

COUNCIL MEMBERS' MOTION

3. Supporting the Legal Challenge Against Discrimination Implied in Quebec's Bill 21

Submitted by: Councillor Swanson

WHEREAS

1. In 2019 Vancouver City Council passed the following motion:

"THEREFORE BE IT RESOLVED THAT Vancouver City Council continues to support diversity, equity, and access for all citizens and support in principle the legal challenge against the discrimination of freedom of religion as set out in Quebec's Bill 21;

FURTHER THAT Council refer this motion to the Racial and Ethno-Cultural Equity Advisory Committee for further consideration;"
2. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) considered the motion and a request for the City to help finance a legal challenge to Quebec's Bill 21 on January 13, 2022;
3. The legal challenge is currently in the appeal process at the Quebec Court of Appeal, and then if there is no resolution, it will be escalated to the Supreme Court of Canada;
4. The legal challenge is being led by the World Sikh Organization of Canada, National Council of Canadian Muslims, and the Canadian Civil Liberties Association (<https://ccla.org/major-cases-and-reports/bill-21/>);
5. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) noted the growing list of incidents of Islamophobia, not just in Quebec, but also in BC;
6. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) noted that Bill 21 is not in line with Canadian values and highlights the continued inequality of racialized people and incites racism;
7. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) is also concerned about the potential negative ripple effects of Bill 21 including a further increase in Islamophobic hate incidents;
8. A number of Canadian cities, including Brampton (\$100,000), Toronto (\$100,000) and Victoria (\$9,500) have made financial contributions to support the upcoming Supreme Court case;
9. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) passed a motion calling on Vancouver Council to contribute a minimum of \$100,000 to support the court case, similar to Brampton which has a smaller population than Vancouver;

10. Vancouver City Council believes we cannot allow the defense of the *Charter* and the foundational value of religious freedom to be on the backs of racialized communities against the Province of Quebec with unlimited legal resources;
11. If Canadian cities assist to fund the legal challenge we level the playing field since it is not a fair legal fight in the absence of federal government involvement;
12. A Supreme Court decision allowing infringement of religious freedom would have negative consequences for Vancouver residents and all Canadians; and
13. Contributing money to the court case would be a concrete way of showing solidarity with Muslims, Sikhs, and others disproportionately affected by Bill 21 in BC and across Canada, and will show that Vancouver is willing to act as well as talk about opposing discrimination against racialized people.

THEREFORE BE IT RESOLVED

- A. THAT Vancouver City Council request the Mayor to make public Council's support for the Supreme Court case against Quebec's Bill 21 launched by the World Sikh Organization of Canada, National Council of Canadian Muslims, and Canadian Civil Liberties Association.
- B. THAT Vancouver City Council contribute a grant of \$10,000 to this cause with the money to come out of the City's reserve fund.

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