

## **Terms of Reference for Advisory Panel on Systemic racism and discrimination with a focus on anti-Indigenous and anti-Black racism, LGBTQ2+ prejudice, gender bias, and white supremacy**

All forms of systemic racism and discrimination, including anti-Indigenous and anti-Black racism, LGBTQ2+ prejudice, gender bias, right-wing extremism and white supremacy are exhibited within the Department of National Defence and Canadian Armed Forces (DND/CAF) organization in three distinct ways:

- a. Individual discriminatory and hateful acts.
- b. Systemic racism and bias.
- c. Participation by some members in white supremacist organizations.

Though its history, DND/CAF efforts to address racism have focused on the actions of individuals. CFAO 19-43 (1996) focuses on the “CF member”, and individual actions and attitudes. The DND and CAF Code of Values and Ethics (2017) “encourages individuals”. The CAF policy on hateful conduct (DAOD 5019-0) is focused on screening, training, reporting incidents, and punishment.

A focus on individual behaviours and responses does not address the structural nature of systemic racism and bias in all its forms, and has prevented the organization from implementing meaningful and logical measures that will eliminate core causes.

In spite of past efforts, individual racist and discriminatory acts have continued to occur. In the modern context, these acts are part of a larger system of interlocking dynamics. These dynamics negatively affect efforts to grow and provide a true sense of belonging and worth for women, Black, Indigenous and Peoples of Colour (BIPOC), LGBTQ2+ communities, and religious minority communities within the military and civilian structures. They also limit efforts to restrict extremist groups’ access to DND/CAF and to effectively, appropriately and consistently punish racist and other discriminatory infractions, including through discharges. This, in turn, undermines the integrity, preparedness and effectiveness of DND/CAF and glosses over real threats posed by racism and extremist groups within the Forces to national security, Canada’s vision for defence and Canadian geostrategic interests.

### **Objective 1: Review and define the nature of systemic racism and discrimination, including anti-Indigenous and anti-Black racism, LGBTQ2+ prejudice, gender bias, and white supremacy as manifested within the DND/CAF architecture and (eco)system.**

- a. Work with the Departmental Anti-Racism Secretariat to provide options for an independent outside agency or organization to provide a data-driven prevalence of systemic racism, discrimination, LGBTQ2+ prejudice, gender bias, and white supremacy survey, study and analysis of the military and civilian organizations in a transparent manner if deemed necessary by the Panel.
- b. Meet with the Defence Advisory Groups to discuss the nature of systemic racism and discrimination, including anti-Indigenous and anti-Black racism, LGBTQ2+ prejudice and gender bias within the DND/CAF architecture and system as well as to utilize their institutional knowledge of the issue.

- c. Consult and/or collect information and best practices from organizations and allied states that may have information applicable to the review.
- d. Review the internal recruitment of CAF members to join white supremacist groups.
- e. Evaluate the national security and geostrategic risks posed by the prevalence of systemic racism, discrimination, including anti-Indigenous and anti-Black racism, LGBTQ2+ prejudice and gender bias, including the presence of white supremacist groups or individuals, within DND/CAF.

**Objective 2: Use data and analysis from Objective 1, and readily available best practices to formulate and conduct a review into systemic racism and discrimination including anti-Indigenous and anti-Black racism, gender bias, LGBTQ2+ prejudice, and white supremacy in DND/CAF. This would include, but not be limited to:**

- a. A review of the institutional elements in which systemic racism, discrimination, gender bias, LGBTQ2+ prejudice and white supremacy can be manifested:
  - a. Recruitment;
    - o Example: While there is a new promotion system currently being trialed by the CAF, it has not undergone a fulsome GBA+ and anti-racism lens, and does not include cross-cultural competencies.
  - b. Promotion processes and evaluation mechanisms;
  - c. Career development (training courses/acting positions);
  - d. Discipline, punishment and discharge;
  - e. Personal and family support.
- b. Assessment of the current tracking system of racist incidents within the organization, along with the ability of DND/CAF members to bring forward complaints about racist conduct in a safe and confidential manner.
- c. Assessment of the current tracking system of white supremacist incidents and members participating in white supremacist organizations, along with a review of the mechanisms available to punish or deter these associations.
- d. Review and assessment of the efficacy, consistency and general awareness of punitive policies, regulations, guidelines, mechanisms and practices in place at DND/CAF that address systemic racism and discrimination, including anti-Indigenous and anti-Black racism, gender bias, LGBTQ2+ prejudice and white supremacy.
- e. Assessment of current training programs for senior and junior officers around the issue of systemic racism, discrimination, including anti-Indigenous and anti-Black racism, LGBTQ2+ prejudice and gender bias including an analysis of the successes and areas of improvement in those programs.
- f. Assessment of current structures to support and encourage diversity within the DND/CAF organization.
- g. An overall assessment of how the DND/CAF utilizes the strength of our diversity to create a stronger DND/CAF (an example would be an analysis of the role diversity should play in the appointment of defence attaches).
- h. Assessment on all current action undertaken by DND/CAF to make DND/CAF an inclusive organization for all Canadians.
- i. An assessment of the effectiveness of the Employment System Review (ESR) tool, and any/all recommendations made by previous ESRs that have not yet been adopted.

- j. An assessment of the best publicly available information and experts opinions on the subject of systemic racism and discrimination, including anti-Indigenous and anti-Black racism, gender bias, LGBTQ2+ prejudice, and white supremacy to help determine the proper recommendations for action by the Minister of National Defence the Canadian Armed Forces and the Department of National Defence.

**Objective 3: Provide the Minister of National Defence, the Canadian Armed Forces and the Department of National Defence with a report, advice and recommendations on how to eliminate systemic racism and discrimination, including anti-Indigenous and anti-Black racism, gender bias, LGBTQ2+ prejudice, and white supremacy impacting the recruitment, retention and equality of opportunity for members of BIPOC communities within the CAF/DND, along with the morale of all members of the CAF/DND community.**

- a. Provide an interim update on the status of the review to the Minister of National Defence, the Canadian Armed Forces and the Department of National Defence no later than June 30, 2021. Provide any additional updates to the Minister of National Defence the Canadian Armed Forces and the Department of National Defence as needed or requested.
- b. Work with the Anti-Racism Secretariat to identify urgent issues that require immediate policy resolutions in advance of the final report and recommendations being received by the Minister of National Defence the Canadian Armed Forces and the Department of National Defence.
- c. Inform the Anti-Racism Secretariat of emerging issues that the Panel are hearing about so that preliminary policy work can be conducted by the Anti-Racism Secretariat and other relevant agencies in advance of the final review and recommendations.
- d. The Panel, with input from the federal Anti-Racism and LGBTQ2+ Secretariats, will provide a report and recommendations to the Minister of National Defence the Canadian Armed Forces and the Department of National Defence no later than December 31, 2021.

**Objective 4: Provide the Minister of National Defence, the Canadian Armed Forces and the Department of National Defence with recommendations on how to measure progress in the elimination of systemic racism and discrimination, including anti-Indigenous and anti-Black racism, gender bias, LGBTQ2+ prejudice and white supremacy within the CAF/DND.**