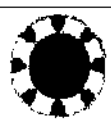


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Native Women's Association of Canada



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**National Chief Phil Fontaine,  
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**Kukdookaa Terri Brown,  
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**JOINT INTERVENTION**

**Third Session of the Permanent Forum on  
Indigenous Issues**

10-21 May 2004  
New York

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The Assembly of First Nations is the national organization representing First Nations governments in Canada.<sup>1</sup> The AFN acts as a national delegated body to advocate and advance the aspirations of the First Nations on a number of key issues such as education, languages and literacy, health, housing, economic development and the concerns of all members of our community, with particular attention on women, elders, and children.

We welcome the opportunity to address one of our most pressing issues, one that is reflected in your theme of Indigenous women. For that reason, I am pleased to be here in attendance with the President of Native Women's Association of Canada.

Our Elders tell us that *“women are the backbone of our nations from which all life flows....”*. Yet the reality is that Indigenous women have become the most *marginalized of the marginalized* in Canada.

As historians, healers, life givers and transmitters of culture, Indigenous women's rights and well being are essential to the survival of Indigenous peoples around the world. Disempowering Indigenous women means disempowering our cultures and societies.

We would like to submit two principal issues for your consideration and attention,

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<sup>1</sup> This representation extends to all of our citizens including those living on reserve and in urban and rural areas. Every Chief in Canada is entitled to be a member of the Assembly, and the National Chief is elected by the Chiefs in Canada, who in turn are elected by their citizens. The Assembly of First Nations is a representative and accountable body. There are about 80 First Nations in Canada and 633 First Nations communities. First Nations, or Indians, are one of the three aboriginal peoples recognized in Canada's Constitution Act of 1982. The other two are the Métis and the Inuit. We share many common goals as aboriginal peoples, but as First Nations we have our own unique issues because of our unique relationship and status with Canada and the Canadian state.

- First, we join with our colleagues at the Native Women's Association to bring attention to the very troubling and devastating issue of **violence** against Indigenous women in Canada.
- Second, we implore Canada and the International Community to carefully examine not only the outcomes but more importantly the **root causes** of the economic and social situation of Indigenous women.

On our first point regarding violence against Indigenous women, we join with the National Women's Association of Canada in their *Sisters-in Spirit* campaign. As my colleague President Terri Brown will explain, violence against Indigenous women is a serious concern in Canada and a crippling disease afflicting the very core of our families and our communities. We are urging the International community to continue to bring pressure on state governments to expose these insidious problems, and to work to remedy these problems through supportive infrastructure for Indigenous women.

This leads to our second point. The litany of statistics regarding Indigenous peoples in Canada, or indeed around the world, is fairly well known. Our people are at the bottom of every socio-economic index. This is even more pronounced for Indigenous women.

We must work vigilantly to address these specific needs. At the same time, if we are going to truly bring remedy to the situation, we must step back and look at the root causes. At the root of our poverty and disempowerment is different treatment under the law. This is true for all First Nations peoples but women have been particularly victimized and singled-out in Canadian legislation. The federal *Indian Act* targeted Indigenous women for assimilation. The result has been dispossession of their property rights and disenfranchisement within their communities. This injustice continues to affect future generations as Bill C-31 gradually eliminates their status.

Finding the path forward to address systemic racism and compounding socio-economic problems is a complex challenge. However, in Canada we have the benefit of being able to draw on some exhaustive and comprehensive studies on the plight of Indigenous peoples. In 1991, in the wake of several instances of clear and systemic racism facing Indigenous people within the Justice system, the Manitoba Justice Inquiry tabled its final report with a series of comprehensive recommendations for fundamental change. Even more comprehensive was the Royal Commission on Aboriginal Peoples which tabled its final report in 1996. This work included years of careful study, engagement and consultation with our peoples across the country. Five volumes and hundreds of concise recommendations provide Canada with a blueprint for real change, a path forward. Many of these recommendations pertained specifically to Indigenous women - supporting institutional and organizational capacity and ensuring their voice was heard in all forums.

Yet despite this wealth of information, research and clear direction, there has been no significant implementation. We look to the Permanent Forum to consider the ways in which this information can be used to support Indigenous peoples, not only in our own country but around the globe. Consistent and significant pressure on State Governments to act on this kind of important research is clearly required.

Finally, I would like to make an essential point based on our efforts, our observations, our work in this area and the many studies that have been undertaken over the years. At the centre of many of the most critical and complex challenges facing Indigenous women and all Indigenous peoples is the issue of justice. We are constantly reminded of the systemic and pervasive threats to our people within the Justice system. As a result, we recommend that the Permanent Forum members give full consideration to the inclusion of JUSTICE as a mandated item for discussion at all sessions.

With that, I thank you for this important opportunity to speak with you today. My colleague from the Native Women's Association of Canada will address specific recommendations relating to the work of the Permanent Forum. 🍀

- I would also like to take this opportunity to offer best wishes to Willy Littlechild on his reappointment to the Permanent Forum
- And to thank Wayne Level on his service to the Permanent Forum. ~~which will conclude~~

Chairperson, members of the Permanent Forum, panelists, Indigenous sisters and brothers, my name is Kukdookaa Terri Brown. I have the honour of addressing the Permanent Forum as the President of the Native Women's Association of Canada. The Native Women's Association of Canada (NWAC) is founded on the collective goal of enhancing, promoting, and fostering the social, economic, cultural and political well-being of First Nations and Métis women within First Nations and Canadian societies.

The Native Women's Association of Canada applauds the decision of the Permanent Forum to hold this high-level panel and dialogue on "Indigenous women". Indigenous women made significant contributions to both the Beijing and Beijing+5 processes and we appreciate that the Forum has recognized the importance of making a meaningful contribution to the Beijing+10 process.

As we consider the importance of the Beijing +10 process we must begin by putting the situation of Indigenous women from around the world within the context of colonization, and the destruction caused by its historic and continuing legacies. In, particular, we must look at the effects of colonization on Indigenous women.

The Fourth World Conference on Women held in Beijing in 1995 provided an important rights-based approach to the international agenda for women's empowerment. It identified 12 critical areas of concern: women and poverty, education and training of women, women and health, violence against women, women and armed conflict, women and the economy, women in power and decision-making, institutional mechanisms for the advancement of women, human rights of women, women and the media, women and the environment, and the girl-child. In 1995, the Beijing Declaration of Indigenous Women stated that:

“The critical areas of concern [the Platform of Action] has identified are also critical for Indigenous women.”<sup>2</sup>

Beijing resulted in the recognition by Governments that Indigenous women experience violations of their human rights and fundamental freedoms not only because we are women, but also because we are Indigenous peoples.<sup>3</sup>

Governments agreed to take action in the critical area of women and poverty, and specifically to:

“take particular measure to promote and strengthen policies and programs for indigenous women with their full participation and respect for cultural diversity, so that they have opportunities and the possibility of choice in the development process in order to eradicate the poverty that affects them.”<sup>4</sup>

While some gains were made in the Beijing Platform for Action such as obtaining recognition of some of the specific issues facing Indigenous women, the Beijing Declaration of Indigenous Women presented a powerful and persuasive critique of the Beijing Platform for Action. This critique included the failure to link poverty and colonization, neocolonialism. It calls for gender equality and the integration of gender issues. The Beijing Declaration of Indigenous Women also objected to the failure to explicitly recognize our rights to self-determination.<sup>5</sup>

The Beijing Declaration of Indigenous Women states:

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<sup>2</sup> Beijing Declaration of Indigenous Women, paragraph 13.

<sup>3</sup> “Intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion or disability, or because they are indigenous people”; Beijing Declaration, paragraph 32.

<sup>4</sup> Beijing Platform for Action Women and Poverty, paragraph 58 (q).

<sup>5</sup> Beijing Declaration of Indigenous Women, [http://www.ipcb.org/resolutions/htmls/dec\\_beijing.html](http://www.ipcb.org/resolutions/htmls/dec_beijing.html), paragraphs 19-21.

"We have been and are continuing to suffer from multiple oppressions; as indigenous peoples, as citizens of colonized and neo-colonial countries, as women, as members of the poorer classes of society." Globalization and trade liberalization have not brought positive changes of Indigenous women, or our communities. Our intellectual rights have not been protected. The PFA does not make important links between continuing and growing poverty and colonial and neo-colonial New World Order. Violence against Indigenous communities and specifically against Indigenous women continues to be a problem without Government commitment to concrete solutions."<sup>6</sup>

In 2000, five years after the promises of Beijing, 180 countries gathered together to review the implementation of the Beijing Platform For Action. This process, known as Beijing +5 resulted in six new paragraphs in the official Outcomes Document. Indigenous women were mentioned in paragraphs relating to politics and decision-making; violence; traditional medicines, biodiversity and indigenous technologies; data collection and research; and education and training.<sup>7</sup>

Again during the Beijing +5 process, Aboriginal women pointed out the increasing gap in the levels of poverty between indigenous and non-indigenous peoples. For instance, Canada ranked first in human development indicators, but Canada's indigenous population would rank 63rd.

In preparation for Beijing+5, the Government of Canada acknowledged that:

"Life expectancy is significantly lower among Aboriginal women than among the overall Canadian female population. For instance, by 2005, life expectancy for Registered Indian females is only expected to increase to 77.5 years. Aboriginal women also have higher rates of disease such as diabetes, reproductive tract and breast cancers and HIV/AIDS than the general Canadian female population."<sup>8</sup>

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<sup>6</sup> Beijing Declaration of Indigenous Women, [http://www.ipcb.org/resolutions/htmls/dec\\_beijing.html](http://www.ipcb.org/resolutions/htmls/dec_beijing.html), paragraph 5.

<sup>7</sup> Further Actions and Initiatives to Implement the Beijing Declaration and Platform For Action, paragraphs 5, 30, 69(h), 74(a), 93(d), 95 (e) and 95(j).

<sup>8</sup> Canada and the United Nations General Assembly: Special Session Beijing+5: Factsheets, Women and Health, [http://www.swc-cfc.gc.ca/pubs/b5\\_factsheets/b5\\_factsheets\\_7\\_e.html](http://www.swc-cfc.gc.ca/pubs/b5_factsheets/b5_factsheets_7_e.html).



The International Indigenous Women's Forum was held in conjunction with Beijing +5. The Indigenous Women's Caucus met daily throughout the Beijing +5 Special Session and were eventually offered a seat on the Council of NGOs (CONGO). It is important to build on these gains and to have indigenous women fully engaged in holding governments accountable for their commitments.

We stand among you today to say that ten years after Beijing, no Government has made significant advances in the condition of the lives of Indigenous women. Poverty has not been eradicated. Health status has not improved. And there have been no advances in access to education, training and positions of power and authority. The Government of Canada was one of 189 countries that made specific commitments to Aboriginal women in areas such as indigenous women and poverty, education and training, health, violence against women, armed conflict, the economy, power and decision-making, human rights, the media and the environment.

Each of the 12 critical areas identified in Beijing remain as areas of concern for Indigenous women. But today, because of time constraints, I will give specific focus to the issue of violence against Aboriginal women.

Chairperson, the issue of family violence in Canada's Aboriginal communities, and particularly violence against women, has been well documented for decades in community, provincial and national studies, Royal Commissions and academic analyses. Unfortunately, Canadian Indigenous women suffer from all the social, economic, cultural, political and civil problems that breed violence: post-colonial structural inequalities; gendered racism and racialized sexism; poverty; lack of adequate access to matrimonial property rights, justice, education, employment and political participation; low levels of sexual and reproductive health and a correspondingly high rate of HIV/AIDS and other sexually transmitted infections (STIs). The high rates of violence experienced by Aboriginal women perpetuate a cycle of violence that is inflicted on our children and youth. Our young people,

for example, are involved in street gangs and street exploitation in disproportionately high numbers compared to the general population.

Gendered racism is in part responsible for these high rates of violence against Aboriginal women in their communities. If Aboriginal women were valued, the high-levels of violence against them would not be tolerated by the community. This pattern of oppression is not limited to Aboriginal communities. There are the many manifestations of gendered racism that affect Aboriginal women as a group, including the pattern of racialized sexuality, in which Aboriginal women are objectified and abused based on their status in society.

In the last 30 years, approximately 500 Aboriginal women have gone missing in Canada. Yet in spite of these shocking numbers, the government, the media, and Canadian society remain silent.

In Vancouver alone, more than 50 women went missing in that city's Downtown Eastside. Sixty percent were Aboriginal, and most were young. These were poor women involved in the sex trade. They struggled with drugs and alcohol. Some were suffering the effects of Fetal Alcohol Syndrome, and many were victims of childhood sexual abuse. Every one of them grew up in a foster home. In other words, their lives and bodies bore all the scars of the violence of colonization.

The goals of the Beijing Platform For Action are noble, but they are a distant reality for Aboriginal women. As a response, the Native Women's Association of Canada has launched the Sisters in Spirit Campaign, focusing on the disappearances of our Aboriginal sisters, mothers, nieces and daughters. The one-year campaign calls on the government of Canada to establish a \$10 million fund for research and education related to violence against Aboriginal women as a step towards our ultimate goal of eradicating violence against our women. The Sisters in Spirit Campaign is an initiative by and for Aboriginal women, our families and our communities.

This is important work, but it must be seen – as our people see life and creation – as part of the greater whole. It is important to ensure that Indigenous women and our issues are fully part of the Beijing +10 process. It is equally important to ensure that Indigenous women are directly involved in the work of the Permanent Forum and that our issues are fully integrated into your work. One of the questions that framed this high level panel was, “How can the Permanent Forum, other UN bodies and mechanisms, strengthen their contributions to the improvement of the lives of Indigenous women?” In response, the Native Women’s Association of Canada is asking this Forum to commit to three specific initiatives:

1. The first is to have this Forum support the preparation of a comprehensive review for the Beijing+10 process, to assess how the Beijing Platform for Action and its five-year review have - or have not - been implemented to improve the lives of Indigenous women and to fulfil the rights of Indigenous women around the world. This report should be prepared with significant consultation of interested national, regional and international Indigenous Women’s organizations.

2. The second initiative we are putting forward is that the Forum make a commitment, through its influence and via the workings of its member states, to ensuring that Indigenous women have the necessary funding required to participate during the Beijing+10 process, including participation as members of official Government delegations.

In Beijing in 1995, we demanded “equal political participation in the indigenous and modern structures of socio-political structures and systems at all levels”. Here today, we ask, “What has been done by the Permanent Forum to ensure that this has happened?”

3. Our final recommendation relates to ensuring the mainstreaming of gender throughout the Permanent Forum. Specific attention must be given to the full spectrum of human rights issues of Indigenous Women around the world. We note with approval the decision of the Economic and Social Council in 2001 to endorse the decision of the UN Commission on Human Rights to appoint a Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, and to specifically request that the Rapporteur “take into account a gender perspective while carrying out her/his mandate, paying special attention to discrimination against indigenous women.” We also welcome the decision of the Inter-Agency Network on Women and Gender Equality to create a new task force on Indigenous women. We urge the Network to ensure that Indigenous women are fully consulted in this process.

We hope that this high level panel today is the first step towards the full integration of Indigenous women’s issues and perspectives in both the work of the Permanent Forum, and that of the UN Human Rights System.

With that goal *in mind*, our final recommendation is to formally ask the Permanent Forum to ensure that Indigenous women, and our specific perspectives and our issues of concern, are fully integrated into every level of the work of the Permanent Forum.

Thank you.