

Bill 21 Task Force Update

RECOMMENDATIONS:

The Bill 21 Task Force recommends that Council:

1. Direct Administration to:
 - a. Create a page on the City of Calgary's website outlining the history of Council's response to Bill 21 and include a link to the joint-legal challenge fundraising campaign by CCLA, NCCM and WSO, when available;
 - b. Explore opportunities to strengthen relationships with Calgary's cultural and faith communities and report back to Council by end of Q4 2022; and
 - c. Determine how to better resource Anti-Racism Action Committee and leverage their collective expertise to respond to emerging priorities in alignment with their Terms of Reference.
2. Disband the Bill 21 Task Force.

DISCUSSION

In 2019, the Province of Quebec enacted Bill 21 (An Act Respecting the Laicity of the State), which prohibits public servants from wearing religious symbols including hijabs, turbans, yarmulke, the cross and many others. In Canada, Freedom of Religion is protected by Section 2 of the Canadian Charter of Human Rights and Freedoms and the Canadian Human Rights Act. Worldwide, Article 18 of the Universal Declaration of Human Rights, states wearing signs or clothing as a religious symbol is a fundamental right to exercise freedom of thought, conscience, and religion. In September of 2019, Calgary's City Council passed a resolution condemning Quebec's Bill 21.

In December of 2021, the impacts of Bill 21 were felt across Canada when a teacher in Chelsea, Quebec was told she could no longer teach in a classroom setting because she wears a hijab. In response, the City of Brampton was the first municipality to pledge financial support in the amount of \$100,000 to the joint legal challenge against Bill 21 launched by Canadian Civil Liberties Association (CCLA), the National Council of Canadian Muslims (NCCM) and the World Sikh Organization of Canada (WSO).

The City of Brampton forwarded their council resolution to the Canadian Big City Mayors' Caucus, Federation of Canadian Municipalities, all Members of Parliament and Ontario Members of Provincial Parliament requesting their support. Mayor Jyoti Gondek committed to bringing an urgent item of business to the December 20 Combined Meeting of Council.

Previous Council Direction

At the December 20 Combined Meeting of Council, Council passed Notice of Motion C2021-1704 directing the following:

1. That the City of Calgary endorse the current legal challenge against the discrimination of freedom religion in Quebec's Bill 21, an effort led by National Council of Canadian Muslims (NCCM), the World Sikh Organization of Canada (WSO) and the Canadian Civil Liberties Association (CCLA); and

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2. That Council convene a task force – led by Councillors Mian, Dhaliwal and Spencer – to engage local legal and religious communities to work with The City of Calgary in creating a coalition that:

- a. identifies how expertise and resources can best be deployed to assist the legal challenge against Quebec’s Bill 21 and/or support local inclusivity initiatives,
- b. enables the ability for existing non-profit organizations to raise funds on behalf of citizens and corporations in Calgary that wish to add their support towards this effort, and,
- c. inform Council if The City of Calgary as a corporation should send public money to a legal challenge in another province.

3. That the recommendations of the task force described above in point 2 be formalized by the end of Q1 2022 to accommodate a potential further decision of Calgary City Council to consider allocating funding for the legal challenge against Quebec’s Bill 21 and/or in support of local inclusivity efforts.

Summary of Work

The B21 Task Force engaged with local community stakeholders from diverse ethnic and religious backgrounds about the city’s response to Bill 21. The task force also considered the feedback provided by council at the December 20, 2021 Combined Meeting of Council.

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The Task Force contemplated two key questions:

1) Should public money be sent to a legal challenge in another province?

What We Heard	
Support for the use of public funds	Opposition to the use of public funds
<ul style="list-style-type: none"> • A Supreme Court decision that would allow for the infringement of religious freedoms would have negative consequences for all Canadians, which includes Calgarians • Calgary would be joining other municipalities in standing up for Canadian values • Calgary City Council already condemned Bill 21, and committing funds is an appropriate next step • Many of the groups fighting this legal challenge represent minorities and racialized citizens, who shouldn't have to carry the financial burden alone. 	<ul style="list-style-type: none"> • Bill 21 does not have enough of a direct impact on Calgarians to warrant the funds • Fear that sending money to legal challenges once would set precedent for future requests of this nature • The money wouldn't be effective in materially changing the outcome of the decision • There are more direct of ways of improving the lives of minorities and racialized citizens within Calgary

Based on feedback from citizens and from Calgary City Council, the B21 Task Force recommends that no public funds are committed, but instead a private fundraising mechanism be established. The task force met with CCLA, NCCM and WSO to discuss this possibility. At the time of writing this report, CCLA, NCCM and WSO have finalized a memorandum of understanding that allowed for a joint-bank account to be set up by the three organizations to receive private donations for the joint legal challenge.

2) How can expertise and resources best be deployed to respond to emerging issue such as Bill 21?

The Bill 21 Task Force started engagement by meeting with cultural and faith communities in Calgary and found a strong desire to see advocacy move forward in response to the Bill 21 legal challenge. Incredible local organizing and a desire to build social resilience in our City was also discovered. Linking this work and the capacity of our cultural and faith communities with The City was identified as a potential area for growth.

The Bill 21 Task Force then approached the Anti-Racism Action Committee (ARAC) and administrators who work with this committee to understand if the expertise of ARAC could be deployed to respond to Bill 21 or other emerging priorities.

**Bill 21 Task Force Report to
Combined Meeting of Council
2022 March 29**

**ISC: UNRESTRICTED
C2022-0416
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We heard that ARAC was eager to support this type of work in the future, but provided the following feedback:

- ARAC is a group of volunteers with limited resources and capacity that is not well positioned at this time to respond to emerging issues;
- Continue to strengthen the relationship between ARAC and Calgary City Council;
- ARAC's Terms of Reference need to be updated and continually revisited to reflect their evolving work; and
- Additional resourcing would be needed for ARAC to respond to emerging issues such as Bill 21.

Task Force Members

Cllr Mian, Cllr Spencer, Cllr Dhaliwal

ATTACHMENT(S)

None