



Missing and Murdered Indigenous Women and Girls

MANITOBA KEEWATINOWI OKIMAKANAK INC.

FINAL WRITTEN SUBMISSION FOR THE NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

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Office of Grand Chief Garrison Settee

To our Families of our missing and murdered and Survivors of violence,

I would like to begin by acknowledging families and the two-spirit community who have experienced the tragic loss of one of our sisters. My deepest condolences are with you all.

To the survivors, your resilience and strength is unimaginable. You have survived horrific violence, from systemic violence, domestic violence, sexual violence, sexual exploitation, and human trafficking, compounded by racism and patriarchal dominance.

The families, survivors and the two-spirit community are the real experts in this process. You are our greatest teachers on how to protect you - based on your lived experiences. As Canadians and Government representatives, we must ensure action and implementation of all the recommendations based on the truths you all shared.

The time of leaving reports and recommendations to collect dust on shelves is over. The lives of Indigenous women and girls and two-spirit individuals matter. You all have the right to live a life free of violence and thrive in environments that are healthy and where you are respected.

As the Grand Chief of the Manitoba Keewatinowi Okimakanak Inc., I give you my personal commitment to do the best I can to create those safe spaces for all of you **NOW** and for generations to come.

Where possible, I will make every effort to educate and bring in partners to support strong and healthy women and girls who, in turn, will support healthy families and safe communities.

The National Inquiry into Missing and Murdered Indigenous Women and Girls is a vehicle to share important truths, but as a country, we all have an obligation to protect the lives of Indigenous women and girls and two-spirit individuals. As a Leader, I have the political will to implement the recommendations to the best of my ability using the limited resources and supports we have within the MKO Territory to end the violence.

Love, light and peace to you all.

Grand Chief Garrison Settee
Manitoba Keewatinowi Okimakanak Inc.

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Introduction

1. We are the Manitoba Keewatinowi Okimakanak Inc. (“MKO”),¹ a non-profit, political advocacy organization that provides a collective voice on issues involving inherent, Treaty, Aboriginal and Human Rights for the Citizens of the 26 sovereign First Nations we represent. The MKO Territory has over 70,000 Citizens across a vast geography in Northern Manitoba.
2. We strive to explore ways to strengthen and promote the interests of MKO First Nations by achieving autonomy and self-sufficiency with respect to all areas that affect the lives of Northern First Nations’ Citizens and Communities and we receive our mandate by way of resolution of the MKO Chiefs in General Assembly.
3. Our priority is to address the systemic issues that have led to the national tragedy of Missing and Murdered Indigenous Women and Girls and we have lobbied for action and justice for the families of the missing and murdered and the survivors of violence at national and international forums.²
4. We are committed to continuing the path toward positive fundamental change, and to supporting and building mechanisms to end violence against our women and girls— a path that was forged by the hard work of our families, grassroots people and organizations.

Our Reality

5. Our women and girls are sacred, powerful and resilient. They are the carriers of life— vital to the survival of our children, families, Communities and the future of our Nations.
6. Our women and girls deserve every opportunity to thrive and are entitled to live their lives with dignity and equality, in safety, and free from all forms of violence.³ The colour of our skin should never be a barrier to attaining the highest quality of life.⁴

¹ Manitoba Keewatinowi Okimakanak Inc. Website www.mkonation.com

² For Example: United Nation’s Committee on the Status of Women, in New York, during the 62nd annual meeting of the Committee (CSW62) March 12-23, 2018.

³ The *United Nations Declaration on the Rights of Indigenous Peoples*, Articles 1, 2 and 22 [UNDRIP]

⁴ Transcript Evidence Janet Lowther & Helen Bignell In Relation to Amanda Sofia Bartlett, Public Transcript Part I, Volume 76 page 19 Lines 2-10, “I have to teach my girls, [...] that in the eyes of society, [...] we’re not valued as much as the other race [...] we’re not as good as everyone else because of the colour of our skin, because of where we came from.”

7. Indigenous Peoples have been deeply impacted by the imposition of western ideologies, laws, policies and systems that have acted to inflict outrageous amounts of violence upon our Peoples. Ubiquitous violence that is prevalent today.
8. Our families and Communities have been deeply impacted by the unconscionable violence that our women and girls experience, as many of the missing and murdered women in Manitoba come from the MKO Territory.
9. In the MKO Territory, our history, language and culture are deeply rooted and the strength and health of our families are at our core. Yet this has been extensively overshadowed by the devastating impacts of colonization, genocide, racism, discrimination and perpetual and chronic under resourcing of our Communities. Many of our Communities live in third world conditions, struggling to provide the necessities of life that our People deserve and to which they are entitled; basic human rights to which all People are entitled, but are seemingly absent if a person is Indigenous and even more so if a person is female.
10. Our Communities face many unique barriers such as remoteness or isolation, weather, and infrastructure that compound the impacts of systemic and structural violence against our People and that continuously disrupt our lives at every stage.
11. Our traditional laws, our inherent rights, our ways of being, knowing and doing, have been arrested by the colonial forces who deny our rightful place, power and jurisdiction. We have been juxtaposed against the backdrop of colonization and the racist social narrative, leading to the dehumanization, silence and invisibility of our women, girls, and Peoples.
12. Because of this colonial denigration, we lack available and proximate access to essential programs and services; clean and running water; adequate housing; health care; education; child care; shelters; economic opportunities; and police services. Of the limited programs and services that are available in our Communities, many lack the necessary and sustained resourcing to meet the needs of our women, girls, families and Communities.
13. While these seemingly impenetrable forces act to oppress, marginalize, subjugate, and kill our People— we resist. We are determined to end the catalytic forces that harm our women and girls, and to seek justice for the families and survivors affected by violence.
14. We continue to stand up against the forces of oppression, to shift the paradigm, and to make the changes for our People, by our People. The time for action is **now**.

Need for Immediate Action

15. The National Inquiry into Missing and Murdered Indigenous Women and Girls (the “Inquiry”) has been mandated to inquire and report on the systemic causes of all forms of violence, including sexualized violence, against Indigenous women, girls and LGBTQ2S and gender diverse individuals in Canada and to make recommendations on concrete and effective actions that can be taken to remove these systemic causes of violence.⁵ This includes inquiry into the underlying social, economic, cultural, institutional, historical and contemporary causes contributing to the perpetual state of violence and to make recommendations on concrete and effective actions that can be taken to remove systemic causes of violence against Indigenous women, girls and LGBTQ2S and gender diverse individuals and to increase their safety in this country.
16. Over the course of this Inquiry, more of our women have gone missing or have been murdered. This critically highlights the reasons that immediate action is required. We do not need to wait for this Commission’s final report to begin taking action.
17. MKO urges Canadians, Governments, Institutions, and those who perpetuate the root causes of violence against our Indigenous women, girls and LGBTQ2S and gender diverse individuals to be part of the change.

Systemic and Root Causes of Violence

18. It is a tragic reality that simply being an Indigenous female in Canada today places one at greater risk for violence⁶ and truly, there is no one area that is causing this violence to occur or persist. It is a multifaceted web of deeply structural and entrenched issues that has laid the foundation for the tragedy of missing and murdered Indigenous women and girls and for the continued violence against and oppression of Indigenous women, girls and LGBTQ2S and gender diverse individuals in Canada.
19. Pervasive, predominant and overarching themes that lead to violence against Indigenous women and girls have been identified. Four of the most predominant themes are the impacts

⁵ Terms of Reference for the National Inquiry into Missing and Murdered Indigenous Women and Girls <http://www.mmiwg-ffada.ca/wp-content/uploads/2018/06/terms-of-reference.pdf>

⁶ Interim Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, *Our Women and Girls Are Sacred*, 2018, page 8, citing Boyce, *Victimization of Aboriginal People in Canada* <http://www.mmiwg-ffada.ca/files/ni-mmiwg-interim-report-en.pdf>

of colonization (past and present); racism and discrimination; perpetual inequity in programs, services and the allocation of resources; and the insidious lack of political will by all levels of government to end the violence.

20. Multiple inquiries have previously and clearly determined that violence against Indigenous Peoples was rooted in colonization⁷ and the evidence suggests this Inquiry's findings will be no different.
21. Colonization, at its most fundamental level, is predicated on a hierarchy of power and control, patriarchy, supremacy, domination⁸ and genocide and is the most predominant factor in the perpetuation of violence against Indigenous women and girls.
22. Colonization, and its enduring legacy of terror, can be overt or silent.⁹ Its effects are pandemic, and it is often most harshly felt by those who have been marginalized and oppressed by its treachery— Indigenous Women, Girls, LGBTQ2S and gender diverse individuals, and Indigenous Communities. MKO families and Communities in Northern Manitoba are not unscathed by its devastating impacts.
23. Albert McLeod testified that there are two principle tools of colonization: (i) racism and (ii) terror.¹⁰ If an “Indigenous woman or two-spirit person can leave their home and disappear and not be seen for 16 years, [...] that’s the terror”.¹¹ The terror of colonization manifests in the very foundations of the lives of Indigenous Peoples and it acts to “weaken people’s resolve, to weaken people’s confidence”¹² as it demands assimilation, conformity and social control. Colonization does not take any one physical form, yet it manifests itself in the most tangible of ways— it harms, it eats¹³ and, as we know, it kills.

⁷ *Ibid* at page 9

⁸ Transcript Evidence Dr. Robyn Bourgeois, Panel III: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript Mixed Parts II & III, Volume XVII

⁹ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 96, Lines 5-13

¹⁰ Transcript Evidence Albert McLeod, Panel I: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume VIII, page 71-72, Lines 25 and 1-8

¹¹ Transcript Evidence Albert McLeod, Panel I: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume VIII, at page 72, Lines 2-8; referencing the disappearance and murder of Helen Betty Osbourne.

¹² Transcript Evidence Albert McLeod, Panel I: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume VIII, at page 72, Lines 10-17

¹³ Transcript Evidence Cora Morgan, Panel I: “Child & Family Welfare”, Public Transcript, Mixed Part II & Part III, Volume X, at pages 69-70, Lines 25 and 1

24. One of the key tools of colonization is racism.¹⁴ Like colonization, racism permeates and disrupts multiple aspects of everyday life for Indigenous Peoples. Even by colonial and international standards, racism should not be allowed to persist;¹⁵ yet it endures. It is predicated on the perpetuation of stereotypes through the existing social narrative and those who perpetuate the stereotype often have power in context,¹⁶ including the government, institutions, bureaucrats, and policy makers, who use this narrative as a tool for fiscal restraint.¹⁷
25. Through the colonial lens, the racist narrative of Indigenous women and girls has normalized and perpetuated the notion of dehumanization,¹⁸ making it easier to assert violence, oppression and neglect.¹⁹ This narrative, oft fueled by the mainstream media and not corrected through positive education nor transformation of the national conversation,²⁰ not only dehumanizes Indigenous women and girls but has the correlative effect of silence,²¹ invisibility,²² and the denial of safety and full enjoyment of their basic human rights.²³
26. While contemporary society may not commonly exhibit blatant racism, there exists a prevalence for “laissez-faire racism,”²⁴ based on the same principle, whereby the narratives

¹⁴ Transcript Evidence Albert McLeod, Panel I: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume VIII, at pages 71 and 72, Lines 25 and 1

¹⁵ CERD - International Convention on the Elimination of All Forms of Racial Discrimination 97 Session (26 Nov 2018 - 14 Dec 2018); See also: *Canadian Charter of Rights and Freedoms* s.15

¹⁶ Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at page 39, Line 17

¹⁷ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 31, Lines 13-25

¹⁸ Transcript Evidence Jesse Wenthe, Panel III: “Media, Journalism & Film”, Public Transcript, Part III, Volume X, page 32-33; See also: Amnesty International Publication, *No More Stolen Sisters: The Need for a Comprehensive Response to Discrimination and Violence Against Indigenous Women in Canada*, 2009, [No More Stolen Sisters] at page 5, Exhibit 17 from Mixed Part II & III, Volume VI, Panel II: “Criminal Justice Oversight & Alternate Programs” quoting Emma LaRoque “The portrayal of the squaw is one of the most degrades, most despised and most dehumanized anywhere in the world...she has no human face, she is lustful, immoral, unfeeling and dirty. Such a grotesque dehumanization has rendered all Native women and girls vulnerable to gross physical, psychological and sexual violence.”

¹⁹ Transcript Evidence Jesse Wenthe, Panel III: “Media, Journalism & Film”, Public Transcript, Part III, Volume X, page 32-33 Lines 21-25 and 1-6

²⁰ *Supra* note 6, *Interim Report* at page 5

²¹ Transcript Evidence Albert McLeod, Panel I: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume VIII, at pages 81-82

²² Transcript Evidence Jesse Wenthe, Panel III: “Media, Journalism & Film”, Public Transcript, Part III, Volume X, page 31, Lines 14-19

²³ *No More Stolen Sisters* at page 6

²⁴ Transcript Evidence Dr. Amy Bombay, Panel I: “Child & Family Welfare”, Public Transcript, Mixed Part II & Part III, Volume X, at pages 142-143 and 220-221, Lines 17-25 and 1-5

become so entrenched that people want to blame Indigenous Peoples for their “misfortune” or to “deny that there are root causes of today’s inequities.”²⁵

27. Racism not only acts to justify historic colonization but manifests in contemporary and interconnected forms of systemic bias leading to the obstruction of Indigenous self-determination, failure to recognize Treaty and land rights, lack of access or “differential access”²⁶ to services, programs and resources, and the over-surveillance of Indigenous Peoples by the criminal justice and child welfare systems.²⁷

All Systems Are Connected

28. Indigenous pedagogy reflects that all things in the universe are connected. We embrace the reality that we are inherently connected to Creator, our families, our Communities, our ancestors, our descendants, those yet to come, the lands, the waters, and all the living things. Through this holistic worldview, our relationships and connections with the world around us and the systems within it, guide our paths. However, through the imposition of western ideologies, systems and institutions, we have forcibly lost our way and our women and girls have disproportionately borne this loss.

29. To understand and to address the systemic and root causes of violence against Indigenous women, girls, and LGBTQ2S and gender diverse individuals, we must wholly recognize the interconnectedness of all the systems and institutions and appreciate that these do not operate in isolation of each other, but instead act with and upon one another.

30. The omnipresent violence against our women and girls is innate in many systems and institutions, including but not limited to, child welfare, health, policing, carceral, criminal justice, and education. We cannot begin to address one area in which violence persists, without the need to simultaneously address the others. Fundamental balance must be restored in all areas in order to end violence against our women and girls.

²⁵ Transcript Evidence Dr. Amy Bombay, Panel I: “Child & Family Welfare”, Public Transcript, Mixed Part II & Part III, Volume X, at pages 220-221

²⁶ Transcript Evidence Dr. Barry Lavalley, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at page 39, Lines 6-7

²⁷ Transcript Evidence Dr. Barry Lavalley, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, Exhibit 22, Executive Summary of “*First Peoples, Second Class Treatment: The role of racism in the health and well-being of Indigenous peoples in Canada*” [Summary: First Peoples] by Dr. Billie Allan and Dr. Janet Smylie, Well Living House / Wellesley Institute, 2015, at page 5

Child Welfare

31. This Inquiry has heard that one of the most violent acts that can be committed against a woman is to steal her child.²⁸ This act of violence is perpetuated through the colonial system imposed upon Indigenous Peoples in the form of the child welfare system. This system has been designed to keep and commodify our children²⁹ without focus nor redress as to the root causes of apprehension, including but not limited to, child poverty, food and housing insecurity, and lack of access to essential services. Instead, the current child welfare system is a harmful extension of the devastating Residential School system, predicated on much of the same principles and, as Senator Murray Sinclair has stated "[t]he monster that was created in the residential schools moved into a new house, [a]nd that monster now lives in the child- welfare system."³⁰
32. Manitoba has some of the highest rates of Indigenous children in care and newborn apprehensions in the country.³¹ The apprehension of a child at any stage of their lives can have devastating results and deprives these children of the connection to their identity and fundamental pieces important for their development.³² The most predominant factor significantly associated with the removal of children is poverty,³³ and Northern Manitoba is identified as having the highest child poverty rate in the country,³⁴ but poverty does not equate to a lack of love or ability to parent one's children.
33. While a new bill has been introduced to amend child apprehension laws in Manitoba to ensure

²⁸ Transcript Evidence Cora Morgan, Panel I: "Child & Family Welfare", Public Transcript, Mixed Part II & Part III, Volume X, at page 70, Line 6; See also UNDRIP Article 7, whereby Indigenous peoples have the right not to be subjected to any act of violence including the forcible removal of children.

²⁹ Transcript Evidence Cora Morgan, Panel I: "Child & Family Welfare", Public Transcript, Mixed Part II & Part III, Volume X, at page 57, Lines 6-7 and page 60, Line 12

³⁰ Winnipeg Free Press "Residential school 'monster' now lives in child-welfare system: senator" By: Lauren Krugel, The Canadian Press 10/26/2018 <https://www.winnipegfreepress.com/canada/residential-school-monster-now-lives-in-child-welfare-system-senator-498714351.html>

³¹ Transcript Evidence Cora Morgan, Panel I: "Child & Family Welfare", Public Transcript, Mixed Part II & Part III, Volume X, at pages 67

³² Transcript Evidence Cora Morgan, Panel I: "Child & Family Welfare", Public Transcript, Mixed Part II & Part III, Volume X, at page 66, Lines 13-17

³³ Transcript Evidence Mary Ellen Turpel-Lafond, Panel IV: "A Voice for Children and Youth", Public Transcript, Mixed Part II & Part III, Volume XIII, at page 167, Lines 14-18

³⁴ Campaign 2000 Report, *Riding by Riding Analysis Shows Child Poverty in Canada Knows No Boundaries* June 18, 2018 <https://campaign2000.ca/wp-content/uploads/2018/06/Campaign-2000-Riding-by-Riding-Child-Poverty-Report.pdf>

poverty is not a reason for apprehension,³⁵ Cindy Blackstock cautions against employing artificial ways to reduce the number of children in care and instead advocates for shifting the focus toward measuring the health of families.³⁶ “[U]nless we get at the poor housing, the poverty, the substance misuse, and mental health, and the domestic violence with our prevention services, then we’re going to miss the boat and kids will continue to come into care.”³⁷

34. Community based planning and culturally based prevention and intervention services are key factors in dealing with structural inequalities³⁸ that lead to the apprehension of children. Communities are in the best positions to develop these plans³⁹ and resources should be provided such that they are able to undertake this work. Part of essential community based planning is the fundamental recognition of First Nation jurisdiction over their children and families and their wellbeing.⁴⁰
35. It is the principle objective of MKO and the MKO First Nations to restore the full authority and jurisdiction to First Nations over all matters relating to First Nation children and families and to ensure that customary practices for the care, well-being and protection of children and families are applied. MKO's Child and Family Service (“CFS”) Liaison Unit operates within the MKO Political/Management framework to assist and support MKO leadership and Communities on CFS matters. The CFS Liaison Unit also provides support, guidance and advocacy to families who may be experiencing issues ranging from the removal of children to seeking available programs or services relevant in dealing with Manitoba's current CFS system.
36. MKO is working, through a restructuring initiative, to ensure a new governance model of the

³⁵ CTV News Article: *Child Apprehension Laws To Be Amended So Kids Can't Be Taken Because Of Poverty*, Kelly Geraldine Malone, The Canadian Press, Published Tuesday, November 6, 2018 <https://winnipeg.ctvnews.ca/child-apprehension-laws-to-be-amended-so-kids-can-t-be-taken-because-of-poverty-1.4166061>

³⁶ Transcript Evidence Dr. Cindy Blackstock, Panel IV: “Racism Against Indigenous Children and Youth”, Public transcript Part III Volume X, page 269, lines 1-16

³⁷ Transcript Evidence Dr. Cindy Blackstock, Panel IV: “Racism Against Indigenous Children and Youth”, Public transcript Part III Volume X, page 271, lines 1-7

³⁸ Transcript Evidence Dr. Cindy Blackstock, Panel IV: “Racism Against Indigenous Children and Youth”, Public transcript Part III Volume X, page 270, lines 9-10

³⁹ Transcript Evidence Dr. Cindy Blackstock, Panel IV: “Racism Against Indigenous Children and Youth”, Public transcript Part III Volume X, page 270, lines 11-12

⁴⁰ Transcript Evidence Dr. Cindy Blackstock, Panel IV: “Racism Against Indigenous Children and Youth”, Public transcript Part III Volume X, page 270, lines 15-20; See also: UNDRIP Articles 7 and 22

CFS system is put in place. However, the requested complete overhaul and restructuring of the CFS system toward a First Nation led system has yet to be fully realized. MKO remains committed to the generation of momentum toward obtaining full First Nation jurisdiction over CFS matters within the MKO region.

37. Prior to October 2016, MKO did not have a funded staff person who could commit their time to CFS matters. At best, the file was assigned to a staff person on a rotational basis depending on availability. Following this, MKO received limited yearly Provincial-based funding to hire a CFS Liaison Officer and an Administrative Assistant to provide technical support, liaison support and to advise MKO leadership on the development of CFS policies and objectives affecting MKO membership. Since then, and mainly due to the Calls to Action of the Truth and Reconciliation Commission of Canada, there is available federal funding to assist First Nations in developing their own service delivery model of prevention services and jurisdictional initiatives for each First Nation Community based on its own customary care practices, traditions and culture. The objective of the available funding is for First Nations to assert greater control over the wellbeing of their children and families. However, funds are available over the next five years based on the submission of proposals and service plans.
38. Agencies in the MKO Territory are faced with high caseloads, administrative challenges, inadequate funding and claw backs, which greatly impact on the ability to fully provide the necessary supports and services to keep our families and children safe, happy and healthy.
39. We will not tolerate another day of maintaining the status quo. One more day means more and more of our children are lost to systems that act as a barrier to their safety, their wellbeing and their connectedness to their families, their lands, their languages, and their ceremonies. It violates women and children and forces them into deep despair and hopelessness.

Health & Health Services

40. The intersectionality of colonization, racism, inequality and essential services, such as health care, is very clear. In fact, colonization has been recognized as a key determinant of health for Indigenous Peoples at an international level⁴¹ and has a direct correlation with poorer health

⁴¹ Summary: *First Peoples*, at page 5

- outcomes of Indigenous Peoples and can result in “differential access”⁴² to medical treatment.
41. This intersection manifests in an “Indigenous person who is identified as Indigenous either by their brown skin, or their name, or if they identify themselves [...] that an Indigenous person cannot enter a health care system except in stereotype”⁴³ creating life altering barriers for Indigenous Peoples seeking medical assistance.⁴⁴
42. The pervasive racism in the context of health has also normalized the inequities in health funding, resourcing and service provision through racist and gendered colonial legislation, such as the Indian Act,⁴⁵ whereby entitlements to Non-Insured Health Benefits and other Indigenous health services are directly correlated to state constructed classifications of Indigenous identity or status.⁴⁶ A structure was imposed upon Indigenous Peoples, that effectively strips women and girls of their Indigeneity based on arbitrary classifications of the state and then further acts to marginalize by not allowing them to access health services based on this classification.
43. Further, evidence suggests that colonization, racism and cross-cutting inequalities disrupt the lives of Indigenous Peoples at every stage. Even at the point of conception, a child can be predisposed to chronic illness because the child was conceived in an environment of the poverty, impoverishment and racism faced by his or her parents.⁴⁷ The cross-cutting inequities, social factors and racism impacts throughout our lives⁴⁸ and the pervasive impacts of racism and colonization even impact Indigenous Peoples after their death.⁴⁹
44. In Northern and remote communities in Manitoba, racism presents in disproportionate levels of chronic illness and poorer health outcomes, inadequate medical facilities, inadequate

⁴² Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at pages 39 and 298-299 describing “differential access” as a fancy term for racism.

⁴³ Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at page 38 lines 17-21

⁴⁴ Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, page 39, referencing that you can die from stereotyping.

⁴⁵ Indian Act, section 6

⁴⁶ Summary: *First Peoples* at page 9; See also: Transcript Evidence Dr. Valerie Gideon, Panel II: “Health Services”, Public Transcript, Part II, Volumes III & IV

⁴⁷ Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at page 50, Lines 1-6

⁴⁸ Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at page 50, Lines 19

⁴⁹ Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at page 54, Lines 12-21 referencing the autopsy of Brian Sinclair

number of practitioners to provide care and the limited resources provided in order to effectively treat the multiple medical needs of the Communities.⁵⁰

45. The increased use of medical transport of Indigenous Peoples from MKO Communities to urban centres, such as Winnipeg, to seek medical treatment, intervention and even to give birth,⁵¹ bears a significant financial and social cost and places Indigenous women and girls at further risk for the violence associated with attending urban centres.
46. Moreover, having to travel to give birth disrupts Indigenous women's ability to give birth in their Communities and correspondingly deprives their newborn children of this critically important right. It deprives the child and the Community the right of honouring the new gift of life and the ceremony that comes with this gift.
47. Additionally, children from the MKO Territory are frequently born in health institutions outside of their Communities that lack the presence of traditional medicines, grandmothers, and people who hold valuable traditional and cultural knowledge due to the lack of safe spaces to provide this care.⁵²
48. MKO has been working with the government of Canada to establish a Northern Health Authority⁵³ using a framework of clinical care transformation.⁵⁴ However, interim violence prevention measures are required to address the immediate harms caused by colonization, racism and deep inequities felt by women and girls in MKO Communities until the vision of northern health care transformation can be fully realized.
49. Further, the establishment of a Northern Health Authority will require long-term and sustained resources for the provision of health services to occur and to continue in the anti-colonial context, respecting First Nation jurisdiction for the provision of essential medical services.
50. It must be meaningfully recognized that solely having access to appropriate medical services will not alleviate or remedy all the substantive areas that impact on the overall health and

⁵⁰ Transcript Evidence Dr. Barry Lavalley, Panel II: "Intersection between Racism and 2SLGBTQ issues", Public Transcript, Part III, Volume IX, at page 299, Lines 6-13

⁵¹ Transcript Evidence Dr. Valerie Gideon, Panel II: "Health Services", Public Transcript, Part II, Volume III, at page 155, Lines 3-17

⁵² Transcript Evidence Dr. Barry Lavalley, Panel II: "Intersection between Racism and 2SLGBTQ issues", Public Transcript, Part III, Volume IX, at page 71, Lines 7-16; See also: UNDRIP Article 24

⁵³ Transcript Evidence Dr. Valerie Gideon, Panel II: "Health Services", Public Transcript, Part II, Volume III, at page 30, Lines 19-21

⁵⁴ First Nations of Manitoba Keewatinowi Okimakanak Framework for Clinical Care Transformation <http://mkonation.com/mko/wp-content/uploads/2018/03/MKO-Health-Framework-Diagrams-002.pdf>

wellbeing of Indigenous women, girls, families and Communities. A holistic and cultural approach must be taken to account for the vast array of other areas that perpetuate violence and detrimentally impact on the health of the woman, their family and their Community, for example:

“having a job and having access to economic viability by women actually is about the health of that particular family. So, while we focus on trying to change these -- the institutions and make them safe for people to gain access to health, there are other major influences on health that are not being addressed currently. That we need to actually branch out. It’s jobs, it’s housing, you know, it’s all of those kinds of things that are vitally important.”⁵⁵

Policing & Criminal Justice

51. The devastating truth is that safety has a very true price in our Communities, which often costs our People their lives.
52. In northern Manitoba, the Royal Canadian Mounted Police (“RCMP”) is the primary source of policing. The MKO Territory is referred to by the RCMP as the “Manitoba North District”⁵⁶ in Division “D”. All posts in this District are limited duration postings.⁵⁷ These types of postings are determined based on factors such as location, access, population, post size, lack of amenities, educational facilities, medical facilities and quality of life.⁵⁸
53. There are also not detachments in every MKO Community because the RCMP does not have the funding nor the members to put officers in many of the Communities,⁵⁹ instead, relying on “mitigating strategies” in order to provide policing services to the Communities without detachments.⁶⁰
54. Officers in Northern Communities are often young, rookie officers coming directly out of Depot who lack experience to deal with complex policing situations, cultural competency

⁵⁵ Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at page 302, Lines 11-19

⁵⁶ Transcript Evidence Commissioner Brenda Lucki, Panel I: “Recruitment, Training & Policing in Indigenous Communities”, Public Transcript, Part II, Volume VII, at page 98, Lines 19-21

⁵⁷ Transcript Evidence Commissioner Brenda Lucki, Panel I: “Recruitment, Training & Policing in Indigenous Communities”, Public Transcript, Part II, Volume VII, at page 98, Lines 19-21

⁵⁸ Transcript Evidence Commissioner Brenda Lucki, Panel I: “Recruitment, Training & Policing in Indigenous Communities”, Public Transcript, Part II, Volume VII, Exhibit 2, Overview of the testimony of Commissioner Brenda Lucky at page 7

⁵⁹ Transcript Evidence Commissioner Brenda Lucki, Panel I: “Recruitment, Training & Policing in Indigenous Communities”, Public Transcript, Part II, Volume VII, at pages 102-103, Lines 21-25 and 1-2

⁶⁰ Transcript Evidence Commissioner Brenda Lucki, Panel I: “Recruitment, Training & Policing in Indigenous Communities”, Public Transcript, Part II, Volume VII, pages 102-103, Lines 21-25 and 1-2

training⁶¹ and officer sensitization.⁶²

55. Officers posted in the Manitoba North District also face geographical, meteorological and infrastructure barriers to providing police services to Communities in the north and are sometimes not present in MKO Communities for extended periods of time.⁶³
56. This combination of factors can lead to the utilization of reactive models of policing instead of preventative models,⁶⁴ a lack of relationship building between officers and Community members, and can have detrimental effects on case continuity and information sharing between officers and family members that may have ongoing cases or may have a family member missing.⁶⁵ Our families and Communities deserve better.
57. Despite the barriers, every MKO Community should be afforded equal access to safety and protective services. Our People, families and Communities should feel safe to approach the police, should feel that they are being listened to, and should have their cases competently and thoroughly investigated.
58. An influx of more officers and more detachments will not substantively resolve the issues associated with northern First Nation policing.
59. A critical component to resolving long standing issues of policing in northern First Nations Communities is the building of relationships based on trust and respect.⁶⁶
60. The evidence of RCMP Commissioner Brenda Lucki suggests that the RCMP would be a better police force if there were strengthened relationships between the RCMP and First Nations Communities and increased levels of trust.⁶⁷ Further, that these relationships are exceedingly difficult to establish in short durations of time, especially in instances in which there is a

⁶¹ Transcript Evidence Commissioner Jacqueline Hansen, Panel II: "Criminal Justice Oversight and Alternative Programs", Public Transcript, Mixed Part II & III, Volume VI, page 45 lines 6-17

⁶² Transcript Evidence Commissioner Assistant Commissioner Joanne Crampton, Panel I: "Sexual Exploitation, Human Trafficking & Sexual Assault", Public Transcript, Mixed Part II & III, Volume XV, page 304; see also: Exhibit 3, Overview of the Testimony of Assistant Commissioner Joanne Crampton, RCMP, October 15, 2018

⁶³ Transcript Evidence Commissioner Brenda Lucki, Panel I: "Recruitment, Training & Policing in Indigenous Communities", Public Transcript, Part II, Volume VII, page 103 lines 4-9

⁶⁴ Transcript Evidence Commissioner Brenda Lucki, Panel I: "Recruitment, Training & Policing in Indigenous Communities", Public Transcript, Part II, Volume VII, page 103, Lines 9-18

⁶⁵ Transcript Evidence Commissioner Brenda Lucki, Panel I: "Recruitment, Training & Policing in Indigenous Communities", Public Transcript, Part II, Volume VII, at pages 103-104, Lines 19-25 and 1-5

⁶⁶ Transcript Evidence Commissioner Brenda Lucki, Panel I: "Recruitment, Training & Policing in Indigenous Communities", Public Transcript, Part II, Volume VII, at page 101, Lines 12-20

⁶⁷ Transcript Evidence Commissioner Brenda Lucki, Panel I: "Recruitment, Training & Policing in Indigenous Communities", Public Transcript, Part II, Volume VII, at page 101-102, Lines 12-25 and 1-9

significant history of distrust of the RCMP in the Communities.⁶⁸ However, the very factors that determine the duration of postings and the factors of adequate police resources to provide officers in all or proximate Communities act in opposition to goals of establishing positive relations between the RCMP and MKO Communities.

61. As with many other areas associated with the ongoing violence against Indigenous women and girls, mitigation and resolution of policing issues in northern Communities requires a holistic examination of the overall programs, services, needs and circumstances of individuals, families and Communities.
62. If factors determining limited duration postings were mitigated; if officers were sensitized in relevant ways by and toward the Communities in which they serve; if adequate funding and resources were provided to bridge geographic, staffing and critical infrastructure barriers; and if long-term relationships based on trust and respect could be established, many of the identifiable issues may be addressed, with the hope of leading to safer and healthier Communities and reductions in violence against our women and girls. Yet the status quo prevails.
63. Currently, many MKO Communities continue to struggle with the limitations of police services and from the Part I: Family Truth Gathering Hearings held in Thompson, Manitoba, evidence suggests that the main issues families with missing or murdered loved ones experienced were in their interactions with the police and the police's conduct of investigations into their loved one's cases.⁶⁹
64. Families reported issues including, but not limited to, racism; a lack of or improper investigations; lack of response; undignified reporting mechanisms; fear of reporting; lack of information sharing by police; lack of correspondence and communication; acquiescence or failures to act on information; dismissal of families' concerns; lack of knowledge of the community; lack of ancillary programs and services such as shelters, counsellors, victim's services, and child care; use of non-trauma informed practices; and families having to undertake their own investigations and searches.⁷⁰

⁶⁸ Transcript Evidence Commissioner Brenda Lucki, Panel I: "Recruitment, Training & Policing in Indigenous Communities", Public Transcript, Part II, Volume VII, at pages 101-102, Lines 12-25 and 1-9

⁶⁹ Transcript Evidence, Public Transcript, Part I: "Truth-Gathering Process", Volumes 72, 73, 74, 75, 76, 77

⁷⁰ Transcript Evidence, Public Transcript, Part I: "Truth-Gathering Process", Volumes 72, 73, 74, 75, 76, 77

65. Further, the complex models or structures utilized by the RCMP for major cases or crimes, such as homicides or missing persons,⁷¹ are often difficult to understand, information may not be forthcoming, and the investigators handling the cases are not always present in MKO Communities.⁷² Family members have access to a toolkit created and provided by the RCMP detailing their investigative structure(s),⁷³ but without more, this can leave family members to wonder about the status of their loved ones' cases. Therefore, there is a critical need for better and more meaningful communication between RCMP and MKO Communities and for processes of investigation to be competent and comprehensible.
66. The Family Information Liaison Unit ("FILU")⁷⁴ was created to assist families with their lack of information associated with their loved ones' cases. MKO has a FILU/MMIWG Liaison Unit designed to assist families and survivors in accessing information about their loved one's cases and in better understanding the processes involved.⁷⁵ Evidence suggests that there is an increasing need for FILUs.⁷⁶ However, the funding for this role is limited (both in terms of time and funding amounts) and often leads to the FILU having to search for outside resources to carry out their role and to aptly assist families in meaningful ways. It is imperative that programs that serve critical functions, such as the FILU program, be well resourced and not limited in duration or scope.
67. The RCMP is not the only police service that impact individuals that come from the MKO Territory. Forced urbanization or relocation to cities like Winnipeg, can bring our MKO Citizens into contact with the municipal police services, such as the Winnipeg Police Service ("WPS").

⁷¹ Transcript Evidence Deputy Commissioner Brenda Butterworth-Carr, Panel III: "Investigative Policies & Practices", Public Transcript, Part II, Volume X, at page 87

⁷² Transcript Evidence Deputy Commissioner Brenda Butterworth-Carr, Panel III: "Investigative Policies & Practices", Public Transcript, Part II, Volume X, at page 87

⁷³ Transcript Evidence Deputy Commissioner Brenda Butterworth-Carr, Panel III: "Investigative Policies & Practices", Public Transcript, Part II, Volume X, at page 87

⁷⁴ Transcript Evidence Deputy Naomi Giff-MacKinnon, Panel I: "Models for Delivery of Victims Services to Indigenous Peoples", Public Transcript, Part II, Volumes I & II, referencing Exhibit 14 Overview of Family Information Units document

⁷⁵ Transcript Evidence Deputy Naomi Giff-MacKinnon, Panel I: "Models for Delivery of Victims Services to Indigenous Peoples", Public Transcript, Part II, Volumes I & II, referencing

⁷⁶ Transcript Evidence Deputy Naomi Giff-MacKinnon, Panel I: "Models for Delivery of Victims Services to Indigenous Peoples", Public Transcript, Part II, Volume II, page 131, Line 18-25

68. Dealing with multiple police forces brings about more instances of violence against our women and girls. WPS Chief Danny Smyth recognized that “the police in Winnipeg have not always been on the right path, that [their] past actions and procedures contributed to harming Indigenous people in [Winnipeg]. Indigenous women were not treated with the respect and dignity that they deserve” and Chief Smyth apologized for the role of the police in Winnipeg for contributing to the violence against Indigenous women and girls.⁷⁷
69. Meaningful access to police services requires that officers are properly trained, in culturally sensitive and trauma-informed ways. Officers must be aware that they may be dealing with persons that have multiple layers of trauma, that there may be language barriers, and that they may be dealing with very private and sensitive matters. Women and girls reporting to police should never feel accosted by the very services that are meant to keep them safe.
70. It is the vision for many of our Communities to reclaim jurisdiction for the protection of our People. We require adequate resources to meaningfully engage with the Communities and to develop and implement protective services that are designed to meet our unique needs. This Inquiry has heard testimony on the important roles that First Nations Police Forces fill and the resulting benefits.⁷⁸
71. The right to safety and security is a fundamental human right that applies to everyone equally, regardless of gender, the colour of one’s skin or where a person lives. This right cannot continue to be desecrated due to a of lack of resourcing or geography. Ultimately, there should be no price on safety.⁷⁹

Land & Natural Resources

72. Our lands and resources are sacred and essential to our survival as Nations and to living a dignified life.⁸⁰ The connection to our land is fundamentally intertwined with who we are as Indigenous Peoples— our ways of being and knowing.⁸¹

⁷⁷ Transcript Evidence Chief Danny Smyth, Panel IV: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript, Mixed Part II & III, Volume XVIII, page 11, Lines 13-22

⁷⁸ Transcript Evidence Chief Terry Armstrong, Panel I: “Criminal Justice Oversight and Accountability” Public Transcript, Mixed Part II & III, Volume V

⁷⁹ Transcript Evidence Chief Terry Armstrong, Panel I: “Criminal Justice Oversight and Accountability” Public Transcript, Mixed Part II & III, Volume V, page 153, Lines 20-21

⁸⁰ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 14

⁸¹ UNDRIP Articles 25 and 26

73. The historic and ongoing violence against our lands damages and disrupts this fundamental connection and is a further manifestation of the deplorable commodification of our People for the benefit of the State.
74. Dr. Barry Lavallee testified that:
- “We know that the Indigenous body is proxy to our land and that the killing of our land is like the killing of the body of Indigenous people. So, while we have harm reduction approaches [...], we need our land back. That is fundamental to justice for Indigenous people. And, to reduce and to stop the targeting of Indigenous women, we need our land back and that we’re desperate to have our land.”⁸²
75. Through the enduring legacy of colonization, our lands and resources have been taken from us, ravaged, commodified and sold. As a settler colonial state, Canada (at the federal, provincial and territorial government levels) has had an ongoing investment in the perpetration of violence against Indigenous women and girls, and indeed, all Indigenous Peoples, in order to secure and retain unfettered access to Indigenous lands and resources.⁸³ Through its laws, policies and institutions, Canada has inflicted extreme violence on Indigenous Peoples, often in explicitly gendered and sexualized ways, in order to secure patriarchy, supremacy and domination over Indigenous Peoples, their lands and resources.⁸⁴
76. A fundamental shift in the colonial paradigm is required to move toward a true and meaningful recognition of First Nation jurisdiction over our lands and resources.⁸⁵
77. The ongoing consumption and plundering of our lands by industry and resource sectors has impacts on Indigenous women, girls, and Communities in northern regions of Canada. Evidence suggests that there are prevalent and underlying factors such as the legacy of colonization, and contemporary ongoing patterns of human rights abuses against Indigenous peoples, and heightened risks of Indigenous women and girls experiencing violence.⁸⁶

⁸² Transcript Evidence Dr. Barry Lavallee, Panel II: “Intersection between Racism and 2SLGBTQ issues”, Public Transcript, Part III, Volume IX, at pages 63-64, Lines 16-25 and 1

⁸³ Transcript Evidence Dr. Robyn Bourgeois, Panel III: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript Mixed Parts II & III, Volume XVII; Exhibit 51, *Perpetual State of Violence* at page 254

⁸⁴ *Ibid* The Perpetual State of Violence; See Also: Transcript Evidence Dr. Robyn Bourgeois, Panel III: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript Mixed Parts II & III, Volume XVII, at page 169

⁸⁵ UNDRIP Articles 26 and 27

⁸⁶ Transcript Evidence Jacqueline Hansen, Panel II: “Criminal Justice Oversight and Alternative Programs”, Public Transcript, Mixed Part II & III, Volume VI, page 65, Lines 13-24; See also UNDRIP Article 32

78. Violence against mother earth is a very gendered but realistic metaphoric construct of the ongoing violence that persists in Canada and it is therefore, not surprising that this gendered violence toward lands and resources by logical extension has spread to violence against our Indigenous women and girls.⁸⁷
79. The historic and ongoing violence against our land, our women and our Communities is intensely felt in our MKO Territory, where hydroelectric development is incredibly prevalent.
80. Evidence in this Inquiry has shown the direct correlation between the presence of industry and the heightened violence experienced by Indigenous women, girls, and Communities.
81. In a recent report entitled “*A Review of the Regional Cumulative Effects Assessment For the Hydroelectric Development on the Nelson, Burntwood, and Churchill River Systems*,”⁸⁸ The Clean Environment Commission of Manitoba (the “CEC”) recognized the correlation between violence against Indigenous women and hydroelectric development in northern Manitoba. This report found that:

“The arrival of a largely male construction workforce led to the sexual abuse of Indigenous women: people spoke of construction workers getting them inebriated and then taking advantage of them. People spoke of witnessing rape and being unable to interfere. Some spoke of instances of institutions intended to protect people, particularly the Royal Canadian Mounted Police, brutalizing men, permitting the exploitation of women, and failing to take local complaints seriously, although there were also instances of these complaints being addressed. Indigenous children felt themselves to be the target of racial violence and discrimination.”⁸⁹

82. In response to the CEC report and the historic and contemporary sexualized violence against MKO women in relation to industry, MKO Grand Chief Settee demanded apologies and changes in policy, further stating:

"Horrible, systemic abuse and exploitation of women and girls of MKO First Nations adjacent to hydroelectric projects has been going on for a long time, but we're here to say that MKO territory will not tolerate any kind of victimization and abuse of our sisters in any shape, form or fashion."⁹⁰

⁸⁷ Transcript Evidence Dr. Robyn Bourgeois, Panel III: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript Mixed Parts II & III, Volume XVII, at page 173, Lines 7-16;

⁸⁸ Clean Environment Commission Report, *A Review of the Regional Cumulative Effects Assessment For Hydroelectric Development on the Nelson, Burntwood, and Churchill River Systems* May 2018 [CEC Report] <http://www.cecmanitoba.ca/resource/hearings/42/RCEA%20Design%20Web%20Accessible%20May24.pdf>

⁸⁹ *Ibid* at page 36-37

⁹⁰ CBC Article *MKO blasts province, Manitoba Hydro for 'horrible, systemic abuse' of Indigenous women and girls* Sep 04, 2018 <https://www.cbc.ca/news/canada/manitoba/mko-hydro-abuse-reports-1.4809417>

83. Government decision-makers are aware of the heightened violence against our women and girls that industry brings, but still, they proceed with project approvals despite this knowledge. This exemplifies the repulsive perpetuation of the discriminatory social narrative and state condoned and sanctioned violence against our women and girls⁹¹ for profit— Canada is trafficking and exploiting our lands.⁹²

Housing, Shelters and Safe Spaces

84. Evidence in this Inquiry has shown that “[s]afety and security is housing.”⁹³ Having a safe and secure home with the associated adequate standards of living are essential to the wellbeing of our women, their families, and by extension, their Communities.

85. International human rights law recognizes that everyone has the right to an adequate standard of living and the right to the improvement of their social conditions, including adequate housing.⁹⁴ This right should not be interpreted narrowly and “does not get to be reinterpreted and applied differently to different populations”.⁹⁵

86. Several conditions must be met before particular forms of shelter can be considered to constitute “adequate housing” including security of tenure; availability of services; materials facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy.⁹⁶ By these very standards, much of the housing in MKO Communities would be considered “inadequate” and even deplorable. Continuing to force our women, girls, families and Communities to live in such conditions and the failure to substantively address the issues leading to these conditions is a fundamental breach of our human rights.

⁹¹ Transcript Evidence Dr. Robyn Bourgeois, Panel III: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript Mixed Parts II & III, Volume XVII

⁹² Transcript Evidence Dr. Robyn Bourgeois, Panel III: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript Mixed Parts II & III, Volume XVII, at page 172 Lines 13-19

⁹³ Transcript Evidence Timothy Argetsinger, Panel I: “Human Rights Framework”, Public Transcript Part III, Volume IV, at page 76, Lines 8-9

⁹⁴ International Covenant on Economic, Social and Cultural Rights Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 3 January 1976, in accordance with article 27 article 11 [ICESCR]; See also Office of the United Nations High Commissioner for Human Rights “*The Right to Adequate Housing*” Fact Sheet No. 21/Rev.1 https://www.ohchr.org/Documents/Publications/FS21_rev_1_Housing_en.pdf [Right to Adequate Housing]; See also UNDRIP Article 21

⁹⁵ Transcript Evidence Timothy Argetsinger, Panel I: “Human Rights Framework”, Public Transcript Part III, Volume IV, at page 76, Lines 18-20

⁹⁶ The Right to Adequate Housing at page 4

87. Overcrowding is akin to homelessness. In many MKO Communities there is a primary lack of housing. Housing that is available is often overcrowded, poorly constructed, has aging and/or deteriorating infrastructure, and may be lacking in appropriate insulation, electricity, sewage, clean and running water, and fire prevention mechanisms. Living conditions in many MKO First Nations have been likened to living in third world conditions within a first world country.
88. Further consistent evidence of this Inquiry suggests that inadequate and overcrowded housing has a direct correlation to family stress, tension and violence against women and children.⁹⁷ Overcrowding in Indigenous Communities often means that women have nowhere to escape violence in their own homes.⁹⁸
89. Statistics Canada's *Family Violence in Canada: A Statistical Profile 2015*, found that Manitoba has one of the highest rates of family violence in Canada.⁹⁹ It is fair to assume a rational connection between the critical need for housing, chronic overcrowding, and the statistically high rates of family violence in Manitoba.
90. In the MKO Territory, there are only three women's shelters— meaning only three out of twenty-six MKO Communities have a shelter for women who may be exiting situations of violence. One of the three shelters is located in a fly-in only Community. Due to this incredible lack in safe space for women, potentially exiting situations of violence in MKO Communities, in addition to geographic, weather and other barriers (i.e. access to transportation, dependents, lack of finances), women may be forced to remain in violent situations or alternatively, forced to leave their Communities completely in search of safe spaces. Further, women who are forced to leave their Communities in order to access safe spaces may experience additional trauma associated with leaving their Communities,¹⁰⁰ such as, leaving social support networks, and access to culture, language and ceremony. The need for safe spaces in every Community is urgently required.

⁹⁷ No More Stolen Sisters at page 8; See also: Transcript Evidence Timothy Argetsinger, Panel I: "Human Rights Framework", Public Transcript Part III, Volume IV, at page 75-76

⁹⁸ No More Stolen Sisters at page 8; See also: Transcript Evidence Timothy Argetsinger, Panel I: "Human Rights Framework", Public Transcript Part III, Volume IV, at page 75-76

⁹⁹ Statistics Canada: *Family Violence in Canada: A Statistical Profile*, 2015.

<https://www150.statcan.gc.ca/n1/en/daily-quotidien/170216/dq170216b-eng.pdf?st=umBMq88T>

¹⁰⁰ Transcript Evidence Betty Ann Pottruff, Panel I: "Models for Delivery of Victims Services to Indigenous Peoples", Public Transcript Part II, Volume II, at page 129, Lines 19-22

91. In MKO Communities there is also a lack safe spaces that offer wrap-around supports services¹⁰¹ for women, children, LGBTQ2S and gender diverse individuals who may have multiple needs. Necessary support services include cultural and ceremonial spaces; addictions treatment; mental health services; and educational and occupational programming. There is also a lack of much needed transitional housing or second stage housing for women, and their children, who have left situations of violence. This lack of essential shelters, support services and transitional housing in MKO Communities acts to reinforce and further normalize violence against Indigenous women and children—traumatizing, silencing and condemning our women and girls to remaining in or returning to violent situations.

Education

92. Article 14 of the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”) states that all Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.¹⁰² Yet for decades, Indigenous children have been subjected to atrocious discrimination when it comes to education in the forms of inadequate resources, infrastructure and access to culturally relevant curricula.¹⁰³

93. The chronic inequities in education, lack of resources for promoting and facilitating education, failures to recognize the true history of Canada, abhorrence to including our languages, cultures and traditions into curricula, and inequities in other correlated areas that impact education (i.e. health and food security), have disrupted the lives of our children with devastating results.

94. The Frontier School Division in northern Manitoba had some of the poorest education outcomes across the board, often lower in every subject than the provincial average.¹⁰⁴ Attendance rates were substantially lower than the provincial average with causes for such lower attendance being reported as linked to health, weather, facilities/small school and truancy.¹⁰⁵ This is entirely reflective of the inequities that MKO Communities face.

¹⁰¹ For example: safe shelter, child care, counselling services, substance misuse services, education and skills training, and access to language, Elders and ceremony.

¹⁰² UNDRIP Article 14

¹⁰³ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 23, Lines 13-18

¹⁰⁴ Frontier School Division Annual Report 2016-2017

<https://www.frontiersd.mb.ca/resources/SiteAssets/SitePages/Northerner/Frontier%20School%20Division%202016-17%20Annual%20Report.pdf>

¹⁰⁵ Frontier School Division Annual Report 2016-2017, at page 13

95. Additionally, and as recently as September 2017, Northern Manitoba First Nations were short at least 36 teachers¹⁰⁶ forcing some band-operated schools to turn to non-certified teaching staff to instruct classes. One of the main reasons cited for the deficit in teachers was the chronic inequity in federal education funding received by Indigenous Communities in Northern Manitoba, in part, leading to their inability to offer competitive wages to attract and retain necessary teaching staff.
96. One of the potential solutions cited was the training of more First Nations teachers such that they can return to their Communities to teach.¹⁰⁷ Instrumental programs offered by Brandon University called the Program for the Education of Native Teachers (“PENT”)¹⁰⁸ and the Kenanow Bachelor of Education Programme at the University College of the North¹⁰⁹ provides students with culturally relevant education such that they can return to teach in their Communities if they so choose.
97. While the current Government has committed to providing more funding dollars toward Northern First Nation education, the “roll-out” has been slow¹¹⁰ and funding alone does not act as a remedy for other barriers such as the isolative geography of Communities, high cost of living, food insecurity, lack of appropriate infrastructure, and lack of access to essential programs and services.¹¹¹
98. The devastating effects of educational inequity is left to be borne by those who have no fault—the children.
99. In November 2018, it was announced that some of MKO’s Communities would be getting new and renovated school facilities built in the Communities to address the crumbling and inadequate infrastructure, the need for advancement in technology and facilities, increased space, and to provide education to children up until grade 12.¹¹² However, investment in

¹⁰⁶ CBC Article: *Northern Manitoba First Nations Short at Least 36 Teachers*, Jill Coubrough September 22, 2017

<https://www.cbc.ca/news/canada/manitoba/northern-manitoba-first-nations-short-36-teachers-1.4301527>

¹⁰⁷ *Ibid*, citing Cross Lake as having less turnover because teachers come from the Community.

¹⁰⁸ Brandon University, Program for the Education of Native Teachers <https://www.brandonu.ca/pent/>

¹⁰⁹ University College of the North, Kenanow Bachelor of Education Programme <https://www.ucn.ca/sites/academics/facultyeducation/programs/bacheloreducation/Pages/Kenanow-Bachelor-of-Education-Program.aspx> regarding education programs designed to train teachers to become educators in the North.

¹¹⁰ *Supra* note 106 CBC Article

¹¹¹ *Ibid*

¹¹² CBC News Article: *New schools coming to 4 northern Manitoba First Nations*, Jamie-Lee McKenzie Nov 16, 2018

infrastructure is only part of the solution to end chronic inequity in First Nations education. Other critically interconnected areas need to be holistically addressed in Indigenous-led and substantive ways to ensure we are providing the best for our children, families and Communities for the future.

100. Education is crucial to the empowerment of women and girls as a response to ending gender-based violence. Empowerment of Indigenous women and girls through education promotes their sense of self agency, safety, wellbeing and is crucial to their financial independence.¹¹³
101. Fostering and promoting the education of women and girls through appropriate resourcing, development and implementation is key. MKO recognizes the power of education, grounded in our languages and cultures, in the advancement of our People and Nations and is committed to contributing to and assisting our MKO Communities with their visions of education and the development of their own education laws and frameworks.¹¹⁴
102. It is also critical that we empower our men and boys in the Communities through education. The traditional roles of men in our Communities have been lost through decades of colonization. We need to teach them at an early age about the importance of their roles and the roles of women and girls in our Communities. It is further required that education programs on healthy relationships, gender diversity, and parenting¹¹⁵ be resourced and available in every Community.
103. Education is also required for the public at large, to learn of the true histories and impacts of colonization, residential schools,¹¹⁶ and the “sixties scoop” as well as the ongoing violence against Indigenous women, girls and LGBTQ2S and gender diverse individuals. Education is the cornerstone for changes to the social narrative and national conversation. MKO remains hopeful that through education will come understanding.

<https://www.cbc.ca/news/canada/manitoba/first-nations-education-northern-manitoba-1.4908595>

¹¹³ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 23, Lines 7-13

¹¹⁴ <http://mkonation.com/education/>

¹¹⁵ Transcript Evidence Cora Morgan, Panel I: “Child & Family Welfare”, Public Transcript, Mixed Part II & Part III, Volume X

¹¹⁶ *Truth and Reconciliation Commission of Canada: Calls to Action*, Truth and Reconciliation Commission of Canada, 2016, Calls to Action 62-65

Forced Relocation & Urban Transitioning

104. There are a variety of reasons Indigenous women and girls from MKO Communities in northern Manitoba attend urban centres such as Winnipeg for short and long durations. Examples include access to education, employment, health care, dental care, to visit relatives, shopping, emergency evacuations of their Communities,¹¹⁷ and sometimes in search of “a better life.”¹¹⁸
105. Due to a lack of essential programs and services within the Communities, much of the transitioning to urban centres is effectively “forced relocation” or “forced urbanization,” affording little to no choice or agency to women and girls to determine for themselves whether they can stay in their Communities.
106. Once in an urban centre, women and girls are presented with new sets of challenges and risks. For example, a woman or girl from an MKO Community may have never been to an urban centre before, may not know how to use a cross walk, call a taxi, use public transportation, or to find a place of safety.¹¹⁹ Many of our women and girls who come from small Communities, where they know and trust its members, are often more trusting than they should be when they come to an urban centre.¹²⁰ Often with devastating results.
107. Programs in the Communities to educate women and girls on risks associated with transitioning to urban centres are critically lacking. Principally, Communities require resourcing to develop, administer and maintain programs and strategies to prevent violence and reduce risks associated with urban transitioning and urban life. Effective prevention and education programming for our women and girls travelling to urban centres are needed immediately and are essential for their safety and wellbeing. Even throughout this Inquiry, our women and girls have gone missing and have been murdered whilst attending urban centres

¹¹⁷ Transcript Evidence Chief Danny Smyth, Panel IV: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript, Mixed Part II & III, Volume XVIII, page 59, Lines 12-20 and page 171, Lines 6-16; see also Transcript Evidence Dr. Robyn Bourgeois, Panel III: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript Mixed Parts II & III, Volume XVII, at page 172 Lines 1-19; See also Article 10 UNDRIP

¹¹⁸ Transcript Evidence Commissioner Assistant Commissioner Joanne Crampton, Panel I: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript, Mixed Part II & III, Volume XV, page 53, Lines 13-15

¹¹⁹ Transcript Evidence, Tanya Talaga, Panel III: “Media, Journalism & Film”, Public Transcript, Mixed Part III, Volume X page 61 lines 15-23; see also Transcript Evidence Chief Danny Smyth, Panel IV: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript, Mixed Part II & III, Volume XVIII

¹²⁰ Transcript Evidence Chief Danny Smyth, Panel IV: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript, Mixed Part II & III, Volume XVIII

for reasons such as medical appointments or escorting family members to such appointments.¹²¹

108. Jackie Anderson testified that some of the most vulnerable women and youth come from northern Manitoba.¹²² Many of these young people have never attended an urban centre and may not be familiar with navigating an urban centre and may not be aware of the potential risks associated with urban life,¹²³ like sex trafficking or sexual exploitation.

109. Many times, young women and girls may find themselves caught in exploitive situations before they have the chance to avail themselves of centres offering safety and education. Ms. Anderson stated that:

“Recruiters are very organized. They know what to look for. They know how to identify kids that may be coming from the North. They use some of the things that we cherish and value as Indigenous people, such as our language. You know, they will stand around, and when they see them in shopping malls or in drop-in centres or libraries to hear if they have a certain slang of how they’re speaking, if they’re talking to their peers within their language [...] So they use those things as indicators that this is a child coming from the North who is probably isolated, who probably doesn’t have a lot of family, that may be here for school, and that are craving friendship.”¹²⁴

110. While there are extremely important Indigenous-led resources available to Indigenous women and young people who may be transitioning to urban areas,¹²⁵ they are not numerous nor adequately resourced to provide service to Indigenous women and girls across the province. Sustainable resourcing for these current support and educational programs, and the creation of

¹²¹ CBC Article: *Winnipeg police locate remains of homicide victim Christine Wood* June 3, 2017, <https://www.cbc.ca/news/canada/manitoba/christine-wood-homicide-1.4144931>; see also Winnipeg Free Press Article: *Suspect charged with second-degree murder for death of Christine Wood*, Bill Redekop, 04/08/2017, <https://www.winnipegfreepress.com/local/suspect-charged-with-second-degree-murder-for-death-of-christine-wood-418725573.html>

¹²² Transcript Evidence Jackie Anderson, Panel II: “Health Services”, Public Transcript, Mixed Part II, Volume IV, page 8 lines 8-16

¹²³ Transcript Evidence Jackie Anderson, Panel II: “Health Services”, Public Transcript, Mixed Part II, Volume III, page 98 lines 11-25; see also Transcript Evidence Chief Danny Smyth, Panel IV: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript, Mixed Part II & III, Volume XVIII page 59-60 lines 12-25 and line 1

¹²⁴ Transcript Evidence Jackie Anderson, Panel II: “Health Services”, Public Transcript, Mixed Part II, Volume III, page 97-98 lines 21-25 and 1-10

¹²⁵ Transcript Evidence Jackie Anderson, Panel II: “Health Services”, Public Transcript, Mixed Part II, Volume III, page 99-100; see also Transcript Evidence Chief Danny Smyth, Panel IV: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript, Mixed Part II & III, Volume XVIII, page 59-60 lines 12-25 and lines 1-18

additional Indigenous-led programs in Communities, are required on a long-term basis as a key mechanism of violence reduction.¹²⁶

111. Prevention and education is critical to reducing the risks associated with forced relocation and urban transitioning. Eliminating forced relocation and urbanization require holistic approaches to developing and creating sustainable programs and services in our Communities, such that Community members are not forced to leave; and that they have a choice, and that they know they have a choice. An approach cannot focus on any one single area in hopes of reducing the risks of forced relocation and urbanization. Substantial redress of the multiple factors “forcing” people to leave our Communities is required, as are the appropriate resources for Indigenous-led solutions to meet the unique needs of our Communities.
112. We are well aware that reform of all areas that are effectively forcing Indigenous Peoples from their Communities into urban centres cannot be resolved overnight. A collaborative effort on all fronts is required to ensure implementation of safe and culturally appropriate forced relocation prevention strategies. Our women must have a vital and central role in the development of the programs and strategies.
113. Until the issues of forced relocation and urbanization are effectively mitigated, women and girls from our Communities will continue to travel to urban centres and are at further risk of violence. Community driven awareness campaigns and prevention programs are required.

The Path Forward

Commemoration of Our Sisters

114. The families have spoken and Canada needs to listen. Much of the testimony from families in the Part 1: Truth Gathering Hearings focused on the need to commemorate, honour and remember their loved ones. We need to honour the spirits of the women and girls that have gone too soon. We need to remember their names, who they are and where they come from.
115. We need to ensure that we honour all of the women and girls who are missing or who have been murdered, and the survivors of violence regardless of their participation in this Inquiry.
116. Families have requested that there be ceremonies, healing gatherings, art displays and installations, educational programming on the prevention of all forms of violence in honour of

¹²⁶ Transcript Evidence Jackie Anderson, Panel II: “Health Services”, Public Transcript, Mixed Part II, Volume III, page 100 lines 6-20

their loved ones and legacy funding available to families and survivors. Their requests need to be designed by the women, resourced, and implemented.

117. Additionally, families acknowledged that one of the key ways to commemorate the tragic loss of their loved ones is to ensure that the future is safe for the children left behind and for those who have yet to come. The violence must come to an end.

Self-Determination

118. Numerous preceding Inquiries and Commissions have concluded that “the solutions to ending [...] violence must be led by self-determining Indigenous people, communities, and Nations.”¹²⁷

119. The “bedrock of UNDRIP,”¹²⁸ Articles 3 and 4, recognize that Indigenous Peoples have the right to self-determine and in the exercise of that right, have the right to autonomy and self-government.¹²⁹ Meaningful implementation of these Articles requires a fundamental “rebalancing” of both economic and political power between Indigenous Peoples and all levels of government, including the reconstitution of Indigenous Nations divided by colonial legislation or policy and the reallocation of land and resources.¹³⁰

120. Indigenous Nations are resilient, strong and building on the multigenerational strength that has been handed down to us.¹³¹ There has come a critical tipping point whereby our Nations are calling on the governments to recognize the need for a fundamental shift in the paradigm and change in the social order— “nothing about us without us.”¹³²

121. All levels of government must reach the point whereby Indigenous sovereignty and self-determination is recognized and respected.¹³³ State’s must acknowledge their role in the

¹²⁷ *Supra* note 6, *Interim Report* at page 13

¹²⁸ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, pages 12-13

¹²⁹ UNDRIP Articles 3 and 4

¹³⁰ *Supra* note 6, *Interim Report* at page 10 citing Canada, *Report of the Royal Commission on Aboriginal Peoples, Volume 5, Renewal: A Twenty-Year Commitment*, 1996,1. [RCAP]

¹³¹ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 19, Lines 20-22

¹³² Transcript Evidence Naomi Metallic, Panel I: “Human Rights Framework”, Public Transcript Part III, Volume IV, at page 232, Line 11

¹³³ Transcript Evidence Dr. Robyn Bourgeois, Panel III: “Sexual Exploitation, Human Trafficking & Sexual Assault”, Public Transcript Mixed Parts II & III, Volume XVII, at page 174-175 Lines 13-25 and 1-25

perpetuation of spatial, cultural, social and intergenerational inequalities as abuses of our inherent human rights¹³⁴ and our rights as Indigenous Peoples.

122. Decisions that are consciously and continually being made by government for Indigenous Peoples, disable our sense of agency and autonomy¹³⁵ and further the underlying state objectives or agendas toward social control, assimilation and domination.

123. The government masks these underlying objectives under the guise or illusion of self-government.¹³⁶ However, any form of self-government that is dictated by the State will be innately flawed because such dictates will be reflective of the interests of the State rather than those of the Indigenous Government and Community.¹³⁷

124. True self-determination does not mean that governments are able to absolve themselves of responsibility. Self-determination and self-government does not imply that Canada can “offload” their responsibilities for things such as essential services; to Indigenous Governments and Communities without the absolute recognition that Canada is responsible for creating many of the problems facing Indigenous Communities, and that Canada in turn has the corresponding legal and moral obligations to make amends.¹³⁸

125. True recognition of self-determination would be for Indigenous Peoples to determine for ourselves what our own forms of governance look like, rooted in Indigenous ways of knowing and being, and codifying our laws,¹³⁹ which would be respected by the colonial government.

Core & Sustained Resourcing/Investment

126. Indigenous populations are the youngest and fastest growing population in Canada.¹⁴⁰ Investing in our women and children is an investment in the future. Sustainable and long term investment and resourcing, that is not determined or clawed back based on political agenda or changes in government, is essential. Investment needs to be substantively equal to the needs

¹³⁴ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 19, Lines 20-22

¹³⁵ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 99

¹³⁶ *Supra* note 133

¹³⁷ *Ibid*

¹³⁸ *Ibid* at page 176

¹³⁹ Transcript Evidence Cora Morgan, Panel I: “Child & Family Welfare”, Public Transcript, Mixed Part II & Part III, Volume X, at page 12

¹⁴⁰ <https://www150.statcan.gc.ca/n1/daily-quotidien/171025/dq171025a-eng.htm>

of our Communities¹⁴¹ and needs to have mechanisms and frameworks in place for achieving these goals or it will be “merely words on paper.”¹⁴²

127. We have established frameworks within our Communities rooted in Indigenous laws, traditions, language, and cultures. However, recognizing and adopting frameworks blindly, without the requisite resourcing, will not further investment and will instead hinder the realization or materialization of the visions and needs of our Communities.¹⁴³

128. If continued credence is placed on the part of the government and society, on the importance of government or industry, non-Indigenous run programs and services, and if they are not fully reflective of the need of a woman or girl in the context with which she is familiar or comfortable, she will be less likely to avail herself of it. There will be more distrust and the service will not be as holistic and meaningful as it could be. While there may be some institutions or programs or services run by non-Indigenous providers, more focus should be based on providing services to the people designed by the people.”¹⁴⁴

129. In contrast to the current status quo, investment in and resourcing of essential programs, services and institutions should be long term and non-competitive. Naomi Metallic testified that in Canada today, there is not equal bargaining power in the relationship between Indigenous Nations and the government. Often legal instruments such as “agreements” are signed in relation to the required and essential needs for programs, services and core funding. These agreements are frequently a “take it or leave it” approach whereby Indigenous Communities and/or First Nations Governments do not have a choice.¹⁴⁵ This approach by government is often in spite of the fact that scholars and literature support “the findings that when Indigenous Communities determine their own rules in accordance with their laws, cultures and traditions and needs, that conditions correspondingly improve in the

¹⁴¹ Transcript Evidence Cora Morgan, Panel I: “Child & Family Welfare”, Public Transcript, Mixed Part II & Part III, Volume XI, at pages 63, Line 14-24

¹⁴² Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, pages 17-18

¹⁴³ Transcript Evidence Dr. Cindy Blackstock, Panel II: “Child & Family Violence”, Public transcript, Mixed Part II & III, Volume XII, page 17 lines 1-12 and page 32

¹⁴⁴ Transcript Evidence Val Napoleon, Panel I: “Indigenous Laws and Decolonizing Perspectives”, Public transcript, Part III, Volume II

¹⁴⁵ Transcript Evidence Naomi Metallic, Panel I: “Human Rights Framework”, Public Transcript Part III, Volume IV, at page 191-192 lines 20-25 and lines 1-5

Communities.”¹⁴⁶ A serious shift is needed to models of self-government that will allow for Communities to control their programs and services, to assert their laws and inherent jurisdiction, without the “strings” that are attached to the resourcing that comes from the Government.¹⁴⁷ Cindy Blackstock testified that it does not need to be an “either or” approach to closing gaps in the inequities, but rather it should be “yes and”.¹⁴⁸

130. Amnesty International found that it is well documented that the ongoing transfer of control of government and essential services to Indigenous Communities has resulted in the improved delivery and consequential improvements in the standard of living and quality of life. However, the levels of funding and resourcing are not determined by the Communities. That determination rests with the federal government, who impose spending caps, contractual funding and government claw backs that continually increase the disparities between First Nations and non-Indigenous Communities.¹⁴⁹

Political Will, Action & Accountability

131. Continued use of state designed systems, policies, laws and programs imposed upon Indigenous Peoples, that are known to have devastating and damaging effects on Communities, women and girls, is tantamount to state condonation and sponsorship of violence.

132. State created, and condoned, violence deprives our People of basic human rights. This violence is in: consciously and perpetually under funding and under resourcing Indigenous Peoples’ essential programs, services and institutions; utilizing colonial institutions and systems as tools for social control and conformity; taking and keeping our children; and reaping benefit from stolen lands which were intended to be shared through Treaty. This violence is to the detriment of our People and to the benefit of the State.

133. Canada can no longer deny their role in perpetrating systemic violence against Indigenous Peoples. Canada can no longer hide the violence or embed it in legislation, policy or institutions. Canada is required, by law, to acknowledge their role in this tragedy and to make amends, and Canada must have the political will to do so.

¹⁴⁶ Transcript Evidence Naomi Metallic, Panel I: “Human Rights Framework”, Public Transcript Part III, Volume IV, at page 188-189 lines 17-23

¹⁴⁷ Transcript Evidence Naomi Metallic, Panel I: “Human Rights Framework”, Public Transcript Part III, Volume IV, at page 195 line 3-7

¹⁴⁸ Transcript Evidence Dr. Cindy Blackstock, Panel IV: “Racism Against Indigenous Children and Youth”, Public transcript, Part III, Volume X, page 271, Line 17

¹⁴⁹ *No More Stolen Sisters* at page 7

134. This must simultaneously occur with the creation and implementation of accountability measures constructed by Indigenous Peoples, for each government run program and institution, whereby Indigenous Peoples can define, on their own terms, how to monitor, measure and hold accountable the responsible governments and institutions.

135. Political will is a conscious choice that makes a government either part of the solution or a part of the ongoing problem. If Canada truly wishes to establish a Nation-to-Nation relationship it must: fully acknowledge its role in the perpetration of systemic violence against Indigenous Peoples; and embrace Indigenous Peoples as equal partners going forward.

Conclusion

136. Our women and girls are sacred and are the heart and soul of our Nations. The enduring violence against our women and girls that has been caused by decades of oppression is a shame for all Canadians alike to bear.

137. Evidence in this Inquiry undeniably affirms that colonization, racism, perpetual inequity and lack of political will to change are the predominant and overarching contributors to the perpetuation of violence, including systemic violence, against Indigenous women, girls and LGBTQ2S and gender diverse individuals in Canada. The unchanging, or abysmally incremental changes to, the oppressive, misogynistic and colonial social orders and narratives in Canada continue to put all of our Indigenous women and girls disproportionately at risk for violence. We need to shift the paradigm.

138. We know the root causes of violence, and we know that our women, girls, families, Communities and Nations hold the solutions. We call upon this Inquiry to listen to our truths and to focus on immediate and direct actions for long-term systemic change.

139. We seek justice for the families and survivors and seek to commemorate our stolen sisters by ending this tragedy, so that violence does not impact one more Indigenous woman or girl.

140. We call upon Canada to recognize that this tragedy affects us all and the time for action is now.

List of Recommendations:

MKO calls upon this Commission of Inquiry to issue actionable recommendations, that:

Overarching Recommendations:

1. Calls for an implementation of the UNDRIP framework in its entirety, recognizing the inherent Rights of all Indigenous Peoples.
2. Utilize a family-centric approach to form all actionable recommendations that respect the diverse and unique needs of families, survivors and Communities.
3. Recognize that our women and girls deserve to be safe, no matter their race or geography and the appropriate measures must be taken- no matter the cost.
4. Focus on the need for Indigenous-led programs and services that include women and youth in the decision-making processes.
5. Are specific to, and applicable and implementable in, remote and isolated Communities in northern regions.
6. Establish a legacy fund for families and survivors, regardless of participation in this Inquiry, such that there is individual compensation for victims but also a fund that will last over time to create safe spaces and programs for the future.

Community Health and Prosperity:

7. Recognize that families and communities are the essential foundation upon which healthy lives and relationships, and interactions with the outside world, are built, with a specific focus on:
 - a. improving the overall health of families and communities with a holistic vision that is culturally relevant to each community;
 - b. addressing inequities in service provision to northern and remote communities in a substantive way by focusing on the needs and lived realities of the specific communities and citizens.
8. Recognize the need for health care facilities, and the need for sustained and core funding for such facilities, in every community in northern Manitoba, including:
 - a. Birthing, pregnancy, child rearing and early childhood development facilities;
 - b. Addictions treatment facilities, utilizing holistic (rather than institutional) approaches to addictions and addictions treatment (i.e. land based programming or ceremony);
 - c. Healing and aftercare for survivors of trauma and/or violence, their families, their communities and their service providers who may experience vicarious trauma (i.e. access to lodges, ceremony, Elders, language and circles).
9. Recognize that, in the event medical transport is required:
 - a. appropriate modes of transport must be used,
 - b. escorts must be provided, and,

- c. direct assistance must be provided to a patient upon arrival in an urban centre.
10. Focus on keeping families together, including immediate and extended families or families of the heart, including a specific focus on ensuring authentic reductions in the numbers of children being removed from their families and being taken into care by removing factors such as poverty as a factor for apprehension.
 11. Address the overarching need in each community, including the need for core and sustained funding, for:
 - a. culturally appropriate child care resources;
 - b. shelters and safe spaces for women, children and LGBTQ2S;
 - c. resource centres and sport and recreation facilities for families and youth;
 - d. the development and implementation of community-based plans, designed for and by the communities themselves, using holistic approaches and community expertise, while ensuring gender equity in decision-making processes.
 12. Call for resource development that occurs in a traditional territory, or in a proximate location to an MKO community, to require funded initiatives for:
 - a. the promotion of safety within communities, including safety planning, increased dynamic security measures, policing, and community campaigns that address mitigation of factors that contribute to heightened violence against Indigenous women and girls in connection with resource development;
 - b. proponents and migrant workers to undergo cultural training specific to the regions in which they work and training to prevent against violence against women and girls associated with the resource sector; and,
 - c. Indigenous designed and led independent oversight and complaint processes.

Education, Culture and Training

13. Prioritize the need to reclaim Indigenous languages and culture in every Community through the provision of resources for the Communities to develop and implement culturally relevant programming and services.
14. Focus on the need for core and sustained funding for parenting programs developed and implemented by Communities, including pre- and post-natal programming, such as breastfeeding education, education on the sacredness of pregnancy and life giving.
15. Recognize the need for mentorship programs in each community between:
 - a. Indigenous women and girls; and,
 - b. Elders and youth,
16. Recognize the need for core and sustained funding for culturally appropriate (including land-based learning), community designed, and age appropriate safety and awareness training, school curriculum and education, on topics including, but not limited to: racism, sexual and physical violence, healthy relationships, drug and substance misuse, mental health and well-being, suicide prevention, positive sexuality and gender diversity, internet safety, bullying/cyber bullying, social media,

- predatory behavior or grooming, gang and drug awareness, human trafficking and sexual exploitation.
17. Recognize the autonomy of each distinct community in the design, development and implementation of education, programs and services, including:
 - a. programming and education for women and girls that promotes:
 - i. strengthening and empowerment of their identity;
 - ii. physical and spiritual well-being; and,
 - iii. the creation of “tool kits” on various subjects addressing particular vulnerabilities.
 - b. programming and education for men and boys that promotes:
 - i. understanding of their roles in the community (i.e. Warrior Programs);
 - ii. understanding of the roles and importance of women and girls in the community;
 - iii. understanding of the importance of balance in communities; and,
 - iv. healing circles or other programs that promote healthy, non-toxic masculinity, and allows for the reclamation of roles and responsibilities as protectors of the family and community.
 18. Increase access to, and resources (including wage parity for teachers, Elders and administrative staff) for, high quality education in early childhood, elementary, junior high school, high school and post-secondary institutions in every Community, or geographically proximate Communities.
 19. Recognize the need for education counsellors in every Community to ensure those students that travel for education have a consistent contact person.
 20. Increase access to, and resources for, age appropriate urban transition training and education in every Community that includes presentations and materials on:
 - a. identification of risk factors,
 - b. location of programs, services and safe spaces available in urban centres,
 - c. methods for navigating urban centres, including the use of public transportation.
 21. Recognize the importance of media in influencing public perception, and recognize the need for cultural training for media, with a specific focus on positive portrayals and recognition of Indigenous Peoples as gifted and loved; as human; and as deserving of respect.
 22. Recognize the need for core and sustained funding for culturally based awareness and prevention campaigns for sexual abuse, sexual violence, domestic violence, racism and bullying, while promoting body positivity and positive sexuality.

Employment

23. Recognize the need for core and sustained funding and resources to:
 - a. develop and implement job skill and life skill training for people in northern Communities, including resume building workshops, courses, and certification;
 - b. create and sustain jobs in northern communities that have wage parity with other jobs of a similar type within that cohort, to remove barriers to remaining in Communities and “forced relocation” so that post-secondary education, skills and trades can be used in the Communities;
 - c. hire and train employees for the implementation of Indigenous-led programs, services and professions.

Housing

24. Address the overarching need for core and sustained funding for adequate and affordable housing, including second stage or transitional housing, in every MKO Community and in urban centres, to ensure that every family has a safe and secure place to live, free from such things as overcrowding and mold.
25. Promote the provision of adequate housing in a prompt and timely manner to those in need.
26. Recognize the need to construct sustainable homes, regardless of geography, that include adequate infrastructure, such as access to: clean water; plumbing; affordable heat and insulation; affordable electricity.
27. Recognize the need to subsidize the costs of living in remote or northern Communities, such that increased cost of living is not a factor leading to poor health outcomes.
28. Promote the development of infrastructure that assists in food sovereignty of Communities, such as greenhouses and gardens.

Policing, Medical Examiners, Accountability

29. Recognize the need to ensure the provision of substantively equal resources to promote preventative policing in every MKO Community, and the need to ensure the provision of core and sustained funding and resourcing to ensure that officers are not simply participating in front line policing but are able to undertake preventative strategies to overall Community safety.
30. Acknowledge and seek to mitigate factors associated with limited duration postings, to promote officers becoming part of the Community, rather than being in a constant cycle of new officers being introduced to Communities.
31. Promote programming for officers to receive training to increase sensitization to the needs, culture, traditions and landscape of the Community to ensure officers have the

tools to do their best work, while serving and protecting the people. This will act to alleviate some of the systemic biases and trust issues in Communities.

32. Promote ongoing and Community specific cultural training of officers, as a means of ensuring that cultural training does not take a pan-Indigenous approach, and as a compliment to cultural training activities available at Depot.
33. Recognize the need to ensure the availability of appropriate avenues and mechanisms to allow Community members to anonymously report crimes without fear of police bias and/or Community repercussions.
34. Recognize the need to ensure that there are experienced officers in every Community who are equipped to deal with the complex issues that may occur. Ensure that these officers have the resources they require to promote safety and crime prevention strategies.
35. Recognize the need to ensure that investigators are present in the Communities on a regular basis and are having open and understandable lines of communication with families, extended families and families of the heart.
36. Recognize the need to ensure that thorough and appropriate investigations are being conducted and to ensure that investigators have the resources they require to conduct thorough investigations.
37. Recognize the need to ensure that when a Community member approaches or reports to police that all efforts are made to listen and to conduct investigations into the report, and ensure that families are involved and informed at every stage of an inquiry or investigation where appropriate.
38. Recognize the need to ensure that barriers such as geography do not impede the safety of people. If a Community is remote, or isolated, or if there are significant barriers based on geography, there is a need to ensure that these barriers are substantively addressed and appropriate infrastructure and resources are provided.
39. Recognize the need to ensure that all informational materials are comprehensive, that policing or investigative structures are well understood and situated in ways that are comprehensible to families and persons affected by crime. Refrain from tool kits or informational documents that take a pan-Indigenous approach or are overly complex.
40. Recognize the need to provide a full time FILU in communities or at a PTO level to ensure the needs of families are being met.
41. Recognize the need to ensure that information regarding a loved one is not provided in arbitrary or bare ways. Ensure that barriers to accessing information are addressed to reflect the needs of family and Communities.
42. Recognize the need to ensure that medical examiners are present in the communities and not providing information over the telephone. If they are not able to be present in the Communities, ensure that there are respected medical professionals available to assist families with deceased loved ones and to explain the circumstances.
43. Recognize the need to ensure that autopsies on deceased persons are conducted in culturally appropriate ways, free from systemic or structural biases, and are conducted to reflect the actual circumstances and not a racist or colonial narrative.

44. Respect families' wishes towards proper identification of deceased loved ones, ensuring that traditional protocols regarding the passing of a loved one are respected to their fullest extent.
45. Recognize the need to ensure the availability of resources to build relationships of trust with RCMP and to allow the Community to be an active participant in the trust building.
46. Recognize the need to ensure that all policing and investigations are conducted with a human rights perspective. Ensure that the people RCMP serve are being treated with respect and dignity, and that interviews are not conducted through an intercom or glassed window. Community protocols must be followed for receiving information.
47. Recognize the need to ensure that crime scenes are not released prior to conducting thorough investigations.
48. Recognize the need to ensure that the police are not a further barrier to families wishing to avail themselves of tip lines, hotlines, or networks, that may assist in the procurement of information regarding a loved one.
49. Recognize that, in the event a Community or family member provides the police with information, the Communities and families must be provided with comprehensive listings of methods that can be used to obtain information regarding their loved ones or the status of a case.
50. Require that families are provide with detailed information, and an explanation of the processes and reasons why it may not always be possible to divulge specific information or to communicate regarding specific files.
51. Require Indigenous-led independent oversight of policing in culturally relevant ways and ensure there are accountability measures in place.
52. Recognize the need to ensure that there are resources and funding provided to First Nations and PTO's to conduct the necessary research into building a First Nations Police force.
53. Recognize the need to ensure that there are resources, infrastructure and funding available to Communities and PTOs who wish to engage in First Nation Policing.
54. Recognize the need to ensure the appropriate legislative backdrop within which First Nation Policing may become a reality.

Programs and Services

55. Call for the provision of appropriate space and autonomy for Communities to decide for themselves what programs and services they require, with PTO's and Communities doing the work, and government involvement and partnerships where requested by the First Nation or organization. That government roles are in support of programming, including the adequate resourcing of programming, and not in control.
56. Recognize the need to ensure the provision of core and sustained funding to ensure holistic services are available in every MKO Community, delivered in culturally

appropriate and relevant ways to the needs of each unique Community, including but not limited to programs and services in the areas of: health, mental health, counselling, education, child care, shelters and transitional housing, child empowerment and recreation, parenting, and, victims' services.

57. Call for state or non-indigenous organizations to invest in Indigenous designed and led programming.
58. Recognize the need to ensure that counselling services are available in the Communities at all times that are able to appropriately address the multiple needs in Communities and for all ages, ensuring that counsellors are not being sent into the Communities on a periodic basis and that there is not increased turnover, instead focusing on retention of professionals in Communities through retention strategies including but not limited to wage parity and incentives.
59. Focus on the creation of:
 - a. 24/7 safe spaces for Indigenous youth, women and men in every Community, including urban centres;
 - b. healing centres in all Communities and urban centres that are equipped to handle cases of trauma, violence, or addiction in culturally relevant ways.
60. Call for holistic support for survivors of violence and trauma, and for the family members and children of victims of violence, including short term and long term care options.
61. Call for the provision of core and sustained funding and resources for, and access to, the following Indigenous-led programs in every Community:
 - a. community-based legal help centres;
 - b. traditional services including language, ceremony and tools for identity;
 - c. programs for the promotion of identifying legal rights, human rights, human rights abuses and gendered perspective training;
 - d. current mobile crisis units to ensure the needs of all MKO communities are being met;
 - e. broadband, internet and cellular service in Northern Manitoba;
 - f. FILU's and positions for liaising with government and institutions at a PTO and community level;
 - g. diversion and restorative justice programming, and the potential for the implementation of pardon services to alleviate barriers that a criminal record may cause;
 - h. Community specific and culturally appropriate victims' services;
 - i. the establishment of a women's secretariat within the PTO to assist with the specific gendered issues affecting MKO women and girls; and,
 - j. aftercare programs for survivors of residential schools, survivors and families of violence, attempted suicide, substance misuse, etc.
62. Recognize the need to engage the Communities in the appropriate ways, with respect for proper protocols.

63. Recognize the need to ensure that all appropriate resources and people are “at the table” in the design and implementation of programs and services.

Funding & Resourcing

64. Recognize the need for core and sustained funding to build capacity for infrastructure, programs and services. Funding should not be “pilot” or provided per project. It should be core funding that allows for flexibility in the funding and reporting models for the projects undertaken.
65. Recognize that funding should not be competitive. Communities and organizations should not have to compete for funding.
66. Find that reporting requirements should be based on the program and the capacity of the program staff. It should be recognized that, if there are not enough staff to undertake proposal writing or detailed or onerous reporting requirements, it detracts from their ability to administer appropriate services.
67. Call for PTO’s to be provided with core and sustained funding to allow them to provide appropriate assistance to their member Nations. Funding and resourcing should be provided to PTO’s such that they are able to hire experts in the necessary areas (including legal and academic) and to be able to conduct and commission research needed by the Communities. Funding and resourcing should also be provided to PTO’s that directly administer services and programs to their member Nations.
68. Call for government claw backs to end simply because of onerous reporting requirements or arbitrary deadlines for funding.
69. Call for government and other funding streams to provide long term and sustainable funding to programs. Recognize that programs often take a long time before results are realized, and if funding ends before the programs get “off of the ground” there are no accurate measures of the success (or lack of success) of programming and service delivery. Additionally, if programs and services are cut, people will generally not avail themselves of services for fear that the program will not remain in place.
70. Call for the reallocation of funds into the appropriate areas. Instead of using reactive funding and resourcing models, (i.e. funding foster parents once children are apprehended, or funding prisons- instead fund those who are in need at the immediate time in order to prevent their contact with institutions such as CFS and carceral systems).
71. Promote the funding of service delivery and administration by First Nations, grass roots organizations and PTO’s.

Oversight and accountability

72. Call for oversight that is conducted from an Indigenous perspective - for example, call for the creation of an Indigenous Ombudsman or Northern Children’s Advocate.

73. Call for an implementation committee, or some form of oversight, for this Inquiry to test the strength, progress and speed with which the recommendations that are ultimately issued are being implemented, and to provide recourse mechanisms if they are not.
74. Specify mandatory timelines within which specific recommendations need to be put into action (like the OAG).
75. Call for a legislative backdrop by which action items from this Inquiry are implemented and will not be easily changed or stopped due to the change of political agendas— federally, provincially, or municipally.
76. Call for the implementation of international principles, laws and conventions to their fullest extent, including the *United Nations Declaration on the Rights of Indigenous Peoples*, without the “cherry picking” of provisions. This should extend to all levels of government, including Indigenous governments.
77. Recognize that political will and motivation to make change needs to be addressed, and engagement with the action items presented by this Inquiry need to occur on a large scale.
78. Seek to remove all discrimination against women and girls, specifically Indigenous women and girls, from legislation and policy.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.