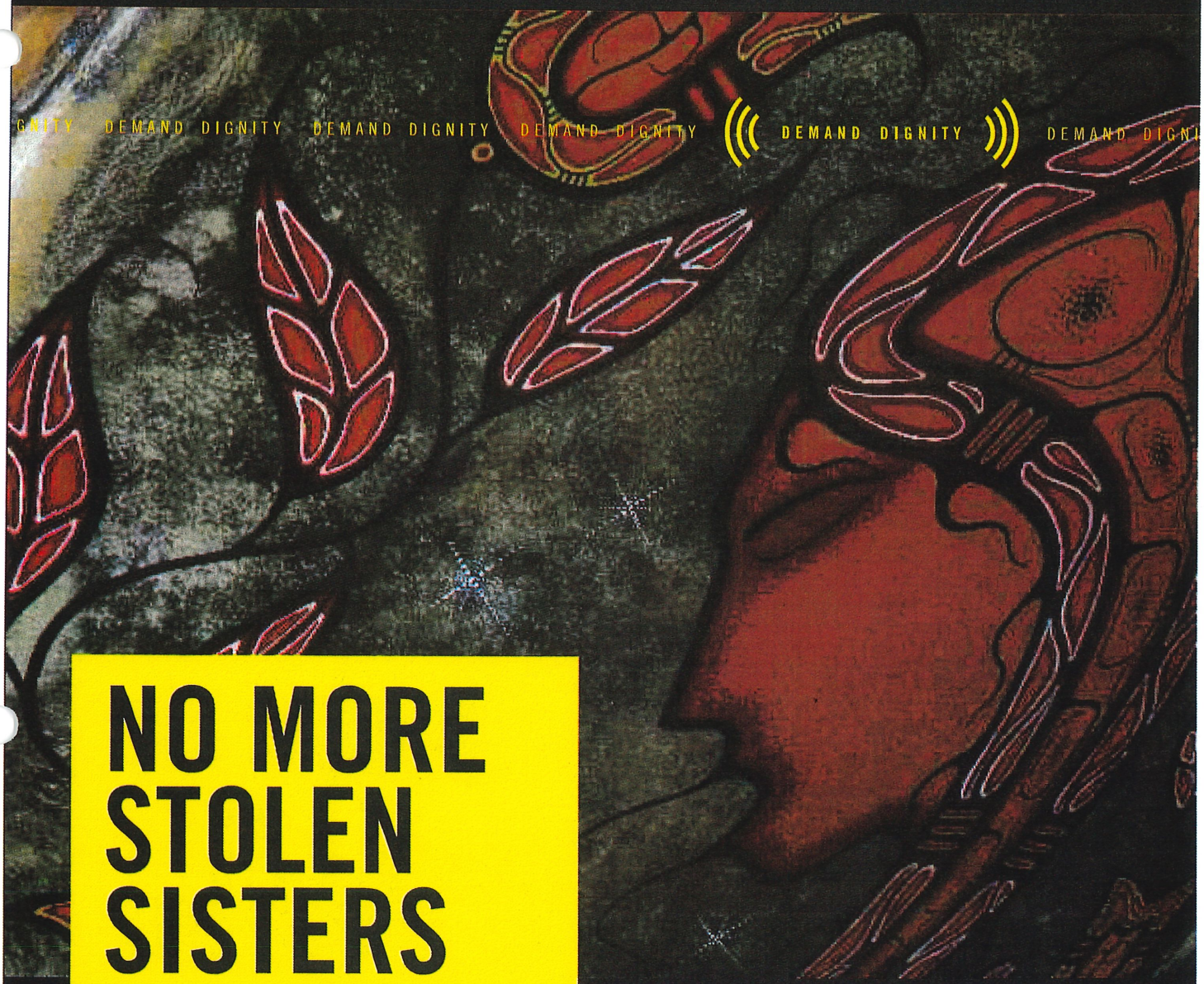


NO MORE STOLEN SISTERS

THE NEED FOR A COMPREHENSIVE RESPONSE TO DISCRIMINATION AND VIOLENCE AGAINST INDIGENOUS WOMEN IN CANADA

FREEDOM FROM VIOLENCE IS A HUMAN RIGHT

AMNESTY INTERNATIONAL

Exhibit: *National Inquiry into Missing and Murdered Indigenous Women and Girls*

Location/Phase: Parts 2/3: Quebec

Witness: Greyeyes & Hansen

Submitted by: Christa Big Canoe

Add'l info: P02-03P02P0201

Date: SEP 18 2018

Intials	I/D	Entered
bz		17

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AMNESTY INTERNATIONAL

Amnesty International Publications

First published in 2009 by
Amnesty International Publications
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org

© Amnesty International Publications 2009

Index: AMR 20/012/2009
Original language: English
Printed by Amnesty International,
International Secretariat, United Kingdom

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Cover photo: Drum painted by artist Jay Bell Redbird. The drum was used by a group called the Midnight Messenger to promote human rights and then given to Amnesty International in recognition of the organization's work for the rights of Indigenous women in Canada.
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'Families like mine all over Canada are wondering how many more sisters and daughters we have to lose before real government action is taken.'

Darlene Osborne, at the launch of Amnesty International's report, *Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada*, October 2004. Two of her relatives, Felicia Solomon and Helen Betty Osborne, were murdered.

INTRODUCTION

Indigenous women in Canada face much higher rates of violence than other women. In a 2004 Canadian government survey, Indigenous women reported rates of violence, including domestic violence and sexual assault, 3.5 times higher than non-Indigenous women.[1] Studies suggest that assaults against Indigenous women are not only more frequent, they are also often particularly brutal. According to another government survey, young First Nations women are five times more likely than other women to die as a result of violence.[2]

Such figures almost certainly underestimate the scale and severity of the violence faced by Indigenous women. A 2007 joint committee of government, Indigenous Peoples, police and community groups in Saskatchewan Province reported that 60 per cent of the long-term cases of missing women in the province are Indigenous, although Indigenous women make up only 6 per cent of the population.[3] The fate of these women remains unknown. Significantly, this is the only jurisdiction in Canada where such information has been compiled and made public. In fact, police in Canada often do not even record whether or not the victims of crime are Indigenous.

In the absence of accurate national statistics, Indigenous women have themselves taken the lead in attempting to expose the scale of violence they face. The Native Women's Association of Canada has used the testimony of family members and media reports to create an ongoing list of missing and murdered Indigenous women. As of July 2009, the list included more than 520 women who have gone missing or been murdered in the last three decades. Given the relatively small Indigenous population[4] and the overall low rate of violent crime in Canada[5], these numbers are truly appalling. However, the Native Women's Association believes that the real number of missing and murdered Indigenous women is even higher than they have been able to record.

In October 2004, Amnesty International released a report, *Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous*

Women in Canada (Index: AMR 20/003/2004) which documented some of the underlying causes of violence against Indigenous women carried out by both Indigenous and non-Indigenous men. As the report showed, widespread and entrenched racism, poverty and marginalization are critical factors exposing Indigenous women to a heightened risk of violence while denying them adequate protection by police and government services.

Deep inequalities in living conditions and access to government services have pushed many Indigenous women into situations, ranging from overcrowded housing to prostitution, where there is a greatly heightened risk of violence. The same inequalities have also denied many Indigenous women access to the services and support, such as emergency shelters, needed to escape violence.

At the same time it appears that some men seek out Indigenous women as targets for extreme acts of violence.[6] These acts of violence against Indigenous women may be motivated by racism, or may be carried out in the expectation that society's indifference to the welfare and safety of Indigenous women will allow the perpetrators to escape justice. Impunity for such violence contributes to a climate where such acts are seen as normal and acceptable rather than criminal, and where women do not seek justice because they know they will not get it. There are additional concerns around police treatment of Indigenous and non-Indigenous women in the sex trade. The threat of arrest could make many women reluctant to report attacks to the police or co-operate with police investigations. As a result, the perpetrators may be encouraged by the belief that they are likely to get away with their crimes.

Justice David Wright, speaking of the 1992 murders of Eva Taysup, Shelley Napope, and Calinda Waterhen in Saskatchewan, said the man responsible for the killings saw the victims as vulnerable for four reasons: "one, they were young; second, they were women; third, they were native; and fourth, they were prostitutes. They were persons separated from the community and their families. The accused treated them with contempt, brutality; he terrorized them and ultimately he killed them. He seemed determined to destroy every vestige of their humanity."[7]

The publication of Amnesty International's *Stolen Sisters* report was part of a larger movement in Canada to at long last acknowledge and take responsibility for the violence and discrimination experienced by Indigenous women. In November 2004, a Canadian representative to the United Nations (UN) acknowledged the *Stolen Sisters* report before the UN General Assembly's Social, Humanitarian and Cultural Committee, stating that "a great deal of work remains to be done."[8] Politicians at the federal, provincial and territorial levels have called for action to address this violence. The Canadian Association of Chiefs of Police has urged police forces in Canada to adopt policies and procedures to address the threats faced by Indigenous women.[9] In September 2009, the Province of Manitoba established an "action group" including Indigenous Peoples' organizations and community agencies to help develop "new policies to address the crisis of abused and exploited women."[10]


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'We're talking about so many layers of violence, so many generations of loss, and it's all covered up in layers of silence… In order for us to move ahead, we have to deal with all the things people don't want to talk about. We need to learn from the lives that have been lost. We need to turn things around.'

Beverley Jacobs *(pictured front)*, President of the Native Women's Association of Canada, August 2009

Yet despite this acknowledgement, measures to end discrimination and violence against Indigenous women have been piecemeal at best. UN human rights bodies have repeatedly called on the Canadian authorities to work with Indigenous women to establish a national plan of action. Unfortunately, the federal government has shown little leadership in addressing the issue. Most of the positive measures taken to date have been initiated by individual police services or by provincial and territorial governments and have not been replicated nationally.

This update to the 2004 *Stolen Sisters* report highlights the continuing marginalization and inequality experienced by Indigenous women in five key areas:

1) the role of racism and misogyny in perpetuating violence against Indigenous women;

2) the sharp disparities in the fulfilment of Indigenous women's economic, social, political and cultural rights;

3) the continued disruption of Indigenous societies caused by the historic and ongoing mass removal of children from Indigenous families and communities;

4) the disproportionately high number of Indigenous women in Canadian prisons, many of whom are themselves the victims of violence and abuse; and

5) inadequate police response to violence against Indigenous women as illustrated by the handling of missing persons cases.

These disparities in the protection and fulfilment of Indigenous women's rights are interrelated, with each adding to the negative impact of the other. For example, the high proportion of Indigenous people living in poverty, combined with underfunded family services, contributes to the large numbers of Indigenous children being removed from their families and communities. The consequences, including the severing of ties to family, community and culture, can put Indigenous women and girls at increased risk of exploitation and abuse. In the course of researching the *Stolen Sisters* report, Amnesty International heard countless stories of families that had experienced repeated losses over many generations, with children taken into custody, young people jailed, and women and girls missing or murdered.

The scale and severity of the human rights violations faced by Indigenous women require a co-ordinated and comprehensive national response that addresses the social and economic factors that place Indigenous women at heightened risk of violence. Such a response needs to address the police response to violence against Indigenous women; the dramatic gap in standard of living and quality of life which increases the risks to Indigenous women; the continued disruption of Indigenous societies by the high proportion of children put into state care; and the disproportionate rate of imprisonment of Indigenous women.

'A RACIST AND SEXIST ACT'



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Nineteen-year-old Cree student Helen Betty Osborne (*pictured right*) from Norway House, northern Manitoba, dreamed of returning to her community as a teacher. She had moved to the town of The Pas, Manitoba, to go to high school. On 12 November 1971, four white men abducted her from the streets of The Pas. She was sexually assaulted and brutally murdered. Fifteen years passed before the first charges were laid against any of the perpetrators.

'[T]here is one fundamental fact: her murder was a racist and sexist act. Betty Osborne would be alive today had she not been an aboriginal woman.'

Manitoba Justice Inquiry, 1991

A provincial inquiry concluded that Helen Betty Osborne was killed because she was an Indigenous woman. According to the presiding judge, the men who abducted her were driven by "vicious stereotypes born of ignorance and aggression... [They] believed that young Aboriginal women were objects with no human value beyond sexual gratification."

The judge also pointed out that police and society as a whole had failed to value the lives and safety of Indigenous women and girls. The police service had been aware of "white men cruising the town, attempting to pick up Aboriginal girls for drinking parties and for sex... [but] did not feel that the practice necessitated any particular vigilance on its part." The inquiry also concluded that justice had been obstructed by members of the non-Indigenous community who kept silent about the crime.

Although this shocking crime took place almost four decades ago, the murder of Helen Betty Osborne is far from an isolated case – then or now. Racism and discrimination are clearly significant factors in dozens of similar cases from across the country reviewed by Amnesty International.

The racism and misogyny of individual perpetrators, the role of others in assisting or helping cover up the crimes, the reluctance of some police forces to promptly and thoroughly investigate suspected abductions of Indigenous women, and the failure of these crimes to provoke outrage in the general population, all illustrate the need to understand violence against Indigenous women in a larger social and historical context.

"The portrayal of the squaw is one of the most degraded, 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".

Emma LaRoque, Department of Native Studies, University of Manitoba, in a presentation to the Manitoba Justice Inquiry

The suppression of Indigenous cultures, languages and institutions, the seizure of Indigenous lands and resources, and the mass removal of Indigenous children from their families and communities have all undermined the traditional cultural and subsistence activities of Indigenous societies in Canada. These are activities that are central to Indigenous women's status, authority and well-being in their own communities. Historically, Indigenous societies in North America were characterized by relative equality between women and men. Although women and men had distinct roles and responsibilities in their societies, both were valued and respected. The history of colonialism in Canada has pushed many Indigenous women to the margins of their own communities and of Canadian society as a whole.

At the same time, degrading images and portrayals that denigrate Indigenous women persist in Canadian society and contribute to denying Indigenous women the full enjoyment of their basic human rights, regardless of where they live.

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Amber Redman, a 19-year-old Dakota woman from Standing Buffalo First Nation in south-eastern Saskatchewan, wanted to be a teacher. She went missing on 15 July 2005 in the town of Ft. Qu'Appelle, approximately 80km east of Regina.

In January 2009, an Indigenous man from another community was sentenced to life imprisonment for her murder. The man confessed that he and his cousin had beaten Amber Redman and that he had stabbed her and left her to die.

In October 2005, Amber Redman's mother, Gwenda Yuzicappi, joined the Native Women's Association of Canada and Amnesty International at a press conference on Parliament Hill to urge greater action to address violence against Indigenous women. She said at the time, "I have met other families, other mothers and fathers who have daughters and sisters that are missing. And that is a tragedy. I am asking that the police, our leaders, our government to address these issues, to ensure that I'm the last mother that comes to promote this issue."

For more information, please visit: www.amnesty.ca/campaigns/sisters_gallery_intro.php.

HUMAN RIGHTS GAPS

'The specific needs of aboriginal women have been neglected for too long.'

Report of the 2004 mission to Canada by the UN Special Rapporteur on indigenous people

Although Canada is one of the world's wealthiest countries, the living conditions of First Nations, Inuit and Métis people in Canada are often compared to those of people living in some of the most impoverished countries. By every common measure of poverty, such as income, educational attainment, incidence of disease and life expectancy, there is a dramatic gap between Indigenous and non-Indigenous people.

There is also a corresponding gap in access to basic services. In Canada, the federal government has responsibility for provision of services such as housing and health care within First Nations reserves. Outside the reserves, these services are the responsibility of the provincial and territorial governments. Despite the fact that it typically costs more to deliver services in remote communities, the federal government spends less money per person on many services to reserve communities than the provincial and territorial governments spend in predominantly non-Indigenous communities.

Studies suggest that the ongoing transfer of control of government services from the federal government to Indigenous peoples has resulted in improved delivery of these services and consequently improvements in the standard of living and quality of life.[11] However, the levels of funding continue to be set by the federal government. Spending caps on federal services to First Nations have meant that the disparities between Indigenous and non-Indigenous communities have increased in many areas.

Indigenous women on average earn approximately 30 per cent less than non-Indigenous women. Three quarters of Indigenous families with a single female parent do not earn enough money to meet their daily needs. Indigenous women in Canada are almost three times more likely to contract HIV/AIDS than non-Indigenous women. The life expectancy of Indigenous women in Canada is five to 10 years less than that of non-Indigenous women. The infant mortality rate for Inuit is four times higher than the national average.[12] Although there is little specific data on maternal health among Indigenous communities, it is clear that widespread problems faced by Indigenous communities such as contaminated drinking water and overall poor health lead to increased risks to pregnant women.



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Families of missing and murdered Indigenous women gather in May 2004 for a healing circle hosted by Amnesty International in preparation for the launch of Amnesty International's report, *Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada.*





All photos © Amnesty International

The federal Department of Health has stated that a quarter of water treatment systems on reserves pose a high risk to human health. The federal government has advised more than 100 First Nations reserves to boil their water before drinking it. More than a third of Inuit people report that their drinking water was contaminated for at least part of each year.

First Nations families are four times more likely than non-Indigenous people to live in homes needing major repairs and five times more likely to live in overcrowded homes.[13] Among Inuit, the problem is even greater, with more than 30 per cent of Inuit living in overcrowded homes. Such overcrowding is linked to the spread of communicable disease. For example, the reported rate of tuberculosis infection is eight times higher on reserves than among the general population.

The 2009 outbreak of the H1N1 flu variant has had a greatly disproportionate impact on Indigenous Peoples. More than a third of reported cases in Manitoba were in Indigenous communities, even though Indigenous people represent only 10 per cent of the provincial population. Media reports indicate that Indigenous communities have faced long delays in getting access to medical treatment that was readily available in non-Indigenous communities.

Inadequate and overcrowded housing is also associated with family tension and violence against women and children. Overcrowding in Indigenous communities often means that women have nowhere to escape violence in their own homes.

There are nearly 2,500 reserves in Canada, the vast majority of which do not have emergency shelters or transitional homes for women. For example, women from the Long Point First Nation of Quebec must travel 100km to the nearest shelter. Professional psychological support is also extremely limited and under-resourced. Some survivors of sexual violence try to provide support to other women in the community. Martina Mathias told Amnesty International: "I share my story, to make them stronger."

Speaking at the UN Permanent Forum on Indigenous Issues in May 2009, a Canadian government representative cited plans to open five new shelters



***from left to right*: Vigil to honour missing and murdered Indigenous women, Parliament Hill, Ottawa, October 2007. Signing petitions in support of a national plan of action to stop violence against women, First Nations University of Canada Pow Wow, 2008.**
Laurie Odjick holding a poster of her daughter Maisy's picture at a vigil at Parliament Hill, Ottawa, in October 2008. Maisy went missing from the Algonquin community of Maniwaki in September 2008 at the same time as her friend Shannon Alexander. Their whereabouts remain unknown.
Vigil to honour missing and murdered Indigenous women, Parliament Hill, Ottawa, October 2008.

on reserves as an indication of Canada's commitment to stopping violence against Indigenous women. This represents a woefully inadequate response to the needs of Indigenous women when hundreds of reserves are without shelters.

These gaps in the protection and fulfillment of Indigenous Peoples' economic, social and cultural rights affect Indigenous women as individuals, as heads of families and as members of their communities. The negative impact on Indigenous women is often compounded by gender discrimination in society and in government policy or, indeed, by gaps in federal legislation and policy.

For decades, rules imposed under the federal Indian Act meant that First Nations women who married non-Indigenous men would lose their status and their rights in their own communities. These provisions were only changed after a successful challenge was brought before the UN Human Rights Committee. The federal government, which has legislative responsibility for reserve communities, still has no legal provision for the division of property on reserves after the break-up of a marriage. For many women, this means that escaping an abusive relationship can push them further into poverty and even leave them homeless in their own communities.

Growing numbers of Indigenous women and men now live in Canadian cities. While access to jobs may be better than on reserves or in remote communities, Indigenous people continue to face discrimination and poverty in Canadian cities. In addition, services available in predominantly non-Indigenous communities

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Sandra Gagnon speaking at a vigil to honour missing and murdered Indigenous women, Parliament Hill, Ottawa, October 2007.



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Sandra Gagnon's sister, Janet Henry (*above*), from the KwaKwaQueWak Nation in Kingcome Inlet in British Columbia went missing in late June 1997 in the Downtown Eastside neighbourhood.

"They never took the threat seriously", she says of the police investigation into missing person reports about Janet and other women from a low-income neighbourhood in downtown Vancouver. "I can guarantee you that if it wasn't the Downtown Eastside and they weren't hookers, something would have been done in an instant."

For more information, please visit: www.amnesty.ca/campaigns/sisters_gallery_intro.php.



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Tiffany Morrison, a 25-year-old Mohawk woman from the Mohawk Territory of Kahnawake outside Montreal, has not been seen since 18 June 2006. She has a young child. Her mother, Carol Morrison, fears the worst. "She loved her daughter so much", Carol Morrison says. "She would never leave her daughter like this."

The Kahnawake Peacekeepers, the police force for the Kahnawake First Nation, is treating the case as a criminal investigation. Ed Stacey, an Investigator with the Kahnawake Peacekeepers, says he is convinced that there are members of the public who know something about what happened to Tiffany Morrison, but have not come forward yet.

are often designed and delivered without consideration for the particular needs of Indigenous Peoples.

In the report of his 2007 mission to Canada, the UN Special Rapporteur on adequate housing noted that the difficulty in finding affordable housing in Canadian cities leaves Indigenous women at risk of exploitation by landlords and other men.[14] In Vancouver, where Indigenous people make up only 2 per cent of the city's population, 30 per cent of homeless people are Indigenous and an estimated 40 per cent of women in the sex trade are Indigenous.

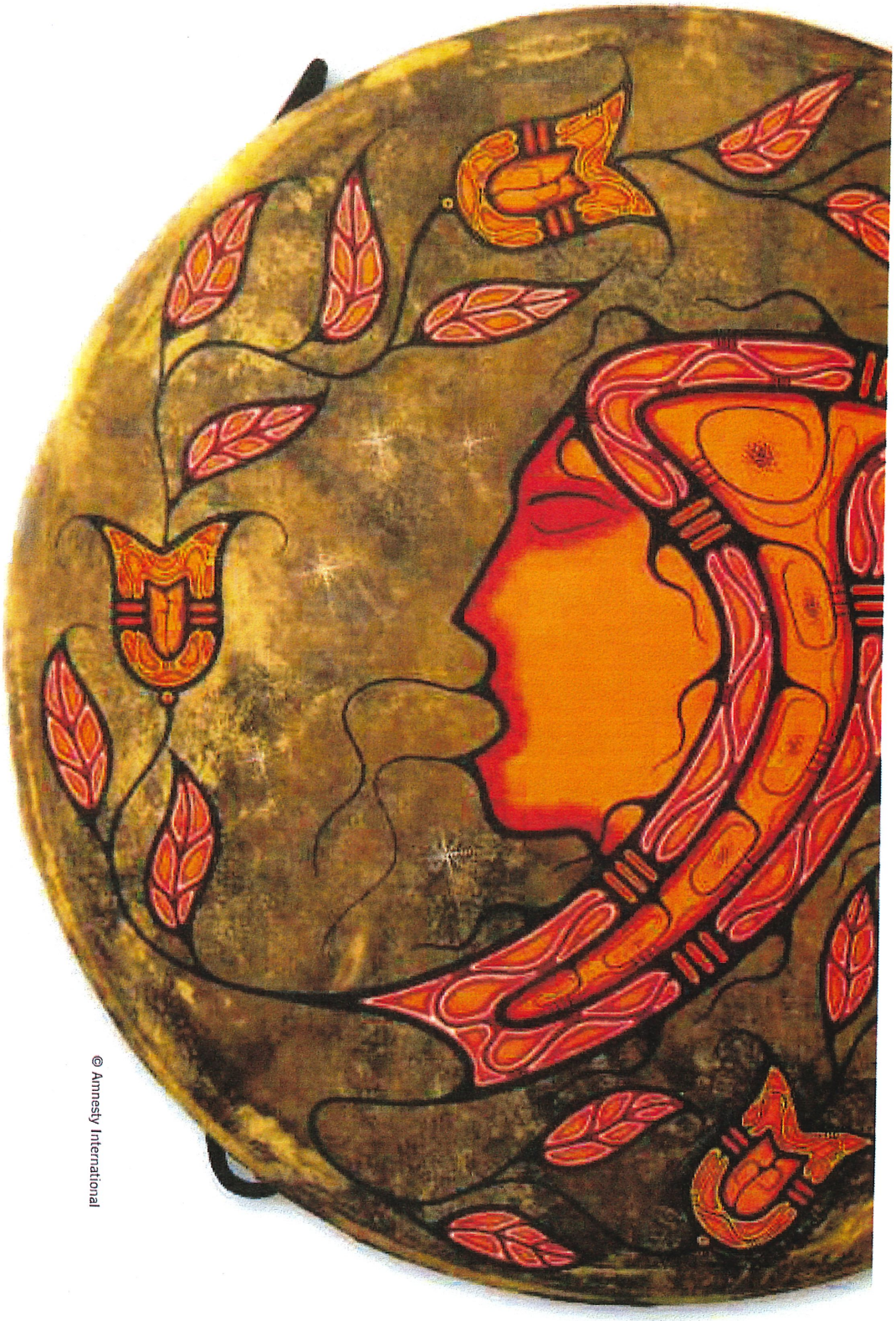
In November 2005, national Indigenous Peoples' organizations and the federal, provincial and territorial governments reached an agreement intended to close the gap in living standards between Indigenous Peoples and the non-Indigenous population, especially in the areas of health care, education and housing. The agreement, which became known as the Kelowna Accord, was the product of 18 months of roundtable discussions and consultations. The federal government subsequently announced plans to allocate Can$5 billion (approximately US$4.6 billion) towards implementation of these commitments. However, when a new government was elected in 2006, it rejected both the Accord and the promised spending.

'The committee... recommends that [Canada] develop a specific and integrated plan for addressing the particular conditions affecting Aboriginal women, both on and off reserves, and of ethnic and minority women, including poverty, poor health, inadequate housing, low school-completion rates, low employment rates, low income and high rates of violence.'

UN Committee on the Elimination of Discrimination against Women, November 2008.



Twenty-four-hour drum marathon for Indigenous women, 2005.



© Amnesty International



Drum painted by artist Jay Bell Redbird. The drum was used by a group called the Midnight Messenger to promote human rights and then given to Amnesty International in recognition of the organization's work for the rights of Indigenous women in Canada.

'The Eagle is the messenger. The four flowers represent the four directions and all of the peoples of the world. The seven stars are the seven teachings that remind us how we are to walk on mother earth and treat each other in a good way.

The drum is the heartbeat of the nation. It is the sound that we all hear as we are in the wombs of our mothers. We honour the role that women have as creators and caregivers of life. Woman is represented as the Earth, mother earth who provides everything for us.

The drum when it sounds its voice is carried into the spirit world where our prayers are answered. This drum is about giving voice to those women who are unable to. A tribute to Amnesty which is working in support of the missing and murdered Aboriginal women, when others would not listen. Also, it is sending out the prayers to the spirit world to take care of all of our women, to respect our women.'

Artist Jay Bell Redbird explains the significance of the painted drum

STOLEN GENERATIONS

One of the most harmful gaps in human rights protection for Indigenous Peoples in Canada is in the area of child welfare. A government committee has estimated that Indigenous children are four to six times more likely than non-Indigenous children to be removed from their families and placed in the care of the state. While some of these children are victims of abuse, the majority are being removed from their families because of inadequate care and living conditions.[15] These children may never be reunited with their families and may never reconnect with their culture and traditions.

Advocates for the rights of Indigenous children point out that in similar circumstances, non-Indigenous families are more likely to receive help to ensure that their children are safe and appropriately cared for within the family. Chronic underfunding of children's services on reserves has severely restricted access to such preventative and early intervention programmes.

In 2000, a joint study by the Department of Indian Affairs and Northern Development and the Assembly of First Nations found that child services on reserves received on average 22 per cent less funding per child than provincially funded counterparts that serve predominantly non-Indigenous families.[16] This is despite the higher costs associated with delivery of services on reserves and in remote communities and despite the greater need experienced by many Indigenous communities.

A 2008 audit by the Auditor General of Canada found that the federal funding formula for children's services on reserves is out of step with the actual cost of delivering services and fails to take into account the varying populations and needs of First Nations communities.[17]

In 2008, the federal government made a formal apology on behalf of all Canadians for the history and legacy of Indigenous residential schools. Beginning in the mid-1870s, and continuing for just over 100 years, Indigenous children were removed en masse from their families and communities to attend schools specifically intended to break their ties to their cultures and traditions. Underfunded, minimally supervised, and founded on racist beliefs, the residential schools became notorious for often fatal, preventable illnesses and for the physical and psychological abuse of students. The harmful conditions in which these children were raised has, in many cases, created a legacy of multi-generational trauma that continues to affect Indigenous families and communities. In addition, as the apology acknowledged, the mass removal of generations of Indigenous children from their communities has itself caused profound and lasting harm to the fabric of Indigenous societies.

'Repeated assaults on the culture and collective identity of aboriginal people have weakened the foundations of aboriginal society and contributed to the alienation that drives some to self-destruction and anti-social behaviour.'

Canadian Royal Commission on Aboriginal People, 1996

Today, it is estimated that three times more Indigenous children are in state care than at the height of the residential school era. Shortly before the formal government apology for the forcible removal policy, the Assembly of First Nations and the First Nations Child and Family Caring Society filed a complaint with the Canadian Human Rights Commission (CHRC) over the discriminatory underfunding of children's services on reserves. The federal government has tried to have the case dismissed using technicalities that, if upheld, would severely limit the CHRC's future jurisdiction in any cases involving federally funded services to Indigenous Peoples.

While the underfunding of Indigenous child welfare affects both Indigenous girls and boys alike, the threat of child removal has an additional impact on Indigenous women and girls. Many Indigenous women who are victims of violence have told Amnesty International that they are reluctant to seek help from government or police for fear that their children will be taken away.

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Sixteen-year-old Felicia Solomon, originally from Norway House Cree Nation in northern Manitoba and a cousin of Helen Betty Osborne, went missing in Winnipeg, Manitoba, on 25 March 2003.

The family made their own missing persons posters and put them up all over the city. They say they received no help from the police and that the police made no effort to publicize the case.

Her grandmother has said that the media inaccurately labelled her granddaughter a prostitute and gang member because the family was poor and because of the part of the city they live in. She feels that police were also influenced by these assumptions. "You know, they label Aboriginal people right away."

Partial remains were found in June 2003. No one has ever been convicted of Felicia Solomon's murder.

For more information, please visit: www.amnesty.ca/campaigns/sisters_gallery_intro.php.

LOST TO THE PRISON SYSTEM

Numerous public inquiries have documented discriminatory treatment of Indigenous peoples in all aspects of the Canadian justice system from interaction with police to court proceedings to treatment in detention.

The 1991 Manitoba Justice Inquiry, which was convened in part to examine police response to the murder of Helen Betty Osborne, found that the justice system often views Indigenous people not as a community deserving protection, but as a community from which the rest of society must be protected. More recently, a 2009 research paper carried out for the Office of the Federal Interlocutor for Métis and Non-Status Indians concluded that Indigenous women are at particular risk of being coerced into the sex trade and that social bias and prejudice lead to their being treated as criminals rather than as victims in need of protection.

Legal reforms introduced in Canada in the 1990s instruct courts to consider offenders' backgrounds and other mitigating circumstances when determining the length and conditions of prison sentences. Studies suggest, however, that the people in greatest need of such consideration are often least able to take advantage of the provisions. The disparity in sentencing between Indigenous and non-Indigenous people has, in fact, grown since these reforms were introduced.

More than 30 per cent of women in federal prisons today are Inuit, Métis or First Nations. While overall numbers of people in federal prisons declined between 1996 and 2004, the number of incarcerated First Nations women increased by almost 75 per cent. Like other women convicted of crimes, these women generally come from backgrounds of poverty. Most are mothers. As many as 80 per cent report a history of abuse prior to their conviction.

The Canadian Association of Elizabeth Fry Societies, an NGO working with women and girls in the justice system, has created a composite portrait of Indigenous women in prison based on statistics published by the Canadian government. Typically, she "is the sole-support mother to two or three children. She is usually unemployed at the time she is arrested. She has often left home at an early age to escape violence. She may be forced to sell her body because she needs money and is unable to obtain a job. She is likely to have been subjected to racism, stereotyping and discrimination because of her race and colour [and] continued sexual, emotional and physical abuse."[18]

After sentencing, prisoners are assessed to determine security restrictions needed to prevent them harming themselves, other prisoners or prison staff. Women's advocates have long argued that the assessment system used for federally sentenced prisoners is strongly biased against women in general and Indigenous women in particular. Factors that should merit consideration, such as a prior history of abuse, are instead treated as an indication of the prisoner's potential danger to others.[19]

As a result, Indigenous women are more likely to be held in more restrictive, higher security conditions.



Vigil to honour missing and murdered Indigenous women, Parliament Hill, Ottawa, October 2008.

Half of women in maximum-security prisons are Indigenous. Being held under higher security conditions reduces access to programmes intended to rehabilitate and prepare prisoners for eventual release, including those programmes specifically intended for Indigenous women.

The Canadian Human Rights Commission (CHRC) has concluded that the assessment system fails to "identify, reflect or accommodate the needs, capacities and circumstances of federally sentenced women or members of racialized groups." The CHRC has called for immediate development of a gender appropriate classification tool and reassessment of all Indigenous women classified for maximum security detention. In 2007, the independent federal Correctional Investigator criticized the slow implementation of this recommendation "given the well documented evidence and research available on the topic."

The UN Human Rights Committee has also raised concerns about the treatment of Indigenous women and other women prisoners in Canada including the use of involuntary segregation of women deemed a security risk. The Committee has said there needs to be a means to appeal such decisions and greater accountability for the treatment of prisoners overall.[20]

MISSING SISTERS, MISSING DAUGHTERS

Daleen Kay Bosse, a 27-year-old university student and mother from the Onion Lake First Nation in Saskatchewan, went missing on the night of 18 May 2004. Her remains were found in August 2008. The Saskatoon Police Service has charged one man in connection with her murder. The case is expected to go to trial in 2010.

Daleen Kay Bosse's parents, Pauline and Herb Muskego, say Saskatoon police initially discouraged them from filing a missing persons report. Even when days and then weeks went by, police continued to insist that their daughter would probably return home soon. The major crimes unit did not take up the case until January 2005 after she failed to return home at Christmas.

Although Pauline and Herb Muskego have spoken positively of the investigation that was eventually undertaken, they remain frustrated that eight months passed before their concerns were taken seriously.

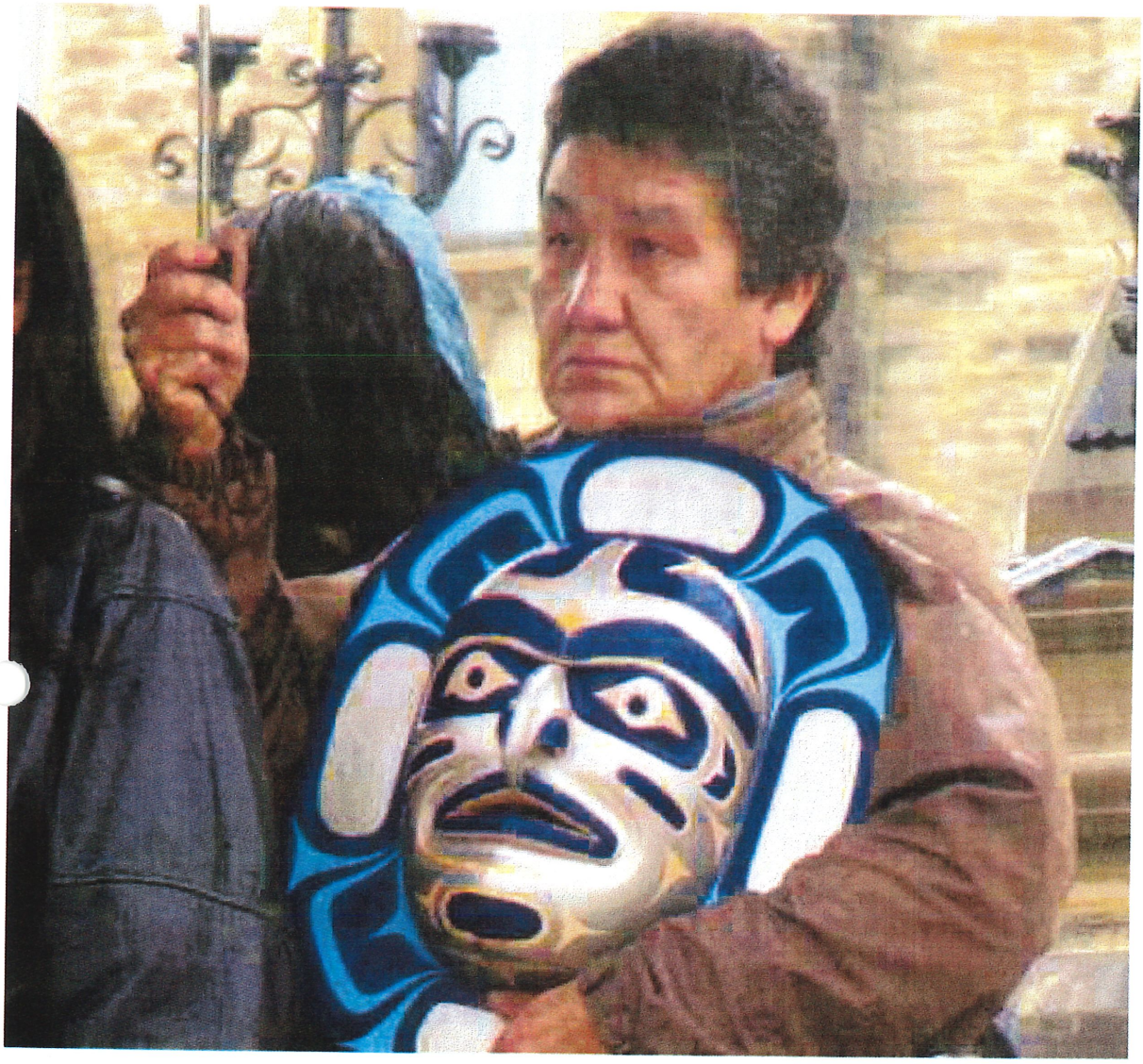
'When my daughter went missing, it just seemed like an uphill battle for a while trying to get the police to help us find her... Daleen may be one of 500 missing and murdered aboriginal women, but she is more than just a statistic. She was our daughter. She was my granddaughter's mother. She was a sister to her brothers. She was a wife to her husband. She was a cousin, an aunt, a friend. She was granddaughter to her grandmother.'

Pauline Muskego speaking to Amnesty International, July 2008



Pauline and Herb Muskego – parents of Daleen Kay Bosse who went missing in May 2004.

Police report that the vast majority of missing persons cases do not involve violence or foul play. Particularly in cases involving young people, missing



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persons usually return home or re-establish contact with their family in a matter of days. None of this changes the fact that missing persons cases may require urgent police action, either because the missing person has already fallen victim to violence or because they are at risk of harm while they are cut off from family and friends.

A resolution passed at the 2006 annual meeting of the Canadian Association of Chiefs of Police acknowledged the high levels of violence experienced by Indigenous women. The resolution also called on all police services to adopt missing persons policies that include specific measures to address the circumstances and needs of Indigenous people.[21]

In fact, few police forces in Canada have concrete guidelines to help officers evaluate the risks to missing persons and what kind of investigation is required. Instead, the decision of how to respond to missing persons reports often falls to the discretion of individual officers who may have had little experience or professional training in making such assessments. Given the biases and prejudices against Indigenous Peoples that exist in Canadian society, it is no surprise that many Indigenous families report difficulties convincing police to take action on their concerns.

The problem is compounded by the continued failure to acknowledge the distinct risks faced by Indigenous women in Canadian society. Police forces in Canada do not consistently record whether or not the victims of crime are Indigenous. The Saskatchewan study, which determined how many of the province's long-term missing persons cases were Indigenous women, is a rare exception. Some police believe that information about the race or ethnicity of victims of crime is simply irrelevant to their jobs. Others are concerned that they could be labelled as racist for talking about the race or ethnicity of the victims of crime. One consequence is that the particular risks faced by Indigenous women are obscured.

In recent years, Canadian police and government officials have begun to pay greater attention to violence against women involved in what they refer to as "high risk life-styles". The term appears to refer primarily to women working in the sex trade, although involvement in the drug trade or activities such as hitchhiking may also be included. There can be no doubt that women working in the sex trade are both at high risk of violence and that public attitudes towards prostitution often fuel violent acts. Greater attention to their safety and welfare is necessary and welcome.

'I also can't help wondering what kind of reaction there would be if these young women were white? What kind of value do we place on human life?'

Janice Acoose, *Iskwewak- Neither Indian Princesses Nor Easy Squaws*, 1995

At the same time, it is important to recognize that some of the same factors – social attitudes that encourage or condone violence combined with risk of and exposure to violence – also apply to many Indigenous women not because of their "life-style" but because they are Indigenous women. Canadian officials must ensure that all women receive the assistance and protection they require.

THE DOWNTOWN EASTSIDE

The Downtown Eastside is a low income neighbourhood in Vancouver, British Columbia. Since the late 1980s, more than 60 women have gone missing from the Downtown Eastside. Many were involved in the drug and sex trades that flourish there. Approximately a third of the missing women are Indigenous.

In 2007, a British Columbia man was convicted of the murder of six of the missing women: Andrea Joesbury, Georgina Papin, Mona Wilson, Marnie Frey, Serena Abbotsway and Brenda Wolfe. The same man has

been charged, but not yet tried, in connection with the murder of 20 other women.

One of these women is Sarah de Vries. Writing in her journal in December 1995, she described her fears that someone was abducting and murdering women from the Downtown Eastside. "Am I next?" she wrote. "Is he watching me now? Stalking me like a predator and its prey." Sarah de Vries went missing in 1998.

Although women from the neighbourhood, families of the missing women, and community advocacy groups all urged police to take action, police and city officials insisted for years that there was no evidence that the missing women had not simply moved away. A fully fledged police task force was not created until 2001. An arrest was made the following year. By then, women who had taken part in marches and protests demanding police action were among those who had been murdered.

Indigenous Peoples' organizations and relatives of the missing and murdered women have called for a public inquiry into the police handling of the cases. Such an inquiry is a necessary part of seeing justice done and would be an important step towards ensuring an appropriate and effective response to the threats facing marginalized women.

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Sarah de Vries went missing in downtown Vancouver in April 1998. Her sister, Maggie de Vries, recalls that individual police officers worked hard to find out what happened to her sister. However, like relatives of other women who went missing at this time in Downtown Eastside, she is frustrated that the police and the city took so long to mobilize a co-ordinated investigation of the larger pattern of missing women.

On 6 August 2002, the family was informed that Sarah de Vries' DNA had been found on the Port Coquitlam farm which has been at the centre of the joint Vancouver Police Department/Royal Canadian Mounted Police (RCMP) investigation. The farm owner, who has since been convicted of killing six other women from the Downtown Eastside, has been charged but not yet tried for the murder of Sarah de Vries.

For more information, please visit: www.amnesty.ca/campaigns/sisters_gallery_intro.php.



A group of Indigenous women and their supporters who walked more than 3,500km from Vancouver's Downtown Eastside to bring their demand for justice to Ottawa, 2008.

CONCLUSION

Governments in Canada have a clear and inescapable obligation to ensure the safety of Indigenous women, to bring those responsible for attacks against them to justice, and to address the deeper problems of marginalization and poverty that have placed so many Indigenous women in harm's way.

There are growing demands for the protection of Indigenous women's rights in Canada. Vigils are regularly held in communities across the country to honour the lives of Indigenous women. In 2008, a group of Indigenous women and their supporters walked more than 3,500km from Vancouver's Downtown Eastside to bring their demand for justice to the federal capital, Ottawa. Indigenous women have also taken their concerns to UN human rights bodies, resulting in repeated calls for the government to take action.

Important gaps in available statistical data need to be filled in order to ensure that social policy is based on sound information. The need for further research, however, is not an excuse for inaction. In 1991, a provincial inquiry into the murder of Helen Betty Osborne put forward a body of recommendations most of which have yet to be implemented. The same can be said of other federal and provincial inquiries into the treatment of Indigenous Peoples in Canada, including the 1996 Royal Commission on Aboriginal Peoples. The key issue, then, is not a lack of information or ideas, but a lack of political will.

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Vigil to honour missing and murdered Indigenous women, Parliament Hill, Ottawa, October 2007.

RECOMMENDATIONS

RECOMMENDATIONS TO THE GOVERNMENT OF CANADA

1. As a matter of urgent priority, the federal government should work with Indigenous women and representative organizations and provincial and territorial officials to develop and implement a comprehensive, co-ordinated national plan of action in keeping with the scale and seriousness of the violence and discrimination experienced by Indigenous women. Such a plan of action should include:

- The collection and routine publication of gender disaggregated data on health and social and economic conditions for Inuit, Métis and First Nations women and men, including rates of violence against Indigenous women;

- The promotion of standardized protocols for police handling of missing persons cases including tools for fair and effective assessment of the risk to the missing individual;

- Improved co-ordination of police investigations into long-term missing persons cases and unsolved murders involving Indigenous women and other women at risk.

- Adequate, sustained, long-term funding to ensure the provision of culturally relevant services to meet the needs of Indigenous women and girls at risk of violence or in contact with the police and justice system, including emergency shelters, court workers, victim services and specific programmes to assist women who have been trafficked within Canada;

2. Review all social programmes to ensure that funding for programmes for Indigenous women, children and families is equitable to those available to non-Indigenous people in Canada and is sufficient to ensure effective protection and full enjoyment of their rights. Particular priority should be given to eliminating discrimination in funding for Indigenous child welfare;

3. Restoration of funding to fulfill the commitment set out in the Kelowna Accord (First Ministers and National Aboriginal Leaders: Strengthening Relationships and Closing the Gap) to end inequalities in health, housing, education, and other services for Indigenous peoples;

4. Immediate implementation of recommendations of the Canadian Human Rights Commission and the UN Human Rights Committee concerning the treatment of women prisoners, including the creation of a new security risk assessment system;

5. Publicly commit to fully implement the standards contained in the UN Declaration on the Rights of Indigenous Peoples and to engage Indigenous Peoples in discussions about their implementation.

RECOMMENDATION TO THE GOVERNMENT OF BRITISH COLUMBIA

At the earliest opportunity, the provincial government should establish a public inquiry into police handling of the cases of women who are reported to have gone missing from Downtown Eastside in Vancouver.

Additional recommendations focused on reform to police services and the justice system can be found in the 2004 report, *Stolen Sisters: Discrimination and Violence against Indigenous Women in Canada* (Index: AMR20/001/2004).

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NO MORE STOLEN SISTERS

THE NEED FOR A COMPREHENSIVE RESPONSE TO DISCRIMINATION AND VIOLENCE AGAINST INDIGENOUS WOMEN IN CANADA

Indigenous women in Canada experience high levels of violence. One government survey found that young First Nations women were five times more likely than other women to die as a result of violence. Indigenous women themselves have taken the lead in breaking the silence that for so long surrounded the violence inflicted on them. This report is part of Amnesty International's continuing efforts to support their demands for justice.

In 2004 Amnesty International released a report documenting some of the underlying causes of violence against Indigenous women in Canada. The report, *Stolen Sisters*, showed how widespread and entrenched racism and marginalization, along with deep inequalities in living conditions, increase the risk of violence. These same inequalities also deny Indigenous women access to the services and support needed to escape violence.

This follow-up report shows that, five years later, government responses to the threats facing Indigenous women have been inadequate and piecemeal. The scale and severity of the human rights violations faced by Indigenous women require a co-ordinated and comprehensive national response. The Canadian government has a clear and inescapable obligation to ensure the safety of Indigenous women, to bring those responsible for attacks against them to justice, and to address the deeper problems of marginalization and poverty that have placed so many Indigenous women in harm's way. In this report Amnesty International renews its call on the authorities to meet their obligations and ensure that the right of Indigenous women to freedom from violence is fulfilled.

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Index: AMR 20/012/2009
September 2009

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