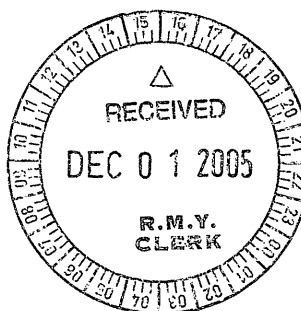




#190003

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File C03/05-37

November 29, 2005

Mr. Denis Kelly, Regional Clerk
Region of York
17250 Yonge Street
Newmarket, ON
L3Y 6Z1

REGION OF YORK
CLERK'S OFFICE

FILE No. 12 P04

Chair CAO

Dear Mr. Kelly:

**Re: Correspondence from the Canadian Commission for UNESCO regarding
Preliminary Proposal Calling for a Canadian Coalition of Municipalities
Against Racism**

Please be advised that this matter was considered by Council at its meeting held on November 22, 2005. In this regard, Council adopted the following resolution:

THAT the correspondence be received for information and referred to the Region for comment and/or action.

The above is being sent for your information.

Yours truly,

Bob Panizza
Town Clerk/Director of Corporate Services

BP/cc

CANADIAN COMMISSION FOR UNESCO

**Preliminary Proposal
Calling for a Canadian Coalition of
Municipalities Against Racism**

DRAFT – June 13/05

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ROAD MAP FOR A CANADIAN COALITION OF MUNICIPALITIES AGAINST RACISM

The Canadian Commission for UNESCO (CCU) is calling for a Canadian Coalition of Municipalities Against Racism. This draft of a Preliminary Proposal for a coalition has been prepared by a Pan-Canadian Working Group lead by CCU. It is based on UNESCO's initiative for an international coalition of cities against racism and consolidates input received to date for adapting the recently established European model for Canada.

Over the coming year, CCU and its partners will use the Preliminary Proposal to consult with municipalities across Canada asking them to comment on the Preliminary Proposal and give serious consideration to supporting the Coalition initiative. A final proposal would then call on municipalities to consider joining a Canadian Coalition by signing a Declaration agreeing to common commitments and to developing their own unique action plan for eliminating racism. Participating municipalities would develop and begin implementing their action plans and prioritized activities in consultation with their community.

UNESCO's International Coalition of Cities Against Racism

UNESCO (The United Nations Educational, Scientific and Cultural Organization) launched the International Coalition of Cities against Racism initiative in 2004 to establish a network of cities in Africa, Latin America and the Caribbean region, North America, Asia-Pacific and Europe that are interested in sharing experiences in order to improve their policies to fight racism, discrimination and xenophobia. Regional coalitions are being created with their own programme of action. In Europe, more than 20 cities are part of a European Coalition. Other cities have expressed interest in joining this coalition.

At the international level, UNESCO assists world regional coalitions with:

- Technical support such as liaison and co-ordination with world regions, documentation, dissemination of information, and
- Scientific and research support such as development of proposals for thematic discussions, organisation of panels, development of evaluation tools, etc.

CCU's Canadian Coalition of Municipalities Against Racism

CCU launched an initiative calling for a Canadian Coalition of Municipalities Against Racism at the Roundtable on Combating Urban Racism in Ottawa, January 2005. The idea of a coalition has been discussed with a number of municipalities as well as non-governmental organizations (NGOs), academics and human rights commissions. CCU's role is to outreach to local, provincial and federal governments, public institutions and NGOS; help coordinate the development of a preliminary proposal for a Canadian Coalition of Municipalities Against Racism including a draft plan of action with common

commitments; and, liaise with UNESCO Paris for co-ordination with the international initiative.

Pan-Canadian Working Group

A working group has been established connecting partners across Canada. Its role is to promote the initiative through a variety of means, including this draft proposal, facilitate forums and consultations with municipalities, stakeholder communities, institutions as well as local, provincial, territorial and federal government bodies, and seek their support to build a Canadian Coalition of Municipalities Against Racism.

Research

UNESCO sponsored a preliminary study towards developing indicators to evaluate the success of municipal policies, programs and practices to combat racism and discrimination. The study considered six cities: Boston, Montreal, Saskatoon, Stockholm, Toronto and Vancouver. Information on this study is available from CCU.

CCU will also facilitate linkages between organizations collecting data on actions undertaken by Canadian municipalities to address racism as well as link back to UNESCO's international coalition initiative. The research will evaluate the impact of the actions and results will be shared with the intention of helping to identify gaps and direction for future actions.

Defining Racial Discrimination

Racial discrimination is defined by the *International Convention on the Elimination of all Forms of Racial Discrimination* as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life".

As a doctrine, racism derives from theories and beliefs that establish a hierarchy of races or ethnic groups or base attributions of value on racial difference. Theories of racial difference are "scientifically false, morally condemnable, socially unjust and dangerous, and [...] there is no justification for racial discrimination, in theory or in practice, anywhere" (Preamble of the *International Convention on the Elimination of all Forms of Racial Discrimination*, 1965). Such theories are incompatible not just with the moral and ethical principles of humanity but also with international law which recognizes all human beings as members of one species, born equal in dignity and rights.

In its practical manifestations, racism includes "racist ideologies, prejudiced attitudes, discriminatory behaviour, structural arrangements and institutionalized practices resulting in racial inequality... it is reflected in discriminatory provisions in legislation or

regulations and discriminatory practices as well as in anti-social beliefs and acts” (Article 2 of the UNESCO Declaration on Race and Racial Prejudice of 1978).

Taking Action Against Racism and Discrimination

Racism raises barriers against the development of individuals and groups, and divides communities against each other. It is a serious threat to the peaceful coexistence and exchange between and within communities, and it imperils democracy and the participation of residents. Racism and intersecting forms of discrimination entrench and aggravate inequalities within society.

The struggle against racism is everyone’s business. It is, first and foremost, a legal and political obligation of government. It is also one of the responsibilities of citizenship incumbent upon professional bodies, trade unions, voluntary organizations and the private sector. It is a moral and ethical duty for every individual, especially opinion leaders such as political, community, and religious leaders, as well as teachers, journalists, and academics.

In view of the deep mental roots of the racial prejudice inherited from the history and persistence of discriminatory practices, the struggle against racism and discrimination is a long-term effort. It demands ongoing updating of anti-racist strategies and policies along with coordination at international, national, regional and local levels. It must be conducted on several fronts:

Prevention and positive action: raising awareness and consciousness and educating in mutual understanding and acceptance, respect of cultural diversity, intercultural dialogue, peaceful coexistence, human rights and democratic citizenship;

Monitoring and vigilance: collecting data and developing relevant indicators in order to understand the extent and impact of racism in our communities, and the impact of policies and programmes against racism;

Empowerment: support for those who experience racism and those involved in the struggle against racism, in affirming, organizing and defending themselves;

Mediation: arbitration, explanation, awareness raising and reconciliation;

Enforcement: reinforcing administrative and judicial mechanisms to combat racism.

Involving Municipal Governments and Civil Society

Municipalities function at a practical level and are most involved in the lives of their residents and civil society organizations, making them an ideal space within which to breath life into domestic and international human rights instruments and take action against racism and discrimination. By developing policies and implementing innovative initiatives to address racism, municipalities are well positioned to build inclusive and respectful societies where everyone has an equal opportunity to participate in the economic, social, cultural, recreational, and political life of the municipality.

Other local government and non-government institutions, such as the education sector, housing authorities and policing services, as well as business, cultural and other

community organizations, and media, also have and an important role to play in a coalition of municipalities against racism and discrimination.

By joining in a coalition, municipalities, and their local institutions and civil society organizations, can benefit from exchanging expertise and practices, developing common actions for addressing racism as well as common measures of success.

Municipal governments are invited to:

- Contact the Canadian Commission for UNESCO to learn more about the Coalition
- Discuss the benefits of joining the coalition within the municipality and with stakeholder groups
- Write a letter from the Mayor to the Canadian Commission for UNESCO expressing the municipality's interest in joining the Canadian Coalition of Municipalities against Racism
- Identify a staff liaison for the development and promotion of the initiative
- Discuss at municipal council this draft proposal for a Canadian Coalition of Municipalities, the Draft Plan of Action against Racism, and draft Declaration
- Participate in the monitoring and evaluation component of the initiative
- Encourage other municipal governments to join the coalition
- Consider signing a final Declaration agreeing to common commitments, and to developing and implementing their own unique plan of action, and
- Report on progress made in implementing the plan of action

While the focus of a coalition is on municipalities, other communities, small and large, both rural and urban, who are working against racism, are also encouraged to become involved.

Implementation and Follow-up

The Plan of Action is intended to be adaptable to the unique circumstances of participating municipalities across different regions of Canada.

Upon signing the Declaration agreeing to common commitments, each municipality would then develop and implement, in consultation with their communities, its own unique Plan of Action against racism setting out particular priorities, activities and timelines for achieving the objectives under each commitment. The development of activities would be guided by the example actions listed in the Proposal. A Plan of Action might start by highlighting many of the anti-racism and anti-discrimination initiatives that are already underway in a community.

Municipalities would take a participatory approach and establish a formal stakeholder advisory mechanism or draw on existing ones to help develop, implement and evaluate their plan of action. Municipalities would also participate in the identification of common

indicators to measure implementation and monitor realization of the objectives. In addition, municipalities would benefit from coalition-wide initiatives in Canada and internationally, such as academic research on indicators and benchmarks, as well as share resources and exchange experiences at coalition forums.

DRAFT PLAN OF ACTION AGAINST RACISM

In undertaking these Commitments and in developing unique plans of action for addressing racism and discrimination, municipalities will have regard for the United Nations' resolution that:

"Aboriginal peoples should always be consulted in advance and actively participate in the design and execution of any development program or project in their territories or which may affect their living conditions..."¹

COMMITMENT 1: Greater vigilance against systemic and individual racism and discrimination

Objectives:

To set up and/or reinforce a monitoring, vigilance and solidarity network against racism at the municipal level.

Examples of action:

- a) Support or establish, in collaboration with community organizations, a monitoring and rapid response system to identify and respond to acts of racism, hate crimes and incidents, including bringing such incidents to the attention of the appropriate authorities.
- b) Put racism and discrimination on the agenda of various municipal consultation and cooperation groups that exist within the municipality (e.g., youth commissions, intercultural relations boards, various committees).
- c) Establish an interagency group of knowledgeable employees, representing agencies with potential responsibility for resolving such conflicts (police, schools, youth workers, Aboriginal liaison workers, social workers, NGOs, etc.), with responsibility for coordinating actions at an early stage when hate crimes or group conflicts arise.
- d) Provide training on recognizing, reporting and responding to hate crimes and conflict management to employees from relevant agencies and institutions.
- e) Work in concert with other levels of government and other organizations on strategies to combat hate/bias.
- f) Report regularly on the incidence of hate crimes.
- g) Formulate a vision statement and / or policy that would
 - Acknowledge the existence of racism and discrimination and the historical and ongoing disadvantage faced by some groups and individuals in the community;
 - Recognize domestic human rights charters and legislation, policies, and case law, as well as international conventions; and,

¹ United Nations E/CN.4/2005/88/Add.3 Rodolfo Stavenhagen

- Affirm commitment to take steps to promote and protect human rights.
- h) Establish a pool of experts (researchers and practitioners, including those from Aboriginal and racialized communities) with relevant competence to provide the local community with advice and carry out analyses of incidents of hate or racism.
- i) Support or establish a mechanism for consultation with groups and individuals involved in the fight against racism and discrimination (e.g. NGOs, Aboriginal organizations, youth, artists, police services, the judiciary, provincial and territorial human rights commissions *etc.*)
- j) Develop and implement an alternative dispute resolution mechanism in the municipal structure to address grievances related to human rights and discrimination.

COMMITMENT 2: Broadening accountability and monitoring racism and discrimination in the municipality and monitoring municipal actions taken to address racism and discrimination

Objectives:

To demonstrate transparency and accountability in all sectors of municipal life where racism and discrimination may occur.

To initiate or facilitate appropriate collection and use of data on hate activities, racism and discrimination.

To set common indicators in order to assess the impact of municipal policies and programs.

To establish achievable objectives for the reduction of racism and discrimination.

Examples of action:

- a) Set up formal means of collecting data and information on racism and discrimination in all fields of municipal endeavour, and share results in a manner that advances human rights.
- b) Define achievable objectives and apply common indicators in order to assess incidents and trends in racism and discrimination (including profiling) and the impact of municipal policies and programs.
- c) Initiate and maintain an on-going dialogue between researchers, policy makers and community advocates for the purpose of promoting research on the impact of racism and the effectiveness of actions taken to address racism as well as making recommendations for further municipal action.
- d) Involve representatives of Aboriginal and racialized communities in developing methodology for collection, analysis and reporting of data (e.g. on hate crimes, on police contacts, on representation on decision-making and executive bodies (such as municipal council) or in the municipal workforce (at all levels).

COMMITMENT 3: Increased support for people who experience racism and discrimination

Objectives:

Support those who experience racism and discrimination to exercise and defend their rights including access to remedies (counselling, monitoring, access to human rights commission, etc.) and preventive measures to counter racism and discrimination.

Examples of action:

- a) Establish or enhance an existing complaints mechanism within municipal authority (ombudsperson, anti-discrimination unit, etc.) to deal with allegations of systemic and individual acts of racism and discrimination.
- b) Create a directory of Aboriginal and racialized community leaders who are recognized and respected as trainers/facilitators on cultural awareness and promotion of healthy relationships
- c) Provide support to local entities which provide legal and psychological support to those who experience racism and discrimination.
- d) Establish or enhance policies and measures for responding to systemic and individual acts of racism, including policy, program and procedural changes, remedial and disciplinary measures, education and training.

COMMITMENT 4: Inform and involve all residents in anti-racism initiatives and decision-making

Objectives:

To ensure, by using a participatory approach, that municipal dwellers are informed about their rights and obligations, protections as well as legal options and penalties for racist acts or behaviour.

To reinforce the representation of Aboriginal and racialized communities in local decision-making entities.

Examples of actions:

- a) Increase representatives of Aboriginal and racialized communities on municipal boards, commissions and committees.
- b) Organize, on a regular basis, municipal forums against racism, in collaboration with existing organizations and mechanisms, in order to offer citizens an opportunity to discuss the problems of racism and discrimination in the municipality, including impact of local policies and programs.
- c) Empower local NGOs and civil society to provide information and take action against racism and discrimination.
- d) Make available resource and contact information to those who experience racism or discrimination.
- e) Promote year-round anti-racism activities and commemorate significant dates such as March 21 (International Day for the Elimination of Racial Discrimination),

June 21 (Aboriginal Awareness Day), December 10 (International Human Rights Day) with initiatives to increase awareness and mobilization.

- f) Support community organizations, businesses and the public sector in developing initiatives to combat racism and discrimination and support full inclusion and participation of all residents.
- g) Implement a positive course of action in local decision-making entities intended to improve the representation of Aboriginal and racialized communities.
- h) Disseminate widely information on the rights and obligations of a multiethnic and multicultural society, on the municipality's anti-racism commitments, as well as remedies and penalties for racist acts and behaviour

COMMITMENT 5: Support measures to promote equity in the labour market

Objectives:

To provide support for the full participation of Aboriginal and racialized communities in the municipality's economic life.

Examples of actions:

- a) Require organizations requesting grant support or wishing to do business with the municipality to actively demonstrate their commitment to diversity and inclusion.
- b) Support dialogue and consultation with all levels of government to develop an integrated approach to immigration, refugee and diversity issues as they impact on urban policy issues.
- c) Employ the existing powers of the municipality as a purchaser of goods and services through the inclusion of non-discrimination clauses in local contracts.
- d) Set up in partnership with local chambers of commerce a certification program for businesses, organizations and professional bodies to integrate mechanisms in their own organizations for combating racism and building inclusive and respectful workplaces.
- e) Support, in association with professional bodies, employee associations and trade unions the development of relevant learning and development programmes aimed at enabling employees to deliver culturally sensitive and appropriate services.
- f) Make business licences conditional on non-discriminatory practices to audit the organization to ensure equity.
- g) Develop policies and practices regarding foreign credentials, thus allowing more immigrants employment opportunities.
- h) Monitor and analyze the impact of federal and provincial or territorial legislation and policies that affect diverse communities within the municipality.
- i) Set up a partnership with businesses that support municipal efforts to combat racism and discrimination.

COMMITMENT 6: The municipality as an equal opportunities employer, service provider and contractor

Objectives:

To promote, implement and enforce anti-racism strategies including inclusive and non-discriminatory policies and practices within the organization.

To ensure equitable access to opportunity as an employer and service provider

Examples of actions:

- a) Ensure that equity and the elimination of racism and discrimination are examined and addressed at a systemic level in all aspects of the municipality's operations including corporate planning, policy and program development, procedures and practices, service delivery, contracting, as well as organizational culture.
- b) Perform regular diversity audits to inform the development of appropriate policies and practices in the areas of employment, services and contracts, and measure progress toward diversity outcomes.
- c) Identify the learning and development needs of municipal employees, in partnership with unions, and implement training and upgrading modules in order to enhance their ability to manage ethnic and cultural diversity, promote intercultural dialogue, develop competence in antidiscriminatory practice and acquire the necessary skills in order to provide culturally sensitive and appropriate services.
- d) Review and improve the representation of Aboriginal and racialized communities among municipal staff, including at senior management levels.
- e) Set up a special scholarship and training program for youth from Aboriginal and racialized communities to help increase their representation in the municipal workforce.
- f) Implement an impact and needs assessment when developing any new initiative to ensure it supports the outcomes of full inclusion and access, without discrimination.
- g) Develop a comprehensive set of equity and access policies and appropriate complaint procedures in relation to anti-racism, hate and bias activities, human rights, workplace harassment, access to services, provision of service in multiple languages and formats.
- h) Monitor, train and develop employees to achieve this objective.

COMMITMENT 7: Challenge racism and discrimination in housing and implement measures to promote diversity and equal opportunity

Objectives:

To strengthen policies against housing discrimination and promote effective urban planning within the municipality

Examples of actions:

- a) The Municipality investigate ways to encourage equity policies, such as providing public recognition of equal opportunity policies and other incentives and providing research to show that such policies will not impose extra costs on landlords.
- b) Examine housing and urban planning practices, policies and plans and address systemic barriers that have an adverse and discriminatory effect on Aboriginal and racialized communities, including the further marginalization of those who are homeless or at risk of homelessness
- c) Work with tourist associations, bed and breakfast associations and hoteliers associations to draw up a Code of Practice for public and private bodies involved in renting and selling accommodation to combat discrimination in access to housing.
- d) Work with housing providers, landlords and service organizations to adopt equitable policies (including developing a code of conduct) with respect to qualifying applicants and selecting tenants for market rent units consistent with human rights principles.
- e) Work with other levels of government on immigration and diversity-related initiatives related to housing, including social housing.
- f) Work with financial institutions, including banks to examine their banking policies and procedures to ensure there is no discriminatory effect on Aboriginal and racialized communities.
- g) Municipal Mayor meets with landlords to promote the adoption of an "equity policy" by the municipality's landlords.
- h) Encourage homeowners, landlords, real estate agents and financial institutions to commit to a municipal anti-discrimination code of practice.
- i) Establish or support advisory services responsible for assisting and supporting residents from Aboriginal and racialized communities in seeking accommodation in both the public and private sectors.

COMMITMENT 8: Challenge racism and discrimination in the education sector, as well as through broader forms of learning, and implement measures to promote diversity and equal opportunity

Objectives:

To develop and strengthen partnerships that support measures against racism and discrimination with respect to access to education and other forms of learning.

To promote opportunities to dialogue, learn and work together towards mobilizing against racism and discrimination, and creating a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community

Examples of actions:

- a) Create a program to recognize schools for their anti-racist and anti-discrimination initiatives.
- b) Use public education and outreach to promote understanding between different cultures, and address racism and discrimination.
- c) Encourage the development of teaching materials on human rights, respect for human dignity, peaceful coexistence and intercultural dialogue that can contribute to enhancement of the ability of pupils, teachers and trainers to operate in a pluralistic environment free from racism and discrimination.
- d) Sensitize and train elected officials and government employees on education that takes into account mutual respect, citizenship, human rights and the fight against racism.
- e) Develop awareness, information and intervention tools on mutual respect, citizenship, human rights and the fight against racism.
- f) Promote cross-community efforts, in conjunction with partners, to fight against inequality, racism and discrimination ("intercultural harmony committees," "community school," etc.).
- g) Support the development of anti-discrimination policies among educational institutions to combat racism and discrimination in access to education and schools.
- h) Develop programs that promote equitable access to education.

COMMITMENT 9: Promote respect, understanding and appreciation of cultural diversity and the inclusion of Aboriginal and racialized communities into the cultural fabric of the municipality

Objectives:

To ensure the preservation, diffusion and appreciation for the diverse range of cultural expression and heritage of municipal dwellers, in particular those from Aboriginal and racialized communities.

To create a social, cultural and economic environment that will enable all residents not only to enjoy the benefit of culture but also to take an active part in overall cultural life and in the process of cultural development

Examples of actions:

- a) Provide equitable support to cultural projects programmes, events and infrastructure so that the diversity of the community can be expressed in a fair and representative way.
- b) Take actions to encourage and safeguard the community's linguistic diversity by supporting expression, creation and dissemination in a diversity of languages that represent the cultural pluralism of the community.
- c) Support initiatives that increase the expertise and capacity within multicultural, racial and ethnocultural organizations to effect change in their own organizations,

other organizations and their communities that will enable their members to participate fully in society.

- d) Support and encourage initiatives to overcome barriers that limit members of the ethnocultural, multicultural and racial communities from participating as equal partners in the community.
- e) Support initiatives that promote greater intercultural understanding, positive intercultural relationships and greater acceptance of diversity.
- f) Name places (streets, squares, monuments, neighbourhoods) and/or to commemorate events specifically relevant to groups experiencing discrimination, in order to recognize their contributions and to integrate them into the memory and collective identity of the municipality.

COMMITMENT 10: Challenge racism and discrimination in policing services and implement measures to promote diversity and equal opportunity in policing

Objectives:

To implement effective policies and practices to prevent and respond to racism and discrimination in policing services;

To promote accountability of, and public confidence in, policing services;

To ensure that policing organizations represent the diversity of the populations that they serve

Examples of actions:

- a) Consult with local communities to determine community concerns and to receive their input on measures that are required to respond to these concerns.
- b) Establish or enhance, if already in existence, a comprehensive anti-racism and anti-discrimination vision statement and policy for policing organizations.
- c) Establish or enhance mechanisms for ongoing monitoring of the effects of police activities on Aboriginal and racialized communities, including through the collection and analysis of appropriate data.
- d) Review and update all policies, procedures, practices, codes of ethics, *etc.* to ensure that they are consistent with human rights legislation, case law and policy, anti-racism and anti-discrimination principles.
- e) Undertake organizational change initiatives, corrective measures or outreach initiatives to address inequity or disadvantage.
- f) Implement programs to ensure appropriate representation of Aboriginal and racialized groups in recruitment and at all levels of policing organizations.
- g) Implement or enhance training of all persons engaged in law enforcement in human rights, anti-racism and anti-discrimination, *etc.* and ensure that the training is effective, appropriate and timely.
- h) Adopt specific programmes and policies to address issues of concern to Aboriginal and racialized communities, and other historically disadvantaged

groups (e.g. against racial profiling and racially biased policing, hate crimes and to ensure accommodation of persons with disabilities).

- i) Ensure an independent, effective and accessible complaint procedure.
- j) Monitor the effectiveness of the various measures undertaken to fulfil this commitment.

DRAFT DECLARATION

The undersigned municipality...

Concerned by the prevalence of racism and discrimination in Canadian communities;

Concerned that racism and discrimination against Aboriginal persons, in the past centuries as well as in current times, continue to marginalize Aboriginal persons from the full and equal enjoyment of human rights and fundamental freedoms in the political, economic, social, cultural field of life;

Whereas it is vital for elected officials to continually promote the fundamental Canadian values of equality, dignity, respect and multiculturalism and to denounce racism, anti-Semitism, intolerance and hate;

Convinced that racist and discriminatory ideologies, attitudes and acts that target certain categories of citizens or residents constitute a serious threat to equality, mutual respect, peace, security and social cohesion in the municipality;

Aware of the responsibility incumbent upon municipalities to provide to all their residents, without discrimination on the grounds of race, colour, descent or national or ethnic origin, the conditions in which they can flourish, while acknowledging and respecting the freedom, equality, dignity and rights of all;

Convinced that the struggle against racism and discrimination in Canadian municipalities is among the duties of authorities with a view to guaranteeing mutual respect and promoting equality among dwellers and of citizenship that respects the diversity from which springs the wealth of modern societies;

Confident that only with the active participation of all residents in policy definition, implementation and evaluation can action against racism attain the scope and effectiveness it demands;

Resolved to draw the lessons from past experience in action against racism and to exchange expertise and best practice with a view to improving policies;

Recognizing that in the increasingly diverse and multiethnic municipalities, promoting equality and counteracting discrimination is a cornerstone in the development of sustainable and cohesive democratic and culturally diverse municipalities;

Have agreed to adopt this Ten-Point Plan of Action in order to give practical expression to their commitment to combat racism and discrimination.

This Plan of Action will make it possible for the partner municipalities, *inter alia*, to set priorities in their struggle against racism and discrimination, to rationalise and optimise their policies and to reinforce their cooperation in this area.

The undersigned municipalities undertake to integrate this Plan of Action in their municipal strategies and policies and to involve in its implementation the various actors within civil society, especially the targets of discrimination.

The Plan of Action comprises ten commitments covering the various areas of competence of municipal authorities and suggests some examples of actions that authorities might consider with a view to fulfilling each of the commitments.

The commitments and example actions set out in this Plan of Action make up a minimum programme which in no way precludes other action in this area by municipal authorities.

The Plan of Action will be amended and expanded as appropriate in light of assessment of its implementation through the mechanisms provided for in this respect.

APPENDIX: INTERNATIONAL AND DOMESTIC LEGAL FRAMEWORK IN THE FIGHT AGAINST RACISM AND DISCRIMINATION

At International Level

Among the goals stated in the *Charter of the United Nations* (1945) is to “achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion” (article 1.3);

The *Universal Declaration of Human Rights* (1948) stipulates that “all human beings are born free and equal in dignity and rights” (article 1) and that “everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (article 2);

The *United Nations Declaration on the Elimination of All Forms of Racial Discrimination* (1963) specifies that “discrimination between human beings on the ground of race, colour or ethnic origin is an offence to human dignity and shall be condemned as a denial of the principles of the Charter of the United Nations, as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights, as an obstacle to friendly and peaceful relations among nations and as a fact capable of disturbing peace and security among peoples” (article 1);

The *International Covenant on Civil and Political Rights* (1966) specifies that:

- “Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (article 2.1);
- “Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law” (article 20.2);
- “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (article 26);

The *International Covenant on Economic, Social and Cultural Rights* (1966) similarly contains provisions that prohibit any form of discrimination, notably discrimination related to race, colour or national/ethnic origin;

The *International Convention on the Elimination of All Forms of Racial Discrimination* (1975) defines racial discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life” (article 1), affirms that, among other things, “any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous” and requires States to “pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races,” and in particular to “engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation” and to “prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization”;

The case law of the Committee on the Elimination of Racial Discrimination, in terms of both individual communications and final observations toward the periodic reports from States is consistent in its fight against discrimination;

The *Declaration and the Programme of Action* released by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban in September 2001, appeals to the responsibility of various levels of State governments (federal and local) to combat racism and state that “the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation” (par. 116 of the Declaration);

The reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and the Special Rapporteur on the situation of human rights and fundamental liberties of Aboriginal peoples, which denounce and document numerous situations of racism and discrimination, are important;

At National Level

The *Canadian Charter of Rights and Freedoms* stipulates: “Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability” (section 15.1);

Under the *Canadian Human Rights Act*, “all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and

obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted”;

The *Citizenship Act* provides that all Canadians, whether by birth or by choice, enjoy equal status, are entitled to the same rights, powers and privileges and are subject to the same obligations, duties and liabilities;

The *Canadian Multiculturalism Act* provides that “Government of Canada recognizes the diversity of Canadians as regards race, national or ethnic origin, colour and religion as a fundamental characteristic of Canadian society and is committed to a policy of multiculturalism designed to preserve and enhance the multicultural heritage of Canadians while working to achieve the equality of all Canadians in the economic, social, cultural and political life of Canada” (Preamble), affirms that multiculturalism “reflects the cultural and racial diversity of Canadian society and acknowledges the freedom of all members of Canadian society to preserve, enhance and share their cultural heritage” (section 3(1)(a)) and that it represents “a fundamental characteristic of the Canadian heritage and identity and that it provides an invaluable resource in the shaping of Canada’s future” (section 3(1)(b));

The recent *Canada’s Action Plan against Racism* encapsulates a six-point approach:

1. Assist victims and groups vulnerable to racism and related forms of discrimination
2. Develop forward-looking approaches to promote diversity and combat racism
3. Strengthen the role of civil society
4. Strengthen regional and international cooperation
5. Educate children and youth on diversity and antiracism
6. Counter hate and bias

and under which, through an initiative called “Our Diverse Cities,” a number of departments (Citizenship and Immigration Canada, Canadian Heritage, the National Secretariat on Homelessness, the Royal Canadian Mounted Police and Infrastructures Canada) are working with the Federation of Canadian Municipalities to explore diversity and immigration needs in urban policy-making and cooperation with civil society;

The *Urban Aboriginal Strategy*, introduced in 1998 under the aegis of the Department of Indian Affairs and Northern Development, addresses, in partnership with stakeholders, the serious socio-economic needs of urban Aboriginal people and to improve policy development and program coordination at the federal and provincial level in order to reduce the level of disparity that urban Aboriginal people currently face and to offer these people better government programs that meet their local need and priorities;

At Provincial Level

Provincial and territorial human rights codes are premised on the principle that all human beings are equal in worth and dignity, and are entitled to equal protection of the law, as well as that every person has a right to full and equal recognition and exercise of his or her human rights and freedoms, without distinction, exclusion or preference based on some or all of the following: race, colour, ancestry, ethnic origin, sex, pregnancy, sexual orientation, civil, marital or family status, age, religion, political belief, language, ethnic or national origin, social condition, or disability. Discrimination exists where such a distinction, exclusion or preference has the effect of nullifying or impairing such rights, and human rights codes prohibit discrimination and harassment;

For example in Quebec:

- The *Declaration by the Government of Québec on Ethnic and Race Relations* (1986) points out that “full and complete acceptance by Québec of international agreements and pacts on human rights, especially the International Convention on the Elimination of All Forms of Racial Discrimination, ratified by the Government of Québec on May 10, 1978, which proclaim, among other things, that any doctrine of superiority based on racial differentiation is scientifically false, morally reprehensible and socially unjust and dangerous” and states, among other things: “The Government of Québec categorically censures all forms of racism and racial discrimination. (. . .) The Government of Québec resolves to see that all its departments and agencies comply with the Québec Charter of Human Rights and Freedoms. (. . .) The Government of Québec will see that every person’s right to equality is respected as regards work, housing, health, social and educational services and other services offered to the public and access to public places, without discrimination as the race, colour, religion, ethnic or national origin”;
- This historical commitment to democratic citizenship, civic and intercultural relations and to the struggle against racism and discrimination, was reinforced by the Government of Québec’s policy statement on immigration and integration (1990) and by the work of the Conseil des relations interculturelles du Québec;
- The National Assembly of Québec passed resolutions, on 20 March 1985 and 30 May 1989, on the recognition of 10 Aboriginal nations (Abenaki, Algonquin, Attikamek, Cree, Huron, Micmac, Mohawk, Montagnais, Naskapi and Malecite) and of the Inuit people of Québec;
- The Government of Québec has established a nation-to-nation relationship with the Aboriginal peoples of Quebec, including the Cree (the so-called “Paix des Braves Agreement” in 2002) and the Inuit (Agreement-in-principle of a general nature, 2004), which has opened a new stage in the recognition of Aboriginal rights and in collaboration based on dialogue and mutual respect;