

Clause embodied in Report No. 18 of the Administration Committee, as adopted by the Council of the City of Toronto at its meeting held on December 4, 5 and 6, 2001.

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**Further Report Regarding the Study
on Ethno-Racial Inequality in
Toronto (Ornstein Study)**

(City Council on December 4, 5 and 6, 2001, amended this Clause by adding thereto the following:

“It is further recommended that Recommendation No. (2) of the Committee on Lesbian, Gay, Bisexual and Transgendered Issues, as embodied in the communication dated November 28, 2001, from the City Clerk, be adopted, viz.:

‘The Committee on Lesbian, Gay, Bisexual and Transgendered Issues recommends:

- (2) *the adoption of the report dated November 19, 2001, from Councillor Pam McConnell, respecting the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance; and the development of the City’s Plan of Action for the elimination of racism and related intolerance, embodying the following recommendations:*

“It is recommended that the City of Toronto Community Advisory Committees on access, equity and human rights consider the UN WCAR Declaration and Program of Action, and:

- (a) *provide their comments on this document to the Diversity Advocate, City Council and the Chief Administrative Officer during the development of the City’s Plan of Action for the elimination of racism and related intolerance; and*
- (b) *forward the report to Council, recognizing the City’s contribution to the UN WCAR, and requesting that Council approve the report on the Delegation to the UN WCAR.” ’ ”)*

The Administration Committee recommends:

- (A) **the adoption of the report (November 9, 2001) from the Acting Chief Administrative Officer subject to:**

- (i) **amending Recommendation No. (1) by adding after the words “program that” the words “have an impact on and”, so that such Recommendation shall now read as follows:**

“(1) departments be asked to identify the impact of changes in services and programs that have an impact on and serve vulnerable communities identified by the Ornstein Study during the 2002 budget discussions;”;

- (ii) **amending Recommendation No. (2) by adding to Recommendation No. (4) of the Race and Ethnic Relations Committee embodied in the communication (November 9, 2001) from the City Clerk the following words “and interested media be requested to participate”, so that such Recommendation shall now read as follows:**

“(4) that the City’s awareness and communications programs include holding a Diversity Day, special events, bus shelters and other posters, participation in civic festivals and trade shows and interested media be requested to participate;”;

- (iii) **amending Recommendation No. (3) by adding thereto the following words “and to support the Council Reference Group”, so that such Recommendation shall now read as follows:**

“(3) the Chief Administrative Office establish an intergovernmental process at the staff level to address ethno-racial inequality and other related intolerances as part of the City’s Plan of Action and to support the Council Reference Group;”

so that the Recommendations embodied in the aforementioned report (November 9, 2001) from the Chief Administrative Officer now read as follows:

“(1) departments be asked to identify the impact of changes in services and programs that have an impact on and serve vulnerable communities identified by the Ornstein Study during the 2002 budget discussions;”;

(2) the recommendations (as amended by the Administration Committee) arising from the meeting held on November 6, 2001 by the Community Advisory Committee on Race and Ethnic Relations be endorsed for inclusion in the City’s proposed Plan of Action for the Elimination of Racism and Related Intolerances; and

- (3) the Chief Administrative Office establish an intergovernmental process at the staff level to address ethno-racial inequality and other related intolerances as part of the City's Plan of Action and to support the Council Reference Group;**
- (4) the appropriate City officials be directed to take the necessary action to give effect thereto;" and**

the Recommendations of the Ethnic and Race Relations Committee embodied in the communication (November 9, 2001) from the City Clerk, now read as follows:

- “(1) That the City of Toronto continue its leadership role in building a society that respects and values the diversity among the peoples of the City of Toronto;**
- (2) that this leadership role be acted upon through the implementation of the recommendations of the Task Force on Community Access and Equity and the implementation of a public awareness and communications program regarding the value of diversity, which is currently within the mandate of the Diversity Advocate;**
- (3) that the Mayor and the Diversity Advocate prepare a joint report card on the state of diversity in the City of Toronto;**
- (4) that the City's awareness and communications programs include holding a Diversity Day, special events, bus shelters and other posters, participation in civic festivals and trade shows and interested media be requested to participate;**
- (5) that the City host an annual multi-sectoral conference which includes workshops and presentations on “best practices” in diversity management and which provides networking opportunities for all sectors;**
- (6) that the City's staff development and management training programs identify workplace diversity competencies in staff training and development programs;**
- (7) that the City's equity, human rights and diversity policies and requirements for grant recipients and suppliers of goods and services be explicitly outlined in all contract and other documents;**
- (8) that the CAO be requested to establish a reference group, including Members of Council and Council Chairs of the Community Advisory Committees, to help develop and monitor the implementation of action plans which respond to the priority issues identified by the access and equity advisory committee's regarding housing, public transit, employment, youth leadership programs, poverty reduction, and transportation among others;**

- (9) that as part of their 2002 budget submissions all departments be requested to outline how the findings of the Ornstein Study have been addressed in departmental service plans;**
 - (10) that City Council reiterate its request to the Province of Ontario to reinstate employment equity policies, programs and legislation;**
 - (11) that City Council reiterate its request to the Province of Ontario to reintroduce anti-racist and anti-violence education within the curricula as well as the former anti-racism directorate;**
 - (12) that the Ornstein Study be forwarded to the Boards of Education in the City of Toronto to consider the implications of the Study in program delivery;**
 - (13) that a similar Study be commissioned by the City using 2001 Census data and that the Study be expanded to include issues being addressed by the access and equity Community Advisory Committees and Working Groups; and**
 - (14) that the results of the Employment Equity Survey being prepared by Human Resources be broken down by level of employment and occupational groups.”**
- (B) that the Diversity Advocate and the Chief Administrative Officer be requested to convene a meeting with local community groups and agencies to provide input into the preparation of the City’s Action Plan; and**
- (C) this matter be referred to the Toronto Housing Company for review and comment to the Race and Ethnic Relations Committee.**

The Administration Committee submits the following report (November 9, 2001) from the Chief Administrative Officer:

Purpose:

To advise on the recommendations arising from the Community Advisory Committee on Race and Ethnic Relations consideration of the findings of the Study on Ethno-Racial Inequality in Toronto (Ornstein Study) and to respond to the request of the Administration Committee on how these recommendations might be considered during the 2002 service delivery and budget planning process.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that:

- (1) departments be asked to identify the impact of changes in services and programs that serve vulnerable communities identified by the Ornstein Study during the 2002 budget discussions;
- (2) the recommendations arising from the meeting held on November 6, 2001, by the Community Advisory Committee on Race and Ethnic Relations be endorsed for inclusion in the City's proposed Plan of Action for the Elimination of Racism and Related Intolerances;
- (3) the Chief Administrative Office establish an intergovernmental process at the staff level to address ethno-racial inequality and other related intolerances as part of the City's Plan of Action; and
- (4) the appropriate City officials be directed to take the necessary action to give effect thereto.

Background:

On October 16, 2001, the Administration Committee heard depositions from a variety of community organizations regarding the findings of the City commissioned study on Ethno-racial inequality in Toronto. The Administration Committee also had before it a Status Report (October 12, 2001) from the Acting Chief Administrative Officer which noted that the Study has been widely circulated, and that Departments were requested to use its findings in planning programs and services. The Status Report also outlined the consultation process and timeline for preparing the City's Plan of Action for the Elimination of Racism and other Related Intolerances for submission to Council by March 2002.

The Administration Committee requested the Chief Administrative Officer to review the communications and concerns presented to the Committee regarding the findings of the Study and to report further to the Administration Committee on the foregoing and to address the recommendations from the Race and Ethnic Relations Committee for inclusion in the City's 2002 Service Delivery and Planning process.

Comments:

The Status Report (October 12, 2001) noted the following Study findings:

- (i) in 1996, the adult unemployment rate for persons of European origin was under seven per cent, compared to those of non-European origin of 12.5 per cent;
- (ii) the overall unemployment rates for Ethiopians, Ghanians, and Somalis were 24, 45 and 24 percent respectively;

- (iii) persons from Sri Lanka, Pakistan, Vietnam and Latin America have unemployment rates that are two to three times greater than average;
- (iv) 14 per cent of European-origin families live below the LICO (Low Income Cut Off) compared to 32 per cent for Aboriginals, 35 per cent for South Asians, 45 per cent for Africans, Blacks and Caribbeans, and 45 per cent for those of Arab and West Asian origin;
- (v) Toronto residents of Ethiopian, Ghanian and Somali origin live below the poverty line at rates of 70, 87 and 62 per cent;
- (vi) the family poverty rate of all non-European groups is more than twice that of European groups;
- (vii) the unemployment rate for youth (15-24 years) is 19.6 per cent compared to 38 per cent for African and Black youth.

Earlier this year, these findings as well as the findings of similar studies were reported to Council who directed that a City of Toronto Plan of Action for the Elimination of Racism and Related Intolerances be prepared and that City Council's Advisory Committees on Access, Equity and Human Rights be consulted. (Clause No. 9 of Report No. 4 of The Policy and Finance, April 23-May 2, 2001).

The City has previously noted that many of the inequalities identified by the study requires action by all sectors and all orders of government. As a result City Council has called upon other orders of government to address these issues, and in particular requested the Government of Canada to establish a national urban policy that results in social inclusion and the elimination of racism and for intergovernmental initiatives to respond to these issues. It is becoming increasingly obvious that the City of Toronto must initiate these intergovernmental discussions. Therefore, it is recommended that the Chief Administrative Officer establish an intergovernmental process at the City staff level to address ethno-racial inequality and related intolerance as part of the City's Plan of Action.

With respect to the recommendations arising from the meeting held on November 6, 2001 by the Community Advisory Committee on Race and Ethnic Relations, these recommendations are consistent with those of the Task Force on Community Access and Equity and the direction given by Council for the preparation of a City of Toronto Plan of Action.

The recommendations from the Race and Ethnic Relations Advisory Committee and the findings of the Ornstein Study are also being considered by other Community Advisory Committees and will be further discussed at the Diversity Advocate's next joint meeting with all of the Advisory Committees: Aboriginal Affairs, Disability Issues, Status of Women and Lesbian, Gay Bi-sexual Transgender Issues. It is recommended that these recommendations be endorsed for inclusion in the City's Plan of Action, scheduled for submission to Council in March 2002.

The community organizations who attended the Administration Committee meeting on October 16, 2001, specifically requested that the findings of the Ornstein Study be considered by Departments in the preparation of their budget submissions for 2002. As indicated in the Status Report, the Study was circulated to City Departments with the request that its findings be used for priority setting and program planning. City Departments have already submitted their basic budget proposals. However, during the consideration of budgets and the development of any options for program changes, the findings of the Study can be utilised to determine the impact upon the vulnerable communities identified by the Study.

Conclusions:

The findings of the City commissioned Study on Ethno-Racial Inequality in the City of Toronto have been very important in identifying issues which require intervention in order to build a city which is inclusive of its diverse communities. These interventions are required by all orders of government and within all sectors. The City's leadership role on these matters is required for action to be taken.

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The Administration Committee submits the following communication (November 9, 2001) from the City Clerk, Race and Ethnic Relations Committee:

Recommendations:

The Race and Ethnic Relations Committee recommends that the following motions be referred to the Chief Administrative Officer for inclusion into the City Plan of Action for the Elimination of Racism:

- “(1) that the City of Toronto continue its leadership role in building a society that respects and values the diversity among the peoples of the City of Toronto;
- (2) that this leadership role be acted upon through the implementation of the recommendations of the Task Force on Community Access and Equity and the implementation of a public awareness and communications program regarding the value of diversity, which is currently within the mandate of the Diversity Advocate;
- (3) that the Mayor and the Diversity Advocate prepare a joint report card on the state of diversity in the City of Toronto;
- (4) that the City's awareness and communications programs include holding a Diversity Day, special events, bus shelters and other posters, participation in civic festivals and trade shows;

- (5) that the City host an annual multi-sectoral conference which includes workshops and presentations on “best practices” in diversity management and which provides networking opportunities for all sectors;
- (6) that the City’s staff development and management training programs identify workplace diversity competencies in staff training and development programs;
- (7) that the City’s equity, human rights and diversity policies and requirements for grant recipients and suppliers of goods and services be explicitly outlined in all contract and other documents;
- (8) that the CAO be requested to establish a reference group, including Members of Council and Council Chairs of the Community Advisory Committees, to help develop and monitor the implementation of action plans which respond to the priority issues identified by the access and equity advisory committee’s regarding housing, public transit, employment, youth leadership programs, poverty reduction, and transportation among others;
- (9) that as part of their 2002 budget submissions all departments be requested to outline how the findings of the Ornstein Study have been addressed in departmental service plans;
- (10) that City Council reiterate its request to the Province of Ontario to reinstate employment equity policies, programs and legislation;
- (11) that City Council reiterate its request to the Province of Ontario to reintroduce anti-racist and anti-violence education within the curricula as well as the former anti-racism directorate;
- (12) that the Ornstein Study be forwarded to the Boards of Education in the City of Toronto to consider the implications of the Study in program delivery;
- (13) that a similar Study be commissioned by the City using 2001 Census data and that the Study be expanded to include issues being addressed by the access and equity Community Advisory Committees and Working Groups; and
- (14) that the results of the Employment Equity Survey being prepared by Human Resources be broken down by level of employment and occupational groups.”

The Committee reports, for the information of the Administration Committee, having referred the following motion to the Cluster Work Group formed to plan for the meeting with the Mayor:

“That the Mayor be requested to ask each Member of Council to undertake activities in their respective wards to promote the City’s leadership role on diversity issues.”

Background:

At its meeting on November 6, 2001, the Race and Ethnic Relations Committee had before it a transmittal letter (October 16, 2001) from the City Clerk, Administration Committee advising that the Administration Committee on October 16, 2001:

- (1) referred the following communications, reports and concerns raised by the deputants appearing before the Administration Committee respecting the report entitled "Ethno-Racial Inequality in the City of Toronto: An Analysis of the 1996 Census", to the Race and Ethnic Relations Committee for comments thereon to the Administration Committee:
 - (i) (October 9, 2001) from the Executive Director, Ontario Council of Agencies Serving Immigrants;
 - (ii) (October 9, 2001) from the President, Urban Alliance on Race Relations; and
 - (iii) (October 12, 2001) from the Acting Chief Administrative Officer; and
- (2) requested the Acting Chief Administrative Officer to review the aforementioned communications, report, concerns raised and the recommendations contained in the report, entitled "Ethno-Racial Inequality in the City of Toronto: An Analysis of the 1996 Census"; and submit a report thereon to the Administration Committee for its meeting scheduled to be held on November 13, 2001, such report to address any recommendations from the Race and Ethnic Relations Committee, for inclusion in the City's 2002 Service Delivery and Budget planning process.

The Race and Ethnic Relations Committee also had before it the following communications:

- (October 25, 2001) from Kevin Lee, Chair, CAC Vice-Chair and Convenor, Cluster Work Group No. 1, forwarding the following recommendations of the Cluster Work Group No. 1 from its meeting on October 18, 2001:
 - (1) that the City of Toronto continue its leadership role in building a society that respects and values the diversity among the peoples of the City of Toronto;
 - (2) that this leadership role be acted upon through the implementation of the recommendations of the Task Force on Community Access and Equity and the implementation of a public awareness and communications program regarding the value of diversity, which is currently within the mandate of the Diversity Advocate;
 - (3) that the Mayor be requested to ask each Member of Council to undertake activities in their respective wards to promote the City's leadership role on diversity issues;

- (4) that the Mayor and the Diversity Advocate prepare a joint report card on the state of diversity in the City of Toronto;
- (5) that the City's awareness and communications programs include holding a Diversity Day, special events, bus shelters and other posters, participation in civic festivals and trade shows;
- (6) that the City host an annual multi-sectoral conference which includes workshops and presentations on "best practices" in diversity management and which provides networking opportunities for all sectors;
- (7) that the City's staff development and management training programs identify workplace diversity competencies in staff training and development programs;
- (8) that the City's equity, human rights and diversity policies and requirements for grant recipients and suppliers of goods and services be explicitly outlined in all contract and other documents;
- (9) that the CAO be requested to establish a reference group, including Members of Council and Council Chairs of the Community Advisory Committees, to help develop and monitor the implementation of action plans which respond to the priority issues identified by the access and equity advisory committee's regarding housing, public transit, employment, youth leadership programs, poverty reduction, and transportation among others;
- (10) that as part of their 2002 budget submissions all departments be requested to outline how the findings of the Ornstein Study have been addressed in departmental service plans;
- (11) that City Council reiterate its request to the Province of Ontario to reinstate employment equity policies, programs and legislation;
- (12) that City Council reiterate its request to the Province of Ontario to reintroduce anti-racist and anti-violence education within the curricula as well as the former anti-racism directorate;
- (13) that the Ornstein Study be forwarded to the Boards of Education in the City of Toronto to consider the implications of the Study in program delivery; and
- (14) that a similar Study be commissioned by the City using 2001 Census data and that the Study be expanded to include issues being addressed by the access and equity Community Advisory Committees and Working Groups.

The Cluster group also recommended that the above items be discussed in the Committee's upcoming meeting with the Mayor and that priority be given to the recommendations which request the Mayor to initiate activities with Members of Council.

- (October 25, 2001) from Councillor Sherene Shaw, Diversity Advocate, City of Toronto, providing, to all Community Advisory Committees, an update of the action taken by the Administration Committee at its meeting on October 16, 2001, and requesting that all Committees consider this matter at their next meeting.

The following persons appeared before the Administration Committee in connection with the foregoing matter:

- Mr. Basil Martin, Ontario Council of Agencies Serving Immigrants;
- Mr. John Doherty, Community Social Planning Council of Toronto;
- Ms. Tam Goosen, Urban Alliance and Race Relations;
- Ms. Avy Go, Metropolitan Toronto Chinese and South East Asian Legal Clinic;
- Mr. Vance Latchford; and
- Ms. Uzma Shakir, Council of Agencies Serving South Asians.

The following Members of Council also appeared before the Administration Committee in connection with the foregoing matter:

- Councillor Pam McConnell, Toronto Centre-Rosedale; and
- Councillor Howard Moscoe, Eglinton-Lawrence.

City Council on December 4, 5 and 6, 2001, had before it, during consideration of the foregoing Clause, the following communication (November 28, 2001) from the City Clerk:

Recommendations:

The Committee on Lesbian, Gay, Bisexual and Transgendered Issues recommends:

- (1) *the adoption of the action taken by the Administration Committee as outlined in Clause 25 of Report No. 18 of the Administration Committee entitled "Further report regarding the Study on Ethno-Racial Inequality in Toronto - (Ornstein Report)"; and*
- (2) *the adoption of the report dated November 19, 2001 from Councillor Pam McConnell respecting the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance; and the development of the City's Plan of Action for the Elimination of Racism and Related Intolerance; and*
- (3) *that this matter be dealt with by Council when considering Clause 25 of Report No. 18 of the Administration Committee.*

Background:

The Committee on Lesbian, Gay, Bisexual and Transgendered Issues at its meeting on November 27, 2001, had before it the following:

- (1) communication (November 9, 2001) from the City Clerk, Race and Ethnic Relations Committee addressed to the Administration Committee;*
- (2) report (November 9, 2001) from the Chief Administrative Officer, addressed to the Administration Committee;*
- (3) the Administration Committee's Decision of November 13, 2001 regarding Agenda Item No. 19 titled "Further Report regarding the study on Ethno-Racial Inequality in Toronto (Ornstein Study)"; and*
- (4) report (November 19, 2001) from Councillor Pam McConnell respecting the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance; and the development of the City's Plan of Action for the Elimination of Racism and Related Intolerance.)*

(Report on the Delegation to the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) dated November 19, 2001.)

(To: City of Toronto Community Advisory Committees

From: Councillor Pam McConnell

Subject: Report on municipal participation in the Government of Canada's Delegation and the deliberations of the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) held in Durban, South Africa, August 2001.

Recommendations:

- 1. That the City of Toronto Community Advisory Committees on access, equity and human rights consider the UN WCAR Declaration and Programme of Action and*
 - (a) Provide their comments on this document to the Diversity Advocate, City Council and the Chief Administrative Officer during the development of the City's Plan of Action for the Elimination of Racism and Related Intolerance.*
 - (b) Forward the report to Council recognizing the City's contribution to the UN WCAR and requesting that Council approve the report on the Delegation to the UN WCAR.*

Council Reference:

At its meeting of April 23-May 2, 2001, City Council adopted Clause 9 of Report no. 4 of the Policy and Finance Committee in which Council called upon the Government of Canada to include municipal representatives in the Canadian delegation to the United Nations World Conference Against Racism and to establish a national urban policy aimed at the elimination of racism and related intolerance. City Council also requested the Diversity Advocate to consult with Council's Community Advisory Committees on Access and Equity on the development of the City of Toronto's Plan of Action for the Elimination of Racism and requested the Chief Administrative Officer to prepare a Plan of Action for submission to Council in March 2002.

As a result of City Council's request, the Federal Minister Responsible for Multiculturalism extended invitations to municipal representatives from Toronto, Montreal, Vancouver and the Federation of Canadian Municipalities to be part of the official Canadian delegation.

The invitation was accepted by City Councillor Clifford J.G. Denzell of Prince George B.C. who represented the Federation of Canadian Municipalities and Anna Maria Fiore who represented the City of Montreal. Councillor Pam McConnell, who serves as the Chair of the City of Toronto's Working Group on the Elimination of Hate Activity, Chair of the Status of Women Committee, and as a member of FCM's Race Relations Committee, represented the City of Toronto on the official delegation. Staff of the Mayor's Office, the City Clerk and the Chief Administrative Officer were consulted on Councillor McConnell's participation on the delegation. Because the invitation was received too late for a Council approval before the Conference, and it was determined that funds were available in the Council Business Travel Budget, staff advised that the participation in the delegation be funded subject to the approval of this report, following the Conference.

Background:

The usual process for United Nations World Conferences includes regional meetings, preparatory conferences and meetings of non-governmental organizations (NGO's) prior to the official Conference. These sessions are held to determine the matters that would be placed on the agenda of the world conference and usually include the development of a Declaration or Statement to be considered by the representatives of governments attending the official conference.

Prior to the official World Conference non-governmental organizations hold a conference at which an NGO Declaration is prepared. At the official conference only governments have standing. It is to this official conference that Toronto City Council requested the Government of Canada include municipal representatives on the official Canadian delegation.

The Government of Canada started its preparations in early 2000. An Advisory Committee which included representatives of civil society gave input to the Government of Canada on how to conduct its consultations and its planning. Canada held 7 regional consultations as well as targeted consultations with Aboriginal peoples and youth. This process culminated in a national consultation. Consultation documents are available on its website.

UN Preparatory Conferences:

The international preparations began with four regional Preparatory Conference which were held in Strasbourg/France, Santiago de Chile/Chile, Dakar/Senegal and Tehran/Iran, as well as at three Preparatory committee meetings held in Geneva. The last preparatory meeting ended on August 10, 2001.

The Preparatory Conferences raised many issues. They enable regions to air differences and find points of agreement. Predictably, the Preparatory Conferences generated some highly controversial resolutions among many which have general agreement. These resolutions were referred to the full UN Conference, but were not uniformly adopted. Indeed the conference cautiously “took note” of these Preparatory Conference recommendations, rather than adopting or accepting them¹.

Some of the recommendations, especially those relating to the state of Israel, raised significant comment in North American media, and concern among many people. But it is important to differentiate between what was raised in Preparatory Conference and what was approved by the UN Conference. It is particularly important to recognize that Preparatory Conference resolutions do not necessarily reflect the decisions of the UN WCAR Conference itself. Only matters receiving complete support from all participating nations were placed in the Declaration.

Canadian Delegation and conference process:

The Canadian delegation was made up of representatives from the academic, non-governmental, labour, municipal, provincial and federal sectors. These included Hon. Dr. Hedy Fry, Secretary of State for Multiculturalism and Status of Women; M.P.'s Jean Augustine and Irwin Cotler; High Commissioner to South Africa, Lucie Edwards; Professor Harish C. Jain, McMaster University; David Onyalo, Canadian Labour Congress; Aboriginal Elder Billy Two Rivers and Canadian Human Rights Commissioner Michelle Ramsey-Farardeau. In addition, the municipal representatives identified earlier served as advisors. Hon. Dr. Fry was the official spokesperson for the Canadian delegation.

The UN WCAR Conference:

The scope of a United Nations conference is immense. Participating in the World Conference were 2,300 representatives from 163 countries, including 16 Heads of State, 58 foreign ministers and 44 ministers. Nearly 6,000 Non Governmental Organizations and over 1,100 media representatives were accredited.

The Official Conference area was accessible only to official members of national delegations. After the opening session, the WCAR Declaration and Program of Action was discussed, clause by clause, in two separate drafting rooms. Agreement was reached only by consensus.

¹ UN WCAR Declaration, page4

Working groups were struck to deal with issues that could not reach consensus. At the same time, there were scores of workshops, victim courts, plenaries with eminent speakers, and forums being held.

Delegation members attended daily Canadian delegation briefing meetings to review the days discussions. Members attended daily Canadian NGO briefings to ensure that there was a reliable liaison between the official delegation and the advocates from Canada. Delegates also attended daily U.N. drafting meetings in the two drafting rooms where the text of the Official Declaration was gradually developed.

Because of the volume of work, each day's activities started at 8:00 a.m. and extended beyond 11:00 p.m.

Relationship between NGO's and Official Delegations:

Some official delegations included representatives of civil society. In the case of Canada, members of the official delegation who came from civil society such as NGO and municipal representatives acted as "advisors" and played a "liaison" role with other representative of civil society.

This was particularly important as the Minister who headed the delegation was required to be on the conference floor, to which NGO's do not have full access.

Non-Governmental Organizations Conference:

The NGO conference was held in Durban prior to the UN WCAR Conference. NGOs from around the world attended, reviewing the draft resolutions and indicating their views on the matters that would be before the UN WCAR Conference shortly. The NGO Conference produced its own report which it distributed to the official delegations at the UN WCAR Conference. The NGOs remained in Durban throughout the conference to put forward their views and advocate for policies they supported.

The NGO conference raised many, many issues that underscore their disagreement with the positions usually taken by the Governments (States) represented at the conference. Since the NGOs came from an almost unimaginably diverse collection of organizations, there were many different views represented and the advocacy came from all sides.

NGOs sought reparations for slavery, for colonialism, and for the treatment of aboriginal peoples. States shied away from confronting a potentially enormous price tag for those reparations.

NGOs sought to place stark labels on the way states treated minority groups, asking that states admit to racism in the treatment of first nations for example. These matters raised considerable debate among the states represented at the conference.

NGO's addressing intolerance experienced by lesbian, gay, bisexual and transgendered communities struggled for recognition, but some states blocked any such acknowledgement.

It is important to note that all of these matters were raised outside the Conference. The NGOs put forward their views and advocated for them, but only matters put by states before the conference had official standing.

Nothing illustrated this better than the discussions about Israel.

Much was made in North American media about the Conference's position on Israel. But the conference never took the positions reported. The Conference's position is summed up in Clauses 56-61 of the draft Declaration. These clauses demonstrated deep respect for the plight of Jewish people, a commemoration of the Holocaust, and a commitment to the right of Israel to exist in peace, free from anti-Semitism. Indeed anti-Semitism is one of the only distinct forms of racism to receive specific condemnation.²

In part because of the confusion over the NGO Declaration and the UN WCAR Declaration, the UN WCAR received considerable negative media attention in North America. That's unfortunate. Former Lieutenant Governor Lincoln Alexander expressed his dismay at the strange response of North American Media,

"If you read the news coming out of South Africa, you would think there were only two issues worth talking about at that conference. To some it didn't seem to matter that many world leaders were in one place, at one time, trying to come up with solutions to deal with racism world wide. It is important for us to discuss the implications of the World Conference openly and frankly."

An open, frank discussion was certainly needed. While there has been much said about the conflict over Israel, there has been little said about how well it was settled on the Conference floor. There has been less said about the shameful exclusion of the lesbian, gay, bisexual and transgendered community. There has been too little time and attention given to the stark realities that face immigrants and refugees, and the sorry record of almost all states on the issue of aboriginal peoples.

The UN WCAR Declaration is an important step in that discussion. In its deliberate and diplomatic prose, it lays out the suffering, the loss and the tragedy that racism, xenophobia and intolerance have brought to our civilization. Members of Council, and all Canadians concerned about the state of our communities, should take the time to read the Declaration, and grapple with the issues that are outlined.

Discussions on the Declaration:

After intensive and often difficult deliberations on a number of issues, the Conference adopted a Declaration that commits Member States (i.e. Governments), to undertake a wide range of measures to combat racism and discrimination at the international, regional and national levels.

Reaching those agreements would have been difficult without the intervention of the delegation's Advisors including municipal delegates. In their capacity as registered delegates, Advisors had access the drafting rooms and the floor of the Conference, and were able to hold discussions

² UN WCAR Declaration, Clause 59.

with senior officials. However, since advisors were not representatives of sovereign states, they could also engage the NGO's, explore possible resolutions and reconcile points of view, without prejudice to the proceedings or to the official position of any state. Advisors also had the freedom to raise matters that were not officially on the floor. Municipal representatives were, for example, among the most vocal on the injustice of excluding lesbian, gay, bisexual and transgendered issues from the Conference deliberations.

What the Declaration addresses:

The Declaration makes many strong statements about the condition of our world. Intolerance is common and it is growing. From ethnic wars, to refugees, to racist web sites, to segregation, and discrimination, intolerance is rearing its head in every corner of the world. Its power grows with the indifference of public figures in some countries and the advancement of racist and supremacist parties in others.

Over the course of 31 pages, the Declaration describes in painful detail the many faces racism is showing today, and the growing sweep of the suffering it causes. The Declaration presents to the world the millions of refugees, the mass graves of victims of ethnic cleansing, the inner cities and shantytowns of ghettoized, malnourished undereducated and marginalized groups. It spells out the many causes of that suffering, from disinvestment and neglect to harassment and repression, to hostility, war and genocide. It proceeds to issue a comprehensive condemnation of racism, discrimination xenophobia and intolerance in all of its active and passive forms.

But recognizing and condemning racism is not a remedy for those who experience it. 106 NGOs addressed a plenary of delegates on the last three days of the Conference, with representatives urging effective action on behalf of the millions of people across the globe who suffer from a wide range of discriminatory practices on a daily basis. Human Rights Watch urged governments to drop their denial and equivocation and turn wholeheartedly to remedying racism. Hope, rhetoric and apology were not enough. The Conference must be about the experience of victims, justice, government accountability and follow up.

The UN WCAR Conference shared that view and chose to go beyond identifying and exploring the problems, and adopted a Programme of Action. The Programme of Action sets out steps that States, regions and local governments are urged to take to combat racism and intolerance.

The Programme of Action:

The Program of Action is presented into four parts:

- (1) Addressing the Plight of Victims of Racism and Intolerance*
- (2) Taking Steps to Prevent Racism*
- (3) Providing Remedies and Redress*
- (4) Strategies for Achieving Equality*

- (1) Addressing the Plight of Victims of Racism and Intolerance*

The first section of the Programme of Action deals with victims.

Slavery and African Communities

It addresses the injustice of slavery. The Declaration gives slavery the status of a “Crime against humanity” a status not recognized before now. The Declaration also called on states to acknowledge the impact that slavery has had on the socio-economic development of people of African descent in Africa and around the world, and the need for the nations and the international community to make development and opportunity in those societies a priority.

Indigenous Peoples

For the first time, the UN recognizes that indigenous peoples are separate and distinct peoples, severally enjoying their rights. However, the Declaration does not direct nations in how they address their relationships with the separate indigenous people within their national borders. The Declaration addresses the plight of indigenous peoples and their loss of economic power and cultural independence. It calls upon states to recognize these challenges and make greater efforts to support the institutions and organizations of indigenous peoples, and promote economic development in those communities.

Refugees and Migrants

It addresses the condition of refugees and migrants in an increasingly unstable world. States are called on to take steps to prevent the racism and xenophobia often experienced by these groups, to protect their human rights, and adjust immigration laws to accommodate family reunification, asylum-seekers and displaced persons. States were also urged to eliminate employment practices that discriminate against immigrants and migrants.

Dalits

The Conference was unable to reach consensus on the treatment of the Dalit people (also called “untouchables”) of southern Asia. Despite considerable effort from NGO groups and the support of many nations, no consensus could be reached and the matter was not addressed in the Declaration.

Women

Though not assigned a specific category among the victims of intolerance, the Declaration consistently recognizes the double challenge faced by women and girls in racialized communities and calls on states to take particularly strong action in eliminating those disadvantages. It acknowledges the rising proportion of women among refugees, and the higher risk of harm and abuse faced by women in highly vulnerable communities and calls on states to take effective steps to provide safety and security to women and girls facing intolerance of any kind. The Declaration also calls on all States to give women a full and equal role in society, including work, government and culture. Furthermore, throughout the document, including all aspects of the implementation process, States are called on to use a gender analysis in their efforts to address injustice and discrimination.

Lesbians, Gay Men, Bisexual and Transgendered People

The Declaration makes no mention of those experiencing discrimination due to their sexual orientation. Decisive action by some States pushed these issues off the table. However, there are extensive comments on the right of people living with HIV and AIDS, and others presumed to be living with HIV and AIDS to live without discrimination under the law, in employment and in social life.

(2) *Taking Steps To Prevent Racism*

States are called on to develop policies and measures that promote diversity and justice and condemn discrimination, racism and intolerance of all kinds in all areas of the society. Trafficking in women and girls is particularly strongly condemned, and States are called on to ensure that all aspects of the legal system are free of racism and bias. Employment practices that discriminate should be eradicated, and hate crimes prevented and aggressively prosecuted.

States are called on to engage in the international and regional organizations and agreements that assist in the struggle against racism.

States are asked to educate themselves, to collect data that give a clear picture of the fate of marginalized people, and to accurately report on what they find.

National governments are called on to direct their justice, regulatory and administrative systems to prevent racism and intolerance.

Governments are also called on to take primary responsibility for combating racism. These efforts should involved positive measures like affirmative or positive action in employment, equitable access to health care services and other public services, and full participation in public life and cultural life.

The Declaration is particularly forceful in its efforts to fully address the need to create an education system that truly serve the interests of all. In addition to promoting access to education, the Declaration calls on governments to ensure that the education system is free from harassment, welcoming to all groups, integrated and equal. It calls on governments to incorporate anti-racist education into their educational obligations, including efforts to educate people of all ages through the media and other forms of communication. Governments are also called on to prevent stereotyped and racist messages in the media including new media.

(3) *Providing Remedies And Redress*

The legacy of racism has been disenfranchisement, oppression and poverty. The Programme of Action calls on governments to work together to undo that damage. Efforts to relieve poverty in developing nations and in impoverished communities need to be comprehensive.

The Programme insists that people who have experienced discrimination must also have access to redress through the justice system, and that access to legal assistance and timely effective investigation by government bodies. These rights must include the right to seek remedies from tribunals and other bodies looking into systemic acts of discrimination.

(4) Strategies For Achieving Equality

States are called on to introduce laws and regulations that fulfil their obligations under this and other international agreements on justice and human rights.

In particular, states are urged to protect marginalized groups from discrimination, protect and promote the ethnic, cultural, religious and linguistic identity of marginalized and racialized people, and confront root causes like poverty and unequal opportunity. States are encouraged to take positive steps such as engaging in community development, and expanding opportunities for disadvantaged groups.

The Declaration also calls on the UN to establish a regular report on the status of the world's progress against Racism by creating an anti-discrimination unit within the Office of the High Commissioner of Human Rights and by establishing a commission of five experts from around the world to monitor and evaluate results.

The Declaration calls for particular attention to be paid to progress on the plight of indigenous people as we approach the end of the Decade of the Worlds Indigenous Peoples in 2004.

Lastly the Programme of Action directs the UN to engage civil society, the private sector, NGOs and youth in the struggle against racism and seek to co-operate with those sectors toward that goal.

The City:

The Programme of Action sets some lofty challenging goals. The deep roots of racism and discrimination in our world have shown great resilience in the face of decades of efforts to weed them out. Comprehensive aggressive solutions are the logical conclusion to an honest appraisal of what is required to overcome the scourge of racial intolerance. Our City can play an important part in that.

Toronto's residents originate from over 200 countries and speak over 100 languages. The discussions held at the World Conference are directly related to all of our constituents in Toronto. Ignoring the widespread systemic impact of racism will only exacerbate tensions. As City Council has a long history of formulating and implementing strategies, policies, programmes and actions for the fight against racism. It is encouraged to seriously consider the issues raised at the Conference, and integrate the value, philosophy, and practices into every endeavour of City activity.

Our success and commitment to this issue made Toronto's contribution to the Canadian Delegation particularly valuable. Toronto's reputation as a tolerant, multicultural community added credibility to our efforts to serve as an intermediary between NGO's advocating for a cause, and governments assessing their ability to comply with those requests.

Municipalities were able to bring the perspectives of local governments to the discussions, raising issues of implementation that reflected a keen understanding of day to day life in the large urban centres, where different cultures most often meet.

Municipal representatives were also able to play a diplomatic role, officiating in ceremonies involving South African municipal officials. The municipal delegates met with the Deputy Mayor of Durban, and with municipal service facilities located in South Africa but funded in part by the Government of Canada.

The City of Toronto is committed to developing a Plan of Action for the Elimination of Racism and Related Intolerance. The UN documents, along with the Canadian national consultation documents, research studies of equality in Toronto, and local consultations with civil society form a sound basis for that plan.

Conclusion:

The existence of an agreement as broad in scope and as comprehensive as the UN WCAR Declaration and Plan of Action, agreed to by nations across the globe, sets a new standard for the effort to eliminate racism. Toronto played a valuable role in ensuring that an agreement could be reached and that it was a comprehensive and just agreement. As we move forward toward the completion of our own Plan of Action for the Elimination of Racism and Related Intolerance for consideration by Council in March 2002, this new agreement provides a useful guide.)

(City Council also had before it, during consideration of the foregoing Clause, the following communication (November 29, 2001) from the City Clerk:

Recommendation:

The Disability Issues Committee reports having endorsed the recommendations of the Administration Committee regarding ethno-racial inequality, as well as the report (November 19, 2001) from Councillor McConnell on the municipal participation in the UN-WCAR, with the understanding that the Plan of Action for the Elimination of Racism and Related Intolerance address all affected human rights groups.

Background:

At its meeting on November 28, 2001, the Disability Issues Committee gave consideration to the following reports:

- (a) (November 14, 2001) from Tim Rees, Strategic and Corporate Policy, Chief Administrator's Office, submitting further report regarding the study on Ethno-Racial*

Inequality in Toronto (Ornstein Study); and requesting comments in order to provide input in to the City's Plan of Action for the Elimination of Racism and Related Intolerances.

- (b) *(November 9, 2001) from the Chief Administrative Officer, addressed to the Administration Committee, forwarding further report regarding the Study on Ethno-Racial Inequality in Toronto (Ornstein Report)*
- (c) *(November 9, 2001) from the City Clerk, Race and Ethnic Relations Committee, advising that the Race and Ethnic Relations Committee, at its meeting on November 6, 2001, gave consideration to a transmittal communication (October 16, 2001) from the City Clerk, Administration Committee, and recommended to the Administration Committee that the following motions be referred to the Chief Administrative Officer for inclusion into the City Plan of Action for the Elimination of Racism:*

- “(1) That the City of Toronto continue its leadership role in building a society that respects and values the diversity among the peoples of the City of Toronto;*
- (2) that this leadership role be acted upon through the implementation of the recommendations of the Task Force on Community Access and Equity and the implementation of a public awareness and communications program regarding the value of diversity, which is currently within the mandate of the Diversity Advocate;*
- (3) that the Mayor and the Diversity Advocate prepare a joint report card on the state of diversity in the City of Toronto;*
- (4) that the City's awareness and communications programs include holding a Diversity Day, special events, bus shelters and other posters, participation in civic festivals and trade shows;*
- (5) that the City host an annual multi-sectoral conference which includes workshops and presentations on “best practices” in diversity management and which provides networking opportunities for all sectors;*
- (6) that the City's staff development and management training programs identify workplace diversity competencies in staff training and development programs;*
- (7) that the City's equity, human rights and diversity policies and requirements for grant recipients and suppliers of goods and services be explicitly outlined in all contract and other documents;*
- (8) that the CAO be requested to establish a reference group, including Members of Council and Council Chairs of the Community Advisory Committees, to help develop and monitor the implementation of action plans which respond to the priority issues identified by the access and equity advisory committee's regarding*

housing, public transit, employment, youth leadership programs, poverty reduction, and transportation among others;

- (9) *that as part of their 2002 budget submissions all departments be requested to outline how the findings of the Ornstein Study have been addressed in departmental service plans;*
 - (10) *that City Council reiterate its request to the Province of Ontario to reinstate employment equity policies, programs and legislation;*
 - (11) *that City Council reiterate its request to the Province of Ontario to reintroduce anti-racist and anti-violence education within the curricula as well as the former anti-racism directorate;*
 - (12) *that the Ornstein Study be forwarded to the Boards of Education in the City of Toronto to consider the implications of the Study in program delivery;*
 - (13) *that a similar Study be commissioned by the City using 2001 Census data and that the Study be expanded to include issues being addressed by the access and equity Community Advisory Committees and Working Groups; and*
 - (14) *that the results of the Employment Equity Survey being prepared by Human Resources be broken down by level of employment and occupational groups."*
- (d) *Copy of the recommendations of the Administration Committee as its meeting on November 13, 2001;*
- (e) *(November 19, 2001) from Councillor McConnell, on municipal participation in the Government of Canada's Delegation and the deliberations of the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) held in Durban, South Africa, August 2001.*

The Disability Issues Committee endorsed the recommendations of the Administration Committee regarding ethno-racial inequality, as well as the report (November 19, 2001) from Councillor McConnell on the municipal participation in the UN-WCAR, with the understanding that the Plan of Action for the Elimination of Racism and Related Intolerance address all affected human rights groups.)

(City Council also had before it, during consideration of the foregoing Clause, the following communication (December 3, 2001) from the City Clerk:

Recommendation:

The Status of Women Committee reports having endorsed the recommendations in the report (November 9, 2001) from the Chief Administration Officer, titled "Further Report regarding the Study on Ethno-Racial Inequality in Toronto (Ornstein Study).

The Committee also reports, that it:

- (1) *requested the Chief Administrative Officer to:*

 - (a) *request The Access and Equity Committee's along with community organizations review Bill C-36 and all related anti-terrorism legislation and advise Community Advisory Committee (CAC) Chairs and Committees of the impact of the legislation and its impact on the 2002 City Budget process; and*
 - (b) *In the wake of issues of security after September 11, the City's Community Advisory Committee of the Status of Women request that, civil liberties and rights of women and minorities not be eroded, and that policies and regulations and the 2002 budget process take into consideration the serious negative impact of the anti-terrorism legislation.*

- (2) *requests that the staff report on the Ontario Disabilities Act be forwarded to the Status of Women Committee, so that they can give their support and recommendations to any action that the Disability Issues Community Advisory Committee agrees to undertake to further the passing and implementation of the ODA.; and*
- (3) *adopts the recommendations in the report (November 19, 2001) from Councillor Pam McConnell.*

Background:

At its meeting on Monday, November 19, 2001, the Status of Women Committee, considered:

- *the report (November 14, 2001) from the Access and Equity Consultant forwarding attached reports (November 9, 2001) from the Chief Administrative Officer and (November 9, 2001) from the City Clerk, Race and Ethnic Relations Committee addressed to the Administration Committee for review and comment.*
- *the report (November 19, 2001) from Councillor Pam McConnell respecting the Report on municipal participation in the Government of Canada's Delegation and the deliberations of the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) held in Durban, South Africa, August 2001.)*

(City Council also had before it, during consideration of the foregoing Clause, the following communication (November 20, 2001) from the City Clerk:

Recommendation:

The Aboriginal Affairs Committee recommends that the report (November 19, 2001) from Councillor McConnell be adopted.

Background

At its meeting on November 29, 2001, the Aboriginal Affairs Committee gave consideration to the attached report (November 19, 2001) from Councillor McConnell recommending that the City of Toronto Community Advisory Committees on access, equity and human rights consider the UN WCAR Declaration and Programme of Action and:

- (1) provide their comments on this document to the Diversity Advocate, City Council and the Chief Administrative Officer during the development of the City's Plan of Action for the Elimination of Racism and Related Intolerance; and*
- (2) forward this report to Council recognizing the City's contribution to the UN WCAR and requesting that Council approve the report on the Delegation to the UN WCAR.)*