PATHS OF INQUIRY

This document outlines the National Inquiry's broad scope of research. It sets out research clusters and themes that will allow the Inquiry to examine violence against Indigenous women and girls within the broader context of colonialism.

Data collected from multiple paths of inquiry will be analyzed through a decolonizing, culturally-specific, gendered, and rights-based approach that situates Indigenous women, girls and LGBTQ2S people not solely as victims or survivors of violence but as holders of inherent, constitutional, Treaty and human rights that continue to be violated.

The Inquiry's multidisciplinary research will be rooted in Indigenous concepts, theories, methodologies, and ethics that highlight the resilience, resistance and cultural resurgence of Indigenous women, girls and LGBTQ2S people. National Inquiry into Missing and Murdered Indigenous Women and Girls



Enquête nationale sur les femmes et les filles autochtones disparues et assassinées





Paths of Inquiry

This document should be read together with the Research Plan (updated October 2017)

Prepared by the Research Team

October 2017

KEY QUESTION: How is it that we allow for the devaluation of the lives of Indigenous women and girls in Canada?

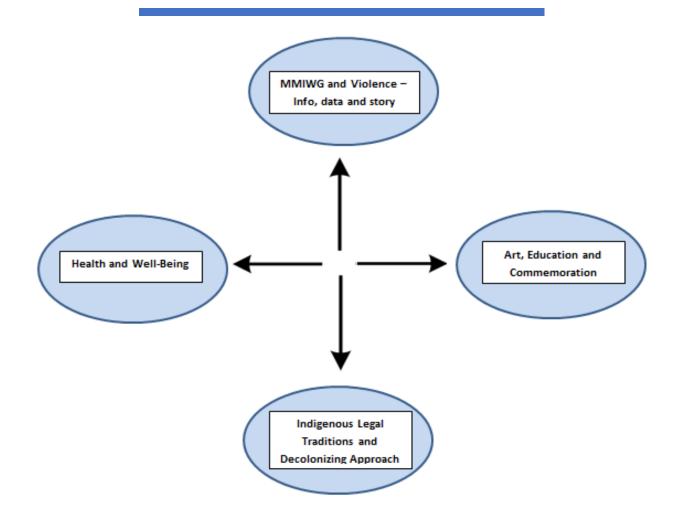






Table of Contents

Overview		5
	Fimelines and resources	. 5
(Cross-cutting lines of inquiry	6
-	Thematic Research Clusters, Sub-Themes and Topics	6
(Cluster 1: Violence and Indigenous Women, Girls and LGBTQ2S People	8
	Sub-theme 1(a) – Beyond "missing and murdered": Violence has many faces	8
	Sub-theme 1(b) – Colonial roots of gendered violence in kinship relationships and land-based way of life	
	Sub-theme 1(c) – Exclusion as violence: Replicating colonialism by marginalizing Indigenous women's priorities in communities and organizations	11
	Sub-theme 1(d) – Violence against Indigenous women, girls and LGBTQ2S people: The internation context	
(Cluster 2: Knowing the Past, Taking Action for the Future	13
	Sub-theme 2(a) – Missing and murdered Indigenous women, girls and LGBTQ2S people: Existing findings of fact and recommendations	13
	-	
	Sub-theme 2(b) – Practices for preventing, reducing, and eliminating the vulnerability of Indigenous women and girls to disappearance and violent death	
(14
(women and girls to disappearance and violent death	14 15
(women and girls to disappearance and violent death	14 15 15
(women and girls to disappearance and violent death Cluster 3: Advocacy, Action, and Media Sub-theme 3(a) – Impact of family, community, grassroots and political advocacy for an inquiry:	14 15 15 15
	women and girls to disappearance and violent death Cluster 3: Advocacy, Action, and Media Sub-theme 3(a) – Impact of family, community, grassroots and political advocacy for an inquiry Sub-theme 3(b) – Family, community and grassroots mobilization	14 15 15 15 16
	women and girls to disappearance and violent death Cluster 3: Advocacy, Action, and Media Sub-theme 3(a) – Impact of family, community, grassroots and political advocacy for an inquiry: Sub-theme 3(b) – Family, community and grassroots mobilization Sub-theme 3(c) – Roles of the media	14 15 15 15 16 17
	women and girls to disappearance and violent death Cluster 3: Advocacy, Action, and Media Sub-theme 3(a) – Impact of family, community, grassroots and political advocacy for an inquiry Sub-theme 3(b) – Family, community and grassroots mobilization Sub-theme 3(c) – Roles of the media Cluster 4: Institutional Systems of Colonial Violence Sub-theme 4(a) – How institutional systems of colonial violence are replicated in existing social	14 15 15 16 17 17
(women and girls to disappearance and violent death Cluster 3: Advocacy, Action, and Media Sub-theme 3(a) – Impact of family, community, grassroots and political advocacy for an inquiry Sub-theme 3(b) – Family, community and grassroots mobilization Sub-theme 3(c) – Roles of the media Cluster 4: Institutional Systems of Colonial Violence Sub-theme 4(a) – How institutional systems of colonial violence are replicated in existing social policies, programs and services	14 15 15 16 17 17
(women and girls to disappearance and violent death Cluster 3: Advocacy, Action, and Media Sub-theme 3(a) – Impact of family, community, grassroots and political advocacy for an inquiry: Sub-theme 3(b) – Family, community and grassroots mobilization Sub-theme 3(c) – Roles of the media Cluster 4: Institutional Systems of Colonial Violence Sub-theme 4(a) – How institutional systems of colonial violence are replicated in existing social policies, programs and services Sub-theme 4(b) – How criminal justice systems and law enforcement practices contribute to Indigenous women and girls' greater vulnerability to violence	14 15 15 16 17 17 19 21





Sub-theme 5(c) – Indigenous ways of life: Restoring Indigenous women and LGBTQ2S people's role in Indigenous political, economic, social and cultural life
Sub-theme 5(d) – Indigenous freedom from colonial violence: Political, economic, social and cultural rights of Indigenous women and girls, including LGBTQ2S people
Cluster 6: Commemoration, Art, Public History and Education24
Sub-theme 6(a) – Decolonizing through art, truth-sharing, healing and reconciliation
Sub-theme 6(b) – Indigenous truth-telling, oral history and multi-generational stories
Sub-theme 6(c) – Commemorating and honouring the lives of Indigenous women, girls and LGBTQ2S people who have been lost to violence or who are missing and murdered25
Sub-theme 6(d) – Bearing ethical witness to truth-sharing stories of violence: Decolonizing non- Indigenous Canadians
Sub-theme 6(e) – Decolonizing education and pedagogy to re-story national history
Sub-theme 6(f) – The role of archives and museums in remaking public memory
Cluster 7: Action for Change: Evaluating and Monitoring the National Inquiry Calls to Action ² 29
Sub-theme 7(a) – Indigenous critiques of Western-based evaluation models
Sub-theme 7(b) – Strategies for monitoring which Calls to Action ² have been implemented and measuring their success over time
APPENDIX A - List of reports in Terms of Reference





Overview

The National Inquiry is mandated to examine and report on (1) systemic causes of all forms of violence against Indigenous women and girls and (2) institutional policies and practices implemented in response to violence experienced by Indigenous women and girls (good and bad).

The National Inquiry is mandated to make recommendations on 1) concrete and effective action that can be taken to remove systemic causes of violence and increase safety of Indigenous women and girls and 2) ways to honour and commemorate missing and murdered Indigenous women and girls in Canada. In fulfilling this mandate, the Inquiry must conduct its work using a trauma-informed, culturally appropriate process that also contributes to public awareness and advances reconciliation.

This **research strategy** is designed to achieve these goals by examining violence in the broader context of colonialism. The data collected from multiple paths of inquiry will be analyzed through a decolonizing, culturally-specific, gendered, and rights-based approach that situates Indigenous women, girls and LGBTQ2S people not solely as victims or survivors of violence but as holders of inherent, constitutional, Treaty and human rights that are still being violated.

The Inquiry's multidisciplinary research will be rooted in Indigenous concepts, theories, methodologies, and ethics that highlight the resilience, resistance and cultural resurgence of Indigenous women, girls and LGBTQ2S people.

While the research and legal teams have led the creation of this framework all units of the National Inquiry have provided input and feedback. This Paths of Inquiry document should be read in conjunction with the Research Plan, a document that lays of the basic framework, vision, key considerations, project criteria and overall strategy guiding the Inquiry's research. This Paths of Inquiry has been created as a living document, flexible so that research can be accordingly refined as work proceeds. We welcome others' input.

Timelines and resources

This document outlines the **broad scope of research** to be conducted for the Final Report. However, this scope may have to be scaled back if the federal government does not allocate additional time and resources to the National Inquiry.

Given existing time limitations, only some elements of the National Inquiry's theoretical approach to reconciliation, truth-gathering process, and commemoration will be included in the Interim Report so that the necessary context for the National Inquiry's overall research framework is clear.

It should be noted that only Thematic Research Cluster 2, sub-theme 2(a), "Missing and Murdered Indigenous Women, Girls and LGBTQ2S People: Existing findings of fact and recommendations" has been included in the Interim Report. It may be further fleshed out in the Final Report, but has been addressed





early to help determine which findings of fact and recommendations from previous reports and inquiries the Inquiry should endorse for implementation.¹

Many of the issues that the National Inquiry will examine have a shared research and legal (fact-finding and expert) component. The research and legal teams will work collaboratively to coordinate this work, including identifying research clusters and themes, determining project scopes and timelines, and identifying subject experts.

Cross-cutting lines of inquiry

Several cross-cutting lines of inquiry or perspectives will be woven into each thematic research cluster, including:

- First Nations, Inuit and Métis Perspectives
- LGBTQ2S Perspectives
- Historical Perspectives
- Gender Perspectives
- Disability Perspectives
- Intergenerational Perspectives: Elders, Children and Youth
- Urban, Rural and Remote Perspectives
- Community, Regional and Québec-specific, National and International Perspectives

Thematic Research Clusters, Sub-Themes and Topics

Currently seven (7) thematic research clusters have been identified, each with various sub-themes and topics. Investigation of each cluster may be done through:

- a) Internal research
- b) Commissioned reports
- c) Expert panels (including Elders, Knowledge Keepers, scholars, organizations, policymakers, practitioners) through the Expert Hearings;
- d) Other evidence obtained through the Community Hearings, Institutional Hearings, document collection, and the Forensic Police File Review Committee (including requesting/subpoenaing documents or examining witnesses)

It will also be necessary to determine:

e) How this data can be analyzed and reframed through a decolonizing, culturally-specific, gendered and rights-based approach²

¹ For a list of the reports that are listed in the Terms of Reference, see Appendix A (below)

² Discussion papers on the National Inquiry's decolonizing framework and typology of violence will be produced for online publication in early 2018 as well as a two-page summary for contract researchers to help them frame their





- f) What remedial measures and best practices have been identified
- g) What findings and recommendations can be made for future change³

submissions. The Inquiry should also consider publishing a stand-alone volume (similar to the TRC's Survivors Speak) of quotes from family members and survivors on themes of healing and reconciliation process. ³ The National Inquiry will use the term "Calls to Action²" (pronounced "Calls to Action Two") for its final recommendations. This builds off the TRC's Calls to Action and more urgently articulates the need for change.





Cluster 1: Violence and Indigenous Women, Girls and LGBTQ2S People

Sub-theme 1(a) – Beyond "missing and murdered": Violence has many faces

Research and Fact-finding Objectives:

- Examine why Indigenous women and girls experience high levels of violence, including disappearance and death:
 - Does discrimination on the basis of race and gender contribute to ongoing violence, and if so, how?
 - Have institutional policies, programs and practices contributed to ongoing violence and vulnerabilities experienced by Indigenous women and girls, and if so, how?
- Identify the different types of colonial violence that Indigenous women and girls experience.
- Break open the issue of human trafficking of Indigenous women and girls.
- Review and identify gaps in federal, provincial/territorial legislation, policies, programs.
- Review and identify gaps in Institutional policies and procedures.
- Identify emblematic case studies from across the country to highlight effective remedial government policies, programs, and services.

- A. Sex trade, sexually exploited children/youth and human trafficking (Priority)
 - i. Sex work vs. sexually exploited children/youth vs. human trafficking
 - ii. Ties to organized crime and gangs
 - iii. Systemic causes of high vulnerability (FASD, transition from reserve to cities, transition out of child welfare system, etc.)
 - iv. Areas of concern, especially re: trafficking
 - v. Relationship with police and the law
- B. Child Abuse
 - i. Intergenerational cycles of child abuse
 - ii. Institutional child abuse
- C. Suicide and Self-Harm
 - i. Factors that increase vulnerability
 - ii. Youth suicide





- iii. Overt and subtle forms of self-harm
- iv. Causal links to systemic violence
- D. Sexual Assault
 - i. Factors that increase vulnerability
 - ii. Consent
 - iii. Impact of systemic discrimination (racism and sexism) on reporting crimes
- E. Partner and family violence
 - i. Stalking and criminal harassment
 - ii. Partners who are also survivors of childhood sexual assault or other forms of violence
 - iii. What can be done to help partners heal from their own history of violence
- F. Online harassment, exploitation and violence
 - i. Online harassment, threats and doxxing⁴
 - ii. Luring vulnerable people
 - iii. Pornography and child pornography
- G. Indigenous women as perpetrators of violence
 - i. Root causes of violence
 - ii. Female gangs
 - iii. Effectiveness of Gladue reports
 - iv. Overrepresentation in the justice system
- H. Systemic and individual forms of violence
 - i. Bullying and cyberbullying
 - ii. Lateral violence
 - iii. Racism and discrimination

⁴ Doxxing: Maliciously publishing private or identifying information about a particular individual on the Internet. For example, publishing someone's home address, phone number or banking information to invite ongoing harassment in real life as well as online.





Sub-theme 1(b) - Colonial roots of gendered violence in kinship relationships and land-based ways of life

Research and Fact-finding Objectives:

- Examine causal link between the colonization of Indigenous peoples (disempowerment, disenfranchisement, and dispossession of the land) and the perpetuation of gendered violence.
- Examine how the laws and policies, and discriminatory, racist and dehumanizing attitudes and practices of the colonial system (such as the Indian Act, residential school system, failure to honour Treaties, rationing of food on reserves, etc.) has:
 - Disrupted Indigenous women's place in kinship relationships and land-based ways of life
 - Reinforced unequal gender and power relations between Indigenous women and men and between Indigenous women and settler colonial societies
 - Has had intergenerational effects.
- Examine who participates in and perpetuates violence against women, historically and in the contemporary context, and who benefits from the ongoing oppression of Indigenous women.
- Examine how violence enacted through the dispossession of land and the continuing capitalist extraction of resources from the land is violence against women.

- A. Customary relationships and land-based ways of life
- B. Colonization of Turtle Island
- C. LGBTQ2S people and Indigenous understandings of sex and gender
- D. Impact of s. 91(24) of the British North America Act
- E. Indian Act
 - i. Through a gendered lens (status and Bill C-31, matrimonial property rights)
 - ii. Impact on family structures
 - iii. Is it contrary to international law?
- F. Residential Schools and the Sixties Scoop





- G. Treaties and Aboriginal title and rights
- H. Violence against the land as violence against women
- I. Indigenous women in urban areas (non-status, off-reserve, Métis and Inuit)
- J. Legacies of patriarchy and paternalism

Sub-theme 1(c) – Exclusion as violence: Replicating colonialism by marginalizing Indigenous women's priorities in communities and organizations

Research and Fact-finding Objective:

• Examine how Indian Act band governments and regional and national Aboriginal organizations replicate violent colonial structures by marginalizing the issues and priorities of Indigenous women.

Research Topics:

- A. Indigenous women and LGBTQ2S people in governance and leadership
 - i. Structural disadvantages
- B. Indigenous women and LGBTQ2S organizations
 - i. Marginalization at national, provincial and territorial levels
 - ii. Local Indigenous-based and grassroots organizing
 - iii. Funding levels

Sub-theme 1(d) – Violence against Indigenous women, girls and LGBTQ2S people: The international context

Research and Fact-finding Objectives:

- Examine how international law and a human rights framework inform a decolonizing framework for eliminating violence against Indigenous women and girls and recognizing their inherent right to self-determination.
- Define what gendered violence (including sexual violence) is from a human rights perspective.
- Connect violence in Canada to global Indigenous and human rights frameworks.





- A. Women and global human rights frameworks
- B. United Nations: Canada's commitments; studies and reports
- C. UNDRIP
- D. International law
 - i. State law
 - ii. Indigenous laws





Cluster 2: Knowing the Past, Taking Action for the Future

Sub-theme 2(a) – Missing and murdered Indigenous women, girls and LGBTQ2S people: Existing findings of fact and recommendations

Research and Fact-finding Objectives:

- Examine existing databases and statistics to determine where high rates of missing and murdered Indigenous women and girls are concentrated, and other hard data.
- Examine previous Canadian commissions and inquiries and international bodies for findings of fact and recommendations that the National Inquiry may wish to endorse and recommend for implementation.

- A. Acutely affected areas
- B. Existing databases for missing and murdered Indigenous women and girls
- C. Existing statistics both missing and murdered and other forms of violence
- A. Pre-Inquiry information
- B. Terms of Reference reports
- C. Legal Strategy Coalition (LSC) report, including other reports and inquiries
- D. Recent and relevant literature
- E. Identify any gaps in existing research, including under-reporting by RCMP, etc.
- F. Which recommendations specific to missing and murdered Indigenous women and girls have been enacted?
 - i. If not, why?
 - ii. Are they effective?





Sub-theme 2(b) – Practices for preventing, reducing, and eliminating the vulnerability of Indigenous women and girls to disappearance and violent death

Research and Fact-finding Objectives:

- Review existing legislation, policies, programs and services to determine whether they have reduced Indigenous women and girls' disappearance and violent death.
- Determine what changes must be made and identify practices that have proven effective in reducing the vulnerability of Indigenous women and girls to disappearance and violent death.

Research Topics⁵:

- A. Gaps in existing government and institutional programs and services
- B. What policies, programs and practices have been effective?
 - i. At all levels of government
 - ii. Community-based and grassroots
 - iii. Service providers and front-line workers
 - iv. Anti-racism and inclusivity policies and practices
 - v. Health policies and practices
 - vi. Education and school system policies and practices
 - vii. Child welfare policies and practices

⁵ Because this topic is so huge, using emblematic case studies from across the country can narrow scope of work to a more reportable level.





Cluster 3: Advocacy, Action, and Media

Sub-theme 3(a) – Impact of family, community, grassroots and political advocacy for an inquiry

Research and Fact-finding Objective:

• Examine the impact of family, community and grassroots advocacy in establishing the MMIWG Inquiry.

Research Topics:

- A. Indigenous social movements
 - i. Families
 - ii. Indigenous women and LGBTQ2S grassroots and community organizations
 - iii. Indigenous women and LGBTQ2S political organizations
 - iv. Strategic partnerships with feminist and other social justice NGOs

Sub-theme 3(b) – Family, community and grassroots mobilization

Research and Fact-finding Objective:

• Examine the role that families, communities and grassroots have mobilized in the face of murdered and missing loved ones

- A. Formal and informal missing persons networks
 - i. Formal and informal search and rescue efforts
- B. Role of social media and the Internet
 - i. MMIWG as well as other forms of violence
 - ii. Idle No More
 - iii. #AmINext?
 - iv. #We Care





Sub-theme 3(c) – Roles of the media

Research and Fact-finding Objectives:

- Analyze mainstream and Indigenous media to determine if perceptions and portrayals of violence against Indigenous women and girls have changed over time in ways that are recolonizing or decolonizing.
- Determine the impact of Idle No More and other social media campaigns like #AmINext? and #WeCare in building a network of support for families and calling public attention to the urgent need to remedy violence against Indigenous women and girls.

- A. Role of mainstream and Indigenous media (news, print, TV, radio, documentaries)
 - i. MMIWG as well as other forms of violence
 - ii. Political climate
 - iii. Perceptions of violence against Indigenous women and girls
 - iv. What are the trends? Have they changed? And if so, why?





Cluster 4: Institutional Systems of Colonial Violence

Sub-theme 4(a) – How institutional systems of colonial violence are replicated in existing social policies, programs and services

Research and Fact-finding Objectives:

- Examine the impacts of systemic violence on social determinants of health and wellness for Indigenous women and girls and LGBTQ2S people;
- Consider the relationship between lack of government services and rates of missing and murdered Indigenous women and girls
- Identify emblematic case studies from across the country to analyze effective remedial government policies, programs, and services, with a particular focus on evolving Indigenous governance, law and policy models and best practices for reducing harm and preventing violence, healing, and cultural reclamation, revitalization and resurgence.

- A. Social determinants of health and well-being
- B. Child Welfare
 - i. Number of Indigenous people in child welfare and foster care system
 - ii. Indigenous vs non-Indigenous foster families and the connection or disconnection to child's own culture and community
 - iii. Effectiveness of Indigenous and non-Indigenous child welfare models in producing healthy and safe girls and women
 - iv. Best practices for prevention, harm reduction, and elimination
- C. Health Care
 - i. Access to health care
 - ii. Addictions
 - iii. Mental Health
 - iv. Indigenous health models
 - v. Best practices for prevention, harm reduction, and elimination
- D. Housing and homelessness
 - i. Safe and affordable housing on and off-reserve
 - ii. Vulnerability of homeless to violence
 - iii. Access to emergency shelters, safe houses and transition houses
 - iv. Best practices for prevention, harm reduction, and elimination





- E. Poverty and lack of economic opportunities
 - i. Need to leave communities and go to cities
 - ii. Inability to access basic needs of life
 - iii. Lack of access to jobs and training opportunities
 - iv. Food security and food sovereignty
 - v. Best practices for prevention, harm reduction, and elimination
- F. Education
 - i. Limited access to educational opportunities
 - ii. Need for Indigenous-specific, culturally appropriate curriculum
 - iii. Causal relationship between bullying and increased vulnerability of Indigenous women and girls in schools
 - iv. Indigenous education models
 - v. Best practices for prevention, harm reduction, and elimination
- G. Lack of cultural supports
 - i. Growing up disconnected from culture
 - ii. Lack of access to Elders, traditional teachings and the land
- H. Lack of culturally-appropriate and culturally-safe services
 - i. Failure to value Elders and Knowledge Keepers
 - ii. When Indigenous people ask for help, and are denied; interventions (who intervenes on behalf of Indigenous women and girls and LGBTQ2S people)?
 - iii. Need for cultural competency training for professionals
 - iv. Impact of racism, sexism and other forms of discrimination
 - v. Need for leadership on decolonizing institutional and organizational cultural change in bureaucracies
- I. Lack of coordination between service provision (the paper shuffle)





Sub-theme 4(b) – How criminal justice systems and law enforcement practices contribute to Indigenous women and girls' greater vulnerability to violence

Research and Fact-finding Objectives:

- Examine how police investigate murders and disappearances of Indigenous women and girls, as compared to non-Indigenous women and girls. (does location of crime impact the quality of investigation; include a review of policing policies and practices).
- Examine if there are systemic trends or patterns distinct to police investigations relating to Indigenous victims (include a resource analysis/delays).
- Examine whether there is discrimination against Indigenous women and girls in or by the criminal justice system (including negative stereotypes, racialized rape myths, false assumptions, conviction rates, sentencing issues, etc.).
- Examine whether convicted murderers and perpetrators of violence against Indigenous women and girls have explained why they target Indigenous women and girls.
- Examine whether non-Indigenous police receive adequate or proper training to understand and react to Indigenous realities and people.
- Examine if police are also perpetrators of violence against Indigenous women and girls (Val D'Or for example) and if so, identify best practices for investigating these allegations and appropriate sanctions.
- Examine barriers that families and community members face in reporting missing persons or violent incidents and barriers in participating in police investigations.
- Examine effectiveness of Indigenous and non-Indigenous police forces in investigating crimes of violence and the missing and murdered including, barriers to effectiveness faced by Indigenous police forces (resources, training, etc.) and how they can be empowered to be more effective.
- Examine if police or coroners' offices have neglected to treat murder cases as such.

- A. Policing
 - i. Training (cultural competency; specialized MMIWG cases; PTSD supports)
 - ii. Investigative practices
 - iii. Conduct of officers (including managing complaints)





- iv. Police relations with families, survivors, communities (including examples of best practices where police have worked effectively with families)
- v. Police as perpetrators of violence (For example, Val D'or, QC)
- vi. Indigenous policing
- vii. Interjurisdictional issues
- viii. Interventions (who intervenes on behalf of Indigenous women and girls and LGBTQ2S people)?
- B. Criminal justice system
 - i. Criminalization of Indigenous women, including LGBTQ2S people
 - ii. Sentencing (including Gladue reports)
 - iii. Incarceration rates
 - iv. Restraining orders
 - v. Coroners' reports
 - vi. Alternative Indigenous criminal justice models (restorative justice and sentencing circles)
 - vii. Racism from police, prosecutors and judges





Cluster 5: Resilience, Resistance, Resurgence: Indigenous Women Reclaiming Power and Place

Sub-theme 5(a) – Indigenous concepts, theories and practices of well-being: Teachings from Indigenous Elders and Knowledge Keepers

Research and Fact-finding Objective:

• Examine what Indigenous Elders and Knowledge Keepers can tell us about diverse and gendered customary approaches to resolving conflict, repairing harms, and restoring peaceful relationships with each other and all of creation, and how these might be applied in contemporary contexts.

Research Topics:

- A. Customary knowledge related to the governance of good relationships
- B. Applying that knowledge to contemporary contexts

Sub-theme 5(b) – Indigenous law: Pathways of gendered justice, peace and reconciliation

Research and Fact-finding Objectives:

- Examine how Indigenous law might assist families of missing and murdered Indigenous women and girls to find a measure of justice, healing and peace as well as contribute to reconciliation in relationships within Indigenous families and communities and between Indigenous and non-Indigenous people in Canadian society.
- Through a gendered lens, examine how the stories, ceremonies, protocols and practices of Indigenous law offer a more holistic, decolonizing and reparative approach to addressing colonial violence against Indigenous women and girls as compared to a Western-based justice system.
- Identify emblematic Indigenous law case studies (Anishinaabe, Inuit, others).





- A. Concepts of family and kinship
- B. Exploring Indigenous legal frameworks (Nation-based and commonalities amongst Nations)
- C. Frameworks of responsibility and reciprocity
- D. Indigenous law through a gendered lens

Sub-theme 5(c) – Indigenous ways of life: Restoring Indigenous women and LGBTQ2S people's role in Indigenous political, economic, social and cultural life

Research and Fact-finding Objectives:

- Examine how Indigenous women are reclaiming and revitalizing their customary authority, leadership and decision-making roles, rights and responsibilities in relation to the political, economic, social and cultural life of their respective Nations.
- Examine the implications for decolonizing contemporary Indigenous political and governance systems in the context of self-determination.
- Examine how colonial gender relations impact Indigenous women's role in contemporary land and resource stewardship and economic development projects in regions covered by Treaties, Aboriginal Title and Rights, or Land Claims Agreements and examine why the resurgence of Indigenous women's political power is critical to decolonizing and transforming land-based ways of life.

- A. Customary authority, leadership and decision-making roles, rights and responsibilities
- B. Implications for self-determination
 - i. Treaties
 - ii. Aboriginal Title and Rights
 - iii. Land Claim Agreements
 - iv. Areas without Treaties
 - v. Urban areas and areas outside Indigenous governance





Sub-theme 5(d) – Indigenous freedom from colonial violence: Political, economic, social and cultural rights of Indigenous women and girls, including LGBTQ2S people

Research and Fact-finding Objective:

- Examine how implementing the political, economic, social and cultural rights of Indigenous women and girls helps dismantle colonial systems of violence and remove violence from their lives.
- Consider how recognition of Indigenous laws can contribute to reconciliation between Indigenous and non-Indigenous people.

- A. Political rights
- B. Economic rights
- C. Social rights
- D. Cultural and language rights





Cluster 6: Commemoration, Art, Public History and Education

Sub-theme 6(a) – Decolonizing through art, truth-sharing, healing and reconciliation

Research and Fact-finding Objectives:

- Examine the truth-sharing or truth-telling role of art as a decolonizing practice of gendered resilience and resistance to ongoing colonial violence against Indigenous women and girls and LGBTQ2S people.
- Examine how art contributes to the resurgence of Indigenous cultures, languages and landbased ways of life.

Research Topics:

- A. Resilience and Healing
 - i. Art as therapeutic practice
 - ii. Art as forms of knowledge
 - iii. Reconnecting with family, culture and community through art
- B. Resistance
 - i. Art as truth-sharing and truth-telling
 - ii. Decolonizing state-centric models of truth-determination, healing and reconciliation
 - iii. Empowerment through art
- C. Resurgence
 - i. Reclaiming culture, identity and place-based ways of life

Sub-theme 6(b) - Indigenous truth-telling, oral history and multi-generational stories

Research and Fact-finding Objective:

• Examine how Indigenous truth-telling, oral history and stories can help remake public memory and re-story national history in ways that strengthen everyone's responsibility and accountability to eliminating violence, supporting the resurgence of Indigenous women and girls and fostering reconciliation.





Research Topics:

- A. Grandmothers' stories: remembering and protecting Indigenous women's oral histories and ceremonies
- B. Reclaiming and revitalizing stories about Indigenous women's historical and contemporary roles
- C. Role of Indigenous-centered gendered processes of truth sharing, story-telling and dialogue to remake public memory and re-story national history

Sub-theme 6(c) – Commemorating and honouring the lives of Indigenous women, girls and LGBTQ2S people who have been lost to violence or who are missing and murdered

Research and Fact-finding Objectives:

- Examine how public acts of formal and informal commemoration can help family members, survivors and communities honour their loved ones, mourn their loss, and support healing and cultural resurgence.
- Examine how public commemoration makes violence against Indigenous women and girls visible to citizens, strengthens society's responsibility to eliminate this violence at all levels of Canadian society, and fosters long-term reconciliation.
- Build on lessons learned from TRC commemoration projects that reveal the links between decolonizing commemorative practices and revitalization of Indigenous memory practices expressed through art.
- Create an online resource hub for sharing information about MMIWG-related commemoration and art projects, with a particular focus on highlighting projects that share life stories of missing and murdered Indigenous women, girls and LGTBQ2S people, not just the stories of their victimization.

An excellent example honouring Indigenous women and girls' lives is Ryerson University's Shades of Our Sisters: <u>http://www.shadesofoursisters.com/#/</u> <u>http://www.ryerson.ca/news-events/news/2017/02/students-honour-missing-women-in-multimedia-project/</u>

- A. Creating a legacy of MMIWG commemorations
- B. Strengthening social responsibility and accountability
- C. Fostering long-term reconciliation





Sub-theme 6(d) – Bearing ethical witness to truth-sharing stories of violence: Decolonizing non-Indigenous Canadians

Research and Fact-finding Objectives:

- Examine best practices for decolonizing processes that confront the truth, repair trust and create empathy.
- Examine best practices to strengthen the collective accountability of "bystanders"—those who are not direct perpetrators of violence but are nevertheless complicit in it —to help eliminate violence, support the resurgence of Indigenous women and girls and foster reconciliation.

- A. Learning decolonizing empathy as a "bystander"
- B. Learning to critically examine colonial narratives
- C. Learning to become an ethical listener
- D. Learning how to take action (and what action to take)
- E. Identifying best practices for decolonizing process design





Sub-theme 6(e) – Decolonizing education and pedagogy to re-story national history

Research and Fact-finding Objectives:

- Examine the role of post-secondary institutions, educators and scholars in making Indigenous women's lived experience more visible in public education.
- Identify effective decolonizing methodologies, pedagogies and art-based practices to teach about:
 - Historical and ongoing impacts of colonial violence, racism and discrimination against Indigenous women and girls and what actions are needed to change this.
 - Indigenous women's inherent, constitutional, Treaty and human rights to selfdetermination and freedom from violence in the context of Indigenous peoples' political struggle and social movement for justice.
 - Indigenous women's historical and contemporary contributions to their families, communities, Nations and Canada and their stories of courage, strength and commitment to eliminating violence from their lives.

One such example of how these sub-themes and topics within this cluster can be applied in practical terms is the National Inquiry's commemoration and arts-based education and youth initiative, "Their Voices Will Guide Us".

- A. Role and responsibility of post-secondary institutions and scholars
- B. Making Indigenous women's stories and oral histories more visible in public education
- C. Teaching about the impacts of colonial violence on Indigenous women and girls and how to eliminate all forms of violence
- D. Teaching about the historical and contemporary contributions Indigenous women and girls make to their families, communities, nations and Canada





Sub-theme 6(f) – The role of archives and museums in remaking public memory

Research and Fact-finding Objectives:

- Examine how archives and museums can develop policies and practices to transform from colonial history institutions into decolonizing sites of collective history.
- Examine how archives and museums can align their policies and programs with UNDRIP and other international human rights principles and standards for ensuring that Indigenous women and girls have access to justice by making their institutional collections readily available.
- Examine how decolonizing archives and museums as public institutions can strengthen collective societal responsibility and accountability to eliminate violence against Indigenous women, girls and LGBTQ2S people and by facilitating public dialogue, can serve as a truth-gathering bridge between the past, present and future.

For example, the National Inquiry has taken a lead role in remaking public memory by creating a Legacy Archive to archive, curate and make publically available, commemorative, arts-based works gifted to the National Inquiry.

Research Topics⁶:

- A. Archives
- B. Museums
- C. Online resources
- D. Community-owned resources

⁶ For example, J.J. Ghaddar (PhD candidate, University of Toronto, Faculty of Information), "The Spectre in the Archive: Truth, Reconciliation, and Indigenous Archival Memory." <u>http://archivaria.ca/index.php/archivaria/article/view/</u>





Cluster 7: Action for Change: Evaluating and Monitoring the National Inquiry Calls to Action²

Sub-theme 7(a) – Indigenous critiques of Western-based evaluation models

Research and Fact-finding Objective:

• Examine how Western-based evaluation models are problematic when viewed through a decolonizing, culturally-specific gendered and rights-based approach.

Research Topics:

- A. Existing evaluation models
- B. Indigenous evaluation criteria and models

Sub-theme 7(b) – Strategies for monitoring which Calls to Action² have been implemented and measuring their success over time

Research and Fact-finding Objective:

• Identify best mechanisms for monitoring implementation and measuring the success of the National Inquiry's recommendations.

- A. TRC implementation model⁷
- B. International implementation models

⁷ We should keep in mind that that federal government is currently establishing an Interim Board of Directors to make recommendations on creating a National Council for Reconciliation (NCR) re: TRC calls to action 53-56. The TRC envisioned that the NCR would have a monitoring, evaluating and reporting role to Parliament re: TRC calls to action.





APPENDIX A - List of reports in Terms of Reference

- i. The Final Report of the Truth and Reconciliation Commission of Canada (2015)
- ii. The Report of the Royal Commission on Aboriginal Peoples (1996)
- iii. Invisible Women: A Call to Action A Report on Missing and Murdered Indigenous Women in Canada, Report of the Special Committee on Violence Against Indigenous Women (2014)
- iv. Missing and Murdered Aboriginal Women: A National Operational Overview, Royal Canadian Mounted Police (2014)
- v. What Their Stories Tell Us: Research findings from the Sisters In Spirit initiative, Native Women's Association of Canada (2010)
- vi. Report of the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (30 March 2015)
- vii. Missing and Murdered Indigenous Women in British Columbia, Canada, Inter-American Commission on Human Rights (21 December 2014)
- viii. Reports of the Missing Women Commission of Inquiry (Oppal Commission, British Columbia)