



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
8 December 2010

Original: English

ADVANCE UNEDITED VERSION

**Committee on the Elimination of Discrimination
against Women**

Forty-eighth session

17 January – 4 February 2011

**Information provided in follow-up to the concluding
observations of the Committee**

Canada

**Response by Canada to the recommendations contained in
the concluding observations of the Committee following the
examination of the combined sixth and seventh periodic
report of Canada on 22 October 2008**

Supplemental information provided to the Committee on the Elimination of All Forms of Discrimination against Women

November 2010

1. The following is further to the August 25, 2010, request of the Committee on the Elimination of Discrimination against Women for additional information on measures undertaken by Canada in relation to recommendation 32 of its Concluding Observations in follow-up to the review of Canada's Sixth and Seventh Reports on the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW).

2. Canada acknowledges and shares the Committee's concern regarding the situation of missing and murdered Aboriginal women. Canada's Interim Report, submitted in February 2010, contained substantive information on federal, provincial, territorial and intergovernmental initiatives underway across the country. Governments are addressing the issue through a number of approaches, including the creation of several provincial task forces to investigate cases of missing and murdered women, including the Manitoba Integrated Task Force, Project E-PANA (North District and Centre region of British Columbia), Project Even-Handed (Vancouver) and Project KARE (Edmonton). Canada's Interim Report also outlines the various policy initiatives of governments aimed at ensuring the safety and well-being of all Aboriginal women and girls.

3. All governments in Canada are committed to ensuring that all women in Canada, including Aboriginal women, are safe and secure regardless of the community in which they live and the Government of Canada and the provincial and territorial governments – which are primarily responsible for policing – continue to work with each other and with Aboriginal peoples and other stakeholders to develop more effective and appropriate solutions and to mount collaborative responses to this pressing matter.

4. The following outlines more recent developments and additional measures that have been undertaken by governments since the submission of Canada's Interim Report.

Law enforcement, the justice system and victims' services

5. On October 29, 2010, the Government of Canada announced an investment of \$10 million over two years to improve community safety and to ensure that the justice system and law enforcement agencies can better respond to cases of missing and murdered Aboriginal women. The Government of Canada will provide new tools for law enforcement and improve the justice system and victims' services through the following seven initiatives:

– Through a \$4-million investment, the Royal Canadian Mounted Police (RCMP) will establish a National Police Support Centre for Missing Persons, including one resource, linked to National Aboriginal Policing Services, specifically dedicated to the issue of missing and murdered Aboriginal women; enhance the Canadian Police Information Centre to capture additional missing persons data; create a national registry for missing persons and unidentified remains so police have more comprehensive information on missing persons across jurisdictions; and create a national Web site to encourage the public to provide tips and information on missing persons cases and unidentified human remains.

– The Government of Canada's Department of Justice will introduce amendments to the *Criminal Code* to streamline the application process when specific court orders or warrants need to be issued in relation to an investigation for which a judge has given a wiretap authorization. Currently, a law enforcement officer may make multiple appearances before different judges to obtain authority to use these related investigative techniques. This amendment will improve the efficiency of investigations into serious crimes, including those that involve missing and murdered Aboriginal women. Other amendments will be

proposed to section 184.4 of the *Criminal Code*, which provides authority for wiretapping without a warrant in emergencies (exigent circumstances). These circumstances can include murder or kidnapping investigations relating to missing and murdered Aboriginal women. The amendments being proposed would enhance privacy safeguards by, among other things, adding notification and reporting requirements to section 184.4. The notification amendment would require notice to be given in writing to persons who were the object of an interception under this provision. The reporting amendment would require an annual report to be prepared on the use of electronic surveillance under this provision.

– The Department of Justice will also provide \$1 million to support the development of school- and community-based pilot projects to help heal, move forward and provide alternatives to high-risk behaviour for young Aboriginal women, including young offenders. The overall goal of the initiative will be to reduce the vulnerability of young Aboriginal women to violence.

– Funds will be added to the Department of Justice’s Victims Fund to help the western provinces develop or adapt victim services for Aboriginal people and specific culturally sensitive victim services for families of missing and murdered Aboriginal women. Additional investments in the Victims Fund will also be made available to Aboriginal community groups to respond to the unique issues faced by the families of missing or murdered Aboriginal women at the community level. This funding will total approximately \$2.15 million over two years.

– The Department of Public Safety Canada will provide \$1.5 million over two years to develop community safety plans to improve the safety of Aboriginal women within Aboriginal communities. The plans will be developed by Aboriginal communities with the support of the Government of Canada to improve community safety and wellness. The information gathered from this process will help the government improve its programs and services and better respond to community issues.

– In 2010-2011, the Justice Partnership and Innovation Fund will make available approximately \$850,000 to develop materials for the public on the importance of breaking intergenerational cycles of violence and abuse that threaten Aboriginal communities across Canada. This funding will be made available to Aboriginal organizations and Public Legal Education groups working with Aboriginal groups.

– The Department of Justice will also invest almost \$500,000 in the development of a national compendium of promising practices in the area of law enforcement and the justice system to help Aboriginal communities and groups improve the safety of Aboriginal women across the country. These “best practices” will be identified in a number of fields: law enforcement, victim services, Aboriginal community development and violence reduction.

Commission of Inquiry

6. In August 2010, the province of British Columbia’s Vancouver Police Department released its report *Missing Women: Investigation Review*, which provides a critical analysis of the investigation into the disappearances of numerous sex trade workers between the late 1990’s and 2002. A copy of the report is available at: <http://vancouver.ca/police/media/2010/mw-spotlight.pdf> - in English only.

7. In September 2010, the Government of British Columbia announced that a public inquiry will be held into the investigation and events leading up to the arrest and conviction of Robert W. Pickton and a broader examination of the manner in which cases involving missing women are investigated. Robert W. Pickton was convicted of second degree murder for the murder of six female sex trade workers (the remains of 31 women were

found on his property, who were part of a larger group of more than 60 missing women, many of whom were Aboriginal).

8. The Missing Women Commission of Inquiry will consider the police investigations conducted between January 23, 1997 and February 5, 2002, into women reported missing from Vancouver's Downtown Eastside. It will also review the January 1998 decision by the Ministry of Attorney General's criminal justice branch to stay charges against Robert W. Pickton for the assault of a Downtown Eastside sex trade worker.

9. The terms of reference of the inquiry are as follows: (a) to conduct hearings, in or near the City of Vancouver, to inquire into and make findings of fact respecting the conduct of the missing women investigations; (b) consistent with the *British Columbia (Attorney General) v. Davies*, 2009 BCCA 337, to inquire into and make findings of fact respecting the decision of the Criminal Justice Branch on January 27, 1998, to enter a stay of proceedings on charges against Robert W. Pickton of attempted murder, assault with a weapon, forcible confinement and aggravated assault; (c) to recommend changes considered necessary respecting the initiation and conduct of investigations in British Columbia of missing women and suspected multiple homicides; (d) to recommend changes considered necessary respecting homicide investigations in British Columbia by more than one investigating organization, including the co-ordination of those investigations; and (e) to submit a final report to the Attorney General by or before December 31, 2011.

Research, analysis and awareness

10. As indicated in paragraph 41 of Canada's Interim Report, the Government of Canada funded the Sisters in Spirit (SIS) initiative of the Native Women's Association of Canada (NWAC) aimed at addressing the underlying factors contributing to gendered racism and violence against Aboriginal women, particularly missing and murdered Aboriginal women and girls in Canada. SIS worked to improve the safety and well-being of Aboriginal women by conducting research, raising awareness, and influencing policy related to violence against Aboriginal women and girls.

11. In April 2010, NWAC released a report entitled *What Their Stories Tell Us: Research findings from the Sisters In Spirit initiative*, which focused primarily on the breadth and depth of the initiative's quantitative work and identified gaps in knowledge that impeded the development of effective policy and programming to address the large number of missing and murdered Aboriginal women and girls in Canada. According to the report, as of March 31 2010, 582 cases of missing or murdered Aboriginal women and girls were entered into the SIS database. The report is available at: www.nwac.ca/sites/default/files/imce/2010_NWAC_SIS_Report_EN.pdf.

12. NWAC presented the findings and results of the SIS initiative at the June 2010 meeting of federal, provincial and territorial (F-P/T) Ministers Responsible for the Status of Women.

13. F-P/T Status of Women Ministers agree that violence against Aboriginal women is a particular area of concern within their broader examination of violence against women in society and, at their meeting, reaffirmed their commitment to the Iqaluit Declaration and stressed the importance of governments keeping the prevention of violence against Aboriginal women at the forefront of policy agendas. They also decided that the 2006 report *Measuring Violence Against Women: Statistical Trends Report* would be updated. Information concerning the Iqaluit Declaration appears in Canada's Fifth Report on the CEDAW (paragraph 131).

14. As well, the Government of Canada continues to work in partnership with provincial and territorial governments to strengthen the criminal justice system's response addressing missing and murdered women. On October 15, 2010, F-P/T Ministers Responsible for

Justice and Public Safety released a report on *Issues Related to the High Number of Murdered and Missing Women in Canada*. They agreed on the need to strengthen the criminal justice system's response to these tragic cases and that this is a national issue for which additional work by all levels of government, communities and individuals is recommended." A copy of the group's report can be found here: http://www.scics.gc.ca/cinfo10/830992005_e.pdf.

15. A study on violence against Aboriginal women is also being undertaken by the Canadian Parliament's House of Commons Standing Committee on the Status of Women.

16. In March 2010, the Government of Canada provided \$500,000 to the NWAC for their project entitled *Evidence to Action*, which will help address the priority issue of ending violence against Aboriginal women and girls through building awareness and providing important prevention tools to communities across the country.

17. Building on the success of the SIS initiative, this project will strengthen the abilities of 500 Aboriginal women and girls across Canada to recognize and respond to issues of gender-based violence within their families and communities. It will also strengthen the ability of communities to break the cycle of violence. Activities of the project include: (1) developing and pilot testing a curriculum for elementary and secondary teachers to inform their students about violence; (2) developing and pilot testing a curriculum that informs and educates community stakeholders including Inuit and Métis about violence against Aboriginal women; (3) developing and pilot testing a resource guide for facilitators to use in delivering workshops on violence prevention; and 4) developing a comprehensive five year violence prevention strategy and communications and dissemination plan.

18. In addition, the Government of British Columbia and the NWAC will be co-hosting a forum in 2011 specifically focused on addressing issues around vulnerable and at-risk Aboriginal women.

19. The Government of Yukon is working in partnership with the Yukon Aboriginal Women's Council (YAWC) and the RCMP on the Yukon Sisters in Spirit Project. Partners work together on data collection, information sharing and analysis. The Yukon Government Women's Directorate supports the project through their Prevention of Violence Against Aboriginal Women Fund and money from the federal Northern Strategy Trust Fund.

20. As of September 2010, the Yukon Sisters in Spirit Project has collected the names of 27 missing and/or murdered Aboriginal women in the Yukon. The Women's Directorate has been working with the RCMP and YAWC in analysis of these specific cases in order to: discover if they have been reported, investigated and/or solved; to pass on information to the RCMP if any cases are unknown to them; and to work out reporting protocols which assist the RCMP in obtaining adequate and appropriate information.

21. The Project is also working with the public to invite information about missing or murdered Aboriginal Women. The Directorate's staff has spoken with the media, and supported travel to the different communities in order to meet with an individual wanting to come forward. Further, the Directorate is supporting a local vigil to honour missing and murdered Aboriginal Women.

22. In addition to the information already reflected in Canada's Interim Report, the Saskatchewan Ministry of Justice and Attorney General has established a Web site that provides information to assist in dealing with missing persons cases. The Web site contains: a checklist for families; an inventory of agencies working on missing persons issues; a media kit; and reports and research. The website is available at (www.justice.gov.sk.ca/MissingPersons). As well, a policy for victims services to assist families of missing persons has been approved for all police-based victims services.

Additional investigative and support initiatives

23. The Government of Manitoba has recently created a Task Force Liaison Committee, which forms a communication link between the Task Force that is currently reviewing cases involving murdered and missing women and the Action Group that is currently reviewing the recommendations from past inquests and reports concerning this group. The Liaison Committee provides an interface between the two without compromising the homicide investigative process and is co-chaired by Manitoba Justice and the Special Advisor to the Action Group. Representatives from the RCMP, Winnipeg Police Service, and Government of Manitoba (Victim Services, Crime Prevention and Community Services and Housing) make up the Liaison Committee.

24. The Government of Manitoba is also currently supporting efforts to create a non-profit foundation to support the families of missing and murdered women.

Other preventive measures

25. The Government of Canada's National Crime Prevention Strategy, described in paragraph 62 of Canada's Interim report, has \$45 million in funding available in 2010. Under the Northern and Aboriginal Crime Prevention Fund, the Government of Canada's National Crime Prevention Centre is currently funding seven crime prevention projects that focus specifically on preventing violence against women in Aboriginal communities. Additionally, the Government of Canada's Youth Gang Prevention Fund supports projects that involve Aboriginal communities.

26. In addition to its Aboriginal Women's Violence Prevention Grants Program, referenced in paragraphs 72 and 73 of Canada's Interim Report, the province of Newfoundland and Labrador has announced new funding initiatives that include:

- new funding for women's shelters for the expansion of family justice services in Labrador to serve Aboriginal North Coast communities and an increased and regular police presence in the coastal community of Postville;
- \$200,000 through the Violence Prevention Initiative specifically to support the prevention of violence against Aboriginal women and children;
- \$125,000 for Aboriginal women in the five Inuit communities in Labrador to better access social and economic programs and services; and

\$100,000 to the Newfoundland Aboriginal Women's Network to address issues of poverty and violence in their communities.
