



NATIVE WOMEN'S
ASSOCIATION OF CANADA

L'ASSOCIATION DES FEMMES
AUTOCHTONES DU CANADA



A Three-Part Webinar Series on Missing and Murdered Aboriginal Women and girls

Webinar 3: Where are we now? A National inquiry, F-P/T, and civil society initiatives

Speakers

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Webinar Series Overview

- *Webinar 1:*
 - NWAC/FAFIA background & engagement w/ the IACHR & CEDAW
 - International human rights law on violence against women
- *Webinar 2:*
 - IACHR & CEDAW report findings
 - Facts – Violations – Recommendations – Take aways

Webinars 1 & 2: Key Points

- On-going advocacy by NWAC & FAFIA at the United Nations and the Inter-American Commission on Human Rights
- Violence against women is an extreme form of discrimination
- Violence against Indigenous women is extreme form of both racism and sexism

Webinars 1 & 2: Key Points

- Violence against women impairs many human rights:
 - to life
 - to not be subject to torture or to cruel, inhuman or degrading treatment or punishment
 - to equal protection
 - to liberty and security of person
 - to health
 - to just and favourable conditions of work

Webinars 1 and 2: Key Points

Obligation of Due Diligence

- The State – which includes all governments – federal, provincial and territorial – has an obligation to act with due diligence to:
 - Prevent; investigate; punish; and make reparations for the violence.
 - Duties to prevent and make reparations are especially important. They oblige governments to take all necessary measures to stop the violence and ensure it does not continue

Webinar 1 & 2: Key Points

- **Due diligence standard requires Canada to:**
 - Address the root causes of the violence, which lie in poverty, marginalization, impacts of colonization.
 - Take specific measures to address the socio-economic marginalization of Aboriginal women and girls
 - Ensure police & justice system respond diligently to investigate, prosecute and punish the perpetrators of violence
 - Use all means – legal, political, and administrative – to end the violence

Webinars 1 & 2: Key Points

- Important conclusions from the IACHR and CEDAW reports:
 - Unprecedented investigations
 - Canada is violating international human rights law
 - Specific focus on Indigenous women
 - Put the murders and disappearances in a human rights framework which highlights Indigenous women as rights-holders and obligations of the State
 - Engage with complex systemic discrimination
 - Crucial findings of fact
 - Emphasis on social and economic marginalization as a root cause of the violence
 - Comprehensive recommendations to be implemented as a whole

Webinar 3: Where Are We Now?

(1) National public inquiry

What is an inquiry?

Why do we need an inquiry? the pros & cons

Where are we now in the inquiry process?

(2) Other federal action

(3) Provincial and territorial action

(4) Civil society activities

Grassroots advocacy and awareness raising groups

Arts and media initiatives

National days of action

What is an inquiry?

Inquiries Act, 1985, c I-11

“The Governor in Council may...cause inquiry to be made into and concerning any matter connected with the good government of Canada or the conduct of any part of the public business thereof” (section 2)

Public inquiries are a way to resolve important political and public policy issues. They are a means of establishing an independent, at-arms'-length review of government action, law and policies

Royal Commissions and public inquiries have played an important role in the history of Canadian society – Royal Commission on Aboriginal Peoples RCAP (1996); Royal Commission on the Status of Women (1970)

A public inquiry provides a fair and thorough process for examining a complex problem and identifying ways to remedy it

Why should we launch an inquiry: pros and cons

PRO	CON
<ul style="list-style-type: none">• Need action but cannot get it because there is not consolidated political will• Fair, transparent, thorough process for exposing government failures• Opportunity to involve Indigenous women; affected families and communities; and women's and human rights groups in development of a comprehensive, coordinated national action plan	<ul style="list-style-type: none">• Need action, not study• Want immediate change because we already have reports and recommendations• Costly• Lack of independence: government sets mandate; appoints commissioners and staff• Damaging of reputations

BC Missing Women Commission of Inquiry

What Can We Learn?

A national inquiry must learn from mistakes of the BC Missing Women Commission of Inquiry:

- Develop the terms of reference, the criteria for appointment of commissioners, procedures for participation through consultation with Indigenous women, families, and civil society stakeholders
- Provide a meaningful opportunity for Indigenous women and affected families and communities to participate in the inquiry
- Include the investigation of systemic social and economic factors in order to develop systemic reforms

Include adequate public funding to support participation

See Blueprint for an Inquiry for a full list of recommendations

Who supports a national inquiry?

- **Stakeholders who support an inquiry:**
 - All Premiers
 - All Opposition parties (even the Conservatives)
 - Federal Ombudsman for Victims of Crime
 - United Nations, – Special Rapporteurs, CEDAW, Human Rights Committee
 - IACHR
 - Canadian Human Rights Commission, CASHRA
 - Civil society stakeholders
 - All National Aboriginal Organizations, Indigenous, women's, human rights and other civil society organizations

What do we want from an inquiry?

- Long-term, systemic change
- A coordinated, comprehensive federal-provincial-territorial-Indigenous government action plan that addresses the root causes of the violence
- Specified outcomes and timetable
- Budget allocations
- Monitoring mechanism

What does a national inquiry need?

- 1) needs to be lead by and centered on Indigenous women and girls
- 2) needs to provide supportive space for families to genuinely participate
- 3) needs to have a human rights framework and build on CEDAW and IACHR reports
- 4) needs to address root causes of the violence, especially social and economic marginalization
- 5) needs to produce a strategic, co-ordinated action plan.

Where are we now?

- Pre-inquiry consultation will be announced soon to determine:
 - Terms of Reference
 - Criteria for appointment of commissioners and staff
 - Timeline; budget
 - Methods of public engagement
 - Inquiry research focus areas
- Inquiry likely to start before summer

Time for comments, questions...

What do you hope for?

What are you worried about?

What should the key goals of an inquiry be?

Other Federal Action

- **National Roundtable:** second roundtable to be held in 2016, following first roundtable in February 2015; three roundtable priority areas: (i) prevention and awareness; (ii) community safety; and (iii) policing measures and justice responses
- **Cross-jurisdictional working groups:** Federal, Provincial and Territorial Working Group on Missing and Murdered Aboriginal Women; the Aboriginal Affairs Working Group (AAWG)

Other Federal Action

- **2014 Action Plan to Address Family Violence and Violent Crimes Against Aboriginal Women and Girls:**
 - Conservative government plan; the action plan does not have a federal coordinating mechanism and is not national in scope; however, there are some budgetary commitments attached to it and some community programming is supported through this plan
 - This Action Plan will hopefully be replaced by broader more effective strategies coming out of a national inquiry; in the interim, the plan will likely continue to be implemented in part or in full

Follow-Up to Human Rights Watch Report

- **Civilian Review Complaints Commission for the RCMP (CRCC) public interest investigation:**
 - In May 2014, the Commission for Public Complaints against the RCMP (CPC) launched a public interest investigation into policing in Northern BC following the release of the Human Rights Watch Report, *Those Who Take Us Away: Abusive Policing and Failures in Protection of Indigenous Women and Girls in Northern British Columbia*
 - The CRCC will likely be releasing its report in early 2016

Provincial, territorial and Indigenous government actions

- Some provincial initiatives/recent activities:

Ontario Joint Working Group develops Long-Term Strategy to End Violence Against Aboriginal Women

Alberta establishes the First Nations Women's Economic Security Council and Métis Women's Economic Security Council to address socio-economic needs of Indigenous women in AB

BC stalls in response to the MWCI recommendations

Quebec deferred request for inquiry into police mistreatment of Aboriginal women in Val D'Or until scope of national inquiry is determined

AFN, Provincial Chiefs, First Nation bands passed resolutions calling for an end to violence against women

Civil Society Activities

- Grassroots advocacy, civil society, and awareness raising groups:
 - FAFIA/NWAC follow-up with the IACHR & CEDAW
 - Sisters in Spirit
 - Action for Indigenous Women – A Friendship Centre Initiative
 - Moosehide Campaign
 - No More Silence – community led database
 - Annual Women's Memorial March, February 14th

National days of action

- Sisters in Spirit, October 4th vigils
- 16 Days of Activism to End Violence against Women, November 25 to December 10
- International Women's Day, March 8th
- International Day of the World's Indigenous Peoples, August 9th

Arts and media

- Walking With Our Sisters – Christi Belcourt touring vamp (tops of moccasins) exhibit
- Red dress exhibits to honour missing and murdered Indigenous women
- Finding Dawn; Highway of Tears documentaries
- Graphic novel, *Betty: The Helen Betty Osborne Story*



CAMPAIGN OF SOLIDARITY WITH ABORIGINAL WOMEN

How to take action?

Increase awareness: bring an exhibit, film, speaker to your community

Locate active groups and join them

Monitor federal/provincial/territorial government action

Write, lobby your MLA and MP

Blog, talk, network



How to stay informed?

- Social media: #MMIW #MMIWG2S #VAAW
 - APTN; CBC Aboriginal
- Networks/solidarity lists
 - NWAC – provincial/territorial organizations
 - FAFIA Solidarity list
 - BC CEDAW Group organizations
 - Other provincial and local groups