



SAFETY AND SECURITY OF INDIGENOUS WOMEN AND THE NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

OVERVIEW

For many years the Assembly of First Nations (AFN) pressed for the establishment of a national inquiry into the crisis of missing and murdered Indigenous women and girls. The AFN supported the establishment of a national inquiry which would support families and ensure that all governments and policing services met their obligations to protect the fundamental human rights of Indigenous women and girls.

In September 2016, the Government of Canada established an independent National Inquiry under the federal Inquiries Act. Its mandate is complemented by provincial/territorial Orders-in-Council. The National Inquiry into Missing and Murdered Indigenous Women and Girls (National Inquiry) has authority to look into matters under federal, provincial and territorial jurisdictions. The Commissioners have been asked to examine underlying historical, social, economic, institutional and cultural factors that contribute to violence experienced by Indigenous women and girls and their greater vulnerability to this violence. They will examine and report on the systemic causes of all forms of violence against Indigenous women and girls in Canada by looking at patterns and underlying factors.

The National Inquiry will make recommendations to eliminate systemic

causes of violence and to assure the safety of Indigenous women and girls in Canada. They will also recommend ways to honour and commemorate missing and murdered Indigenous women and girls. The National Inquiry's final report is due November 2018.

Since its creation, survivors and family members of missing and murdered Indigenous women and girls have increasingly expressed their frustration with the National Inquiry's process.

On July 11, 2017, Commissioner Marilyn Poitras announced her resignation as Commissioner of the National Inquiry. Commissioner Poitras' resignation followed several resignations by National Inquiry staff.

During the July 2017, AFN Annual General Assembly, the Chiefs-in-Assembly passed Resolution 57/2017, *Support for the National Inquiry into Missing and Murdered Indigenous Women and Girls*. The AFN was directed to take the following action.

- Call upon the federal government to reset and change the mandate and process of the National Inquiry and if necessary, provide additional funding to the National Inquiry.
- Call upon the federal government and the Privy Council Office to remove any barriers that inhibit the ability of the

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National Inquiry to allocate funds and carry out its mandate.

- Call upon the government to expand the scope of the National Inquiry's mandate to include policing practices and policies.
- Call upon the government to fund family engagement, healing processes, and support for families still at risk.
- Call upon the National Inquiry to be less "legalistic" to move away from top down, colonial approaches and include more local culturally based processes, improve outreach to family members.
- Call upon the National Inquiry to develop and disclose its accountability framework, financial reports, how it is structured, and provide an interim report with an evaluation process.

The Interim Report of the National Inquiry entitled "*Our Women and Girls are Sacred*" was released on November 1, 2017.

During the December 2017, Special Chiefs Assembly, Chief Commissioner Buller provided an update on the work of the National Inquiry. The Chiefs-in-Assembly passed Resolution 78/2017, *Support for the Extension of the Inquiry into Missing and Murdered Indigenous Women and Girls* which directed the AFN to take the following action.

- Direct the AFN to support the Commissioners of the National Inquiry

into MMIWG request for an extension of their mandate and appropriate budget allocation for the continuation of the National Inquiry for a minimum of another 2 years, on the condition that the Commissioners make a formal commitment to fully implement prior to the extension and replacement of the Chief Commissioner, all of the calls for action contained in AFN Resolution 37/2014, *Support for Families First*, and Resolution 57/2017, *Support for the National Inquiry into MMIWG*.

- Direct the federal government to reset the National Inquiry by replacing the Chief Commissioner, and reappoint the Chief Commissioner through a process with full engagement with Indigenous survivors and families of MMIWG.
- Call upon the federal government to ensure that hearings occur within the appropriate First Nation lands and territories so that it is further accessible to families.
- Call upon the Commissioners to hold family hearings in locations recommended by the families of MMIWG and to adapt their process so that it is safe and suitable to the traditions and languages of First Nations lands and territories to ensure connections to the lands are maintained.

UPDATE

The Commissioners of the National Inquiry have submitted a formal request for a 2 year extension of their mandate and additional funding. To date, there has not been a response from the federal government to the National Inquiry's request. On March 26,

2018, the National Inquiry announced that registration to participate in Part 1 (Community Hearings and Statement Gathering) of the National Inquiry's Truth Gathering Process will close on April 20, 2018.

NEXT STEPS

- The AFN continues to express its willingness to provide advice on the diverse regional perspectives of First Nations and also to facilitate communication between the Inquiry and First Nations and First Nation Families.
- In accordance with Resolution 57/2017, *Support for National Inquiry into Missing and Murdered Indigenous Women and Girls*, and Resolution 78/2017, *Support for the Extension on the National Inquiry into Missing and Murdered Indigenous Women and Girls*, the AFN will continue to press for changes to the National Inquiry's mandate and processes to ensure that the "families first" approach is fully implemented.
- This is in addition to the AFN's work in planning for a Dialogue Strategy Session on Distinct First Nations Accessibility Legislation to take place during the AFN Special Chiefs Assembly, May 1 and 2, 2018, in Gatineau, Quebec.

