



February 13, 2020

The Honourable Carolyn
Bennett
Minister of Crown-
Indigenous Relations

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The Honourable Marc
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Minister of Indigenous
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The Honourable Maryann
Monsef
Minister for Women and Gender
Equality

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Dear Minister Bennett, Minister Miller, and Minister Monsef,

We are writing to express our serious concerns regarding the lack of information and delays in the registration process for First Nations women and their descendants who are newly entitled to status because of recent amendments to the *Indian Act*.

On August 15, 2019, the Government of Canada brought the outstanding provisions of Bill S-3 into force, ending 143 years of discrimination against First Nations women and their descendants in the *Indian Act* status registration provisions. This was an historic occasion, and a welcome step taken by the Government of Canada. According to your reports, up to 450,000 First Nations women and their descendants are newly entitled to status.

The National Inquiry on Missing and Murdered Indigenous Women and Girls recommended this step in April 2019, stating: "Discrimination and dislocation of Indigenous women from their communities contributes to and is violence towards Indigenous women...It needs to stop. Indigenous women are independent human rights holders and Canada should uphold their rights."

We recognize the removal of this sex discrimination as Canada's first step in implementing the recommendations of the National Inquiry. However, to fully implement the National Inquiry's recommendation, and to uphold the rights of the women, it is crucial to ensure that those who are newly eligible for status can complete the registration process in a timely and efficient way. The sex discrimination that is addressed by Bill S-3 did not stop when the outstanding provisions were enacted; it will only stop when status and benefits are granted to those who have wrongly been denied and are now entitled.

That is our concern. Since Bill S-3 has been brought into force, we have been made aware of delays in the registration process and extended wait lists. There are also concerns around a lack of information and confusion about who is newly entitled and the registration process. Because

of the history of this discrimination, many of those who are newly entitled to status will be elderly. We do not wish to see them lose their opportunity to finally obtain status because of delays, under-resourcing, and inefficiencies in the registration process.

From our inquiries, it does not appear that information regarding eligibility for status in light of Bill S-3 amendments is being distributed to communities, nor, to our knowledge, has additional staff been made available to process applications. We are informed that there is currently a wait time of approximately two years for processing of applications. This is not acceptable, nor is it consistent with the recommendation made by the Ministers Special Representative that necessary resources be provided to increase administrative and human resources to manage the full coming into force of Bill S-3.

In January 2019, in *Mclvor v. Canada*, the United Nations Human Rights Committee ruled that the sex discrimination in the *Indian Act* violates the right of First Nations women and their descendants to equal treatment without discrimination, and also violates their right to culture. In order to bring these egregious and long-standing rights violations to an end, the new terms of entitlement, and the registration process, must be known, accessible and prompt. For that reason, we request that the Government of Canada:

1. provide detailed and accessible information on Bill S-3 entitlement and the registration process through public posting and distribution and through First Nations organizations;
2. provide adequate resources by making lawyers and advisors available at accessible centers to assist First Nations women and their descendants to complete the application and registration process;
3. create an expedited process for those who are elderly or ill; and
4. set timelines for the completion of the registration process for those who are newly entitled by Bill S-3.

Enacting the outstanding provisions of Bill S-3 was a first step, which we applaud. But the violations of the rights of the women and their descendants are not remedied until they obtain the status to which they are entitled.

Thank you for your attention to this urgent matter. We look forward to your reply, and to engaging in dialogue with you on this process.

Sincerely,

Aboriginal Women's Action Network
Amnesty International
Atira Women's Resource Society
BC Assembly of First Nations

BC Civil Liberties Association
BC Native Women's Association
Downtown Eastside Women's Centre
Ending Violence Association of BC
First United Church Community Ministry Society
First Nations Summit
Jenny Kwan
Myrna Cranmer
Poverty and Human Rights Centre
Soledad Ariana
Union of BC Indian Chiefs
Union Gospel Mission
Vancouver Aboriginal Community Policing Centre
Vancouver Council of Women
Viola Thomas
West Coast Leaf