



National Association
of Friendship Centres
Association nationale
des centres d'amitié



Watershed
Partners

Missing and Murdered Indigenous Women &
Girls Inquiry:

Summary of Findings for Urban Indigenous Peoples

September 2020

275 MacLaren Street
Ottawa, Ontario K2P 0L9
(613) 563-4844, toll free: (877) 563-4844

nafc.ca

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Introduction

Canada has a well-documented epidemic of violence against Indigenous women and girls. In 2013, United Nations Special Rapporteur on the Rights of Indigenous People observed that Canada has an “epidemic” of murdered and missing Indigenous women. As later noted by the National Inquiry on Missing and Murdered Indigenous Women and Girls,

“Indigenous women and girls are 12 times more likely to be murdered or missing than any other women in Canada, and 16 times more likely than Caucasian women... Other than murder, statistics also reveal how Indigenous women consistently experience higher rates and more severe forms of physical assault and robbery than other groups of women... [and] in some communities, sexually exploited Indigenous children and youth make up more than 90% of the visible sex trade.”¹

Horrific violence has repeatedly captured the nation’s attention. From the Pickton murders, claiming the lives of dozens of Indigenous women from Vancouver’s downtown east side, to murder of Tina Fontaine and uninvestigated deaths in Thunder Bay, Canada has been shaken to its core by senseless deaths of Indigenous women – many of which have gone missing from or have died in cities. Many of these deaths have resulted in no investigation or conviction, challenging Canada’s fundamental values of justice.

After years of steadily increasing pressure, the Government of Canada launched a National Inquiry into Missing and Murdered Indigenous Women and Girls in August, 2016 with a mandate to investigate the systemic causes of violence against Indigenous women and girls. The inquiry’s scope expanded to include two-spirited, lesbian, gay, bisexual, transgendered, queer, questioning, intersex, asexual and non-binary people (2SLGBTQIA). Over 3 years, the Inquiry engaged with over 2,300 participants in 15 community hearings across Canada before releasing its findings.

The final report stated that the national tragedy of murdered and missing Indigenous women and girls amounts to a genocide, sparking significant domestic and international attention and equally significant debate. The 231 Calls to Justice (CTJ) – a name chosen

¹ Reclaiming Power and Place, The Final Report of the National Inquiry Into Missing and Murdered Indigenous Women and Girls. Volume 1a. p.55

by the commissioners to signal the non-discretionary and legally binding nature of their recommendations – have received less airtime. Nonetheless, the CTJ's lay out an approach on what governments must do so that Canada can move forward to address systemic violence. The CTJs are the bulk of the ideas with which Indigenous groups and service providers, governments, and others must engage.

The CTJs, in the view of the commissioners, build a foundation to allow Indigenous women and girls and 2SLGBTQQIA to "reclaim power and place," a concept that speaks to the role and responsibilities that women, girls and 2SLGBTQQIA people play in "fulfilling their own People or Nation's understandings of their rights" and to reversing the narrative from victimhood to one of human rights. In order to reclaim power and place, the commissioners identified four pathways requiring address:

1. historical, multigenerational, and intergenerational trauma;
2. social and economic marginalization;
3. maintaining the status quo and institutional lack of will;
4. ignoring the agency and expertise of Indigenous women, girls, and 2SLGBTQQIA people.

The purpose of this paper is to explore the CTJs as they apply to the work of the Friendship Centre movement. In doing so, we take two analytical approaches which provide two different insights: the first is a narrow read of the CTJs that speak to program, service and other needs that exist in urban contexts; the second is a broad read where we apply the underlying logic to the CTJs to understand their spirit and intent and then apply them to urban issues in ways that might not be apparent at first glance. In the first approach, we take CTJs at face value; through the second, we ask "how" certain CTJs could be achieved and what the role of an urban service provider would be to enable such an outcome. Our analytical approach rests on the basis that the CTJs are meant to be understood as promoting, enabling and supporting self-determination and, as a result, can be broadly read and interpreted by Indigenous groups seeking to take steps to address systemic violence and its root causes.

Our analysis takes into consideration that the CTJs are presented a matter of rights – which is a position of strength based on the foundation of law, but one that resides in the domain of those who represent the bearers of rights. Friendship Centres neither assert nor purport to represent rights. We recognize that service providers may give expression to Indigenous rights and their approaches may be founded on the basis of self-determination, but their fundamental orientation is towards day-to-day client needs. We in no question the nature

or composition of rights, or the findings that the commissioners reached respecting those rights, nor do we consider rights in an urban context. We approach the questions from a position of the interests of service providers in addressing the four pathways rather than from the position of the rights themselves.

Understanding the Report from an Urban Lens

There are two main themes that guide the work of the Commission and that are essential to understand in order to apply the report to urban settings. The first is that the causes of violence are historic (but living) and systemic in nature, and that the only way to address and redress violence is to confront societal problems at large through a transformative paradigm shift that reorients Canadian society so it upholds Indigenous rights, including the right to self-determination. The second is that unique intersectional experiences mean that an individual's reality is defined by multiple factors, including their identity, location, residency and the historical forces that shaped and continue to shape their experiences. "Urban" is an important and unique "distinctions" lens to cast on issues, but not all urban experiences are the same. As put by the commissioners, there are "experiences in common, as well as experiences that are distinctive" by Indigenous women and girls and 2SLGBTQIA people.²

According to the commissioners, understanding the root cause of the common experience of violence requires understanding "the specific realities of colonialism, racism and misogyny... [which have] disempower[ed] women through the application of state-sanctioned violence."³ These realities, in turn, have contributed to structural forces that are oppressing Indigenous women and girls and 2SLGBTQIA people, namely: colonization (historic and ongoing); patriarchy; social, political and economic marginalization; media and stereotyping; and institutions and structures that harm instead of heal (e.g., health). The inquiry notes that a person's identity, geography and social location impact their experiences and therefore offers that systemic violence should be considered through a lens of intersectionality, hence the "distinctions" within the "common".

Conditions today were centuries in the making. According to the commissioners, "the process of colonization created the conditions for the crisis of missing and murdered Indigenous women, girls and 2SLGBTQIA people that we are confronting today, economically, socially, and politically. Indigenous Peoples were economically marginalized by the dispossession of their land and resources and the related destruction of their economies.... The cycles of

2 Ibid p.80

3 Ibid. pp. 89-90

intergenerational trauma, set in motion by colonization, are a root cause of domestic violence in Indigenous communities today.” As noted in the report, colonization happened differently across Canada, meaning that there is no one single experience for Indigenous peoples.

The report identifies four ways through which colonial violence is maintained today:

1. historical, multigenerational, and intergenerational trauma;
2. social and economic marginalization;
3. maintaining the status quo and institutional lack of will;
4. ignoring the agency and expertise of Indigenous women, girls, and 2SLGBTQIA people.

In addition, the report stresses that the imposition of colonial jurisdiction – and the failure to respect and uphold Indigenous jurisdictions – has created inequalities, service gaps, and governance regimes that fail to represent the interests of Indigenous women, girls and 2SLGBTQIA.

The report notes that urban Indigenous peoples have created their own institutions, programs, services, communities and cultures that are separate (and decoupled from) Indigenous “tribal homelands.” The inquiry also notes that experiences with racism and the justice system are also unique in urban areas. Urban Indigenous peoples tend to live near one another in lower income neighbourhoods which are often overpoliced, leading to increased interactions with the justice system. In some instances, the emergence of urban Indigenous neighbourhoods facilitated Indigenous-led programs and services.

The commissioners note that urban Indigenous organizations have a role in setting priorities to address systemic violence. In at least one hearing with a government official, commissioners pressed for an answer as to whether urban representatives have seats at the table for determining funding priorities.⁴ The Commission also notes that the capacity of those organizations hasn’t been supported to enable them to meet the totality of urban needs. This failure to accommodate the needs of urban organizations has resulted in urban Indigenous peoples needing to rely on non-Indigenous programs and services.

As noted by the commissioners, there are unique trends amongst Indigenous groups that come to the city. For instance, many Inuit come to the south to seek medical care that is not readily available in remote communities. Similarly, not all groups have the same access to services. The commissioners noted that historically, urban Indigenous services focused on First Nations more than other groups. In addition, different individuals come to the city for different reasons. The commissioners note that there are particularly vulnerable population,

4 Ibid p. 420

like women moving to the city to flee violence, that might need specific types of supports.

The Inquiry notes some specific challenges for urban Indigenous peoples, which can be understood as generalized issues and experiences across intersectional lenses. For example, urban Indigenous peoples are disproportionately impacted by jurisdictional disputes between provinces and territories, municipalities, and the federal government with respect to programs, services and – in particular – health care and child welfare. Additionally, urban Indigenous peoples face unique issues with respect to accessing housing, health care, job opportunities, and cultural programming.

The Final Report provides some insight into distinctive experiences (e.g., Métis exclusion, Inuit relocation for health care, etc.). However, recalling the intersectional lens, those reading from an urban perspective should consider how the breadth of First Nation, Métis and Inuit experiences have impacted and have brought Indigenous women and girls and 2SLGBTQQIA people into cities. That is to say, while relatively small portions of the report consider specific urban issues, the report read in its entirety helps explain phenomenon and issues in cities – and helps define pathways forward to address the four root causes of systemic violence.

The Calls to Justice

Recalling the “generalized” and “distinctive” approach, the MMIWG CTJs are both broad in their reach to address societal problems and specific with a view towards acknowledging that there is no one-size-fits-all solution to the systemic problem of violence.

From the broad perspective, the commissioners conclude that addressing violence requires fully dismantling colonialism. In their view, this is achievable by implementing and enforcing international human rights obligations through domestic law, and upholding Indigenous rights and Indigenous laws, which mutually reinforce one another and establish the power and place of Indigenous women, girls and 2SLGBTQQIA people in society. The Inquiry asserts that approaching systemic violence from a rights-based perspective allows Indigenous women and girls and 2SLGBTQQIA people to be independent human rights holders as opposed to victims. The Inquiry identifies four levels of rights violations must be addressed, and argues that doing so will set a foundation for self-determination. These four rights are: culture, health, security and justice. These four rights-based pillars, read together, are a pathway towards addressing the four systemic root causes of violence, read together. By their very

nature, both the analysis leading up to and the broad CTJs themselves automatically apply within urban contexts.

The commissioners are explicit that Indigenous rights include self-determination. Self-determination is the pathway for Indigenous peoples to reclaim power and place. It applies at political levels as well as program and service levels. Self-determination is not a “pan-Indigenous” outcome but rather, it is exercised at different levels, e.g., across Indigenous distinctions-based groups, nations, treaties, etc... Given that different regions and Indigenous peoples had (and have) different experiences with colonization, self-determination becomes even more important as a rights-based tool for Indigenous peoples to address their unique realities through unique plans, programs or services that meet their unique needs. In the spirit of self-determination and recognizing the unique experiences of First Nations, Inuit and Métis, the CTJs include distinctions-based sections that build on the general recommendations that apply across Canada.

There are three key points in the CTJs that those reading from an urban Indigenous perspective should keep in mind:

1. The CTJs contemplate that Indigenous people will set the agenda on how to move forward and that governments are obliged to support that agenda, which is to be set out in a collaboratively developed National Action Plan;
2. consistent with the first point, the CTJs set obligations for governments and other bodies to take specific measures now and do not give direction or dictate a road map to Indigenous service/program/support providers; and
3. the CTJs provide ideas for what service providers might do, who they might want to work with, and which government parties will need help and urban Indigenous perspectives going forward.

In short, self-determination necessarily means that there is a fair amount of leeway in how urban Indigenous organizations might interpret the CTJs and their roles within them.

A Narrow Read

In this section, we consider which CTJs either explicitly reference urban issues or, alternatively, are written in such a way that they are clearly meant to be understood as applying to urban Indigenous peoples without further analysis. For the most part, these recommendations do not explicitly mention urban Indigenous peoples. Instead, they are aimed at governments or other institutional bodies, calling on them to take steps to fulfill the CTJs – largely in partnership with Indigenous peoples. Therefore, it is necessary to determine which directives are aimed at off-reserve or off-settlement lands populations (e.g., urban Indigenous populations)

In our view, mentions of “communities,” based on references throughout the report related to place and geography, are likely intended to include urban communities. The case is particularly strong for this in CTJs referring to “all communities,” which by nature include urban communities, and “all governments,” which are defined by the Inquiry to include municipal governments. Additional language we have accepted as urban-inclusive includes references to “wherever... people reside,” those “isolated from their Nations due to colonial violence,” and matters related to interjurisdictional disputes (which tend to occur when federal jurisdiction meets provincial or territorial jurisdiction, for example with respect to status Indians residing off reserve).

That said, we recognize that not every CTJ that applies to Indigenous peoples at face value will also have a role for urban Indigenous service providers. For example, the CTJ calling for initiatives to improve representation of Indigenous Peoples in media and pop culture has implications for urban Indigenous peoples but, in a plain read, likely has little application for Friendship Centres (note that we revisit this CTJ in our broad read analysis). We have excluded these from our “narrow read” analysis simply because additional analysis is required to determine the role of urban Indigenous organizations, and there is considerable room for interpretation.

There are 7 main categories of CTJs applying to urban Indigenous peoples: recommendations to ensure adequate services, housing recommendations, income and economic security recommendations, safety and security recommendations (including policing), recommendations pertaining to justice (including supporting victims), recommendations pertaining to child welfare, and recommendations pertaining to training or cultural awareness.

Only 5 CTJs specifically include urban Indigenous peoples by direct reference. Those CTJs call for:

- + access to housing (4.6);
- + counting urban Inuit people in order to determine Inuit population numbers (16.6);
- + creating shelters, safe houses and second-stage housing for Inuit in cities (16.19);
- + creating culturally appropriate programming for urban Métis (17.7);
- + and building up 2SLGBTQIA communities (18.7).

In our view, the scarcity of urban-specific recommendations reinforces that urban Indigenous peoples are meant to be included in broader CTJs that have clear and direct implications for urban Indigenous peoples.

Main Take-Aways from a Narrow Read

Urban Indigenous service providers should be fully supported by the relevant jurisdiction(s) for:

- + Participating in the planning and creation of a National Action Plan (1.1.);
- + Offering no-barrier and status-blind programming addressing employment, housing, education, safety and healthcare (1.1);
- + Services and programs related to democratic participation and inclusion (1.4);
- + Social, economic, and cultural programming, including distinctions or nation-specific cultural programming related to language or knowledge, as determined by the needs of Indigenous clients (1.6, 2.3, 2.4, 2.5);
- + Programs, including campaigns, to prevent violence, including combatting lateral violence (1.8, 1.9);
- + Participation in the development and support of an Anti-Racism and Anti Sexism National Action Plan (2.6)
- + Culturally appropriate health and wellness services, including community-based trauma-informed programs, that are barrier free and status-blind (3.2, 3.4, 3.6)
- + Community-based programming to improve social and economic security (4.2)
- + Design and deliver programs and services to promote the safety and security of those in the sex industry, in partnership with those who have lived experience in the sex industry (4.3)

- + Housing supports, including transition homes, shelters, safe spaces, etc. (4.6, 4.7)
- + Partnering and/or collaborating with police services, child welfare services, legal services, and other services that come into direct contact with vulnerable urban Indigenous people (9.8, 10.1, 12.11)

A Broad Read

Suffice it to say, given the report's emphasis on culturally appropriate programs and services, self-determination, the reclaiming of power and place, and given both the high population of urban Indigenous peoples (i.e., over 50%) and high rates of violence, it is reasonable to conclude that CTJs might have multiple reasonable interpretations within the urban Indigenous context. Indeed, the principles prefacing the CTJs clearly indicate this to be the case. How can other CTJs be reasonably interpreted?

We think the question can be answered by imagining CTJs as a desired future end-state and working backwards from there to here today. The steps along the way are what we believe are the "broad read" that fall within the spirit and intent of the CTJs. We have taken a simple analysis pathway and have come up with some reasonable interpretations at the end of this section. However, there are any number of reasonable interpretations, so the process matters more than the outcomes we arrived to.

The process we are using is called *back-casting* and it helps for thinking through requisite steps that have to be taken in order for an outcome to be achieved. This technique works because it is often easier to work backwards from "success" than it is to start from today, with an infinite number of pathways forward, to get to a desire on the horizon.

Here are the steps we took in our analysis:

1. Define what future end-state a CTJ is reasonably calling for. For instance, CTJ 1.1 clearly calls for a collaboratively created National Action Plan to address violence. The future end-state in this case is a plan that had been collaboratively designed.
2. Pick a future date – it does not matter when – and imagine that the future end-state has been reached. In our example of CTJ 1.1, perhaps we say that the final plan had been completed in 2022.
3. Work backwards – what had to happen in order for the plan to be completed by 2022?

- a. The plan had to have been ratified by Indigenous groups and cabinet – which Indigenous groups?
 - b. How did they draft the plan? How did they come to a common vision?
 - c. Urban Indigenous groups had to provide input to the plan – which groups did so and how did they collaborate?
 - d. What capacity did those urban Indigenous groups receive from the government in order to be able to collaborate? What governance regimes did they establish to work together? What support did those governance regimes require?
 - e. How did those urban Indigenous groups come together? Who called the first meeting? What was the first meeting about? What resources were required? How did that work in the age of COVID?
4. Define what *has* to be true in order for the end state to be reached. For example, in 1.1., we know that both governments and Indigenous groups *must* have been able to analyze and qualify high potential inputs for an action plan based on their experiences or based on a study.
 5. Define what *might* be true in order for the end state to be reached. For example, in 1.1., it *might* be true that Friendship Centres collaborated with other urban Indigenous organizations outside the Friendship Centre movement, but it does not *have to be* true.
 6. The *must be trues* identified in 4 are strong candidates for a reasonable interpretation of what a CTJ might be calling for. For instance, a study on key actions that would help to specifically address violence against Indigenous women, girls and 2SLGBTQIA is likely part of recommendation 1.1.
 7. The *might be trues* identified in 5 are less strong but still credible candidates for a reasonable interpretation of a CTJ. For instance, a Nation urban Indigenous peoples forum with service providers in urban spaces from across Canada *could* be a reasonable interpretation of an activity called for in CTJ 1.1.

We applied back-casting to high potential CTJs in order to create a list of additional activities or supports that urban Indigenous organizations might pursue. We scoped high potential CTJs as those that (a) did not have an obvious “narrow read” for urban Indigenous peoples, (b) did not appear to have a direct implication for urban Indigenous organizations but, (c) had clear implications for urban Indigenous peoples and (d) an urban Indigenous organization could reasonably play a role. In some instances, we found that multiple CTJs led back to a similar outcome. We have grouped those CTJs together by outcome.

Main Take-Aways from a Broad Read

Based on our broad read, we interpreted the Inquiry to suggest that urban Indigenous organizations may undertake and should receive support for:

- + communications functions, such as capacity to undertake public relations or to promote Indigenous-positive media stories (2.7, 6.1)
- + programs or services related to transit (4.8)
- + Culturally relevant victims services and independent legal services (5.6)
- + Activities that contribute to judicial appointments and appointments related to policing (5.12, 9.2)
- + legal aid (5.13)
- + research related to men who commit violence (5.25)
- + Advising current health providers on the creation and delivery of trauma-informed services (7.2)
- + Collaborative health initiatives delivered through health and wellness service providers on a variety of areas for Indigenous men, boys, women, girls and 2SLGBTQQIA
- + training healthcare providers on Indigenous history, language, culture, and healing practices, and deliver anti-bias and anti-racism training (7.6)
- + programming, training, or funding programs to encourage indigenous peoples to train for and pursue careers in health and wellness (7.7, 7.8)
- + programming or training related to Indigenous culture and history for those in the legal profession (10.1)
- + programs, services, and/or policy development related to resolving issues of poverty, housing, and food security (12.4)
- + distinctions or nations-based programming related to language or culture for children and youth (12.6)
- + programs, services, and/or policy development related to supporting those who are “aging out” from the child welfare system (12.11)
- + the development and/or delivery of programming for men and boys to confront and end violence (14.12)

Conclusion

The Final Report of the MMIWG Inquiry is broad in scope, but there is a strong logic that underlies the report. Understanding and using that logic can help urban Indigenous organizations navigate the intentions of the CTJs. The report focuses on self-determination, the reclaiming of power and place, culture, health, security and justice as pillars to address the root causes of systemic violence. Approaches at the intersection of those pillars are aligned with the intent of the report – as would most approaches that come from a place of self-determination with an aim of reclaiming power and place.

The CTJs are not exhaustive, nor are they meant to be. They point to specific plans that will be required to go forward, including a National Action Plan and a strategy to address racism. The very fact that more work will be required means that urban Indigenous organizations have a continued pathway, if not obligation, to help shape how Indigenous peoples and others will collaborate to end systemic violence.

Urban Indigenous organizations have latitude to interpret the CTJs in multiple ways that are defensible. We have provided two tools – a face-value read and a broad read based on intended future states – however, these are not the only ways to analyze the CTJs. Any interpretation that is based on the intent of the CTJs and coloured by the realities of urban Indigenous peoples can be credible.



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