

March 10, 2021

Gina Wilson, Deputy Minister of Public Safety
Co-chair of the MMIWG Core Working Group
Members of the MMIWG Secretariat and Core Working Group
Via email only: Gina.Wilson@cfc-swc.gc.ca

RE: Critical Priorities and Concerns from the Coalition on MMIWG for Immediate Advancement re. National Action Plan

Dear Deputy Minister Wilson and Members of the MMIWG Secretariat and Core Working Group:

On behalf of the members of the Coalition on Murdered and Missing Indigenous Women and Girls in BC (the Coalition), we write to follow-up on our January 21, 2021 meeting.

The Coalition is an alliance of organizations and individuals that came together in 2010 at the time of the Oppal Inquiry into Missing and Murdered Women in British Columbia. The Coalition includes a broad range of organizations representing Indigenous women and their allies in women's anti-violence, human rights, and labour organizations. Members have deep knowledge and expertise, and lived experience of discrimination and violence; some are family members and friends of murdered and disappeared women, girls, and two-spirit people; and many have been engaged for years in front-line, grassroots anti-violence work on the streets and in shelters. Members of the Coalition also have expertise in policy development and analysis regarding Indigenous rights, child welfare, and policing, as well as knowledge and practice in human rights, civil liberties criminal, constitutional, and international human rights law. Further, members of the Coalition had standing as parties at the Oppal Inquiry and at the National Inquiry into Missing and Murdered Indigenous Women and Girls. Many members of the Coalition were engaged in work to prevent the disappearances and murders of Indigenous Women, Girls and LGBTQQIA folks, long before the National Inquiry was appointed, as well as throughout the time of its deliberations. Since the release of the Inquiry Report, members of the Coalition have been attempting to secure inclusion in the process of developing the National Action Plan in order to contribute our knowledge and expertise, and to ensure that the Plan will be an effective response to the crisis.

We appreciated meeting with you, and the overview information that you provided. However, the January 21st meeting comes too late, and does not, satisfy our legitimate, and often reiterated, need to be fully informed and fully included in the creation of an Action Plan to address the Calls for Justice. The Coalition needs to see transformation of a process that, so far, has excluded us – our voices, expertise, and invaluable experiences – and allowed only fragmented and superficial engagement.

Some key concerns are set out below. This letter also notes the commitments you made on January 21 to involve the Coalition in the work of developing the National Action Plan.

The Coalition notes the following:

- 1) **Communication and information-sharing between the Coalition and the MMIWG Secretariat is not adequate.** Since the National Inquiry released its report, the Coalition has been seeking to participate in the development of the National Action Plan. We have communicated repeatedly with both provincial and federal Ministers and officials. However, engagement with the Coalition by officials involved in developing the National Action Plan has been delayed, incomplete and fractured. Information provided has been scanty, selective in nature, and obtuse. For example, the schematic on Working Groups provides little information on the work being done, or the participants in it.

The Coalition calls for participation in the development of the action plan, and requested that communications be drastically improved to include at a minimum regular active email updates from the MMIWG Secretariat. Mr. Steinke stated that he would work to keep the Coalition updated and to move the communication issue front and center. The Coalition emphasizes the importance of establishing a transparent communications network through which Indigenous women, organizations, and working groups can freely reach out and share their work and progress.

- 2) **Indigenous women's organizations and other critical groups are not represented on the Sub-Working Groups, nor is the Coalition.** The Coalition is concerned that there is no Sub-Working Group dedicated to Indigenous women groups and organizations. Such a Working Group would have a mandate to represent Indigenous women's concerns and be instrumental in advancing issues of high priority for Indigenous women.

The Coalition notes that the Assembly of First Nation's (AFN) involvement in the First Nations Sub-Working Group is neither sufficient to ensure the involvement of Indigenous groups and organizations, nor is the AFN a recognized authority on Indigenous women's issues, especially since their mandate often conflicts with women's interests. As one Coalition member stated: "When you don't have autonomous women groups representing our interests, those interests fail to be a priority and a patriarchal model prevails that allows the colonial exclusion of Indigenous women from the process." Without a Working Group specifically composed of representatives from Indigenous women's organizations, the planning of the National Action Plan is not being led by Indigenous women who have been chosen by Indigenous women, but rather by Indigenous women who have been selected by male-led organizations and institutions.

The Coalition further identified other critical groups that lack representation on the Sub-Working Groups, including women who are incarcerated, women in survival sex economies, and family members and individuals that can speak specifically to the murders on the Highway of Tears. These are significant populations that need to be included in the development and implementation of the National Action Plan.

Additionally, the Coalition repeatedly requested representation in the planning process of the Action Plan. As noted earlier, the members of the Coalition have devoted years of work to eliminating the violence against Indigenous women and girls, and have an incomparable depth of experience and knowledge to offer, yet they have not been able to participate or be consulted about the National Action Plan. The Coalition's request to be included in the development process for the National Action Plan is now over a year old and has not been answered. We insist that you address this exclusion, and ensure that moving forward, the Coalition has representation on the Sub-Working Groups.

The Coalition reiterates the need for suitable accountability measures and mechanisms in the National Action Plan so that Indigenous women's organizations, sub-groups of Indigenous women, people and organizations like the Coalition, that are specifically dedicated to ensuring that violence against Indigenous women and girls comes to an end, do not fall through the cracks.

- 3) **The 270,000 – 450,000 First Nations women and their descendants who are newly entitled to Indian status by the August 15, 2019 amendments to the Indian Act must be registered in a timely way, and actualizing their right to equality must be a key component of the National Action Plan.** Only 10,800 First Nations people have been registered, and given Indian status, since Bill S-3, which contains Canada's most recent efforts to end sex discrimination in the *Indian Act*, came into force. Since, the Bill S-3 amendments newly entitle between 270,000 and 450,000 First Nations women and their descendants to status, and to the benefits that status accords, this means that thousands of First Nations women and their descendants do not yet have the status they are entitled to, and they continue to be discriminated against.

We note that the sex discrimination in the *Indian Act* has been identified by the Inter-American Commission on Human Rights, the United Nations Committee on the Elimination of Discrimination against Women, the United Nations Special Rapporteur on violence against women, and the National Inquiry on Missing and Murdered Indigenous Women and Girls as a root cause of the human rights crisis of murders and disappearances. Until these women and their descendants are actually registered, the discrimination continues, and First Nations women are still treated as second class persons, and as parents with fewer rights than their male counterparts.

The National Action Plan needs to ensure that First Nations women and their descendants are granted the status and rights that have been denied to them through centuries of gendered violence and oppression, provides a clear framework of support for Bill S-3's implementation, including mechanisms for disseminating and sharing accessible, comprehensive resources and information to the thousands of First Nations women and their descendants yet to be registered in Canada. It also needs to ensure that the harms caused by decades of sex discrimination are repaired and that First Nations women and their descendants receive reparations.

In summary, the Coalition, as emphasized in our January 21st meeting, makes the following requests:

1. Ensure that the Coalition is a participant in the Working Groups developing the Plan
2. Improve communications by providing at a minimum substantive, timely and meaningful updates;
3. Create a Sub-Group for Indigenous women's organizations;
4. Ensure that critical groups such as women in survival sex economies and incarcerated women are represented in the Working Groups;
5. Ensure that full implementation of Bill S-3, accompanied by reparations for decades of Indian Act sex discrimination, is a key component of the National Action Plan.

Further, we also ask for the contact information for the ADM/DM cross-sectoral working groups, and we request a breakdown of the financial details of funding made available to Indigenous led organizations to lead/participate in the action plan building.

The Coalition notes that the concerns and actions outlined are not all-encompassing and complete; there remain other significant and emergent gaps and challenges that must be addressed and overcome.

The Coalition thanks you again for meeting with us. We look forward to your responses to our requests and to working with you to establish a process that is just, equitable, and truly led by Indigenous women.

Sincerely,

Atira Women's Resource Society
Battered Women's Support Services
BC Assembly of First Nations
BC Civil Liberties Association
BC Federation of Labour
BC First Nations Justice Council
Butterflies in Spirit
Carrier Sekani Family Services
Downtown Eastside Women's Centre
First United Church
Jenny Kwan, MP For Vancouver East
Myrna Cranmer, committee member of the February 14th Memorial March
PHS Community Services Society
Poverty and Human Rights Centre
Union of BC Indian Chiefs
Union Gospel Mission
Vancouver Council of Women
Vancouver Rape Relief and Women's Shelter
West Coast LEAF

CC: Honourable Carolyn Bennett, Minister of Crown Indigenous Relations
Honourable Marc Miller, Minister of Indigenous Services Canada
Honourable Maryam Monsef, Minister for Women and Gender Equality
Honourable Mike Farnworth, Public Safety and Solicitor General
Bruno Steinke, Sr. Director, MMIWG Secretariat
Jennifer Cote, Program Advisor, MMIWG Secretariat