

## Questionnaire to National Human Rights Institutions

The Canadian Human Rights Commission (CHRC) is Canada's national human rights institution. It has been accredited with A-status by the Global Alliance of National Human Rights Institutions, first in 1999 and again in 2006, 2011 and 2016.

The CHRC was established by Parliament through the *Canadian Human Rights Act* (CHRA) in 1977.<sup>1</sup> It has a broad mandate to promote and protect human rights.

The Constitution of Canada divides jurisdiction for human rights matters between the federal and provincial or territorial governments. The CHRA applies to employers and service providers operating under federal jurisdiction. This includes federal government departments and agencies, Crown corporations, First Nations governments and federally-regulated private sector organizations. Provincial and territorial governments have their own human rights codes and are responsible for provincially/territorially-regulated sectors.

The CHRA prohibits discrimination in employment and the provision of services, including housing, on the grounds of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and pardoned conviction or record suspension.

The CHRC also conducts compliance audits under the *Employment Equity Act* (EEA).<sup>2</sup> The purpose of the EEA is to achieve equality in the workplace so that no person is denied employment opportunities or benefits for reasons unrelated to ability, and to correct the historic employment disadvantages experienced by four designated groups: women, Indigenous peoples, persons with disabilities and members of visible minorities.

The CHRC operates independently of government, and shares responsibility for dealing with discrimination complaints under the CHRA with the Canadian Human Rights Tribunal (CHRT).

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<sup>1</sup> Available at [laws-lois.justice.gc.ca/PDF/H-6.pdf](https://laws-lois.justice.gc.ca/PDF/H-6.pdf). Although Canada's human rights laws are not part of the Constitution, they are considered "quasi-constitutional" in nature, meaning that all other laws must be interpreted in a manner consistent with human rights law.

<sup>2</sup> Available at [laws-lois.justice.gc.ca/PDF/E-5.401.pdf](https://laws-lois.justice.gc.ca/PDF/E-5.401.pdf).

# Questionnaire to National Human Rights Institutions

## 1. Recommendations of the UN Permanent Forum on Indigenous Issues

At its 2016 session, the Permanent Forum recognized “*the contributions of national human rights institutions in the promotion and protection of human rights, including the rights of indigenous peoples, and welcomed their participation in future sessions of the Forum*”.

- a) The theme of the 2016 session was “*Indigenous peoples: conflict, peace and resolution*” (paragraphs 49-64). Please provide information on how your Human Rights Institution is working on issues related to conflict, peace and resolution for Indigenous peoples. Where possible, please include information on the situation of Indigenous women in your responses.
- The CHRC takes action to promote and protect human rights by raising awareness of human rights issues, making public statements, tabling Special Reports in Parliament, conducting research, developing policy, consulting with stakeholders, monitoring and reporting on international human rights obligations, screening and investigating discrimination complaints, and representing the public interest in the mediation and litigation of these complaints. The CHRC prioritizes the human rights protection of individuals in vulnerable circumstances, which frequently includes Indigenous peoples. The CHRC proactively offers Alternative Dispute Resolution (ADR) at all stages of the complaint process, and supports the development of community-based ADR.
  - The National Aboriginal Initiative (NAI) was established by the CHRC in 2007. Its mandate is to strengthen relations with Indigenous peoples in Canada, to foster dialogue on human rights protection in an Indigenous context, and to enhance the accessibility of CHRC processes for Indigenous peoples.
  - The NAI has developed a number of tools and resources, including “A Toolkit for Developing Community-based Dispute Resolution Processes in First Nations Communities.” The CHRC provides training and policy support to Indigenous communities and governments seeking to develop policies and procedures at the community level.

## Questionnaire to National Human Rights Institutions

- The CHRC's complaint mechanism has been used to attempt to resolve a variety of issues affecting or involving Indigenous peoples:
  - The CHRC represented the public interest in a complaint filed in 2007 pursuant to the CHRA with respect to discrimination against Indigenous children in the child welfare system.<sup>3</sup> Recognizing the broad systemic impact of the alleged underfunding of child welfare services in First Nations communities, the CHRC took a lead role in litigating the complaint before the CHRT and the Courts. This included making arguments and providing extensive evidence during the more than 70 days of hearings. In January 2016, the CHRT issued a decision supporting the allegations of systemic discrimination against Indigenous children in care. The CHRC litigation team who worked on this file received the Canadian Public Service Award of Excellence in 2016.
  - Several discrimination complaints have been filed with respect to the eligibility requirements for registration as a "Status Indian" pursuant to the *Indian Act*, a piece of federal legislation. These complaints allege that some provisions of this Act continue to discriminate against certain Indigenous people in Canada on the grounds of sex, race, national or ethnic origin, and family status. The CHRT, a quasi-judicial body, has dismissed these complaints on the basis that the complaints do not establish a discriminatory practice in the provision of a federally-regulated service, but rather are a direct challenge to a piece of federal legislation, which the CHRT has held is not possible under the CHRA. The Federal Court and Federal Court of Appeal have agreed. The CHRC has sought leave to appeal this decision to the Supreme Court of Canada (SCC).<sup>4</sup> In the meantime, the federal government has introduced a legislative amendment, Bill S-3<sup>5</sup>, aimed at addressing gender-based inequities in the registration provisions. The Bill has been criticized on the basis that it does not provide a fully corrective solution to the gender-based inequities, and was introduced without sufficient consultation with Indigenous peoples.

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<sup>3</sup> *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2016 CHRT 2.

<sup>4</sup> See *Matson et al. v. Indian and Northern Affairs Canada* [2013 CHRT 13] and *Roger William Andrews and Roger William Andrews on behalf of Michelle Dominique Andrews v. Indian and Northern Affairs Canada* [2013 CHRT 21].

<sup>5</sup> See <http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=8532512> for text of the proposed legislative amendment.

## Questionnaire to National Human Rights Institutions

- The CHRC has also successfully represented the public interest in other complaints involving Indigenous complainants. In one instance, the CHRT upheld a complaint filed by an Indigenous woman who was prevented from running for election to be the Chief of her First Nation by a discriminatory election code that precluded her candidacy based on her family status.<sup>6</sup> In another complaint, the CHRT upheld an Indigenous woman's complaint against the First Nation of which she was a member, on the basis of sex, finding that the First Nation had denied her a Captain's licence and systemically discriminated against women by excluding them from participating in the Band's fishery.<sup>7</sup>
  - The CHRC also provides policy reviews and human rights training at the request of First Nations communities or Indigenous people's representative organizations, and as a result of mediated settlements, before or after disputes are heard at the CHRT.
  - Over the course of three years, the CHRC held a series of roundtable meetings with Indigenous women, their representative organizations and organizations that provide services to Indigenous women in eight regional locations across Canada. The purpose of these meetings was to better understand barriers that Indigenous women face when trying to access human rights justice. The CHRC is now raising awareness of these challenges and working with relevant stakeholders to explore ways to address the barriers that were identified.<sup>8</sup>
- b) The 2017 session will include a focus on Indigenous human rights defenders. Please provide information on the work of your commission/institution in relation to Indigenous human rights defenders?**
- The CHRC supports the important work of human rights defenders through recognizing and promoting their work in public statements, speeches, and awards, and also through providing a complaint mechanism to protect against retaliation for filing a discrimination complaint.

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<sup>6</sup> See *Tanner v. Gambler First Nation* (2015 CHRT 19)

<sup>7</sup> See *Tabor vs. Millbrook First Nation* (2015 CHRC 9).

<sup>8</sup> To learn more, see *Honouring the Strength of Our Sisters: Increasing Access to Human Rights Justice For Indigenous Women and Girls*, available at: [http://www.chrc-ccdp.gc.ca/sites/default/files/roundtable\\_summary\\_report\\_eng\\_0.pdf](http://www.chrc-ccdp.gc.ca/sites/default/files/roundtable_summary_report_eng_0.pdf)

## **Questionnaire to National Human Rights Institutions**

- In the complaint dealing with Indigenous children in the child welfare system referenced in 1a), the lead complainant, Dr. Cindy Blackstock, Executive Director of the First Nations Child and Family Caring Society of Canada and Professor at McGill University, has been widely recognized as an outspoken advocate for the rights of Indigenous children. Dr. Blackstock is the recipient of numerous fellowships, awards, and other distinctions. A member of the Gitksan Nation, Dr. Blackstock has worked in the field of child and family services for over 25 years and is the author of over 50 publications on the topic of disadvantage for Indigenous children and families. She actively promotes equitable and culturally-based interventions.
- In public statements dealing with this complaint, including in her remarks at the Assembly of First Nations Special Chief's Assembly in December 2015, Chief Commissioner Marie-Claude Landry, Ad.E, commended the tireless dedication of Dr. Blackstock in defending the human rights of Indigenous children in Canada.
- More recently, the Chief Commissioner applauded human rights defenders at the John Humphrey Centre for Peace and Human Rights' 10<sup>th</sup> Annual Human Rights Awards ceremony in December 2016. This event is held in commemoration of International Human Rights Day and is intended to recognize people who are making a positive contribution to the lives and well-being of others. This year, one of the award recipients was Mr. Roy Pogorzelski, a Métis man who was recognized for his advocacy work in social justice and human rights.
- Through the years, various Indigenous people and Indigenous peoples' organizations have been recognized by the CHRC for their roles in advancing human rights in their communities. For example, in December 2015, the "Meet Me at the Bell Tower" group, representing Indigenous and non-Indigenous youth in the city of Winnipeg, were presented the Manitoba Human Rights Commitment Award by the CHRC, the Manitoba Human Rights Commission, and the Manitoba Association for Rights and Liberties.
- In 2015, the CHRC began reaching out to Indigenous youth to increase awareness of human rights, to foster discussion on human rights protections, and to encourage and support youth as "Human Rights Defenders." Additional information on this initiative can be found at question 2 d).

## **Questionnaire to National Human Rights Institutions**

### **2. Promoting and protecting Indigenous peoples' rights**

**The UN Declaration on the Rights of Indigenous Peoples was adopted in 2007. To mark the tenth anniversary, and assess gains and achievements, please provide further information on the following:**

**a) What are the main activities carried out by your institution/commission at the national and/or regional level to implement the UN Declaration on the Rights of Indigenous Peoples?**

- The CHRC has made several public statements in support of the full implementation of the UN *Declaration on the Rights of Indigenous Peoples* (UN Declaration). The most recent statement was made at the 15th Session of the UN Permanent Forum on Indigenous Issues, following the announcement by the Canadian Minister of Indigenous and Northern Affairs that Canada would adopt and implement the UN Declaration within the laws of Canada.<sup>9</sup>
- The CHRC's promotional work is inspired by relevant articles of the UN Declaration, including article 14. When appropriate the CHRC seeks Indigenous input to its own educational and policy materials to ensure that they are culturally relevant and/or available in Indigenous languages. Additionally, the CHRC has cited the UN Declaration in submissions in a litigation context, including in the First Nations Child and Family Caring Society case referenced in question 1a).

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<sup>9</sup> To view the Statement visit :

<http://www.chrc-ccdp.ca/eng/content/10052016-acknowledging-indigenous-rights-key-step-towards-reconciliation-chrc>

## Questionnaire to National Human Rights Institutions

- The Truth and Reconciliation Commission of Canada (TRC) issued its Final Report in 2015.<sup>10</sup> Following the release of this report, the CHRC made a public statement urging the Government of Canada to implement the TRC's 94 Calls to Action.<sup>11</sup> A number of the Calls to Action refer to the UN Declaration and its full implementation.<sup>12</sup> The current federal government has committed to implement the TRC's 94 Calls to Action. The CHRC is not officially involved in the implementation of the TRC Calls to Action but it is aware of their implication and promotes them in its work and position statements.
- Through the Canadian Association of Statutory Human Rights Agencies (CASHRA) – which serves as an umbrella organization for the federal, provincial and territorial human rights commissions in Canada - the CHRC co-chairs the UN Declaration on the Rights of Indigenous Peoples Working Group (Working Group). The Working Group was established to consider how human rights institutions in Canada can advance the implementation of the UN Declaration. It provides advice to CASHRA members more broadly on issues relating to the human rights of Indigenous peoples in Canada and suggests related activities that members can undertake to advance these rights. For example, in June 2016, the Working Group hosted a panel on strategies to advance the implementation of the UN Declaration as a Framework for Reconciliation. The Working Group has also developed a series of joint motions related to advancing the rights of Indigenous peoples in Canada and promoting the UN Declaration, including, for example, calling for the establishment of an independent national oversight body to monitor the implementation of the Calls to Action.<sup>13</sup>

**b) What are the main constitutional, legislative and/or administrative developments taken or planned to promote and/or implement the UN Declaration on the Rights of Indigenous Peoples in your country? Has your institution/commission been involved in these processes, and if so how?**

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<sup>10</sup> To view the TRC Final Report visit: [http://www.trc.ca/websites/trcinstitution/File/2015/Honouring\\_the\\_Truth\\_Reconciling\\_for\\_the\\_Future\\_July\\_23\\_2015.pdf](http://www.trc.ca/websites/trcinstitution/File/2015/Honouring_the_Truth_Reconciling_for_the_Future_July_23_2015.pdf)

<sup>11</sup> To view the Statement visit: <http://www.chrc-ccdp.gc.ca/eng/content/canadian-human-rights-commission-commends-trc-final-report-and-calls-action>

<sup>12</sup> To learn about the TRC more visit: [http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls\\_to\\_Action\\_English2.pdf](http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf)

<sup>13</sup> To view the motions visit: <http://www.cashra.ca/news.html>

## Questionnaire to National Human Rights Institutions

- For more than 30 years, section 67 of the CHRA prevented people from filing complaints resulting from the application of the *Indian Act*. In 2008, Parliament amended the CHRA to repeal section 67 and add two amendments acknowledging the importance of considering First Nations legal traditions and customary laws when dealing with discrimination complaints, and the special constitutional rights held by Indigenous peoples in Canada. Since the repeal, the CHRC has seen a marked increase in discrimination complaints from Indigenous people, including many Indigenous women. In 2014, the CHRC submitted a Special Report to Parliament on the impacts of this legislative change.<sup>14</sup>
- Also of note is the inclusion of explicit reference to the UN Declaration in the mandate letters received by federal Cabinet Ministers. These mandate letters outline the expectations of the role of different Ministers in the administration of government. The federal government has also articulated its intention to establish a nation-to-nation relationship with Indigenous peoples, and has identified that it will commence a process to establish a National Council for Reconciliation, as referenced in question 2a).
- Over the past year, two bills have been brought forward in Parliament relating to the implementation of the UN Declaration in Canada. Bill C-262<sup>15</sup> would require the Government of Canada to take all measures necessary to ensure that the laws of Canada are in harmony with the UN Declaration. Bill C-332<sup>16</sup> would require the Minister of Indigenous and Northern Affairs to prepare an annual report on Canada's compliance, during the preceding year, with its obligations under the UN Declaration. Neither bill has been passed into law as of the submission of this Questionnaire. The CHRC did not have any involvement in the development or tabling of these bills.
- As identified in question 1a), the federal government has announced its intention to introduce legislation addressing known residual gender-based inequities in the registration provisions of the *Indian Act*.

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<sup>14</sup> To read the full report visit: [http://www.chrc-ccdp.ca/sites/default/files/special\\_report\\_to\\_parliament\\_on\\_the\\_impact\\_of\\_bill\\_c\\_21\\_2014.pdf](http://www.chrc-ccdp.ca/sites/default/files/special_report_to_parliament_on_the_impact_of_bill_c_21_2014.pdf)

<sup>15</sup> To see the full text visit: <https://openparliament.ca/bills/42-1/C-262/>

<sup>16</sup> To see the full text visit: <http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=8705285>



## **Questionnaire to National Human Rights Institutions**

- The SCC has recently affirmed that the term “Indian” in Section 91(24) of the *Constitution Act, 1867* includes non-status and Métis peoples.<sup>17</sup> Although this decision did not substantively concern allegations of discrimination, it addresses a longstanding claim by non-status and Métis peoples that they experience significant disadvantage due to their exclusion from legal recognition as Indigenous peoples. The decision further reinforced the special nature of the relationship between the federal Crown and Indigenous peoples in Canada.
- c) Has your institution/commission been engaged in the process for the Universal Periodic Review, and the work of the special procedures and treaty bodies? If so, did this include specific reference to Indigenous peoples?**
- The CHRC is actively engaged in the Human Rights Council and all of its mechanisms. It has submitted parallel reports and made statements during Canada’s previous Universal Periodic Reviews<sup>18</sup> and intends to do so again during the third cycle. The CHRC regularly engages with Treaty Bodies, submitting parallel reports during periodic reviews of Canada and providing input as requested. The situation of Indigenous peoples in Canada, and often specifically Indigenous women, always features prominently in these submissions.
  - The CHRC has also actively engaged with the Special Procedures, and both submitted a report to, and met with the Special Rapporteur on the rights of Indigenous peoples during his visit to Canada in 2013.
- d) Please provide information on any activities and programmes that your institution/commission carries out or plans to that are specific to Indigenous peoples.**
- As mentioned in question 1, the NAI is a program within the CHRC that works directly with Indigenous communities and representative organizations to produce culturally relevant information materials, training and tools. Some of these tools include: *Your Guide to Understanding the Canadian Human Rights Act*; the *Human Rights Handbook for First Nations* and the *Toolkit for Developing Community-based Dispute Resolution Processes in First Nations Communities*.<sup>19</sup>

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<sup>17</sup> See *Daniels v. Canada (Indian Affairs and Northern Development)* (2016 SCC 12)

<sup>18</sup> To read the full 2009 Submission visit:

[http://lib.ohchr.org/HRBodies/UPR/\\_layouts/15/WopiFrame.aspx?sourcedoc=/HRBodies/UPR/Documents/Session4/CA/CHRC\\_CAN\\_UPR\\_S4\\_2009\\_CanadianHumanRightsCommission\\_ENG\\_NHRI.pdf&action=default&DefaultItemOpen=1](http://lib.ohchr.org/HRBodies/UPR/_layouts/15/WopiFrame.aspx?sourcedoc=/HRBodies/UPR/Documents/Session4/CA/CHRC_CAN_UPR_S4_2009_CanadianHumanRightsCommission_ENG_NHRI.pdf&action=default&DefaultItemOpen=1) ;

<sup>19</sup> To view these publications visit: [www.doyouknowyourrights.ca](http://www.doyouknowyourrights.ca)

## Questionnaire to National Human Rights Institutions

- The NAI provides human rights training within Indigenous communities and at Indigenous conferences, assemblies and other fora. The NAI also provides or sources ongoing training for CHRC staff to better enable the organization to deal with the protection and promotion of the human rights of Indigenous peoples.
  - Over the years, the CHRC has submitted reports to international bodies addressing Indigenous human rights issues, issued reports to Parliament, developed educational materials in partnership with Indigenous peoples' representative organizations, and represented the public interest in key cases before the CHRT and the Courts dealing with the human rights of Indigenous peoples in Canada. This included the release of a *Report on the Equality Rights of Aboriginal Peoples in Canada*.<sup>20</sup> The Report presents a national portrait of Aboriginal peoples compared to non-Aboriginal peoples based on the seven dimensions of well-being widely considered critical from an equality rights perspective.
  - As mentioned in question 1, from 2012-2014, the CHRC held a series of roundtables with Indigenous women, their representative organizations and organizations that provide services to Indigenous women. See question 1a) for more information on this initiative.
  - The CHRC is now in the process of raising awareness about the issues that were identified during the Indigenous women's roundtables. The CHRC is also developing partnerships with other stakeholders to work toward reducing or eliminating the barriers that were identified by the women.
  - The CHRC has developed and is implementing an Indigenous Youth Engagement Strategy with the goal of raising awareness and fostering discussion about human rights among Indigenous youth. As part of this initiative, the CHRC has piloted a new game entitled "Human Rights Defenders", geared toward Indigenous youth.<sup>21</sup> The CHRC also plans to engage Indigenous educators to encourage them to develop human rights curriculum activities.
- e) Has your institution/commission been engaged in protecting the rights of Indigenous peoples, with particular reference to their lands, territories and resources?**

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<sup>20</sup> To read the full report visit: [http://www.chrc-ccdp.gc.ca/sites/default/files/equality\\_aboriginal\\_report.pdf](http://www.chrc-ccdp.gc.ca/sites/default/files/equality_aboriginal_report.pdf)

<sup>21</sup> To learn more about the game visit: <http://www.doyouknowyourrights.ca/en/node/141>

## **Questionnaire to National Human Rights Institutions**

- The Working Group led by the CHRC has developed documentation to be used by CASHRA members in informing policy-makers, law-makers, and others about key concepts related to the UN Declaration. This has included key messages and talking points intended for CASHRA members to use in their communication activities within their jurisdictions. Some of the concepts that have been introduced include: the importance of implementing the UN Declaration, the intersectionality of Indigenous rights, human rights and Treaty rights, the Doctrine of Discovery, Papal Bulls and Terra Nullius, and the need to support the inclusion of Indigenous legal traditions and languages in Canada.
- In October 2013, the CHRC submitted a report to the Special Rapporteur on the Rights of Indigenous Peoples. This submission focused on the CHRC's observations about current barriers to equality faced by Indigenous peoples in Canada, and outlined the particular impact this may have for Indigenous women. The Report also outlined the positive measures undertaken by the CHRC to increase access to human rights justice through the CHRA.<sup>22</sup>

### **3. Follow up to the World Conference on Indigenous Peoples**

**The UN organized the first World Conference on Indigenous Peoples in September 2014. At the World Conference, Member States made a number of commitments that are of relevance to human rights institutions. Please provide information on measures taken or planned by your institution to support the following:**

- a) To develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the Declaration, in cooperation with Indigenous peoples, through their own representative institutions;**
- The CASHRA Working Group examines ways to encourage provincial, territorial and federal governmental support or endorsement of the UN Declaration, including through the enactment of legislation. For example, the creation of key messages on the rights contained in the UN Declaration was a collaborative effort to encourage governmental endorsement and compliance with the UN Declaration. See question 2a) for more information about this Working Group.

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<sup>22</sup> A copy of this submission is available upon request.

## Questionnaire to National Human Rights Institutions

- In its training sessions and presentations, the NAI encourages Indigenous people, governments, and communities to use the articles of the UN Declaration in their work. The NAI plans to develop a webinar focused on strengthening understanding of the principles of the UN Declaration, and how it can be implemented.
  - The CHRC regularly shares case summaries of current cases before the CHRT and/or the Courts that pertain to the Aboriginal and Treaty rights of Indigenous peoples in Canada with Indigenous peoples' representative organizations.
  - The CHRC was very engaged with the work of the TRC. In 2013, then Acting Chief Commissioner David Langtry, was named an Honorary Witness and participated in the TRC's Honorary Witness Discussion Forum. Several CHRC staff also participated in national events hosted by the TRC. On two separate occasions the TRC Commissioners spoke to CHRC Commissioners and CHRC staff to increase the CHRC's understanding of the need to foster reconciliation and better serve Indigenous peoples. These events led to a discussion among all CHRC staff about how the CHRC can contribute to reconciliation through its work. For more information about the CHRC's work in relation to the TRC, see question 2a).
  - The CHRC's Chief Commissioner has met with many Indigenous leaders and other Indigenous stakeholders across the country to learn more about the human rights situation of Indigenous peoples and determine ways that the CHRC can use its voice to support Indigenous peoples and advance Indigenous human rights issues.
  - More recently, the Chief Commissioner also met with a wide range of stakeholders in the Northwest Territories and discussed systemic human rights violations relating to the social and economic conditions of Indigenous peoples living in northern and remote communities. The Chief Commissioner noted the pressing nature of human rights challenges faced by people living in the North, and committed to find ways to collaborate with Indigenous and non-Indigenous stakeholders to raise awareness of, and to address these challenges. Additional meetings with stakeholders in the North are currently being planned.
- b) To intensify efforts, in cooperation with Indigenous peoples, to prevent and eliminate all forms of violence and discrimination against Indigenous peoples and individuals, in particular women, children, youth, older persons and persons with disabilities, by strengthening legal, policy and institutional frameworks;**

## Questionnaire to National Human Rights Institutions

- Prior to August 2016, the CHRC in association with its provincial and territorial counterparts, supported calls for the establishment of a national action plan on violence against Indigenous women, including launching an independent and inclusive inquiry into missing and murdered Indigenous women and girls.<sup>23</sup>
  - An Inquiry into Murdered and Missing Indigenous Women and Girls was announced by the federal government in August 2016. At that time, the CHRC's Chief Commissioner made a public statement<sup>24</sup> commending Parliament for its decision, and took part in the preparatory meetings to provide background and encourage the Inquiry organizers to take a human rights approach throughout all phases of the Inquiry. The CHRC also assisted with the research components of the pre-inquiry phase. The CHRC made 16 recommendations for the Government's consideration in conducting the Inquiry, which are available on the CHRC's website.<sup>25</sup>
  - The CHRC has also focused a great deal of attention on the situation of Indigenous people, and in particular of Indigenous women, who are incarcerated in federal prisons, highlighting that these individuals are disproportionately overrepresented in both the prison population and, once incarcerated, in solitary confinement. The CHRC has repeatedly raised this issue in reports to the treaty bodies, including during recent periodic reviews before the Human Rights Committee, the Committee on the Rights of Persons with Disabilities, and, most recently, the Committee on the Elimination of Discrimination against Women.
- c) To establish at the national level, in conjunction with the Indigenous peoples concerned, fair, independent, impartial, open and transparent processes to acknowledge, advance and adjudicate the rights of Indigenous peoples pertaining to lands, territories and resources.**
- The CHRC participates in an ad hoc Coalition for the Human Rights of Indigenous Peoples, which is primarily composed of non-governmental organizations and Indigenous Peoples' representative organizations that work together to advance specific issues of interest to Indigenous peoples in Canada. Through this Coalition, the CHRC has supported the printing of a pocket-size copy of the UN Declaration. As previously mentioned this pocket-size version is distributed to the public at trainings, conferences and other special events.

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<sup>23</sup> To see the CASHRA letter to the Prime Minister and motion visit:

<http://www.cashra.ca/documents/CASHRA-ltr-Motion-to-Govt-of-Cda-English.pdf>

<sup>24</sup> To read the statement visit: <http://www.CHRC-ccdp.gc.ca/eng/content/CHRC-statement-missing-aboriginal-women>

<sup>25</sup> <http://www.chrc-ccdp.gc.ca/eng/content/submission-canadian-human-rights-commission-government-canada-pre-inquiry-design-process>

## **Questionnaire to National Human Rights Institutions**

- As mentioned in question 2a), the CHRC made a public statement urging the federal government to implement the TRC's 94 Calls to Action. More recently, the CHRC and other CASHRA members adopted a motion in support of TRC Calls to Action 53-56, calling for the establishment of a National Council for Reconciliation as a monitoring body to track and report on progress. The CHRC's position is that an appropriately constituted and funded National Council for Reconciliation would maintain the momentum for reconciliation that has been built through the work of the TRC. In December 2016, the federal government announced the creation of a process to establish a National Council for Reconciliation to help implement the TRC's 94 final recommendations.