

Canada: On Missing Aboriginal Women

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Before its government funding was cut (2010), the Native Women's Association of Canada documented throughout Canada and starting in the 1960's, 582 missing and murdered Aboriginal women. Undocumented and unreported instances are thought to run much higher. In Ontario 70 native women were missing or murdered and of these 90% were mothers, three so far in 2013; [\(1\)](#) 45% of the cases remain unsolved. In Canada, of a 100,000 missing persons each year over 90% are found within three weeks, 270 add to the list of long term cases. [\(2\)](#)

Awareness of the disproportionate number of native women among the missing and murdered began to enter public consciousness with the discovery of murdered women at the Picton farm near Vancouver, British Columbia in 2002; 33 victims were eventually identified by DNA and a third of these were Aboriginal women. [\(3\)](#) The crime occurred during ten years or more of sex trade workers disappearing from Vancouver, with suggestions of police and systemic collusion. Approximately 50 women missing from 1991 to 2002 were traced to the pig farm's co-owner, Robert Pickton. The Pickton farm, worth millions, was near "Piggy's Palace" (run by Pickton's brother), where parties were hosted. Robert Pickton, was convicted of second degree murder of six women, and the courts have protected him from retrial for first degree murder of 20 others.

The ugliness of the Picton murders, the presence of law enforcement and politicians at the lavish parties, the lack of action by Vancouver police and the RCMP at the killings of Downtown Eastside sex workers, tapped into a vein of terror with impunity. Concurrent crimes with evidence of Aboriginal children preyed on by a protected establishment and clients of a Vancouver club, were ignored and covered over by the media and the courts, [\(4\)](#) encouraging a concept of human rights for members only.

In February 2013, U.S. Human Rights Watch released its report [\(5\)](#) on treatment of Aboriginal women by the Royal Canadian Mounted Police in British Columbia.

The Human Rights Watch report provides evidence of:

1. RCMP abuse and sexual abuse of native women in police custody. Some of the evidence could indict police officers for crimes against humanity.
2. A failure of law enforcement to protect indigenous women from abuse and crimes.
3. Police apathy and inaction in response to aboriginal women's disappearing.
4. Lack of aboriginal or civilian recourse to police inaction or wrongdoing, with the implication that the avenues of recourse served to cover the offending officers.
5. Instances of law enforcement and judiciary collusion in the abuse, rape and prostitution of aboriginal girls and women. Accounts give a clear impression of a society

preying criminally on aboriginals as the price of inclusion in the ruling group.(6)

It's both a police problem and a societal problem with roots in colonial administrative policies which the current federal government maintains. Revelations of the government's former Residential School policies which were clearly genocidal, met with official apologies, atonement, but no change in contemporary policies which disenfranchise both Aboriginals and the land itself. Recently The Canadian Human Rights Museum preparing to open refused to apply the word "genocide" to government Indian policies which showed a clear intention to destroy the native people as a group.(7)

While European conquest and settlement of the Americas falls within parameters of genocide through its result and methods of enforcement, evidence of causative intention or motivation to exterminate Aboriginal peoples was lacking until the specific policies of colonial administrations made genocide a tactic of expansion and control. While laws allowing indigenous rights slowly improved, attitudes implicit in the conquering groups remain psychological controls of both Aboriginal and settlers.

Under pressure from the public and Aboriginal groups, the B.C Missing Women Commission of Inquiry was convened in 2010 , then attacked for lack of accountability, for bias, political indifference, and notable failure to include native groups. The Native Women's Association of Canada (NWAC) refused to participate, calling for a national inquiry, and if that failed, an international inquiry. Eight other groups withdrew from participation and the inquiry was found wanting by Amnesty International, Assembly of First Nations, the United Nations, and Union of BC Indian chiefs president. Human Rights Watch strongly recommended a national inquiry.

The four volume B.C. Inquiry report strongly criticizes police and a systemic cover up of brutality to women, and in particular to Aboriginal women (there was no data list dedicated to missing and murdered non-Aboriginal women(8)). But police lack of concern for the missing women seemed less a policy against Aboriginals than the inclusion of Aboriginal women in police attitudes toward the poor of European stock. According to a police report in 1998, 75% of the missing women received government checks for social assistance.(9) Neither Police nor Commission of Inquiry found it suspect that the disappearances were saving the State money.

What the Human Rights Watch Report, among others, doesn't say is that the horror of the acts committed against women at Pickton Farm coupled with wealth and political power, allowed its continuation beyond reach of the law.(10) The nugget of fear remains a facet of Canadian right wing controls which empowered Canadians avoid through silence or cooperation, while the victims are consistently poor, Aboriginal or Euro-Canadian. Communities of the Aboriginal victims have the solidarity to protest the murders. Sex trade workers, runaways, the impoverished of the dominant group, are ignored because they are poor, vulnerable, and outside middle class concern. The Aboriginal struggle for rights and justice gives insight to marginalized settler groups.

The disproportionate number of missing and murdered Aboriginal women occurs within a context of:

Prison population - while aboriginal women comprise 4 % of Canada's population, they comprise 34% of the women in prison, and their number has increased over 86% in the past

ten years.[\(11\)](#) Numbers of aboriginal women in Canadian prisons rose by about 90% between 2002 and 2012. The CBC finds the government generally dismissive of the problem.[\(12\)](#)

Infant mortality – rates are more than twice as high for Aboriginals than Canada’s general population, and 4 times higher for Inuit.[\(13\)](#)

HIV aids infection and deaths – example: on Vancouver Island, while Aboriginal tribe members are 5.8 % of the population, they are 11% cent of the HIV cases.[\(14\)](#)

Foster care – in 2007-2008 while 8% of the children in British Columbia were aboriginal, 52% of the children in government care were Aboriginal, despite the example of Residential Schools in the treatment of native peoples under government practices. Of the approximately 30,000 children under government care in Canada nearly half are Aboriginal.[\(15\)](#)

Disease rates – UNICEF Canada noted that from 2002 to 2006 the Inuit TB rate was 90 times the national average.[\(16\)](#) Tuberculosis is eight to ten times more prevalent among all Aboriginals than non-Aboriginals; Hepatitis C rates 6 times, diabetes rates 3 to 5 times.[\(17\)](#)

Medical testing – from 1942 to 1952 , 1300 severely under-nourished Aboriginals were the unknowing subjects of government nutrition testing.[\(18\)](#) A 2011 study by the Alberta Health Services in Edmonton was seeking aboriginal test subjects for vaccine research.[\(19\)](#) A background in the Government’s use of medical, physical and psychological abuse of Aboriginals is available in Kevin Annett’s Hidden No Longer: Genocide in Canada Past and Present.[\(20\)](#)

Suicide rates – the Aboriginal suicide rate is over double the national average.[\(21\)](#) Among the Inuit it is 6 to 11 times the national average.[\(22\)](#) Aboriginal suicide rates offered by the Health Canada website (for First Nations and Inuit Health) are twenty years out of date. In Alaska, for young aboriginal males the rate is approximately 9 times their counterparts in the other United States and for aboriginal women 19 times (overall the U.S. aboriginal suicide rate is already 3.5 the U.S. national average).[\(23\)](#)

The Harper government is reluctant to change the status quo. The Native Women’s Association of Canada has mounted a campaign for a “National Inquiry into missing and murdered Aboriginal women and girls in Canada,[\(24\)](#) and received support from the Provincial and Territorial Premiers, the Assembly of First Nations, 133 First Nations tribes in Ontario, among others. The government has permitted a Parliamentary committee to hold hearings on the issue but refuses a national inquiry.[\(25\)](#) The Prime Minister’s inability to address issues of Aboriginal rights has become a policy of denial, evident in response to Chief Theresa Spence’s hunger strike, the housing of the Attawapiskat, the passage of Bill C-45, the efforts of the Idle No More movement, the de-funding of The National Aboriginal Health Organization (NAHO). The UN Committee against Torture refused to accept the attempt in Canada’s report to evade responsibility for violence against women and particularly Aboriginal women and girls.[\(26\)](#) The colonial policies are there in Canada’s reluctance to sign the UN Declaration on the Rights of Indigenous Peoples, and more complexly in its defeat in 2010 of Bill C-300 which would have made Canadian resource extraction companies abroad more accountable for crimes against the local indigenous peoples internationally. Since 2006 Night’s Lantern, a Canadian website focusing on genocide prevention, placed approximately 15 genocide warnings for Aboriginal peoples in

Canada.[\(27\)](#)

The Inter-American Commission on Human Rights (of the Washington based Organization of American States) sent investigators to Canada early in August 2013. Previously the UN's Special Rapporteur on Hunger was sent to Canada to report on Aboriginal access to food and was publicly derided by the government.[\(28\)](#) The UN Commission on Human rights will send its Special Rapporteur on the Rights of Indigenous Peoples, James Anaya (U.S.), on October 12 -20, to report on Canada's fidelity to Aboriginal Treaty rights and communities. Prof. Anaya, a graduate of Harvard Law, has taught there as well as university law schools of Iowa, Toronto, Tulsa and New Mexico. Updates on his visit will be available at his website www.unsr.jamesanaya.org.

Notes

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26 "Consideration of reports submitted by States parties under article 19 of the Convention," June 1, 2013, The United Nations Committee against Torture, 48th session [access:< <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CAN.CO.6.doc> >], #20.

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