

The B.C. CEDAW Group

December 9, 2009

The Honourable Michael. G. de Jong, Q.C.
Attorney General of British Columbia
Province of British Columbia
P.O. Box 9041
STN PROV GOVT
Victoria, B.C., V8W 9E1

Dear Attorney General de Jong,

The B.C. CEDAW Group is a coalition of women's non-governmental and non-profit British Columbia organizations that are committed to advancing the equality interests of women and girls.

On February 24, 2009, we met with then Attorney General Wally Oppal to discuss the implementation of the recommendations of the United Nations Committee on the Elimination of Discrimination against Women made after the October 2008 review of Canada's compliance with the *Convention on the Elimination of All Forms of Discrimination Against Women*.

As a priority we wish to reiterate our request of February 24 to Mr. Oppal that, as Attorney General and the Chief Law Enforcement Officer for the Province, you set up a full public inquiry into the failure of law enforcement agencies to adequately protect Aboriginal women and girls from violence, as well as their failure to investigate, promptly and thoroughly, the disappearances and murders of Aboriginal women and girls.

We note that the issue of policing and government failings surrounding the murdered and missing Aboriginal women and girls has been on your desk for many years now. Calls for a public inquiry came from family members of missing women from the Downtown Eastside of Vancouver, and from Vancouver Rape Relief and Women's Shelter starting as early as 2001. In 2005 organizations, including Justice for Girls, the B.C. Native Women's Society, the First Nations Summit, and the Native Women's Association of Canada, called for a systemic inquiry into the failed criminal justice response to violence against Aboriginal girls in B.C.

Since then, as well as the B.C. CEDAW Group, the United Native Nations, which represents approximately 90,000 Aboriginal people, the B.C. Civil Liberties Association, the Union of B.C. Indian Chiefs, Walk 4 Justice, the Aboriginal Women's Action Network, the Carrier Sekani group of First Nations, and most recently, the Vancouver Police Department have all called for a public inquiry into the failed law enforcement response to missing and murdered Aboriginal women and girls.

In its Concluding Comments on the 2008 review, the UN Committee on the Elimination of Discrimination Against Women expressed concern about the “hundreds of cases involving aboriginal women who have gone missing or been murdered in the past two decades” and urged Canadian governments to examine the reasons for the failures of the justice system to deal with these cases and give them priority attention. The Committee asked governments to “remedy the deficiencies in the system” and to report back to the Committee on this urgent matter in one year - that is, by November 2009.

The issue of rampant violence against Aboriginal women and girls was also raised repeatedly during the Universal Periodic Review of Canada by the Human Rights Council in February 2009. Sweden, Slovenia, India, Norway and Mexico expressed concerns and made specific recommendations regarding steps to correct this human rights violation. Canada’s lack of action on the issue of violence against Aboriginal women and girls is clearly seen by the international community as a human rights failure.

Canada will soon report back to the Committee on the Elimination of Discrimination Against Women, but no steps have been taken in British Columbia to implement the Committee’s recommendation, even though British Columbia has the highest number of documented missing and murdered Aboriginal women and girls, according to the Native Women’s Association of Canada’s most recent report. Further, it is our view that the number documented by the Native Women’s Association of Canada is an underestimation, and Aboriginal women and girls continue to go missing and be murdered in British Columbia.

In addition, as we pointed out when we met with Attorney General Oppal, the violence against Aboriginal women cannot be separated from their social and economic conditions. Aboriginal women have high rates of poverty, and many live on inadequate social assistance - when they can qualify for it. Some enter into prostitution in order to get by, and a disproportionate number of Aboriginal women have their children apprehended. Many of the murdered and missing women in British Columbia were living in these situations. Their extreme social and economic disadvantages have made them easy prey for violent men. But their extreme social and economic disadvantages, and their marginalized and racialized identities as Aboriginal women and girls, have also made them unable to draw the protection and concern of police and officials.

The UN CEDAW Committee recognized the severe disadvantages experienced by Aboriginal women and girls and recommended that “a specific and integrated plan [be developed] to address the particular conditions affecting aboriginal women, both on and off reserves,...including poverty, poor health, inadequate housing, low school-completion rates, low employment rates, low income and high rates of violence.” Because of this we request that a public inquiry into the missing and murdered women be mandated to consider the root causes of the violence, and to identify the necessary components of a strategic, multi-

dimensioned plan to address the social and economic inequality of Aboriginal women in British Columbia.

A full public inquiry is now seen by many people in the Province, both Aboriginal and non-Aboriginal, as essential if Canada and B.C. are to establish a social and legal environment in which Aboriginal women and girls are treated as human beings of equal dignity and worth.

We look forward to working with you on this initiative. Please reply to: 307 West 18th Avenue, Vancouver, B.C., V5Y 2A8.

Sincerely,

Carrie Humchitt, Aboriginal Women's Action Network
Kasari Govender, West Coast Women's Legal Education and Action Fund
Annabel Webb, Justice for Girls
Daisy Kler, Vancouver Rape Relief and Women's Shelter
Lee Lakeman, Canadian Association of Sexual Assault Centres (B.C. Region)
Judy Darcy, Hospital Employees' Union
Susan Harney, Coalition of Child Care Advocates of BC
Shelagh Day, The Poverty and Human Rights Centre

Cc: Carole James
Kathy Corrigan
Leonard Krog