

**United Nations Permanent Forum on Indigenous Issues: Eighth Session
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Item 3(b) – Indigenous Women: Analysis report and urban indigenous women and migration

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Thank you Madame Chairperson. The Analysis undertaken by yourself and the Secretariat of the Permanent Forum on Indigenous Issues on Indigenous Women is an important framework from which to advance the human rights of Indigenous women. The categories provide a way to organize national action plans for States. These categories can be summarized as follows:

- 1) Increased and effective participation of Indigenous women in global, regional and national processes;
- 2) Paradigm shifts necessary to make effective policy and programmatic changes to benefit Indigenous women, in important areas such as violence against Indigenous women, migration, reproductive health from a culturally relevant perspective, human rights, cultural rights, resource allocation and education.
- 3) Capacity-building and awareness-raising for Indigenous Peoples, the United Nations system and States
- 4) Information and knowledge generation, management and dissemination.

Firstly, I have a very strong statement to make to Canada and we continue to make these kinds of statements in Canada and internationally. While we, as Indigenous women, do have individual rights, our rights stem from our Nationhood and from our creation stories. It is as a result of the genocidal and assimilationist policies of Canada that we, as Indigenous women, have to deal with the various barriers and impacts of colonization today. I have been told quite consistently by Indigenous women in Canada that they come from Nations, that they want their homes and their communities to be safe and healthy. And that they cannot separate themselves individually from their Nations.

Most recently, NWAC publicized its *Voices of our Sisters in Spirit, report regarding missing and murdered Aboriginal women in Canada*. The high rates of violence facing Indigenous women in all walks of life – within the community, within the home, and within urban centres and within the larger society requires a systemic response. The following are some brief stats from that report:

- As of March 31, 2009, the estimated number of missing or murdered Aboriginal women in Canada since 1970 is 520;
- 347 of the 520, or 67 percent, have been murdered. 126 remain missing;
- 43 percent of the cases – 233 women – have gone missing since 2000.

- 150 of the 346 murder cases remain unsolved.
- 52 percent of the missing women were under the age of 30 at the time of their disappearances.

The Native Women's Association of Canada has identified the next steps in follow up to Sisters in Spirit. There is a critical need for a national plan of action to stop all forms of violence against Indigenous women and girls, regardless of where they live. Such a plan of action must include provisions to ensure collection and dissemination of information on the identity of Indigenous victims of crime, identity of the perpetrators of crime, clear protocols and guidelines to ensure effective and appropriate response by police and the justice system as a whole, and measures to address the underlying systemic conditions that perpetuate this problem, including discrimination, poverty, low socio-economic status. This call has been supported by Indigenous Women throughout the Americas, as contained in a statement issued at the 3rd Indigenous Leaders Summit of the Americas, by States in the recent Universal Periodic Review of Canada in February 2009 (where approximately 18 states specifically mentioned the need to address the human rights violations facing Indigenous women in Canada) and in the Concluding Observations on Canada by the UN Committee on the Elimination of Discrimination against Women issued in November 2008.

First, I would like to highlight two of recommendations from UPR:

Recommendation by Norway:

- Recommends instituting a comprehensive reporting and statistical analysis of the scale and character of violence against indigenous women, so that a national strategy can be initiated, in consultation with indigenous representatives, to respond to the severity of the issues

Recommendation by Czech:

- Recommends adopting further measures to ensure accountability of the police for their proper, sensitive and effective conduct in cases of violence against women; better protection of in particular Aboriginal women against all violence, including through addressing their low socio-economic status and discrimination against them; and better accessibility of alternative/protected housing for victims of domestic violence.

There were key recommendations set out by CEDAW specific to the missing and murdered Aboriginal women in Canada and its recommendation to Canada to report detailed analysis and thorough investigations into the disappearances and murders of Indigenous women in Canada within one year – which is this fall 2009. These recommendations are:

31. Although the Committee notes that a working group has been established to review the situation relating to missing and murdered women in the State party and those at risk in that context, it remains concerned that hundreds of cases involving aboriginal women who have gone missing or been murdered in the past two decades have neither been fully investigated nor attracted priority attention, with the perpetrators remaining unpunished.

32. The Committee urges the State party to examine the reasons for the failure to investigate the cases of missing or murdered aboriginal women and to take the necessary steps to remedy the deficiencies in the system. The Committee calls upon the State party to urgently carry out thorough investigations of the cases of aboriginal women who have gone missing or been murdered in recent decades. It also urges the State party to carry out an analysis of those cases in order to determine whether there is a racialized pattern to the disappearances and take measures to address the problem if that is the case.

Follow-up to concluding observations

53. The Committee requests the State party to provide, within one year, written information on the steps undertaken to implement the recommendations contained in paragraphs 14 and 32.

We, therefore, recommend the following:

1. In summary, some of the key recommendations that must be implemented in Canada include the following:
 - i) the need for a comprehensive national plan of action,
 - ii) better guidance and accountability for police,
 - iii) consistent and thorough collection of statistical data, and
 - iv) improved measures to close the gap in the standard of living between Indigenous women and others in Canadian society, including housing, employment, education, health, etc.
2. We support, as well, the report and recommendations prepared by the International Indigenous Women's Forum (FIMI) on the analysis and follow up of the UN Permanent Forum on Indigenous Issues Recommendations related to Indigenous Women. It is instructive in outlining implementation of these recommendations within the framework of the UN *Declaration on the Rights of Indigenous Peoples*.
3. That Canada make a commitment at the upcoming UPR session at the Human Rights Council to implement recommendations of the states, including, especially to adopt a national action plan on violence against Indigenous women, reforms to the justice system, consistent statistical data, and improved measures to close the standard of living gap and to reverse its position on the UN *Declaration on the Rights of Indigenous Peoples*;
4. That Canada follow through by providing to CEDAW within one year a written

update on the steps it has taken to implement the recommendations related to the critical human rights issues facing Indigenous women [identified in paragraphs 14 to 32]; and

5. That relevant UN bodies and agencies, States and Indigenous Peoples conduct assessments of the extent to which they have advanced the recommendations of the Permanent Forum on Indigenous women, utilizing the framework of the UN *Declaration on the Rights of Indigenous Peoples*, as set out by the International Indigenous Women's Forum. Action for immediate implementation of these recommendations is required by all.

Thank you.