

Administrative Orders

Government of Quebec

Order 711-2016, August 9, 2016

CONCERNING the constitution of the Commission of Inquiry on Missing and Murdered Indigenous Women and Girls in Quebec

WHEREAS the federal government announced on August 3, 2016, that it was forming a national commission of inquiry to address the problem of missing and murdered Indigenous women and girls in Canada;

WHEREAS the Truth and Reconciliation Commission of Canada made public in December 2015 a final report including numerous recommendations, a number of which were directed to the provincial and territorial governments, and the objective of which is to improve relations and reconciliation between the Indigenous and non-Indigenous populations and governments;

WHEREAS recent events, particularly at Val-d'Or and Lac Simon, have shed light on problems that require reflection on the relations between Indigenous persons and public service workers in Quebec;

WHEREAS these problems underscore the need within Quebec's public sector to improve knowledge of the historical, cultural and societal realities and special characteristics of Indigenous persons in order to provide them with more tailored and appropriate public services;

WHEREAS the specific problem of missing and murdered Indigenous women and girls in Quebec implies that there are various forms of underlying violence requiring careful examination;

WHEREAS the work of such a commission will enable Indigenous persons to share their experiences and concerns, and to provide input with regard to possible solutions in order to better respond to their needs;

WHEREAS the federal commission of inquiry must respect Quebec's constitutional jurisdictions, and whereas, consequently, the work of this commission cannot address areas under Quebec's constitutional jurisdictions unless mandated to do so by the Government of Quebec;

WHEREAS the constitution of a commission of inquiry by Quebec would provide a more complete picture of the problems targeted and would identify concrete and sustainable action that could help prevent violence against Indigenous women and girls, and improve the quality of relations between Indigenous persons and public services in Quebec;

WHEREAS Quebec has already expressed its interest in taking part in a Canada-wide inquiry on the problem of missing and murdered Indigenous women and girls;

WHEREAS the commissioners charged with this inquiry, in accordance with the *Act Respecting Public Inquiry Commissions* (chapter C-37), should be mandated to conduct its work within the areas under Quebec jurisdiction, which includes the oath of office referred to in section 2 of this act;

WHEREAS the federal government has committed to covering all of the costs incurred in connection with the Commission of Inquiry itself, that is, the commissioners' salaries and expenses, secretariat services, support and research, experts' fees, travel and support expenses for families affected by the violence

that is to be examined by the Commission of
Inquiry;

IT IS ORDERED, therefore, on the Premier's recommendation:

THAT, in accordance with section 1 of the *Act Respecting Public Inquiry Commissions* (chapter C-37), the Commission of Inquiry on Missing and Murdered Indigenous Women and Girls in Quebec be constituted;

THAT this commission have a mandate to:

1.(a) Investigate and report on the systemic causes of all forms of violence—including sexual violence—against Indigenous women and girls in Quebec, including the underlying social, economic, cultural, institutional and historical causes that perpetuate the violence and the specific vulnerabilities of these women and girls;

(b) Investigate and report on the institutional policies and practices implemented in response to violence against Indigenous women and girls in Quebec, including identifying and examining proven practices to reduce violence and improve safety;

(c) For these purposes and in this context, examine the factors that could be associated with the relationship between public services under Quebec's constitutional jurisdictions, including police bodies, health facilities, social and educational services, and Indigenous persons more generally;

2. Make recommendations with regard to concrete and sustainable action to take in order to prevent situations of violence against Indigenous women and girls in Quebec, including those that may have led to their disappearance or murder; and

3. Make recommendations aimed at significantly improving the quality of relationships between Indigenous persons and public service workers;

THAT the commission of inquiry may, for these purposes and in this context, gather the testimonies and concerns of Indigenous persons

and of the public service workers and assistance organizations concerned;

THAT the commission of inquiry be made up of five commissioners: the Honourable Marion R. Buller as chief commissioner, Michèle Taïna Audette, E. Qajaq Robinson, Marilyn Poitras and Brian Eyolfson;

THAT the commission determine its operating procedures, and establish its action priorities and any other rules that it deems useful to its operation;

THAT the necessary measures be taken to ensure that current or future investigations, including criminal, conduct or disciplinary investigations, will not be hindered;

THAT the commissioners ensure adherence to the laws applicable in Quebec, including the *Charter of the French Language* (chapter C-11) and the *Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information* (chapter A-2.1) in carrying out their mandate, including in the context of commission work involving participation by Quebec government institutions or agencies.

THAT the commissioners also ensure compliance with immunity under section 11 of the *Act Respecting Public Inquiry Commissions* with regard to any person heard as a witness in the context of the mandate given under this order that no answer given may be used against him or her in any prosecution under any act, except in the case of prosecution for perjury or for the giving of contradictory evidence during this commission;

THAT this commission of inquiry submit to the government an interim report on its work, providing its observations and preliminary recommendations as required under the federal order by November 1, 2017;

THAT this commission of inquiry submit to the government a report on its work, including its recommendations, by November 1, 2018;

THAT the reports of the commission of inquiry refrain from placing blame or drawing conclusions or making recommendations with regard to civil, penal or criminal liability of individuals or organizations;

THAT this order take effect henceforth.

WHEREAS the City of Rouyn-Noranda is a municipal body within the meaning of section 3.6.2 of this act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Land Occupancy, and the Minister responsible for Canadian Relations and the Canadian Francophonie:

Clerk of the Executive Council

JUAN ROBERTO IGLESIAS

65395

Government of Quebec

Order 713-2016, August 9, 2016

CONCERNING the City of Rouyn-Noranda's authority to conclude a grant agreement with the Government of Canada in the context of the Canada Arts Presentation Fund

WHEREAS the City of Rouyn-Noranda intends to conclude a grant agreement with the Government of Canada in the context of the Canada Arts Presentation Fund program to support the Théâtre du cuivre's 2016–2017 and 2017–2018 cultural programming;

WHEREAS under the first paragraph of section 3.11 of the *Act Respecting the Ministère du conseil exécutif* (chapter M-30), except to the extent expressly provided for by law, no municipal body may, without the prior authorization of the Government, enter into any agreement with another government in Canada or one of its departments or government agencies, or with a federal public agency;