

Responding to Hate

T O O L K I T

combat anti-Asian racism by taking action



Key terms - hate and discrimination explained

As a result of the COVID-19 pandemic, Asian Canadians have been the subject of racist assaults and bigoted taunts. This Guide* sets out your rights and resources when you are the victim of or a witness to racist incidents.

This Guide provides information so that you can understand and respond to three kinds of hate: Hate Crimes, Hate Incidents and Acts of Discrimination.

Hate Crimes

Are hate-motivated criminal acts that are offences under the Criminal Code, such as Assaults (Section 265), Uttering Threats (Section 264.1(1)), Criminal Harassment (Section 264(1)) and “hate speech” (Section 319 (1) & (2)). Hate crimes are crimes committed for hateful reasons. Consequently, they are punished more severely by the Courts. They involve two elements:

- An underlying crime (e.g. murder, assault, threats, vandalism, arson) and
- The crime is committed in part because of race, national or ethnic origin, colour, religion, sex, sexual orientation, age or mental or physical disability.

Hate Incidents

Are non-criminal acts that occur when the person uses bigoted, biased or prejudiced language (spoken, or written, online or in-person) or takes other actions that are based on race, national or ethnic origin, colour, religion, sex, etc.

Acts of Discrimination

Are violations of human rights codes – these are acts of unfair treatment in services, goods, facilities, accommodation, contracts, employment, vocational associations (e.g. transit, the workplace, public accommodations, restaurants, hotels, theatres, stores, housing, schools or universities etc.), because of race, national or ethnic origin, colour, religion, sex, sexual orientation, age or mental or physical disability.

This form of Discrimination is not criminal but a violation of the federal or provincial human rights laws.

* This guide was prepared by Maryka Omatsu in collaboration with Gary Yee, Avvy Go, Gerald Chan and Juanita Westmoreland.



What to do if you experience or witness acts of hate or bias

Hate Crimes

- Get medical help and if you feel comfortable, report the incident to the police.
- Retain evidence (photos, videos) and contact information of witnesses
- Report to community organizations
- Support the victim(s)

Hate Incidents

- If you think your safety is at risk, get help and consider calling the police.
- Report cyber incidents to the platforms on which they occur.
- Report to community organizations.
- Support the victim(s)

Acts of Discrimination

- Report to government anti-discrimination agencies.
- Report to government human rights commissions.
- Report to community organizations.
- Support the victim(s)

act

Resources: List of Organizations

Advocacy

- Human Rights Legal Support Centre: <https://www.hrlsc.on.ca/en/home>
- Canadian Civil Liberties Association: [ccla.org](https://www.ccla.org)
- British Columbia Civil Liberties Association: <https://bccla.org/>
- Chinese and Southeast Asian Legal Clinic: <https://csalc.ca/>
- Korean Legal Clinic: koreanlegalclinic.ca/#about

Human rights commissions

Federal

- Canada Human Rights Commission: [chrc-ccdp.gc.ca](https://www.chrc-ccdp.gc.ca)

Provincial/Territorial

- Ontario Human Rights Commission: [ohrc.on.ca](https://www.ohrc.on.ca)
- Québec Commission de Droits de la Personne et des Droits de la Jeunesse: [cdpcj.qc.ca](https://www.cdpcj.qc.ca)
- The Manitoba Human Rights Commission: [manitobahumanrights.ca](https://www.manitobahumanrights.ca)
- Saskatchewan Human Rights Commission: [saskatchewanhumanrights.ca](https://www.saskatchewanhumanrights.ca)
- Alberta Human Rights Commission: www.albertahumanrights.ab.ca
- British Columbia: Office of the Human Rights Commissioner: [bchumanrights.ca](https://www.bchumanrights.ca)
- New Brunswick Human Rights Commission: <https://www2.gnb.ca/content/gnb/en/departments/nbhrc.html>
- Nova Scotia Human Rights Commission: [humanrights.novascotia.ca](https://www.humanrights.novascotia.ca)
- Prince Edward Island Human Rights Commission: [gov.pe.ca/humanrights](https://www.gov.pe.ca/humanrights)
- Newfoundland and Labrador Human Rights Commission: [thinkhumanrights.ca](https://www.thinkhumanrights.ca)
- Yukon Human Rights Commission: [yukonhumanrights.ca](https://www.yukonhumanrights.ca)
- Northwest Territories Human Rights Commission: [nwthumanrights.ca](https://www.nwthumanrights.ca)

Human rights tribunals

Federal

- Canadian Human Rights Tribunal: [chrt-tcdp.gc.ca](https://www.chrt-tcdp.gc.ca)

Provincial/Territorial

- Human Rights Tribunal of Ontario: [sjto.gov.on.ca/hrto](https://www.sjto.gov.on.ca/hrto)
- The Human Rights Tribunal of Quebec: [tribunaux.qc.ca](https://www.tribunaux.qc.ca)
- British Columbia Human Rights Tribunal: [bchrt.bc.ca](https://www.bchrt.bc.ca)
- Nunavut Human Rights Tribunal: [nhrt.ca](https://www.nhrt.ca)

Community organizations

- Chinese Canadian National Council for Social Justice: ccncsj.ca
- National Association of Japanese Canadians: najc.ca
- Canadian Centre for Diversity and Inclusion: <https://ccdi.ca/>
- Equitas (formerly Canadian Human Rights Foundation): <https://equitas.org/>
- Korean Canadian Women's Association Family and Social Services: <https://kcwa.net/>
- HanVoice: <https://hanvoice.ca>

Information

- Federation of Asian Canadian Lawyers Guide to Hate & Discrimination: <https://on.facl.ca/hate-discrimination-guides/>
- Project PROTECH (Pandemic Rapid-response Optimization To Enhance Community- Resilience and Health): [projectprotech.ca/getting-services-support/racism-stigma-discrimination/ addressing-racism-stigma-and-discrimination](https://projectprotech.ca/getting-services-support/racism-stigma-discrimination/addressing-racism-stigma-and-discrimination)
- Canadian Race Relations Foundation: <https://www.crrf-fcrr.ca/en/>
- Amnesty International Canada: <https://www.amnesty.ca/>
- Mental Health Commission of Canada: <https://www.mentalhealthcommission.ca/English>

Media

- Journalists for Human Rights: <https://jhr.ca>
- Centre for Free Expression: <https://cfe.ryerson.ca/>

Reporting sites

- Journalists for Human Rights: <https://jhr.ca>
- Fight COVID-19 Racism: covidracism.ca
- ACT2EndRacism: act2endracism.ca/racism-form
- Eliminate Hate: eliminatehate.org/fileareport
- Canadian Anti-Racism Network: stopracism.ca/reportfrm.php

Social media & cyber safety

- Facebook's Community Standards: facebook.com/communitystandards
- Instagram's Community Guidelines: <https://help.instagram.com/477434105621119>
- Twitter's Rules and Policies: <https://help.twitter.com/en/rules-and-policies/twitter-rules>
- LinkedIn Community Guidelines/Professional Community Policies: <https://www.linkedin.com/help/linkedin/answer/34593>
- Samuelson-Glushko Canadian Internet and Public Policy Clinic: <https://cippic.ca/>