



BRIEF

Presented to the

Office de Consultation Publique de Montréal

for the

Public Consultation on Systemic Racism and Discrimination Within City of Montréal Jurisdiction

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I. INTRODUCTION

As a result of a petition signed by over 20, 000 individuals systemic racism and discrimination in the City of Montréal, an issue that had long remained in the shadows of our society, was finally brought to light.

The Concordia Student Union (CSU) wishes to thank the *Office de Consultation Publique de Montréal* for recognizing the issue of systemic racism and discrimination within the City of Montreal and for the opportunity to submit a brief detailing the ways in which this affects Concordia students at the municipal level. This public consultation is of special interest to the student population of Concordia University, particularly those studying at the undergraduate level who are represented by the CSU. Many CSU students are members of communities that puts them at risk of being exposed to systemic discrimination, either based on race, ethnic or national origin, gender, religion, social condition, language or sexual orientation in the City Montreal.

For this reason, in addition to its ongoing work on systemic racism and discrimination, the CSU hosted a discussion group for the purpose of this consultation on Thursday September 26th, 2019, which will be summarized in this brief. The findings of the discussion touched on employment and internship, racial and social profiling, housing, the fight against inequality, and urbanism and land-use planning.

1. The CSU: Mandate and Structure

The Concordia Student Union (CSU) is the umbrella organization that represents more than 36,000 undergraduate students and over 90 student clubs at Concordia University in Montréal. It advocates for undergraduate students who are part of diverse racial, ethnocultural, religious,

sexual and socioeconomic backgrounds. Its mandate is to represent these students and their rights, needs and interests within the Concordia University community, and beyond.¹

The CSU is governed by the Council of Representatives. The Council is comprised of a maximum of 30 undergraduate students. All Councillors are directly elected by undergraduate students. Within the Council, there is an Executive Team of eight students, which is headed by the General Coordinator of the CSU and seven Coordinators who are responsible for different portfolios such as external affairs and mobilization, finance, clubs and internal affairs, academic and advocacy, to name a few.

The CSU also operates and offers a variety of services to the student population such as the Legal Information Clinic (LIC), the Off-Campus Housing and Job Resource Centre (HOJO), and the Student Advocacy Centre. The LIC was created in 2007 and offers legal information and referrals, in both English and French, to Concordia undergraduate students. It works to provide students with resources that will assist them in receiving the fairest possible treatment under the law. HOJO works to empower, educate and support the Concordia community by providing reliable housing and employment information, resources and referrals. It strives to support students in learning about and exercising their rights as tenants and employees. Additionally it offers legal information, a classifieds website to find work and housing, and give workshops across campus and in the community. The Student Advocacy Center works to promote and preserve undergraduate students' rights at Concordia University.

2. A Legacy to Learn From (Proactive Actions done by the CSU)

The CSU has also developed within its organizational culture, awareness and concrete measures to defend and promote the interests of its diverse student population.

¹ "Fast facts: Concordia in numbers" (24 August 2015) at "Total Enrolment for 2013/14 in Credit Courses", online: <<http://www.concordia.ca/about/fast-facts.html>>

In recent years, the CSU has taken proactive actions:

- § to protect international students from predatory rental practices from unscrupulous landlords,
- § to defend the civil rights of students who participate in public demonstrations and who are targeted, harassed, detained, who arrested or sanctioned by authorities,
- § to stand behind its Muslim students from growing Islamophobia from outside the university,
- § to support its Black students from racial discrimination and profiling, and
- § to protect women and LGBT students from sexual harassment, sexual violence and homophobia.

The CSU recognizes and values diversity, human rights and inclusion, not only in terms of guiding philosophy, but also in terms of concrete undertakings because it considers these as the cornerstone of student life, higher education and civil society.

In this regard, the CSU's participation in the public consultation on systemic racism and discrimination in Montréal is a natural extension of its mandate.

II. AREAS OF CONCERN

1. Employment and Internship- Bill 21 and English speaking minorities

While Bill 21, *An Act respecting the Laicity of the State*, is a provincially enacted law, the CSU is deeply concerned with the Bill's effect and application which will produce further discrimination, penalization, and marginalization by denying certain Concordia students the opportunity to intern and be employed in the sectors affected by this Bill. Introduced by the present government to promote "laicity" and secularism within the province of Quebec, Bill 21 imposes a ban on religious symbols among certain classes of public servants, judges, administrative tribunals and in common-law courts, teachers and private workers receiving

contracts from the government. As those tasked to implement this Bill, how will the City choose to apply Bill 21 in Montreal and exactly which jobs will be affected and how?

CSU is particularly vocal and has published a motion in April 2019 on this issue given that the student union represent the rights, aspirations and needs of more than 30,000 students from different racial, ethnocultural and religious backgrounds, many of whom identify as Hindu, Jewish, Muslim and Sikh women and men. Under the CSU umbrella are also a variety of prominent cultural clubs such as Concordia Muslim Student Association (MSA), the Concordia Sikh Students Association, and Hillel Concordia.

In addition to their faith, which under Bill 21 has been made into a burden and a liability, many of these students are also English-speaking and members of racialized and ethnic minorities. The barriers to their full participation in different sectors of Montreal City life and Quebec society due to the intersectionality of race, ethnicity, religion and language are not only real, but increasingly compounded by the effects of Bill 21 that normalize discrimination and a new, increasingly exclusionary ethnic nationalism in Quebec.

Too often, there is a groundless presumption that “anglophones” are not bilingual enough to work in the municipal civil service; this has led to City’s actions on employment equity that leave out the “Other Half” of Montreal – namely, English-speaking residents of the City, many of whom are Concordia University students and graduates whose access to the local labor market is restrained by all kinds of barriers of discrimination.

A recent report by the City’s task force on diversity, equity and inclusion opens the door to adding a sixth group of beneficiaries of employment equity, namely, the LBTQ group, without a single mention of the English-speaking fact of Montreal; such an exclusion is, in our opinion, a form of systemic racism itself that must end.

Given the adverse effects this Bill creates, particularly in terms of access to employment opportunities for Muslim women, Sikh men and women, and Jewish men, which is additionally compounded by the intersection of race, ethnicity, and language, the CSU recommends:

1. That the City reject Bill 21 and not implement it at the City level, because the Bill is inconsistent with *The Montreal Charter of Human Rights and Freedoms*, the *Canadian Charter of Rights and Freedoms* and other international human rights instruments,
2. That the City take into account English-speaking members of equity designated groups such as visible minorities, ethnic minorities, Indigenous people, people with disabilities and women in its implementation of employment equity in all municipal agencies, given that the City of Montreal is bound by the Quebec mandatory employment equity law (known as Law 143),
3. The CSU recommends that the City actively recruit Concordia Students and graduates for jobs with the City by submitting job postings to HOJO to be advertised on its classified website to all Concordia students, and that similar recruitment practices be implemented in other anglophone colleges and universities including Dawson College, Vanier College and McGill.

2. Race and Social Profiling- Racial Profiling of Concordia's Racialized and Indigenous Students on and Off Campus

Pervasive and rampant, racial profiling by law enforcement is highly concerning to Concordia students, especially those of a racialized or Indigenous background, who demand urgent concrete action by the City of Montreal and SPVM. This practice, which amounts to systemic discrimination, violates racialized and Indigenous individuals' right to liberty, security, and equality and poses a threat to their fundamental right to live in peace without being subjected to police harassment simply because of their race or ethnic background.

Racial profiling has affected Concordia students both on and off campus. For instance, in 2016, N.R, a mature Concordia student of minority descent was approached by campus security and questioned while waiting for his friend in the Hall Building. The interaction left him feeling targeted and unsafe in his place of study, an unacceptable outcome as school should be a safe environment for all.² In another case, A.A, a Concordia student of Palestinian descent, was roughed up, handcuffed and fined \$1,000 by Montréal police after leaving the Concordia library late on her way to a friend house near Alexis-Nihon.³

However, racial profiling is not just a student issue. A recent report which studied police interceptions in Montréal over a four-year period confirms that in fact, minorities are stopped far more frequently than their white counterparts. More precisely, Indigenous individuals are 4.6 times more likely to be stopped, Black Montrealers are 4.2 times more likely to be stopped, and Arab individuals (especially those between 15 and 24) are twice as likely to be stopped.⁴

In the face of these facts and the abundant reported experiences of many Indigenous, and racialized Montrealers, an institutional response is required to tackle and finally resolve the issue of systemic racism in pedestrian and traffic stops. The CSU recommends:

² <http://theconcordian.com/2016/10/profiling/>

³ <https://www.cbc.ca/news/canada/montreal/concordia-student-claims-racial-profiling-1.904313>

⁴ Les interpellations policières à la lumière des identités racisées des personnes interpellées par Victor Armony et Mariam Hassaoui et Massimiliano Mulone, Août 2019

1. That the City of Montreal and SPVM adopt the recommendations espoused by the recent report in order to document, analyze, prevent and end racial disparities in police interceptions, and that increased efforts in employment be undertaken to create a more multiracial, diverse and representative police department,
2. That the Montreal Transit Authority (STM in French) also implement the same measure for its metro inspectors staff, who have been often accused of racial profiling, abusive interception and excessive use of force on racialized and Indigenous metro riders,
3. The CSU recommends that the City of Montreal review its premature ban of body cams for police officers. Body cams are the best protection of citizens, and even for police officers, in their interactions. They compel greater awareness and documentation of behavior and practice, and encourage greater transparency and eventually, public confidence in law enforcement.

3. Housing- Accessible Housing for Students

Since 2010, the CSU has been documenting and denouncing the abusive and discriminatory practices of certain Montréal landlords directed at Concordia's vulnerable populations, in particular international students, most of which are located in the Ville Marie borough close to Concordia's downtown campus, and Loyola campus. These predatory landlords, who take advantage of international student's lack of knowledge on Québec housing laws and their rights, exploit their vulnerable status and expose them to many illegal renting practices.

Since the CSU has started raising this issue, the number of international students at Concordia has more than doubled from approximately 4,400 in 2010 to 9,624 in 2019. During the 2018-2019 academic year, the top three countries of origin for international students were India (22.1%), China (17.4%), and Iran (11.4%).⁵ Accordingly, this discrimination and exploitation in housing rentals largely affects students of a racialized background and those who are not citizens. The different and inequitable treatment these students face due to citizenship and race needs to be pressingly addressed by the City of Montreal to assure access to adequate housing for all.

In particular, CSU's Off-Campus Housing and Job Resource Centre (HOJO) has worked with international students and extensively on this issue. In 2010, it launched its Housing Discrimination Awareness Campaign. The message of this campaign was clear, international students should not be treated differently due to citizenship race, language or religion.

From its experience assisting international students faced with these abusive practices, HOJO compiled a list of the ten worst Predatory Apartment Rental Practices (PARP), observed over a two-year period, that violate Quebec housing, civil rights and private laws. These include illegal practices such as demanding a student pay a non-refundable application fee, requiring 2 to 6 months' rent in advance, the collection of unnecessary private information such as a student's passport number, and refusing to make repairs and address inadequate heating, cleanliness, and security within apartments. This lack of adequate sanitation, which can include unaddressed

⁵ <https://www.concordia.ca/about/fast-facts.html>

mold and bed bug infestations in certain dwellings, affects international students but also other vulnerable Concordians such as immigrants and low-income students residing within the City.

Today, HOJO continues to assist vulnerable students such as international students subject to PARP by predatory landlords. As mentioned by a current international student seeking help at HOJO, “Being away from home and living in a country that speaks another language, I easily felt insecure. It is nice to know that I can always come to you guys for help and support. I feel like sometimes international students are literally being bullied by these rude landlords and their ridiculous demands, and students are just too vulnerable to protect themselves. Before HOJO helped me understand my legal rights, I was as blind as most international students”.⁶

Accordingly, because of its involvement denouncing and documenting this issue as it pertains to Concordia international students, CSU’s HOJO is in a unique position to speak authoritatively on the issue of accessible housing for vulnerable students. HOJO had previously collaborated with the CSU’s Legal Information Clinic (LIC) and the Center for Research-Action on Race Relations (CRARR) and compiled a list of recommendations. These included asking the Quebec Human Rights and Youth Rights Commission to launch a systemic inquiry on its own initiative into PARP, as allowed under s. 71.1 of the Quebec Charter (the Commission refused to do), and encouraging Concordia and other universities to ban all relations with and donations from landlords found guilty of PARP.⁷ However, these recommendations fell on deaf ears and were

⁶ 2017-2018 HOJO Annual Report

⁷ 2010-2011 HOJO Annual Report

never implemented. Today, we are hoping the City of Montreal will take action and address this issue, which is of concern to Concordia students, both international and local.

To increase accessible housing for students and cease PARP within Montreal, the CSU recommend the following:

1. That the City support Coop housing initiatives downtown for students since they are typically of a lower social and economic condition,
2. That the City be more stringent in its enforcement of certain by-laws related to housing sanitation standards and living conditions since vulnerable Concordia students, including international students, low-income students, and immigrants, are more likely to reside in apartments lacking in general cleanliness, and affected by bed bugs and mold.
3. When otherwise appropriate, the City should pressure the Provincial government on issues housing outside of the City's jurisdiction, such as adopting a provincial law that prohibits "reno-viction". "Reno-viction" refers to the practice of evicting tenants in order to undergo renovations and subsequently rent out the newly renovated property to higher paying tenants.

4. The Fight Against Inequality - Gender Discrimination and Violence

Women of all walks of life and of all racial and ethnic backgrounds are targets for discrimination, violence and harassment solely based on their gender. However, the specific issue that concerns the CSU's mandate is harassment that targets women in, near, and around university campuses.

Earlier this year Concordia University was forced to release a series of statements regarding a number of female students that had been approached on or around campus by strangers with unwanted and/or insistent invitations to accompany them elsewhere. The students reported having felt uncomfortable and harassed. Similar accounts were reported by female students from McGill University and UQAM during this time.⁸ Additionally, Concordia University has launched an internal program to educate both its student population and staff members on sexual harassment and consent.

Additionally, the CSU wishes to emphasize the importance of taking into account the special situation of racialized, immigrant, international students, as well as Indigenous women, who are statistically speaking, usually in more socially and economically disadvantaged positions.

Certain North American cities including New York City and Chicago, have undertaken notable anti-harassment initiatives to help combat harassment and gender inequality. In the case of New York City, it defines street harassment, or “catcalling,” [...] as “unwanted interactions in public spaces between strangers that are motivated by a person’s actual or perceived gender, sexual orientation, or gender expression and make the harassee feel annoyed, angry, humiliated, or scared.”⁹ Their social enterprise named ‘SAFER:NYC’, is dedicated to mobilizing men to transform public interactions and end street harassment through community events, education, and comedy. Likewise, sexual harassment is prohibited by the City of Chicago. Their “That’s

⁸ <https://www.cbc.ca/news/canada/montreal/harassment-concordia-mcgill-folo-1.5080284>

⁹ <http://www.safernyc.org/>

Harassment” campaign aims to “empower victims and bystanders to speak out and provide tools for employers to create a safe work environment.”¹⁰ The campaign launched several public service announcements to highlight behaviors that are unacceptable, end institutional silence and complicity. The PSA’s appeared on City billboards, ads hosted on bus shelters, and information panels, as well as in participating taxicabs.

The CSU recognizes and acknowledges the City’s recent support of a campaign to curb harassment, particularly on the public transportation system¹¹; however, we believe that the City is capable of doing more to protect its female population, the CSU recommends:

1. That the City of Montreal implement similar anti-harassment initiatives such as those founded in Chicago and New York City,
2. That the City support organizations in Montreal whose mandate is to fight for gender equality and who have worked extensively on anti-harassment initiatives.

5.. Urbanism and Land-Use Planning-

Saint-Henri District and Gentrification

The CSU is highly concerned about the rise of gentrification and the City’s role in contributing to this phenomenon. Empty spaces are being opened, and are becoming more appealing to condo developers. As a result, this has been affecting newcomers, international students and long-time

¹⁰ https://www.chicago.gov/city/en/depts/mayor/supp_info/thatsharassment.html

¹¹

<https://www.ceaf-montreal.qc.ca/public/2019/10/campagne-daffichage-feministe-contre-le-harcelement-de-rue.html>

residents. For example, the Saint-Henri District has been at the forefront of fighting against gentrification. The Saint-Henri District, where a sizable number of Concordia students live in rental housing, has drastically changed over the years with restaurants, cafes, and boutiques opening all round. Moreover, according to the Projet d'organisation populaire, d'information et de regroupement they been fighting against landlords who have been attempting to “change the building's zoning and hike the rent”¹². Since 1969, Projet d'organisation populaire, d'information et de regroupement has been fighting for the rights of tenants living in the Saint-Henri District.

More recently, students are playing a role in the increase of gentrification. Many students reside in highly gentrified boroughs like Saint-Henri and Parc-Extension. Specifically, in Parc-Extension, “longtime residents who get pushed out by higher rents and development and replaced by a richer (and often whiter) class”¹³. As a result, building developers are attempting to capitalize on the growing student population and the rich. The rent for these places could range from \$1,500 and even higher, which is quite unaffordable for those who come from low-income status. The reason being that many of them hold a higher economic situation compared to existing inhabitants. To date, to fight the gentrification that is occurring in Montréal, the CSU has contributed to creating a housing cooperative for students, where rent will be between 10%-20% below the market value.

The CSU recommends the City:

¹² <https://www.cbc.ca/news/canada/montreal/popir-rent-saint-henri-gentrification-1.5121624>

¹³ <https://thelinknewspaper.ca/article/montreals-gentrification-neighbourhood-by-neighbourhood>

1. Establish municipal programs pertaining to the construction of low-income housing (e.g., contribute to the creation of affordable apartments & social housing).
2. Consult all neighborhoods prior to construction in order to preserve ALL cultural and historical landmarks.

Montreal Chinatown and Systemic Discrimination

An important number of Concordia students are of Chinese Canadian origin or are recent immigrants from overseas. Many seniors and new immigrants continue to rely on basic services located in Chinatown and the area continues to play a pivotal role in the welcoming of newcomers. Chinatown remains at the heart of important social and cultural activities for the Chinese community of Québec. Chinatown has a cultural significance and rich history to the Chinese community of Montreal, and it serves as a cultural reference point for new Chinese immigrants and international students. Most importantly, Chinatown is a valuable symbol of not only Chinese but Québec historical and cultural heritage.

To date, Chinatown is having to deal with commercial, residential, and institutional development projects that are being built with little or no consultation of those residing in the Chinatown District nor of the many different stakeholders in the Chinese community, and which pose a threat towards the preservation of its cultural heritage.¹⁴ (eg.: the Serenity condo complex on Viger and St-Laurent, the Humanity complex on Viger and Bleury, installation of a Public toilet in Sun Yat Sen Garden, Chinese Cultural Centre becoming a music school, etc.)

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<https://montrealgazette.com/opinion/opinion-when-will-montreals-chinatown-get-the-protection-it-deserves>

The Chinese community has been in Canada for over 150 years. Yet, the development of Montreal's Chinatown has been restricted by discriminatory legislation that has stunted the growth of the Chinese community, and its capacity to defend the geographical area in which Chinatown is located. The preservation of Chinatown is being threatened by business interests, speculation, and the lack of political vision for its development. The City is currently either expropriating or having building developers renovate old units.

Among the major Identity, Heritage and Development concerns for the Chinese Community are:

- Limited Green/open community space
- Lack of sufficient cultural and social spaces and services
- Lack of consultation on preserving Chinatown's identity and cultural heritage.
- Numerous empty lots with zoning unreflective of existing built environment
- Area with rich historical value with buildings in poor upkeep, has lead to significant degradation of built quality and potential loss of local housing stock
- Many Chinese community stakeholders feel left out and in the dark about the development process underway

The CSU recognizes and acknowledges the City's recent attempts to undertake community consultations in the development of Chinatown, however, to assure the integrity and comprehensiveness of the process, the CSU recommends:

- 1- That the City of Montreal implement a Chinatown development plan to preserve, protect and expand the historic neighbourhood of Chinatown,
- 2- That the City ensures and provides support for a racially (i.e Chinese) inclusive and meaningful consultation of all community interests in the development of Chinatown;
- 3- That the City include mechanisms of accountability and transparency in the implementation of a Chinatown development plan once it is ready to be executed;
- 4- That the City provide the financial and political means necessary for the implementation of the Chinatown development plan; and
- 5- That to show its good faith, the City impose a moratorium on the approval of land development projects until the above-mentioned consultations have been held, and a comprehensive Chinatown development plan has been created.

III. CONCLUSION AND LIST OF RECOMMENDATIONS

In conclusion, the CSU would like to again thank the *Office de Consultation Publique de Montréal* for recognizing the issue of systemic discrimination within the City of the Montreal and for the opportunity to submit a brief to this effect. The above brief has outlined the particular areas of concern for Concordia Students and the ways in which racism and discrimination affects them as students living in the City. The issues addressed touched on employment and internship, racial and social profiling, housing, the fight against inequality, and urbanism and land-use planning.

In sum, the CSU's recommends that the City of Montreal:

1. Reject Bill 21 and not implement it at the City level, because the Bill is inconsistent with *The Montreal Charter of Human Rights and Freedoms*, the *Canadian Charter of Rights and Freedoms* and other international human rights instruments,

2. Take into account English-speaking members of equity designated groups such as visible minorities, ethnic minorities, Indigenous people, people with disabilities and women in its implementation of employment equity in all municipal agencies, given that the City of Montreal is bound by the Quebec mandatory employment equity law (known as Law 143),
3. Actively recruit Concordia Students and graduates for jobs with the City by submitting job postings to HOJO to be advertised on its classified website to all Concordia students, and that similar recruitment practices be implemented in other anglophone colleges and universities including Dawson College and McGill.
4. That the City of Montreal and SPVM adopt the recommendations espoused by the recent report in order to document, analyze, prevent and end racial disparities in police interceptions, and that increased efforts in employment be undertaken to create a more multiracial, diverse and representative police department,
5. That the Montreal Transit Authority (STM in French) also implement the same measure for its metro inspectors staff, who have been often accused of racial profiling, abusive interception and excessive use of force on racialized and Indigenous metro riders,
6. The CSU recommends that the City of Montreal review its premature ban of body cams for police officers. Body cams are the best protection of citizens, and even for police officers, in their interactions. They compel greater awareness and documentation of behavior and practice, and encourage greater transparency and eventually, public confidence in law enforcement.
7. That the City support O-OP housing initiatives downtown for students since they are typically of a lower social economic condition,
8. That the City be more stringent in its enforcement of certain by-laws related to housing sanitation standards and living conditions since vulnerable Concordia students including international students, low-income students, and immigrants are more likely to reside in apartments lacking in general cleanliness, and affected by bed bugs and mold.

9. When otherwise appropriate, the City should pressure the Provincial government on issues housing issues outside of the City's jurisdiction, such as adopting a provincial law that prohibits "reno-viction". "Reno-viction" refers to the practice of evicting tenants in order to undergo renovations and subsequently rent out the newly renovated property to higher paying tenants.
10. That the City of Montreal implement similar anti-harassment initiatives such as those founded in Chicago and New York City,
11. That the City support organizations in Montreal whose mandate is to fight for gender equality and who have worked extensively on anti-harassment initiatives.
12. That the City of Montreal implement a Chinatown development plan to preserve, protect and expand the historic neighbourhood of Chinatown,
13. That the City ensures and provides support for an inclusive and meaningful consultation of all community interests in the development of Chinatown;
14. That the City include mechanisms of accountability and transparency in the implementation of a Chinatown development plan once it is ready to be executed;
15. That the City provide the financial and political means necessary for the implementation of the Chinatown development plan; and
16. That to show its good faith, the City impose a moratorium on the approval of land development projects until the above-mentioned consultations have been held, and a comprehensive Chinatown development plan has been created.
17. Establish municipal programs pertaining to the construction of low-income housing (e.g., contribute to the creation of affordable apartments & social housing).

18. The City should be consulting all neighborhoods prior to construction in order to preserve ALL cultural and historical landmarks.