

**Eleventh Session of the Permanent Forum on Indigenous Issues
New York, New York May 7-18, 2012
Agenda Item 3: Combating Violence against Indigenous Women and Girls**

Speaker: Jeannette Corbiere Lavell

Statement of the Native Women's Association of Canada; Assembly of First Nations; Chiefs of Ontario; National Association of Friendship Centres; Canadian Feminist Alliance for International Action; Canadian Association of Elizabeth Fry Societies; Canadian Friends Service Committee (Quakers); Grand Council of the Crees (Eeyou Istchee); and Amnesty International

Combating violence against Indigenous women and girls, Article 22 of the United Nations Declaration on the Rights of Indigenous Peoples

Violence against Aboriginal women and girls and the State's failure to respond appropriately to this problem are integrally linked to the fact that Aboriginal women and girls experience widespread discrimination and are amongst the most socially and economically disadvantaged groups in Canadian society—a reality which is deeply rooted in colonization and its impacts. Discrimination against Aboriginal women and girls is also embedded in the culture of the criminal justice system in Canada. The social and economic marginalization of Aboriginal women and girls not only makes them prey for violent men, but is used by officials as a justification for failing to protect them.

Despite the overwhelming statistics concerning disappearances and murders of Aboriginal women and girls, the Government of Canada has failed in their obligation to exercise due diligence to adequately prevent the violence, investigate reports of disappearances and murders, and bring perpetrators to justice. Authorities, and in particular the federal government, have failed to implement a comprehensive, National Plan to address the violence, including measures such as appropriate training for police, prosecutors and judges in all jurisdictions, effective police protocols for dealing with missing Aboriginal women and girls, reliable systems for disaggregated data collection, co-ordination across jurisdictions, and accountability mechanisms. Initiatives to address the disappearances and murders have, so far, been piecemeal. The Government of Canada must take immediate and comprehensive action in order to fulfill its international human rights obligations to prevent, investigate, and punish acts of violence perpetrated against Aboriginal women and girls throughout the nation.

The International Expert Group Meeting on combating violence against Indigenous women and girls recognized and declared that safety and security in communities is directly linked to implementing self-determination and dismantling the social, political, and economic barriers that impede the right of Indigenous Peoples. Persistent barriers to Indigenous women and girls' human, civil, political, and social rights have caused them to experience disproportionately high rates of poverty, violence, and dispossession of lands and resources. The ramifications of these occurrences are grave and have had continued impacts in Indigenous communities.

Violence is a critical symptom of greater systemic and rights-based barriers espoused by countless states. Regeneration of Indigenous self-determination and nationhood is of crucial

importance, as strong and independent governance structures and capacities will enable Indigenous Peoples to improve the situation of poverty, violence, and the restoration of their traditional territories. Strong and meaningful implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and the plethora of rights it espouses will greatly contribute to improvement of safety, security, wellness, and strength for Indigenous societies and communities.

International conventions and human rights instruments, such as the UN Declaration, the Convention on the Elimination of all forms of Discrimination Against Women, the International Convention on the Elimination of all forms of Racial Discrimination, and the Convention on the Rights of the Child denounce and condemn violence against women and girls. States must continue to work with Indigenous Peoples to ensure their domestic laws and policies respectfully enshrine the values and principles of these international covenants, and this must be done with full participation and involvement of Indigenous Peoples, specifically women and girls.

More meaningful, fair, respectful, and comprehensive approaches are required and should be developed in conjunction with Indigenous women and girls. National federal government coordinated action is required, and must adhere to and acknowledge the holistic approaches of Indigenous Peoples.

We recommend the following actions items be explored and implemented to meaningfully address the grave issue of violence against Indigenous women and girls in Canada:

1. All States, including Canada, need to develop and implement a comprehensive national plan of action to address social and economic conditions: and immediately develop and implement a national strategy to address the disadvantaged social and economic conditions of Aboriginal women and girls, including poverty, inadequate housing, low educational attainment, inadequate child welfare policies, and over-criminalization.
2. Canada should initiate an inquiry into the disappearances and murders of Aboriginal women and girls throughout the country that will lead to the design of national, cross-jurisdictional mechanisms and protocols for police and justice officials. This inquiry should include a review of practices and measures related to child welfare, social assistance, housing, criminal justice, policing, and incarceration and identify where systemic correction is needed to dismantle institutionalized sexism and racism where Aboriginal people can meaningfully participate in the process.
3. Canada is urged to cooperate with the Committee on the Elimination of Discrimination Against Women in an inquiry under Article 8 of the Optional Protocol regarding Canada's conduct and the situation of violence against Indigenous women and girls.
4. States should ensure that Indigenous women and girls are actively and increasingly involved in all political, economic, and social processes so as to honour and restore the traditional roles and responsibilities of women in Indigenous Nations.
5. Canada needs to establish a federal mechanism for investigations into misconduct and discrimination within the criminal justice system and police forces and Canada's Department of Justice needs to establish a mechanism for investigating allegations of misconduct or discrimination within the federal, provincial or territorial components of the criminal justice system, and holding accountable those entities who commit acts of misconduct or discrimination.