

February 22, 2024

Councilor Joe Horneck (Acting Mayor)
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1
joe.horneck@mississauga.ca

RE: COHHE misrepresentation of the OHRC policy position on caste-based discrimination

Dear Acting Mayor Horneck:

I recently became aware of a [presentation](#) that Ragini Sharma, President of the Canadian Organisation for Hindu Heritage Education (COHHE), made to Mississauga City Council on November 22, 2023, called "Recognizing Hinduphobia," and would like to raise a concern.

Please be advised that the slide deck the COHHE shared with Council, posted to the City's [website](#), includes an inaccurate claim about Ontario's *Human Rights Code* (*Code*) and the Ontario Human Rights Commission's (OHRC) [Policy position on caste-based discrimination](#). Slide 16 says, "TDSB and City of Brampton have passed 'caste oppression' motions. According to the October 2023 OHRC policy position, these motions are xenophobic and therefore against the HR Code."

The OHRC did not make such assertion in its policy statement, or elsewhere, and does not view the TDSB and City of Brampton motions addressing caste-based discrimination as xenophobic or contrary to the *Code*. To be clear, the OHRC recognizes that caste-based discrimination can be covered by the *Code* and prepared its policy statement to raise awareness of people's rights and legal obligations to prevent and address caste-based discrimination.

I understand that Council directed City staff to have the COHHE's matter raised at a meeting of the City's Combatting Racism Committee and then come back to Council

with a report on what the City can do to acknowledge and address 'Hinduphobia.' To be clear, the OHRC's policy statement does not use the term 'Hinduphobia.' In preparing its policy statement, the OHRC reviewed the case law and found that human rights tribunals and courts in Canada, as well as United Nations reports, have recognized caste-based discrimination, but have not found 'Hinduphobia' to be a form of discrimination.

The OHRC's [Policy on preventing discrimination based on creed](#) does recognize that members of Hindu communities, and other faith groups, often face prejudice and discrimination based on a combination of racism, faithism and xenophobia. The OHRC's policy statement on caste-based discrimination also says that discriminatory treatment based on xenophobia is contrary to the *Code*. So is discrimination based on a stereotype or perception that an individual or group practices a religion or comes from a community associated with the caste system.

I ask that you share this letter and the OHRC's policy statement with Council members and City staff to help inform their report. Thank you for your attention in correcting the record on this matter.

The OHRC commends the City of Mississauga for its efforts in addressing all forms of discrimination. The OHRC shares its recently published framework for a [Human Rights-Based Approach to Policy Program and Policy Development](#), and a [how-to guide for municipalities](#). I hope this information is helpful.

Sincerely,



Patricia DeGuire
Chief Commissioner
Ontario Human Rights Commission

c.c.: Ragini Sharma, President, Canadian Organisation for Hindu Heritage Education (COHHE)