

CANADA'S RESPONSE TO DECEMBER 20, 2021 LETTER FROM THE SPECIAL RAPPOREUR ON VIOLENCE AGAINST WOMEN, ITS CAUSES AND CONSEQUENCES

1. The different manifestations of violence experienced by Indigenous women and girls, whether perpetrated by members of their community or non-members, including but not limited to domestic violence; sexual harassment and violence at the workplace (including domestic work); sexual violence; harmful practices; violence in the context of conflict; trafficking in persons; violence in the context of migration; violence related to land grabbing and violations of land rights; violence against Indigenous women human rights defenders or defenders of land rights; obstetric violence and violations of Indigenous women and girls' sexual and productive health and rights.

In Canada, Indigenous women, girls, Two-Spirit and gender diverse peoples are often victims of intersectional discrimination based on culture, gender, ethnicity, and socioeconomic status. There are many causes of these systemic inequalities and domestic governments at all levels and civil society need to address these together.

Based on annual data from Statistics Canada, Indigenous women, girls and Two-Spirit gender diverse people continue to experience higher rates of violence. Despite only making up 4 per cent of the Canadian population, Indigenous women and girls represent 28 per cent of homicides perpetrated against women in 2019¹ and are 12 times more likely to be murdered or missing than non-Indigenous women in Canada.² Indigenous women are also more likely to be affected by all types of violent victimization.³

For further information regarding violence and re-victimization⁴ as a result of the systemic racism faced by victims and survivors that are Indigenous, and their families, when in contact with the criminal justice system, the police, the courts, the correctional system, etc., please see the following report on Missing and Murdered Indigenous Women and Girls (MMIWG): [MMIWG National Inquiry Final Report](#).

2. Good practices and challenges on increasing Indigenous women and girls' access to effective mechanisms to prevent their exposure to violence as well as to assist and protect victims of violence in a comprehensive manner.

The Government of Canada is also committed to securing the safety of Indigenous women, girls and two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual and all other sexual orientations and genders (2SLGBTQQA+) people who are escaping gender-based violence. Recognizing calls from Indigenous peoples to improve policy and programming for vulnerable Indigenous women and children, in January 2021, the Government of Canada alongside Pauktuutit Inuit Women of Canada, announced its commitment to fund the construction and operation of new shelters for Inuit women, children, and 2SLGBTQQA+ people across Inuit Nunangat and urban centres through the [Family](#)

¹ [Federal Pathway to Address Missing and Murdered Indigenous Women, Girls and 2SLGBTQQA+ People \(rcaanc-cirnac.gc.ca\)](#)

² [Federal Pathway to Address Missing and Murdered Indigenous Women, Girls and 2SLGBTQQA+ People \(rcaanc-cirnac.gc.ca\)](#)

³ [Federal Pathway to Address Missing and Murdered Indigenous Women, Girls and 2SLGBTQQA+ People \(rcaanc-cirnac.gc.ca\)](#)

⁴ Re-victimization refers to indifference, victim-blaming and charging, denial, lack of action, stereotyping, institutional reprisals such a child welfare action – among others.

[Violence Prevention Program](#). This program also supports activities that increase awareness of gender-based violence and provide families and communities with tools and culturally sensitive services to address violence, among others.

3. Good practices and challenges regarding the effective participation of women and girls that are at risk of violence or that have been subjected to violence in processes that affect their lives, including those that seek to protect them against violence.

The Canadian Government has committed to do its part in addressing the root causes that lead to missing and murdered Indigenous women, girls and gender diverse people.

In 2016, a National Inquiry into Missing and Murdered Indigenous Women and Girls was launched in Canada. The Inquiry published its Final Report in 2019 with over 231 Calls for Justice directed at all orders of governments, institutions, social service providers, industries, and all Canadians.

The [Final Report](#) of the National Inquiry into Missing and Murdered Indigenous Women and Girls called on all governments – Indigenous, federal, provincial, territorial, and municipal – in partnership with Indigenous peoples, to work together to address the issues highlighted in the Calls for Justice and to specifically develop and implement a National Action Plan to address violence against Indigenous women, girls, and 2SLGBTQQIA+ people.

On June 3, 2021, the Government of Canada released the [2021 National Action Plan to End Violence Against Indigenous Women, Girls, and 2SLGBTQQIA+ People](#). The National Action Plan was developed by an Indigenous-led governance structure made up of over 100 Indigenous women and Two-Spirit and gender diverse people, family members and survivors, and partners, including from Indigenous organizations, provinces and territories, and the Government of Canada. This National Action Plan is a concrete step towards ending violence against Indigenous women, girls, Two-Spirit and gender diverse people.

As one of the contributing partners to this National Action Plan, the Government of Canada's chapter, the [Federal Pathway](#), outlines the commitments of over 20 Government of Canada departments who are actively and collaboratively working on implementing their respective initiatives. It outlines the Government of Canada's current and future efforts to end gender-based violence and systemic racism that contribute to the national tragedy of missing and murdered Indigenous women, girls, and Two-Spirit and gender diverse people. It includes initiatives organized around four major themes: culture, health and wellness, human safety and security, and justice, with hyperlinks to additional information on currently-active federal programs. These include distinctions-based supports and services for Indigenous children and families, adequate and affordable housing to serve Indigenous women, children, and Two-Spirit and gender diverse people, training and economic opportunities for youth and women, and accessibility to culturally safe supports for survivors and families.

The Government of Canada continues to engage with partners on the implementation of the National Action Plan, including discussions focused on developing an approach to monitor and report on progress that can speak to the impacts of policies, programs and the various changes underway across Canada. The Government of Canada is committed to accelerating this work with Indigenous partners, families and survivors and the provinces and territories.

The Government of Canada began taking action to address the Calls for Justice and the safety and

security of Indigenous women, girls, and Two-Spirit and gender diverse people before the Final Report was released. This work on important initiatives included changing legislation and making investments, many of which are reflected in the following two federal budget announcements:

- First, the 2020 [Fall Economic Statement](#) was released on November 30, 2020, and indicated that the Government of Canada proposed to invest an additional \$781.5 million CAD over five years starting in 2021–2022, and \$106.3 million CAD ongoing to combat systemic discrimination against Indigenous peoples and expand efforts to combat gender-based violence. This includes \$724.1 million CAD over five years starting in 2021-2022, and \$96.6 million CAD ongoing to expand culturally relevant supports for Indigenous peoples facing gender-based violence and support new emergency shelters and transitional (second stage) housing across the country, including in the North and in urban centres.
- Second, [Budget 2021](#) was released April 19, 2021, and proposes to invest \$2.2 billion CAD over five years, and \$160.9 million CAD ongoing, to help build a safer, stronger, and more inclusive society. These investments respond directly and concretely to the National Inquiry into Missing and Murdered Indigenous Women and Girls and includes initiatives that will help deliver on the commitments outlined in the federal government component. In addition, Budget 2021 also invested \$18 billion CAD to address the socio-economic root causes that contribute to this national tragedy. Work will continue with partners on exploring further measures to address violence against Indigenous women, girls, and Two-Spirit and gender diverse people beyond what has been announced to date.

In similar vein, the Government of Canada provides funding through existing and new programs directly to community-based Indigenous-designed and Indigenous-led justice initiatives focused on women and girls. This is an effective way to ensure that programs supporting Indigenous women and girls are culturally appropriate, trauma-informed, and effective (see Canada’s [Indigenous Justice Program](#)). Collaborating directly with Indigenous groups to co-develop justice specific funding opportunities, initiatives, programs, policies, or legislative changes that affect Indigenous women and girls enables the development of initiatives that reflect the needs and priorities of Indigenous peoples, leading to better results and outcomes for Indigenous women and girls.

Finally, the issue of missing and murdered Indigenous women and girls fits into the broader Reconciliation agenda and aligns with other federal plans and strategies including:

- Federal Gender-Based Violence Strategy, National Action Plan to End Gender-Based Violence; and the Federal Action Plan on LGBTQ2 (Women and Gender Equality Canada)
- Canada’s Anti-Racism Strategy (Canadian Heritage)
- Disaggregated Data Action Plan (Statistics Canada)
- *United Nations Declaration on the Rights of Indigenous Peoples* Action Plan (Justice Canada/Crown-Indigenous Relations and Northern Affairs Canada)
- National Indigenous Justice Strategy (Justice Canada)
- Women, Peace and Security Plan (Global Affairs Canada)

4. Good practices and challenges on Indigenous women’s participation in transitional justice processes that address violence inflicted upon them, or in judicial communal or state systems more generally, as well as their access to effective reparations for past crimes committed against them.

While victim services in Canada are delivered, for the most part, under the leadership and responsibility of provincial and territorial governments, the federal government collaborates with victim serving organizations and other levels of government in areas of shared responsibility. One example is federal funding and support for initiatives that support families of missing and murdered Indigenous women and girls. These community level victims support services have been an effective way to provide information, healing, and trauma supports for families of victims of violence who are Indigenous. One such example is the [Family Information Liaison Units](#).

For those already involved in the criminal justice system, the Government of Canada assists that they obtain fair, just, equitable and culturally relevant treatment. For example, the [Indigenous Courtwork Program](#) assists Indigenous peoples in understanding their right to speak on their own behalf or to request legal counsel and ensures that those involved in the administration of the criminal justice system are culturally aware. This program can be extremely beneficial for Indigenous women and girls seeking justice through the existing justice structure.

In addition, the Government of Canada supports renewed legal relationships with Indigenous peoples through the funding of Indigenous law initiatives across Canada. This funding responds to Canada's Truth and Reconciliation Commission's Call to Action 50, which calls upon the federal government, in collaboration with Indigenous organizations, to fund the establishment of Indigenous law institutes for the development, use, and understanding of Indigenous laws and access to justice in accordance with the unique cultures of Indigenous peoples in Canada. Culturally appropriate alternative dispute resolution options can be beneficial in providing processes that support access to justice for Indigenous women and girls through alternative mechanisms.

5. Disaggregated data on violence against Indigenous women and girls, including on the perpetrators and their relationship to the victims.

The below is a list of statistics on violence against Indigenous women and girl in Canada, disaggregated by First Nation, Métis, and Inuit populations when possible, and further disaggregated by other intersectional variables where data is available.

Note: Certain studies have noted that the history of violence resulting from colonization and residential schools may have led to a certain normalization of violence among Inuit women, and that as a result they may be less likely to recognize certain behaviours as being violent, affecting the likelihood of reporting these experiences in surveys. Additionally, First Nations on reserves were not sampled as a part of the Survey of Safety in Public and Private Spaces, 2018, thus disaggregated numbers should be interpreted with caution.

- Among Indigenous people in Canada in 2018, 43% of Indigenous women reported having been sexually assaulted at least once since the age of 15. This included 45% of First Nations women, 44% of Métis women, and 26% of Inuit women, compared to 30% of non-Indigenous women.⁵
 - According to self-reported data collected in 2018, Indigenous women were more than three times as likely as non-Indigenous women to have been sexually assaulted in the

⁵ Statistics Canada. 2020. Self-reported sexual assault since age 15. Online. <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3510016601>

year preceding the survey (113 versus 35 incidents of sexual assaults per 1,000 population, respectively).⁶

- According to self-reported data collected in 2018, among Indigenous women in Canada, 22% of First Nations women, 22% of Métis women, and 16% of Inuit women reported having been sexually abused at least once during childhood (before the age of 15), compared with 11% of non-Indigenous women.⁷
- According to self-reported data collected in 2018, Indigenous women (39%) were more likely than non-Indigenous women (32%) to have experienced unwanted sexual behaviour in public spaces the year preceding the survey.⁸
 - More specifically, First Nations women (41%) and Métis women (40%) were significantly more likely than non-Indigenous women (32%) to have experienced unwanted sexual behaviours in a public space in the year preceding the survey.⁹
- According to police-reported data for all types of hate crimes, nearly a third (32%) of victims reported by police between 2010 and 2018 were female. In comparison, during that same period, 45% of victims of violent hate crimes against Indigenous peoples were against Indigenous women or girls.¹⁰
- Self-reported data collected in 2018 showed that Indigenous women are significantly more likely than non-Indigenous women to have experienced intimate partner violence (IPV) at least once in their lifetime (since age 15) (61% versus 44%, respectively).¹¹
 - Similarly, when asked about the past 12 months, 17% of Indigenous women experienced intimate partner violence—significantly more than among non-Indigenous women (12%).¹²
 - More specifically, First Nations women (59%) and Métis women (64%) were both significantly more likely than non-Indigenous women (44%) to have ever experienced intimate partner violence in their lifetime.¹³
 - Results shows that Inuit women were about as likely as non-Indigenous women to have ever experienced IPV in their lifetime (44%).¹⁴
 - Self-reported data collected in 2018 shows that Indigenous women experience disproportionate risks of IPV when part of other marginalized groups. For example, 86% of LGBTQ2S Indigenous women had experienced IPV in their lifetime compared with 59% of non-LGBTQ2S Indigenous women. Similarly, a significantly larger proportion of

⁶ Ibid.

⁷ Statistics Canada. 2020. Self-reported physical and sexual abuse during childhood. Online. <https://www150.statcan.gc.ca/t1/tbl1/en/cv.action?pid=3510016701>

⁸ Statistics Canada. Survey of Safety in Public and Private Spaces, 2018. Custom tabulations (not available online).

⁹ Statistics Canada. Survey of Safety in Public and Private Spaces, 2018. Custom tabulations (not available online).

¹⁰ Statistics Canada. 2020. Police-reported hate crime, 2018. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

¹¹ Statistics Canada. 2021. Intimate partner violence in Canada, 2018: An overview. Online. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00003-eng.htm>

¹² Statistics Canada. 2021. Intimate partner violence in Canada, 2018: Experiences of First Nations, Métis and Inuit women in Canada, 2018. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00007-eng.htm>

¹³ Ibid.

¹⁴ Ibid.

Indigenous women with a disability (74%) experienced IPV in their lifetime compared with Indigenous women without a disability (46%).¹⁵

- Self-reported data collected in 2018 shows that Indigenous women are significantly more likely than non-Indigenous women to have experienced online harassment at least once in the year preceding the survey (30% versus 18%, respectively).¹⁶
- Indigenous women are overrepresented as victims of intimate partner homicides in Canada. While Indigenous women account for about 5% of all women in Canada, they accounted for 22% of all women killed by an intimate partner between 2014 and 2020, and 21% in 2020 alone.¹⁷
 - While Indigenous women account for about 5% of all women in Canada, they accounted for 22% of all female homicide victims in 2020.¹⁸

6. Any other issues of relevance.

For more information on further actions being taken by the Government of Canada to address violence against Indigenous women and girls, we invite the Special Rapporteur to visit the [Creating the MMIWG and 2SLGBTQIA+ National Action Plan](#) webpage.

¹⁵ Ibid.

¹⁶ Statistics Canada. Survey of Safety in Public and Private Spaces, 2018. Custom tabulations (not available online).

¹⁷ Number and rate of victims of solved homicides, by gender, Indigenous identity and type of accused-victim relationship. <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3510011901>

¹⁸ Ibid.; <https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/hlt-fst/abo-aut/Table.cfm?Lang=Eng&S=99&O=A&RPP=25>.