



NATIVE WOMEN'S
ASSOCIATION OF CANADA

L'ASSOCIATION DES FEMMES
AUTOCHTONES DU CANADA

Empowering Indigenous Women Now and into the Future: A Policy Paper and Workbook

Prepared for the National Indigenous Women's Summit

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Toronto, ON

NWAC'S HISTORY

Formed through the combined efforts of local and regional grassroots Indigenous women's associations, The Native Women's Association of Canada (NWAC) was incorporated as a national non-profit organization in 1974. NWAC's goal as the political voice of Aboriginal women living in Canada has henceforth been to enhance, promote, and foster the social, economic, cultural and political well-being of First Nations, Inuit, and Métis women.

NWAC engages in national advocacy measures aimed at legislative and policy reforms that promote equality for Indigenous women and girls. Working in conjunction with other National Indigenous Organizations (NIOs), human rights organizations, and government initiatives, NWAC strives to advance the wellbeing of Aboriginal women and girls, as well as their families and communities, through advocacy, policy, and legislative analysis.

NWAC is actively committed to raising the national and international profile of many Aboriginal women's issues through individual projects and core functions. Current focuses include labour market development, improving Indigenous health services and health education for women and their families, ending violence against Indigenous women and girls, and achieving equal human rights for Indigenous women and girls. NWAC remains dedicated to supporting Indigenous women and girls in preserving their culture and empowering Indigenous women and girls to care for themselves and their communities through research, policy, programs, and practice.

www.nwac.ca

ACKNOWLEDGEMENTS

Aboriginal women and girls are strong and beautiful. They are our mothers, our daughters, our sisters, aunties, and grandmothers.

These Summits would not be possible without the commitment and energy shared by the hundreds of First Nations, Inuit and Métis women and the Two-Spirit community delegates.

We thank our Elders and acknowledge First Nations, Inuit and Métis communities for their strength and resilience.

We acknowledge the dedication and commitment of community and grassroots helpers, researchers, advocates, and activists who continue to make these events full of life. We also acknowledge the leadership of our Indigenous women, the dedication of the members of the National Steering Committee, including the Indigenous Caucus of Ontario.

We appreciate the many community, provincial, territorial, national and Indigenous organizations, and federal departments that supported this Summit, including Indian and Northern Affairs Canada (INAC) and the Ontario government as hosts.

Finally, NWAC would like thank all those will contribute to these three days, your contribution will be invaluable and will help shape the recommendations to come.

INTRODUCTION

The Native Women's Association of Canada (NWAC) is honoured to contribute to the 5th National Indigenous Women's Summit (previously called the National Aboriginal Women's Summit). These events are important, in that they are opportunities for First Nations, Inuit, Métis women and Two-Spirit community members to gather, share perspectives and learn from one another. These Summits are also a time to hold our governments to account, whether Indigenous or not, and ensure their priorities run parallel to ours.

Each year, the National Steering Committee meets to solidify a theme and discuss key areas of focus. This year's theme of "Supporting and Empowering Indigenous Women Now and Into the

Future,” is one of strength and determination. Our resilience as First Nation, Inuit and Métis women and Two-Spirit community members has brought us to this point in time and will embolden us to rightfully claim what is ours now and into the future.

As explained in your Executive Summary, the NIWS Policy Priorities are as follows:

- 1) Empowering Women Through Life Transitions;
- 2) Access to Opportunity;
- 3) A Culturally Responsive, Gender-based Implementation of the United Nations Declaration on Rights of Indigenous Peoples and Truth and Reconciliation Commission Calls to Action.

And, finally, we must discuss implementation and build mechanisms to ensure the work we call for is followed through. This includes the transition between the current and next host of the Summit.

This Policy Paper is by no means a comprehensive document, but rather a sampling of key ideas and recommendations to encourage thoughtful discussion. NWAC has reviewed previous Summits so that we can continue to build off of the talent and energy of delegates before us. NWAC’s position is that these issue areas require an intersectional, Indigenous feminist, and culturally-relevant approach to policy development. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and a Gender-Based Lens, moreover, can be applied to this conversation and in the broader work of empowering, supporting, and improving the quality of life of Indigenous women.

This paper was designed to encourage discussion and connect policy priorities to tangible lived experiences. The participatory format will ‘give voice’ to your personal lived experience and the issues your community is facing, and identify actionable recommendations. Please use the following pages as a workbook to ensure your needs, perspectives and vision for our collective well-being is included. Challenges and criticisms to the ideas put forward are welcome.

NIWS POLICY PRIORITY #1: Empowering Women Through Life Transitions

The persisting social, political, and economic hierarchies introduced by colonialism are magnified in the areas of health and reproductive care. Located at the intersections of multiple forms racial, patriarchal, and colonial discrimination, Indigenous women continue to be deprived access to fundamental health services, a situation that is complicated by the threat and fear of child removal.¹ Many Aboriginal mothers live below the poverty line, which is a leading cause of child services involvement.² While Aboriginal mothers continue to seek health care for their children, they often avoid seeking care for themselves.³ Many qualitative studies expose Indigenous women’s lived experiences of this marginalization, including dismissal and racial microaggressions by health care providers, poor self-image, and poor self-esteem, result in a general reluctance to seek out health care and a subsequent deterioration of health.² These effects are compounded by and uphold one another and require comprehensive and far-reaching remedies on a national scale.

How do my lived experiences and the experience of my community connect to this Policy Priority?

Recommendations previously tabled at a NIWS related to this Policy Priority Area:

1. Enable and allow the full participation of Aboriginal women in policy development directly related to their own physical and mental health (whether through inclusive consultations, advisory councils, etc.)

¹ See Jacqueline Denison et al. “Aboriginal women’s experiences of accessing health care when state apprehension of children is being threatened” (2013) *Journal of Advanced Nursing*

² Ibid.

³ Ibid.

⁴ Annette J. Browne and Jo-Anne Fiske “First Nations Women’s Encounters With Mainstream Health Care Services” (2001) *Western Journal of Nursing Research* 23:2.

2. The Federal Government should take immediate steps to comply with the January 2016 Canadian Human Rights Tribunal ruling that the Canadian government must cease discriminating against First Nations children and their families through inadequate access to child welfare services.³

3. In consultation with First Nations, Inuit, and Metis women, develop Federal health policy that mandates the creation of provincial and territorial programs designed for and accessible to First Nations, Inuit, and Metis people, with a particular emphasis on women and children.

How can the challenges, barriers and systems my community and I face be improved or removed?

How will I know they are improved? Who is responsible for tracking improvement?

NIWS POLICY PRIORITY #2: Access to Opportunity

Due to a range of barriers tied to Canada’s legacy of colonialism and discrimination in the form of lack of funding, Indigenous people remain significantly disadvantaged when measured against enrollment and attainment of post-secondary education by their non-Indigenous peers.⁴ Recommendations to bridge this sizable gap will be intimately linked with Indigenous peoples’ access to employment and will also work towards Canada’s commitment to “fully

³ See also the Truth and Reconciliation Commission’s Calls to Action addressing Child Welfare

⁴ See Association of Universities and Colleges Of Canada, “Trends in Higher Education: Volume 1- Enrolment” (2011) pp. 19-21.

implement the Calls to action of the Truth and Reconciliation Commission”,⁵ which includes seven recommendations addressing education and several more addressing employment.⁶

How do my lived experiences and the experience of my community connect to this Policy Priority?

Recommendations previously tabled at a NIWS related to this Policy Priority Area:

1. Develop a national, lifelong learning strategy in the key areas of early childhood development, primary, secondary, and post-secondary education which addresses the unique circumstances of First Nations, Inuit, and Métis women.
2. Improve educational outcomes for Aboriginal women through accessible and affordable educational opportunities, particularly for youth.

How can the challenges, barriers and systems my community and I face be improved or removed?

How will I know they are improved? Who is responsible for tracking improvement?

⁵ Office of the Prime Minister of Canada, “Statement by Prime Minister on release of the Final Report of the Truth and Reconciliation Commission” (15 December 2015). Online <http://pm.gc.ca/eng/news/2015/12/15/statement-prime-minister-release-final-report-truth-and-reconciliation-commission>

⁶ Truth and Reconciliation Commission of Canada, “Truth and Reconciliation Commission of Canada: Calls to Action” (2015)

NIWS POLICY PRIORITY #3: A Culturally Responsive, Gender-based Implementation of the United Nations Declaration on Rights of Indigenous Peoples and Truth and Reconciliation Commission Calls to Action

“I’m here to announce, on behalf of Canada, that we are now a full supporter of the Declaration without qualification. We intend nothing less than to adopt and implement the declaration in accordance with the Canadian Constitution.”

- *Carolyn Bennett, Minister of Indigenous and Northern Affairs*

May 10, 2016⁷

Given the unique impacts of racism and sexism on First Nations, Inuit, and Métis women in Canada, the UNDRIP will need to be applied from a gender specific and culturally relevant perspective.

Conventional Gender-Based Analysis (GBA) frameworks can be successfully applied in forcing mainstream researchers and policy analysts to consider whether the currently available policy or research supports full participation and equality for women and men and whether it discriminates against women or men in its outcomes. However, in order to adequately and respectfully address the unique needs and circumstances of First Nations, Inuit, and Métis women, GBA requires cultural framing that reflects First Nations, Inuit, and Métis ways of knowing, histories (both pre and post contact), and contemporary realities, in Canada.⁸ Culturally-relevant gender based analysis is key to developing effective laws, policies, and programs impacting First Nations, Inuit, and Métis women. As such, Culturally-Appropriate GBA can provide a path towards a considerate, thoughtful implementation of UNDRIP, particularly Articles 21(1), 21(2), 22(1), 22(2), and 23:

Article 21 (1)

Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

⁷ Carolyn Bennett (Minister of Indigenous and Northern Affairs), “Speech delivered at the United Nations Permanent Forum on Indigenous Issues” May 10, 2016, New York, NY, accessed January 31, 2017, <http://www.metisnation.ca/>

⁸ NWAC, “A Culturally Relevant Gender Application Protocol” (2010), p. 1

Article 21 (2)

States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22 (1)

Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

Article 22 (2)

States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

How do my lived experiences and the experience of my community connect to this Policy Priority?

Recommendations previously tabled at a NIWS related to this Policy Priority Area:

1. The Federal Government must develop an action plan with clear and measurable steps for fully implementing the United Nations Declaration on the Rights of Indigenous Peoples at the federal, provincial, and territorial levels.

2. In keeping with International Human Rights law and Jordan’s Principle,⁹ federal, provincial and territorial governments must address jurisdictional issues so that programs and services are provided irrespective of status, irrespective of residency, and without delay.

3. Federal, Provincial, and Territorial governments must ensure that culturally-relevant and gender-based analysis processes are established so that legislative, policy and programming impacting First Nations, Inuit, and Metis women are more wholistic and inclusive.
 - a. Ensure the full participation of Aboriginal women at all decision-making tables.

How can the challenges, barriers and systems my community and I face be improved or removed?

How will I know they are improved? Who is responsible for tracking improvement?

Next Steps and Considerations

For the first time in NIWS history, the National Steering Committee is looking to create a clear process for transition from one Summit to another, as well as between one host region to another. Moreover, the Summits must begin to track progress and outcomes and hold the provincial and territorial governments here to support us to account.

As a delegate and a contributing member to this process, please be a positive voice for systemic change and ensure that our leadership, Indigenous and not, support and empower Indigenous women now and into the future.

⁹ The implementation of Jordan’s Principle is also called for within the TRC’s Calls to Action (2015)