

Introduction/Background

On February 28, 2018, the event “My Jerusalem: Responding to the US Embassy Announcement” was held on the University of Winnipeg campus. The purpose of the event was to discuss the ramifications of the decision to move the US Embassy to Jerusalem and how it might impact Jews, Christians, and Palestinian Arabs in the region. This public event was hosted by The University of Winnipeg Global College in conjunction with several other organizations.

Subsequent to the event, several concerns about it were raised with the university, summarized as follows:

- The event did not reflect a full range of viewpoints on the subject
- The event provided a forum for voices from Jewish perspectives that are marginal rather than mainstream
- The event was held on Purim, a Jewish holiday
- The Global College rebuffed suggestions by B’nai Brith Canada to include an authentic Jewish perspective and move the event to a date on which the Jewish community could fully participate
- Speakers at the event made comments that were anti-Semitic
- A video of the event was posted on the internet, and then subsequently removed, suggesting that the university had something that it was trying to hide

In response to these concerns, the university issued a statement on March 6, 2018 confirming its commitment to diversity and open dialogue, and stating its opposition to anti-Semitism and discrimination of all forms. The university also advised that it would review the event in light of the concerns raised and would consider its event-based procedures when revising its Respectful Workplace and Learning Environment policy (“RWLE”).

The university formed a committee comprised of its Human Rights and Diversity Officer, Provost/Vice-President Academic, and a faculty member to conduct a review of the event under the RWLE.

To assist with the review process, the university organized a follow-up event on April 16, 2018 to provide an opportunity for interested parties to discuss their views of whether the statements made at the event (and/or the event itself) were anti-Semitic.

In addition to determining whether statements made at the event (or the event itself) were in breach of the RWLE, the Committee was tasked with making recommendations to help address issues identified through the review process.

Relevant Sections of the RWLE

The RWLE prohibits harassment and discrimination on the basis of an Applicable Characteristic under *The Human Rights Code* (“the Code”).

The RWLE adopts the Code definition of discrimination, which states that differential treatment of an individual or group on the basis of their Applicable Characteristics constitutes discrimination.

The Applicable Characteristics include, among others, ancestry, nationality, ethnic background, and religion.

The RWLE also prohibits harassment, which is defined as “a course of abusive and unwelcome conduct or comment undertaken or made on the basis of any Applicable Characteristic.” (also adopted from the Code).

Either the university or a person alleging harassment or discrimination may request an investigation under the RWLE.

The RWLE contains strict confidentiality provisions in order to protect the rights of the parties and the integrity of the process, and to comply with privacy legislation. More specifically, all written and oral information that is created, gathered, received or compiled pursuant to the RWLE process is required to be treated as strictly confidential by the parties, witnesses, and University officials, as is any discipline or other action taken.

The university’s commitment to academic freedom and freedom of thought, inquiry and expression, provided that the expression complies with human rights law and university policy, is also affirmed in the policy.

Relevant Legal Issues and Evidence

The issues examined during the review included an analysis of the following:

- Whether the My Jerusalem event itself was discriminatory;
- Whether any of the statements made at the event were discriminatory, pursuant to section 18 of the Code (signs and statements); and
- Whether any of the statements made at the event met the definition of harassment.

A finding of discrimination or harassment constitutes a breach of the RWLE.

In conducting the review, the Committee considered a variety of evidence including a video of the My Jerusalem event, notes taken at the April 16 event, comment cards written at the April 16 event, written submissions provided by interested parties, and the definition of anti-Semitism from the International Holocaust Remembrance Alliance (IHRA).

Summary of Findings

For the purpose of the review analysis, the IHRA definition of anti-Semitism was applied. The review determined that certain statements made at the event could be considered anti-Semitic under this definition. In the Committee's view, anti-Semitic statements meet the definition of "abusive and unwelcome comment made on the basis of an Applicable Characteristic", which constitutes harassment under the RWLE. In response to these findings, the University has taken appropriate corrective action.

Summary of Recommendations

In addition to the findings noted, several recommendations were made by the Committee, as follows:

Recommendation 1: That the university publically acknowledge the serious problem of anti-Semitism, and commit to taking steps to prevent the expression of its various forms on campus.

Recommendation 2: That organizers of university events be required to ensure that speakers are aware of the RWLE.

Recommendation 3: That organizers of university events take steps to ensure that their events are inclusive, including consideration of whether religious holiday dates could present a barrier to attendance.

Recommendation 4: That all UW community members be provided with ongoing opportunities to attend training about the RWLE, and human rights-related topics.

Recommendation 5: That the university track any reported or known incidents of anti-Semitism on campus, and develop appropriate response protocols and strategies.

Recommendation 6: That the issues identified during the review process be considered when revising the RWLE.

Recommendation 7: That the university encourage events and other opportunities to educate UW community members about the Holocaust, anti-Semitic stereotypes, and other topics of concern to the Jewish community.

Recommendation 8: That the university promote channels of communication and partnerships with representatives of Jewish and other community organizations.