



BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road
Prince George, BC V2K 5S3
Website: www.bcafn.ca

BCAFN SPECIAL CHIEFS ASSEMBLY
March 9-10, 2023
Hybrid - In person & online via Zoom

Resolution 02/2023

SUBJECT: CALL FOR FEDERAL MMIWG2S+ LEGISLATION

Moved BY: KUKPI7 HELEN HENDERSON, CANIM LAKE BAND

**SECONDED BY: WAHMEESH (KEN WATTS), ELECTED CHIEF COUNCILLOR
TSESHAHT FIRST NATION**

DECISION: CARRIED

WHEREAS:

- A. Gendered colonial violence perpetrated against Indigenous women, girls, and Two-Spirit, lesbian, gay, bi-sexual, trans, queer, questioning, intersex, and asexual, and others with gender and/or sexual diversity (2SLGBTQQA+) people continues in the form of a deadly and unrelenting genocide, causing extreme harm to families and communities across Turtle Island;
- B. On October 10, 2020, the United States passed federal legislation for the protection of Native Americans, in particular for Missing and Murdered Indigenous Peoples (MMIP), titled [*Savanna's Act*](#) and the [*Not Invisible Act*](#), in response to overwhelming violence against Indigenous peoples and the crisis of Missing and Murdered Indigenous Peoples (MMIP);
- C. *Savanna's Act*, named after Savanna LaFontaine-Greywind – a 22 year old member of the Spirit Lake Nation of North Dakota who was brutally murdered while she was eight months pregnant in August 2017 – is aimed at increasing communication and coordination among

Certified copy of a resolution adopted on the 9th day of March 2023

Terry Teegee, BC Regional Chief

law enforcement agencies, improving tribal access to resources and information in order to respond effectively to MMIP cases, strengthening data collection relating to MMIP, and directs U.S. attorneys to develop regionally appropriate guidelines for responding to MMIP;

- D. The *Not Invisible Act* is intended to increase intergovernmental coordination to identify and combat violent crime within Indigenous lands through the creation of a Joint Committee on Reducing Violent Crimes Against Indians of local, tribal, and federal stakeholders. Under this Act, the Committee will make publicly available recommendations to the Department of Interior and of Department of Justice on best practices both departments can take to combat disappearances, murder, trafficking, and other violent crimes against Native Americans and Alaska Natives. Within 90 days after their receipt, the Secretary of the Interior and Attorney General must each make public written responses to the recommendations;
- E. The *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of BC, passed legislation committing to implement, affirms:
 - a. Article 7(1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
 - b. 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.
 - c. 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. (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;
- F. The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls reveals the persistent and deliberate human and Indigenous rights violations and abuses as a root cause behind Canada's staggering rates of violence against Indigenous women, girls, and 2SLGBTQQIA+ people;
- G. The National Inquiry's Calls for Justice, Red Woman Rising: Indigenous Women Survivors in Vancouver's Downtown Eastside, and Highway of Tears Symposium Recommendations Report provide concrete actionable recommendations and a clear path to creating systemic change and ending violence by calling on government in the areas of culture, human security, health, and justice; on industries, institutions, service providers and partners,

Certified copy of a resolution adopted on the 9th day of March 2023



Terry Teegee, BC Regional Chief

including the media, health providers, transportation and hospitality providers, educators, social workers, extractive industries, police services, and justice actors; and the Canadian public;

- H. The National Inquiry's Calls for Justice 1.5, 1.6, 1.8, 3.3, 3.5, 5.6, 5.8, 9.1, 9.2 and 9.5 specifically call for governments to take all necessary measures to prevent and investigate violence against Indigenous women; to enact missing person legislation; to eliminate jurisdictional gaps and neglect that result in improperly regulated and delivered services; to provide long-term funding and trauma informed supports for survivors and victims of crime; the creation of crisis response teams; and call for police training and the standardization of justice protocols in the investigation of all cases of missing and murdered Indigenous women – including communication with families, coordination across government departments and jurisdictions, and standardized response times;
- I. The governments of British Columbia and Canada have committed to ending the cycle of violence that has fueled the Missing and Murdered Indigenous Women, Girls, and Two-Spirit+ (MMIWG2S+) crisis through a National Action Plan with regionally distinct plans to action the National Inquiry's Calls for Justice; however, without statutory requirements, the governments' policy commitments have fallen desperately short of immediate actionable strategies to protect Indigenous women, girls and 2SLGBTQQIA+ people and end the genocide; and
- J. Gendered violence transcends provincial and territorial boundaries and as such requires concrete federal legislation that applies across jurisdictions.

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly call on Canada to work with Indigenous peoples, including families and loved ones of missing and murdered Indigenous women and girls and 2SLGBTQQIA+ people, to co-develop federal legislation creating accountability and legal standards for preventing and responding to cases of missing and murdered Indigenous women, girls and 2SLGBTQQIA+ people; and
- 2. The BCAFN Chiefs-in-Assembly directs the Regional Chief to commission a memo, subject to resources, providing the legal landscape of policies and legislation pertaining to protections against gender-based violence and to work with like-minded organizations to help shape the proposed legislation.

Certified copy of a resolution adopted on the 9th day of March 2023



Terry Teegee, BC Regional Chief