other incidents of violence, and twice as likely to discuss the mental health of the perpetrator.

The Via Rail plotter, Raed Jaser, was described as a "dark-skinned man with a beard", and several reports included commentary from neighbours on how he would exercise and share meals with men dressed in "traditional Muslim clothing".<sup>20</sup> This insinuated that Muslim attire itself is a marker of suspicion (for example: [Bell et al. 2013](#); [Brean and Humphreys 2013](#)). In several instances, a connection between "terrorism" and Muslims, in general, was asserted even more directly. The National Post's Lorne Gunter, for example, identified "the present state of Islamic culture" as the wellspring of global terrorism: a "metastasizing" "tumor" that "moderate Muslims themselves [must] excise" ([Gunter 2006a](#)).

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<sup>20</sup>Kanji, Azeezah. "Framing Muslims in the 'War on Terror': Representations of Ideological Violence by Muslim versus Non-Muslim Perpetrators in Canadian National News Media." *MDPI*, Multidisciplinary Digital Publishing Institute, 12 Sept. 2018, [www.mdpi.com/2077-1444/9/9/274/htm#B155-religions-09-00274](http://www.mdpi.com/2077-1444/9/9/274/htm#B155-religions-09-00274)

A Globe and Mail opinion piece on the “deadly contest underway between terrorists and their opponents in Western intelligence and security agencies” referred to Muslim communities as “communities that might harbor jihadists” (Wark 2006). Comparable characterizations of right-wing and White-supremacist extremists’ communities of origin as collective “harbourers” of cancerous elements requiring eradication were absent.

For Muslim perpetrators, religious identity was regularly invoked as the presumed cause for violence. One CBC report on Parliament Hill shooter Michael Zehaf-Bibeau, for instance, noted that he was “a recent convert to Islam, which would be his motivation”.<sup>21</sup>

According to the Report submitted by the International Civil Liberties Monitoring Group, Islamic Social Services Association, and Noor Cultural Centre to the UN Special Rapporteur on Freedom of Religion or Belief, multiple analyses of Canadian and US media have concluded that Islam and Muslims receive disproportionately negative coverage.<sup>22</sup> This is done both quantitatively (in terms of amounts of coverage) and qualitatively (Muslim perpetrators are more likely to be defined as “terrorists,” represented as having more violent motives, linked in media reports to larger terror networks and broader patterns of ideological violence, and labeled by their religious and ethno-racial identities).

For example, a study of the Globe and Mail by communication studies professor Yasmin Jiwani found sixty-six articles on the Shafia femicide case alone (which was widely represented as an “honor killing”), but only fifty-nine on the “murder of women and domestic violence” from 2005 to 2012. The Quebec mosque shooting (January 2017) received approximately five minutes of airtime on CBC’s flagship news program, *The National*, the night that it occurred, while the London Borough attacks in the UK (June 2017) received several hours of live reportage and commentary.

## Recommendations: Islamophobia in the media

- Establish a National Media Council to evaluate the fairness of coverage, relevance, balance and accuracy of news and opinion reporting

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<sup>21</sup>Ibid.

<sup>22</sup> : International Civil Liberties Monitoring Group, et al. “Islamophobia in Canada.” *Office of the United Nations High Commissioner for Human Rights*, 30 Nov. 2020, [www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/Civil\\_Society\\_or\\_Individuals/Noor-ICLMG-ISSA.pdf](http://www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/Civil_Society_or_Individuals/Noor-ICLMG-ISSA.pdf)



- Develop guidelines for media and news outlets for accuracy, representation and terminology used about Islam and Muslims, to be incorporated as a standard for reporters, editors, broadcasters, columnists and other media professionals
- Engage with press councils to promote Media accountability



## 6. Islamophobic Legislation: Bill 21

In June 2019, the Quebec parliament passed Bill 21, prohibiting teachers, lawyers, police officers, and others in the public sphere from wearing religious symbols on the job, including the hijab worn by Muslim women, kippahs worn by Jewish men, and turbans worn by Sikhs.

The law has been labelled by Human rights groups as discriminatory as it creates “second-class citizenship” for its religious minorities in Canada's Quebec province.

Civil rights and community groups say the Law is disproportionately targeting Muslim women who wear the hijab. Bill 21 violates the religious freedom and freedom of expression of Muslim women, which is unconstitutional under Section 28.

In November 2019, a lawsuit against Bill 21 was filed by the National Council of Canadian Muslims (NCCM), the Canadian Civil Liberties Association (CCLA), and a Muslim woman (Ichrak Nourel) Hak in the Quebec Superior Court.

Immediately, the Quebec government invoked Section 33 of the Canadian Charter of Rights and Freedoms, also known as the “notwithstanding clause”, to block any opposition to controversial Bill 21. The clause allows provincial governments to override Sections 2, and 7 to 15, of the Charter for up to five years. These sections deal with fundamental freedoms, legal and equality rights.

As a result in December 2019, the Quebec Court of Appeal rejected a motion from NCCM and CCLA to suspend the law’s application until the case could be heard on its merits, saying “the notwithstanding clause left them no choice but to rule against the plaintiffs”.

The Public Service Alliance of Canada (PSAC) opposed Bill 21, stating: “Legislation that requires individuals to remove their religious garment or symbols (hijab, kippa, turban, crucifixes, etc.) is unconstitutional and discriminatory on the basis of religion, race, and gender. Furthermore, a ban on religious garments disproportionately affects Muslim women and delivers a dangerous precedent in which a government can dictate what a woman can or cannot wear.”

The Quebec Superior Court has struck down parts of Bill 21, the province's law banning the wearing of religious symbols for state workers deemed to be in a position of authority, such as teachers, judges, and police officers.

In April 2021 in his 242-page decision, Justice Marc-André Blanchard ruled part of Bill 21 violates Canada's Charter of Rights and Freedoms. He agreed there are "serious and negative consequences for all those who wear religious symbols in public."<sup>23</sup>

Blanchard upheld much of Bill 21 but ruled it cannot be applied to English-language school boards and Members of the National Assembly (MNAs).

He stated: "There is no doubt that in this case, the denial by Bill 21 of the rights guaranteed by the Charter has severe consequences for the persons concerned. Not only do these people feel ostracized and partially excluded from the Quebec public service, but in addition, some see their dreams become impossible while others find themselves stuck in their positions with no possibility of advancement or mobility. In addition, Bill 21 also sends the message to minority students wearing religious symbols that they must occupy a different place in society and that obviously the way of public education, at the level of preschool, primary and secondary does not exist for them."

The court agreed that the Quebec government's Religious symbols law - Bill 21 is cruel, but the notwithstanding clause makes it legal.

Bill 21 is in violation of the Canadian and Quebec Charters of Rights and Freedoms. United Nations human rights observers including Fernand de Varennes, the UN's special rapporteur on minority relations, have raised concerns about Quebec's proposed secularism law says while it's "premature" to discuss the impact of Bill 21 on Quebec society, it comes at a time of increased intolerance against minorities around the world.

In a letter sent to Canada's mission office at the United Nations on May 17th 2019, the UN experts asked the government for clarifications on Quebec's bill, which is "likely to undermine the freedom of conscience, religion and equality of citizens."<sup>24</sup>

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<sup>23</sup> <https://www.canlii.org/fr/qc/qccs/doc/2021/2021qccs1466/2021qccs1466.html>

<sup>24</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=24595>

## Recommendations: Islamophobic legislation

- Declare Bill-21 unconstitutional. Beyond the Sections of the Canadian Charter that protect the religious freedom that are overridden by the Notwithstanding clause, Section 28 of Canadian Charter is not covered by the Notwithstanding clause, which makes Bill 21 unconstitutional. Section 28 states charter rights must apply equally to men and women. Since Bill 21 violates the religious freedom and freedom of expression of Muslim women, it is unconstitutional under Section 28
- As a member of the United Nations, Canada must uphold its moral obligation to the article 18 of the Universal Declaration of Human Rights - the International Covenant on Civil and Political Rights and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.
- Canada must defend the human rights of all its citizens including those in Quebec by revoking the controversial application of the notwithstanding clause in passing Bill 21 that clearly overrides the freedom of belief of its citizens in Quebec.