



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.

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 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

ISSUE UPDATE

March 2019

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' 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

On December 12, 2018, the National Inquiry formally concluded its' Truth Gathering Process, in Ottawa, following nine days of final submissions from Parties with Standing.

The National Inquiry's truth gathering process focused on recording the truths of family members and survivors. Over 15 community hearings were held, as well as additional statement gatherings in communities across Canada. A total of 1,400 people provided evidence and courageously shared their stories of unspeakable loss.

The National Inquiry held institutional hearings. Over 100 knowledge keepers, experts, frontline workers, academics, leaders, and institutional representatives provided evidence. The themes were far-reaching and included: Indigenous law; human rights; racism; government services; police policies and practices; colonial violence; the criminal justice system; family and child welfare; and sexual exploitation.

The National Inquiry is expected to submit their final report to the Government of Canada by April 2019.

NEXT STEPS

- The AFN continues to express its willingness to provide advice on the diverse regional perspectives of First Nations and to advocate that a "families first" approach be incorporated into all aspects of the National Inquiry's work.
- The AFN will provide a full analysis of the National Inquiries Final Report in April 2019.
- The AFN will continue to advocate for immediate measures to ensure the safety and security of Indigenous women, girls and LGBTQ2S, as well as, continued investments for culturally appropriate healing and support services for survivors and families.