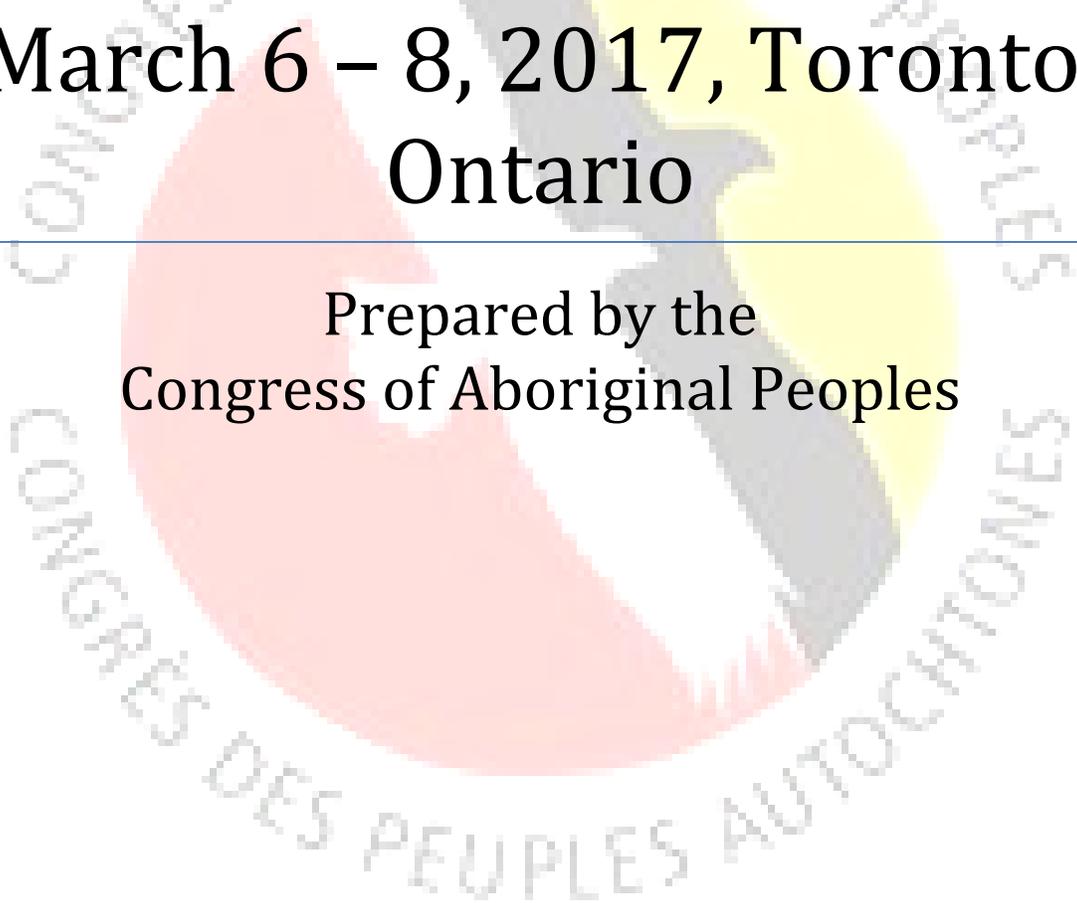

Position Paper for the 5th
National Indigenous
Women's Summit
March 6 – 8, 2017, Toronto,
Ontario

Prepared by the
Congress of Aboriginal Peoples

The logo of the Congress of Aboriginal Peoples is a circular emblem. It features a stylized map of Canada in the center, with the colors of the Canadian flag (red, white, and black) and a yellow sun in the upper right. The text "CONGRESS OF ABORIGINAL PEOPLES" is written in a circular path around the top, and "CONGRÈS DES PEUPLES AUTOCHTONES" is written around the bottom.



Position Paper for the 5th National Indigenous Women's Summit Empowering Indigenous Women Now and Into the Future

The Congress of Aboriginal Peoples (CAP) is one of five National Aboriginal Representative Organizations recognized by the Government of Canada. Founded in 1971 as the Native Council of Canada, the organization represents the interests of all off-reserve status and non-status Indians, Métis and Southern Inuit Peoples, and serves as the national voice for its provincial and territorial affiliate organizations. CAP also holds consultative status with the United Nations Economic and Social Council, which facilitates its participation on international issues of importance to Indigenous Peoples. Each of CAP's affiliated provincial or territorial organizations self-governs and as such establishes its own constitution and rules for membership, elected officers, and administration. Affiliates also may act as umbrella organizations for multiple regional and local groups. CAP also has a National Youth Council, with membership from the provincial and territorial affiliates, who select a representative to CAP's Board of Directors that is comprised of members of each affiliated provincial/territorial organization.

The Congress of Aboriginal Peoples respectfully submits this position paper to support the 5th National Aboriginal Women's Summit and its goals toward the continued empowerment of Indigenous women including youth and Elders. In this position paper, CAP responds to and provides recommendations on the three identified policy areas of this summit: Empowering Women through Life Transitions; Access to Opportunity; A Culturally Responsive, Gender-based Implementation of the United Nations Declaration on Rights of Indigenous Peoples and Truth and Reconciliation Commission Calls to Action. Under each of the policy areas is a set of themes outlining our position and calls to action.

This position paper is designed to encourage discussion on the summit topics as they relate to the lives and experiences of urban Indigenous women and girls. In the spirit of reconciliation, CAP calls attention to the words of Prime Minister Justin Trudeau, "No relationship is more important to our government and to Canada than the one with Indigenous peoples. Today, we reaffirm our government's commitment to a renewed nation-to-nation relationship between Canada and Indigenous peoples, one based on the recognition of rights, respect, trust, co-operation, and partnership." Justin Trudeau, Prime Minister of Canada, June 21, 2016. It is with these words, and their intent, that we offer our perspective on the role Canada should actively take with respect to the outlined positions below.

1. Empowering Women Through Life Transitions

Urbanization: While the goal of Canadian policies has been to assimilate Indigenous women into Canadian society the effect has been displacement, often to urban centers. The movement of women to urban areas continues to grow. Between 2006 and 2011, the proportion of Indigenous people living in cities in Canada increased from 54% to 60%. Urban centers may offer Indigenous women hope of a better life, including suitable housing, safety for themselves and their children, access to employment and the opportunity to further their education. Some women move to urban centers seeking safety and new beginnings. For some, urban centers may offer hope. However, many Indigenous women and girls continue to face health, educational and economic inequities and disadvantages in urban centers leading to increased impoverishment, limited access to education and employment opportunities, poor housing, reduced health outcomes, and greater risk of violence. In urban centers, Indigenous women and girls are likely to face triple discrimination of racism, sexism, and poverty. They also face systemic barriers including cultural isolation, systemic racism, higher levels of involvement with child welfare and federal-provincial jurisdiction issues limiting and delaying their ability to access health, social, education, and employment services in urban centers. At the same time, while Indigenous women and girls are more vulnerable to poverty, poor health, homelessness, and violence they are also invisible to policy makers. The lack of attention to urban Indigenous women and girls is problematic. They may lack community supports. Moreover, Indigenous women and girls may not feel comfortable going to white-dominated agencies. They may not view mainstream supports as available to them and/or responsive to their needs and aspirations. There is an urgent need to engage in meaningful dialogue with urban Indigenous women and girls to address the discrimination they face and, with them, determine their needs and their vision for moving forward to address inequities of health, educational, social and economic inequalities.

Housing: Indigenous women who move to urban areas have trouble accessing affordable, safe, and adequate housing. Urban Indigenous women, regardless of income, age, or family situation continue to face issues of discrimination in their search for housing. In addition, the housing they occupy is often overcrowded and of low quality. These housing issues have impacts on education, economic status, physical and mental health. Without a doubt improving socio-economic conditions begins with safe and affordable housing. There is very little in the literature about Indigenous women's housing needs across the lifespan including Elders and seniors, particularly the availability of housing support services, whether delivered by families that are already stretched or those delivered in the mainstream that are not targeted toward local Indigenous populations. In a recent housing study by CAP, young Indigenous women stated that racism and discrimination by landlords and mainstream housing organizations negatively impacts their ability to find suitable housing for themselves and their families. Without decent affordable housing, Indigenous women of all ages are at a greater risk of homelessness and violence. Currently, some CAP Provincial/Territorial Organizations (PTOs) implement their own housing programs for Indigenous people living in urban centers. Still, it is not sufficient. As well, the capacity for social supports is missing from these existing housing programs, which may be essential to break the cycle of poverty. CAP's past National Chief Betty Ann Lavallee often

stated that if we take the necessary steps to make sure our people have a safe home to live in, this will allow them to take control of their lives and build a strong and stable family unit. The call is to increase Indigenous controlled housing and housing supports in urban centers that are responsive to the needs of Indigenous women and their families.

Violence: It is well established that Indigenous women suffer greater rates of injury and violence than their non-Indigenous counterparts. In an urban context, Indigenous women are at a greater risk of both spousal and stranger violence due to vulnerabilities brought about by poverty, misogyny, and racism. The situation of missing and murdered Indigenous women is overwhelmingly an urban issue complicated by complex socio-economic and mobility issues. Indigenous women who experience violence have long been subjected to discriminatory practices and attitudes in governmental policy, in community attitudes and in mainstream dialogue. Moreover, the disproportionately high number of missing and victimized individuals is compounded by inaction on the part of Canadian policing and justice institutions. As Minister Carolyn Bennett says an “uneven application of justice”, perpetuates a lack of trust in Canadian justice institutions. This lack of trust is detrimental to Indigenous women’s personal sense of safety in their everyday lives. It also creates assimilative pressures on individuals to hide their indigeneity so as not to be identified as an Indigenous woman in public for fear of discrimination. The pressure to not identify as Indigenous extends to dealing with mainstream institutions, for example to law enforcement and social services. There is an urgent need to build relations that allow some recovery of trust and build supports for Indigenous women to live violence free lives. Over the years, CAP has taken an active role in addressing the issue of violence by developing support resources such as the *Miykiwan*, a toolkit to share knowledge and raise awareness about the impacts of family violence. It builds on the strengths and resilience of Indigenous families and communities, to promote healthier living, and celebrate a vision of violence free homes and communities. We are currently working in partnership with other groups to develop a resource for men and boys entitled *Walking in Her Moccasins*. We see the need in our urban centers. We also know the urgency to act now. With resources, we can all engage with, and take direction, from Indigenous women to reverse the increasing violence that is happening within all our communities. CAP welcomes the independent National Inquiry into Missing and Murdered Indigenous Women and Girls. At the same time, CAP recognizes that leading responses to prevent violence must be grounded in the inclusion of Indigenous women and girls and Elders, and are community owned and driven. CAP and PTO affiliates are building community networks that can develop responsive programs, coordinate service provision, build better relationships between Indigenous organizations and mainstream institutions and agencies, and guide individuals who are in need of services. Indigenous strategies that are community owned and controlled are crucial for improving outcomes for Indigenous women and will require institutional responses that are conducive to mobilizing community and that do not discriminate and blame victims and survivors of violence.

Health: We do not know the extent of the urban context on the health of Aboriginal women but we do know that compared with Canadians, Indigenous populations face much higher rates of diabetes, cancer, and cardiovascular disease. Social conditions of their lives including poverty, lack of safe housing, violence, and lack of access to services, negatively

impact, and increase, women's vulnerability to poorer health. As the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation Commission (TRC) acknowledge improving the determinants of health requires specific attention to the historical and current circumstances of Indigenous women's lives. As with many issues facing urban Indigenous women, there is a lack of health research accompanied by invisibility to policy makers. A report of the National Collaborating Centre for Aboriginal Health states that public health data is problematic, lacking accurate and complete identification of Aboriginal persons. There is also a failure to include culturally relevant health measures, reflecting Indigenous perspectives. While considerable progress on Indigenous public health data has been made, what we have remains far short of the standard of health information available for non-Indigenous Canadians. A high quality health information base is an important cornerstone for health research and for evidence-based public policy; this is an issue that is of great concern for Indigenous women and their families.

In terms of accessing health services, urban Indigenous women and girls have been ignored. While urban Indigenous women and girls may have greater access to health care services provided by provinces, they tend not to access available programs. Many do not feel comfortable accessing white-dominated agencies and many get caught between federal and provincial jurisdictions. Federal-provincial jurisdictional wrangling leaves our women and girls at risk of poor health outcomes. To ensure culturally relevant data collection, quality health provision, and a continuum of care that is consistently delivered regardless of where Indigenous women and girls live, CAP calls for the transference and control of health for urban Indigenous populations and the full adoption of Jordan's Principle.

Calls to Action

1. CAP calls for a greater recognition of the increased urbanization of Aboriginal women and girls and the need to develop actions to address the specific barriers faced in urban settings.
2. CAP calls for an assessment of the housing needs of Indigenous women across the life span toward a comprehensive plan to end homelessness that is culturally safe and designed by and for Indigenous women.
3. Since the creation of the first urban Indigenous housing program, there have been a series of expansions and contractions in program funding. This does not correspond with the steady growth of the urban Indigenous population and cuts in the past twenty years have left existing housing programs vulnerable and stretched to their limits. CAP calls for well-funded Indigenous led housing provision.
4. CAP calls for Indigenous controlled social, health, and education systems that are responsive to the needs of women and girls in urban settings and are able to better respond to the wholistic needs of Indigenous women, girls, and their families.
5. CAP calls for greater representation in research for all urban Indigenous women's health concerns at every stage of their life. CAP's provincial and territorial organizations are strategically placed to conduct needs assessments with urban Aboriginal women and aid in the delivery of culturally appropriate programs and services.

6. CAP calls for non-discriminatory and non-victim blaming mechanisms to those who are in a position to make a difference in police investigation, media reporting, and legal remedies for Indigenous women who experience violence and the families and friends of our sisters who have gone missing.
7. CAP calls for a complete health assessment for urban Indigenous women across the life span.
8. CAP is calling for more research by, for, and with urban Indigenous women and girls, particularly in research that is community led, reflects women's voices, and examines the specific needs of urban Indigenous women.
9. CAP is calling for consultation with urban Indigenous women to determine what are the issues and solutions.
10. CAP is calling for improved government policies at both federal and provincial levels to address jurisdictional issues and resulting barriers to Indigenous women and girls' access to services and supports.

2. Access to Opportunity

While Indigenous peoples organize and govern themselves in many different ways, it is accepted that prior to contact, Indigenous women in general exercised leadership roles within their families and societies. However Indigenous women's leadership was eroded through the imposition of Canada laws, they were excluded from official leadership positions, and though change is occurring, this exclusion continues to today. In her historical account of Indigenous women's leadership, Lee Maracle writes that Indigenous women's experience of adverse legal and social treatment and coupled with the need, often alone, to meet the basic necessities for their families, compelled women to create their own organizations and lead the challenge to change gender discriminatory practices through a form of inclusive leadership. In fact, Indigenous women have always assumed roles of leadership within the Congress of Aboriginal Peoples as well as our affiliate organizations. They have and continue to participate throughout its lifetime; historically, our long-standing affiliates started with the efforts of Indigenous women and their descendants who were taking up the charge in advocating for the reinstatement of their rights as Indigenous women, rights taken from them with the power of laws instated and imposed on them by Canada.

Our urban Indigenous communities depend upon the advocacy and activism of urban Indigenous women, and their work to build and protect community, all of which is imperative to the overall health of our communities. It has become necessary for Indigenous women to step into positions of leadership in order that awareness be created and further that change be effected. Otherwise they will continue to remain invisible.

Many Indigenous women leaders continue to learn their leadership skills from their mothers and grandmothers and other women in their communities and their assemblies. These and other Indigenous contexts for Elder-youth mentoring need to be nourished. It is this knowledge that is held by our women that results in them knowing there are changes that need to take place and choosing to step into roles that will allow for action to be taken to raise awareness of and address the generations of trauma our people struggled through

and the myriad of problems that have to be resolved because of it. We recognize that much has changed since contact and that there is a need for a delicate blend of our traditional ways with the ways things are today. The success of this will only be possible if it is guided and developed by our Indigenous women.

It is a well-known fact that there are huge differences in the gender balance of women and men in Canada. For years women have fought for rights, to be their own person, to vote, to make active decisions about their bodies and health. It is these imbalances that created the need for the establishment of organizations and movements with the purpose to bring change to the issues that women face. Such imbalances hinder the ability of women to move forward; when a gender lens is applied to Indigenous women and girls, the imbalance is greater and the barriers are doubled and tripled. Indigenous women and girls are constantly facing stereotypical label, systemic racism, and generations of trauma...it is very clear to us at CAP what needs to happen. Indigenous women and girls need to have the freedom and support to come together, to look at the issues, and decide how they can begin to tackle and resolve them. It is vital that the programs and supports developed for them are also determined with them and by them. Indigenous women and girls need to be engaged and consulted on present issues and that data needs to be assessed and used to develop the necessary supports that will be effective in addressing them. It is CAP's position that it is imperative this process be done by our own people. We were never in need of a band-aid solution and this seems to be the preferred method to be used by governments both historically and continues today. The continued efforts of government to determine the solutions that will address and resolve the multitude of problems Aboriginal peoples are facing has served no beneficial purpose. In fact we know the result has been the opposite, the colonial system has effectively perpetuated the problems that our people are struggling with. We have the capability to properly assess and further to develop our own strategies and supports and we assert that we, as Indigenous people, are most knowledgeable, and as such are best able implement and deliver them to and for our own people.

Canada needs to own their responsibility for all past and present actions and further to recognize that those actions have to be reconciled with all Indigenous peoples in order to move forward. Our Prime Minister, Justin Trudeau, acknowledged this and we see the role Canada can finally choose to take to bring positive outcomes to all of the people in this country. Canada needs to support women's leadership and enable representative organizations, through capacity, active participation in the social, economic and political life of their community, as they define it. This would be the first step to not standing in our way to build the foundation that we need to truly take our rightful place on our traditional territories known as Canada. We see the potential for Canada to finally accept and take its respectful place in the canoe alongside ours, to work with us by supporting us and accepting that we own our future going forward.

Calls to Action

11. CAP calls for building the capacity of Indigenous women and girls to be empowered leaders and agents of change capable of strengthening and contributing to the development of their communities.
12. CAP calls for building Indigenous-based mentorship programs to help the future generations reflect upon current issues faced by Indigenous women and girls and develop their analysis and cultivate their leadership capacities to carry on the work.
13. CAP calls for more leadership programs to enable Indigenous women to strengthen their leadership capacities in order to contribute to change in their communities within a culturally safe environment of sharing between women.

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

Support distinct cultural practices

A culturally responsive and gender-based implementation of UNDRIP and TRC is grounded on the recognition of the diversity of Indigenous women, with values, beliefs, social structures, political, cultural, governance structures, and legal systems – and languages. Given a history of mistrust and trauma, the building of trust is critical to meaningful and effective implementation processes. While UNDRIP and TRC are recognized as instruments to end gender discrimination against Indigenous women, implementation processes must support Indigenous women's full participation in all areas of political, cultural, and social life wherever they live and should first consider the distinct ways in which Indigenous communities organize themselves, and build from local, communal, and collective cultural considerations. While the issue of culture and the degree to which it can and should be part of any implementation process are complex, meaningful reconciliation requires an acknowledgement that the effect of the Calls for Action will be lessened and may fail if the cultural context in which they are applied is not acknowledged and taken into account. The role of Indigenous women Elders is vital to a culturally responsive implementation of UNDRIP and TRC. Respected for their wisdom and their experience of advising in difficult situations, repairing relationships, healing and restoration, and resolving conflicts, Elders bring much needed and respected wisdom and practical guidance for moving forward on reconciliation. It is our Elders who guide us as our traditional knowledge holders and it is that knowledge our traditional ways that will need to be brought forward and incorporated into the ways of today that will help restore our people. Given their respect for cultural forms of engagement, Elders should play a pivotal role in the development of protocols. Knowing that Indigenous women Elders are vital to implementation, CAP recommends that throughout the processes of reconciliation that specific attention be paid to the rights and overall health and wellbeing of Elders.

Foundational knowledge

Marie Battiste defines Indigenous knowledge as “a complete knowledge system with its own epistemology, philosophy and scientific and logical validity... employed by the people themselves”. Traditional knowledge comes from the deep connection of Indigenous women with the land. It is traditional knowledge that sustains Indigenous societies and the environment forming the basis for food production and preparation, health care, education, conservation, and all such activities. Indigenous knowledge also encompasses traditional laws transmitted through stories, history and songs, restoration of stability and the preservation of our communities.

Indigenous knowledge and laws strengthen people and community and is crucial to our stability and survival. Traditional knowledge is a foundational knowledge and must be given due respect and place to indigenous knowledge in health, education, family relations, healing, justice, community life, and governance. As recognized in Article 31 of UNDRIP Indigenous peoples have the right to maintain, control, protect and develop their traditional knowledge.

An effective application of the analysis of a culturally responsive, gender-based implementation of the UNDRIP and TRC Calls to Action, must be framed within basic principles of collaboration and participation toward to the empowerment of all communities through their own knowledge. Analysis must be community driven and allow for community needs, processes, and aspirations to guide the entire process.

Regardless of whether they live off or on Indian Act land reservations, Indigenous women experience gender discrimination and racism. This double discrimination of sexism and racism places Indigenous women and girls at a greater disadvantage than non-Indigenous women and girls in Canada. The use of Indigenous gender based analyses that arises from the specific experiences of communities will provide a thorough analysis of the myriad ways that colonization has contributed to the marginalization of Indigenous women.

Research and practices that are community-driven are justified from a legal perspective, not least because the Canadian constitution in s. 35(4) of the Constitution Act, 1982 specifically guarantees equal rights to Aboriginal men and women. This suggests that the intersection between indigeneity and gender has constitutional resonance. UNDRIP’s statements about gender equality ensure that women’s voices are central to its implementation: Article 44 “All rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.” UNDRIP must be implemented in consultation with Indigenous women and their representative organizations or any attempt to implement UNDRIP in its entirety, or parts therein will fail.

Calls to Action

14. CAP calls for an implementation processes that support Indigenous women’s full participation at all levels of decision-making.
15. CAP calls for specific attention to the rights and overall health and wellbeing of Elders.
16. CAP calls for the recognition of Indigenous women as traditional knowledge holders.

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