



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

44th PARLIAMENT, 1st SESSION

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# Standing Committee on the Status of Women

EVIDENCE

**NUMBER 017**

Tuesday, May 3, 2022

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Chair: Mrs. Karen Vecchio





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• (1530)

[English]

**The Chair (Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC)):** I call this meeting to order.

Welcome to meeting number 17 of Standing Committee on the Status of Women. Pursuant to Standing Order 108(2) and the motion adopted on Tuesday, February 1, the committee will resume its study of resource development and violence against indigenous women and girls.

Today's meeting is taking place in a hybrid format, pursuant to the House Order of November 25, 2021. Members are attending in person in the room and remotely using the Zoom application. Per the directive of the Board of Internal Economy on March 10, 2022, all those attending the meeting in person must wear a mask, except for members who are at their place during proceedings.

I would like to make a few comments for the benefit of the witnesses and members. Please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone icon to activate your mike and please mute yourself when you are not speaking. For interpretation for those on Zoom, at the bottom of your screen you have the choice of floor, English or French. For those in the room, you can use the earpiece and select the desired channel. I'll remind you that all comments should be addressed through the chair.

I would really like to welcome our witnesses for this part of our study. I know that two of our witnesses are online. We're working to get our third online.

On our witness panel today, we have, as an individual, Ellen Gabriel, indigenous land defender from Kanesatake. From the National Family and Survivors Circle, we have Hilda Anderson-Pyrz, chair. We're still working on the York Factory First Nation. As soon as we see that they're online, we'll be introducing and welcoming them.

We'll be providing five minutes for opening comments to all of the witnesses. You'll see me start waving my green pen to let you know to wrap it up. I'll just put up a little note or try to cut you off. I'll give you a one-minute warning.

I am now going to turn to floor over to Ellen.

Welcome. You have the floor for five minutes.

**Ms. Ellen Gabriel (Indigenous Land Defender from Kanesatà:ke, As an Individual):** [*Witness spoke in Mohawk as follows:*]

Wa'tkwanonhwerá:ton.

[*Mohawk text translated as follows:*]

Greetings.

[English]

Greetings, everybody. I am from the Kanienkehaka Mohawk community of Kanesatake, which is an hour north of Montreal. Thank you for inviting me to be part of this process.

The right to dignity and security of life are part of the hallmarks of the enjoyment of human rights. All human rights are indivisible, interrelated and interdependent, a fact that complements indigenous peoples' laws and customs.

For decades, indigenous women have been active participants in the protection and promotion of our human rights, and those of our families and nations. We have been at the helm of positive changes for equality and equity with regard to indigenous peoples' human rights.

From the Mohawk women who stood on the front lines on July 11, 1990, without weapons, against a paramilitary force comprised of the SQ and army—a SWAT team—to the Tiny House Warriors and the Wet'suwet'en women, brutalized by a paramilitary trained RCMP force, we are active participants in the defence of our human rights, our homelands, families and nations. Despite this, we remain marginalized under the systemically racist framework of the Indian Act that continues to define who we are as peoples and who decides who is a legitimate person to speak.

While there have been many nice words declaring the respect of indigenous peoples' human rights through legislation to protect indigenous languages or to implement the United Nations Declaration on the Rights of Indigenous Peoples, there still remains no change in the status quo. Legislation must be based on a human rights perspective, not solely on words or funding. Instead, we are forced into quotas, numbers and time frames, rather than the cost of damages to our family units, languages, lands, culture and governing structures.

Systemic racism forces us into Canada's costly court system as the colonial praxis remains the basis of our relationship. The brutality of colonialism should be a thing of the past but, sadly, it is not. In fact, when I spoke to former minister of indigenous affairs Carolyn Bennett to request a moratorium on development in Kanestake or Oka, she said, no, and if I didn't like it, I should take them to court.

Indigenous women land defenders are made more vulnerable by man camps and a society ignorant of the multi-generational impacts of trauma. Again, we are denied the enjoyment of our rights through costly court systems.

I know I have only five minutes. I will skip some of my presentation. I'm letting the interpreters know.

In order for indigenous peoples' languages, cultures and identities to survive, we must have access to our lands and resources. The rights to development threaten our existence as indigenous peoples of Turtle Island. Indigenous peoples must constantly fight to protect our lands, waters and natural resources.

Now is the time to put action into words. There has to be a movement to bring the political rhetoric to a decolonial framework and relationship in order to help indigenous peoples, protect them on the front lines, and protect our security and who we are as the first peoples of Turtle Island.

Canada and its provinces must work together to create genuine reconciliation. We are proud of the many survivors of the Indian residential schools who courageously gave public testimonies of the abuses they suffered as children by government and church entities. We cannot forget the thousands of indigenous children who never came home and whose bodies lie in unmarked graves across Canada.

From the Royal Commission on Aboriginal Peoples to the Truth and Reconciliation Commission and the commission on murdered and missing indigenous women, we know the way forward. We know what needs to be done. These recommendations need to be implemented, and not just through legislation. It is the cultural bureaucracy of Canada and its provinces that has been the most negligent in its duty to uphold the highest standards of human rights and to implement these recommendations.

As indigenous land defenders, we do not seek power. We are mindful that our needs cannot interfere with the needs of present and future generations, the faces not yet born. Without access to our lands, we cannot transmit traditional knowledge of our languages, our cultures and our governing structures. We are trying to protect the land and waters for the present and future generations.

I want to say something about due diligence, which I learned from Sheryl Lightfoot, who is a professor at UBC. Due diligence is preventative. The purpose of due diligence is, first and foremost, to avoid causing or contributing to adverse impacts on indigenous peoples, the environment and society, and to seek to prevent adverse impacts directly linked to operations, products or services through business relationships.

• (1535)

We need to have good intentions become actions. We no longer need rhetoric. We need to stop the police brutality that is done on behalf of corporations that do not respect indigenous people's human rights and our rights to self-determination.

Thank you for listening to me. *Skén:nen*—wishing you all peace.

[*Witness spoke in Mohawk as follows:*]

Tho nikawén:nake.

[*Mohawk text translated as follows:*]

These are my words.

[*English*]

• (1540)

**The Chair:** Thank you very much. We appreciate that.

We're now going to move over to Hilda Anderson-Pyrz from the National Family and Survivors Circle.

Make sure you take your time. You have a glass of water there if you need it. We'll work through this.

I'll turn the floor over to you.

**Mrs. Hilda Anderson-Pyrz (Chair, National Family and Survivors Circle):** I wasn't actually sure if I'd have a voice to do this, because of my throat thing going on right now.

I want to acknowledge that I'm coming to you from Treaty No. 1 territory. I'm Cree from Nisichawayasihk Cree Nation.

I want to share about the National Family Survivors Circle.

We're a group of amazing indigenous women from across Canada who were brought together in August 2020 to support the development of the national action plan. We're really looking forward to continuing this important, sacred work that we have. We use our strength and expertise as family members and survivors of gender-based violence to advocate for the process that is moving forward with respect to the national inquiry's final report into missing and murdered indigenous women and girls.

All actions must come from a rights-based approach. Everyone has the right to live in dignity and safety and to maintain and practise their identity and culture. Under international human rights law, states are obligated to do everything they can to ensure that rights essential to individual and collective well-being, such as the rights to education, health and livelihood and the right to live free from violence, can be fully realized in the lives of all people without discrimination.

All governments are expected to take every reasonable measure to stop human rights violations, including preventing crimes and abuses committed by private actors such as corporations and individuals. Where rights have been violated, states have an obligation to ensure justice by acknowledging the harm, assisting the victims in their recovery and preventing the harms from being repeated.

When resource development is occurring indigenous communities do not have the infrastructure, leadership capacity or expertise to respond to the rapid social changes, violence and population growth. Consequently, local resources are drained dealing with crime, substance abuse, health problems and the stress placed on human service organizations and public services due to increased demand for services and an insufficient capacity to meet those demands. Increased social responsibility by the state and companies that are profiting from resource extraction must be mandatory in all agreements.

Many reports have clearly demonstrated the intersectionality of resource development and violence against indigenous women and girls and to 2SLGBTQQIA+ people, yet recommendations fail to be implemented and the violence continues.

Sherene Razack identifies resource extraction as the heart of colonial violence. She goes on to say that while white men are not explicitly mentioned and it is only the “transient worker” when referring to mining camp workers, we know there is a culture of impunity in this location. Racism in the oil patch can be obvious and sometimes subtle. It is important to ask, what does the violence do? What is it about? Why is racism and violence such an everyday, anticipated activity of resource extraction? Colonial histories have led to this. It is a genocidal impulse.

Drawing from Sherene Razack's work, she also identified that it is critical to understand how colonial power is imprinted on indigenous bodies. It is the raw material for the making of the settler state and from which it manufactures power. Indigenous women, girls and 2SLGBTQQIA+ people should never suffer for the state's economic prosperity.

It is often the voices of those who are most impacted that are absent from the table, and the silence is deafening for those who are being victimized during resource development projects. Indigenous women and girls and 2SLGBTQQIA+ people must be part of advisory circles from the territory where resource extraction is occurring, and safety and accountability mechanisms must be included in all legally binding agreements.

The National Family and Survivors Circle has identified four pillars in their contribution to the national action plan. These four pillars are fundamental in properly applying the principles of change from the national inquiry final report and should be utilized in all resource agreements.

• (1545)

The pillar of inclusion is the full and informed involvement of MMIWG2S families and survivors of gender-based violence. It centres their lived experience and recognizes their agency, knowledge, experience and expertise as valuable and as a key part of the information guiding all decisions.

The principle of interconnectedness reflects and reinforces the indigenous understanding that everyone and everything has a purpose. The root cause of violence, as well as the solutions for ending it, are also interconnected. It is the lived experience of families and survivors that is the thread that brings to light the root causes and the solutions.

For accountability, there must be the will to support and carry out transformative change at all levels. Mechanisms and forums to report on actions taken are essential to hold all governments, agencies and organizations accountable.

**The Chair:** Hilda, I know you have only one more pillar. We are way over time, so would you just mention the last pillar?

**Mrs. Hilda Anderson-Pyrz:** It is impact and creating meaningful impact at multiple levels to effectively build, gain and sustain the momentum required for the transformative change needed to end the genocide.

In the written part of it, I shared links to the reports.

**The Chair:** Wonderful. Thank you so much.

I'd like to welcome Martina Saunders from the York Factory First Nation. She is the community engagement coordinator.

You weren't here when I began, but you'll have five minutes to speak. I'll start getting you to wrap up and then I'll interrupt when you do need to stop.

I'm going to pass the floor over to you, Martina. You have it for five minutes.

**Ms. Martina Saunders (Community Engagement Coordinator, York Factory First Nation):** Good afternoon to everyone who is joining us today.

My name is Martina Saunders. I am an *Ininew Iskwew*—a Cree woman—from York Factory First Nation. I am appearing before you today on behalf of York Factory First Nation and the MMIWG2S+ implementation committee of Manitoba.

As many of you may be aware, York Factory First Nation entered a partnership with Manitoba Hydro on the Keeyask project on the Nelson River of the Treaty 5 territory in northern Manitoba. Our first nation was focused on bettering the livelihood of our Cree nation when we participated as best we could in the project planning and environmental assessment process of the Keeyask project.

York Factory First Nation quickly learned that covert and overt racism, sexism, homophobia and sexual violence was being experienced by our indigenous women and two-spirit people in these hydroelectric projects as a result of this historic and ongoing relationship with Manitoba Hydro. Not only have our young women and two-spirit people experienced these human rights abuses, our women—including me—have faced bullying, harassment, racism and discrimination by industry workers at the corporate offices of Manitoba Hydro in the urban centre of Winnipeg, Manitoba.

These acts of violence and human rights abuses occurred decades ago and as recently as a few years ago.

These experiences have caused a lot of harm and trauma and have impacted our people in horrific ways. We continue to call on the provincial and territorial governments to act on our calls for a public inquiry into the racism, harassment, discrimination and sexual violence in hydroelectric development projects in northern Manitoba.

We need to examine and understand the structural and systemic factors that continue to harm our people, but most importantly, our murdered and missing indigenous women, girls and two-spirit people. We ask that gender-based analysis be a part of all industry approval assessment processes, which will allow us to view any proposed resource extraction project through an indigenous world view, way of being and with a decolonized approach.

Those are the notes that I've put together. I don't know if I used my five minutes.

• (1550)

**The Chair:** You have about a minute left.

We can end now if you want to take more questions, but if you do have a couple of things, go for it.

**Ms. Martina Saunders:** Okay, I'll end now.

Thank you.

**The Chair:** Thank you, Martina.

What we're going to do now is start our rounds of questions. For each party there will be six minutes provided for the the first round.

We're going to start off with Michelle Ferreri.

Michelle, you have six minutes for questions. I'll pass the floor over to you.

**Ms. Michelle Ferreri (Peterborough—Kawartha, CPC):** Thank you, Chair.

On record, I'd love to have it said that we want to do this study so that we can invest in resource development to reduce poverty, to put resources into the communities, but that we also have to do due diligence so that no one is harmed and so that these companies are held to account.

My first question is for you, Martina. The national inquiry's call for justice 13.4 calls for, at a minimum, a public inquiry into the sexual violence and racism at hydroelectric projects in northern Manitoba. Can you explain the importance of holding a public inquiry into the violence and racism at these projects?

**Ms. Martina Saunders:** It's important that we examine these human rights abuses so that these atrocities don't happen again. We need to understand that, coming from an indigenous perspective and being marginalized in northern Manitoba, there is a lack of resources like education, health care, things that would help us to live better lives. We're at a disadvantage in northern Manitoba.

It's hard to understand when these acts of violence are happening to us, and we want to join the broader conversation on how resource development impacts indigenous people, not only in Manitoba or through Manitoba Hydro but in Canada or across the globe.

**Ms. Michelle Ferreri:** Thank you so much, Martina. I hear accountability, for sure. That is critical.

Ellen, if I could move to you, one of the policies that we'd like to see on the Conservative side is “for indigenous, by indigenous” being involved in the conversations and being leaders at the table on the decisions that are made.

What types of activities could help mitigate the impacts of temporary work camps and worker influxes, in your opinion?

**Ms. Ellen Gabriel:** That's a really good question. If there were real respect for free, prior and informed consent, that kind of process, that would save a lot of people a lot of trouble. It's part of the international human rights norms to understand what is going on, how it is going to impact our rights as indigenous peoples and how it is going to impact the environment, because part of indigenous law is to protect the environment.

It's really simple. It's sitting down and having everybody who is a rights holder able to make a decision on what kind of development takes place on our territories, on our lands, and what the consequences are, and for businesses to understand that we have the right to withhold consent if we feel it is a serious infraction and has serious consequences to the environment and to the health and well-being of the people.

There has to be a real effort to be able to understand indigenous peoples' perspectives when it comes to this.

• (1555)

**Ms. Michelle Ferreri:** Thank you very much.

I'm going to switch to Hilda. I know I don't have much time

Hilda, obviously some key priorities of our government right now are housing, transportation and economic development. These are critical for everybody. Especially in the more rural areas of Canada, transportation is critical.

How could the Government of Canada help to ensure indigenous women and girls living in communities close to resource extraction projects have increased access to shelters if they need to escape violence?

**Mrs. Hilda Anderson-Pyrz:** I think that, first of all, shelters have to be built in the communities, because many of the first nations across this country, even in rural locations, do not have shelters. Shelters are very limited, so I think that's the first step, ensuring that there are shelters built so that victims can have access to that support. I would recommend that be the first initial step, as is providing not only for the infrastructure for building but for operational requirements as well, such as training of staff who are working in those shelters to be able to fully support victims who come forward.

I would say that the reality is that there aren't many shelters across the country, especially when we're looking at indigenous communities where we see major resource projects occurring, so the first step is investing in the building of shelters, the infrastructure, the operational dollars and the training of staff.

**The Chair:** Thank you so much.

I'm now going to pass the floor to Jenna Sudds, who's online.

Jenna, you have the floor for six minutes.

**Mrs. Jenna Sudds (Kanata—Carleton, Lib.):** Thank you very much, Chair.

My sincere thanks to Ellen, Hilda and Martina for being here. Thank you for sharing your thoughts and your wisdom as we go through this study and for the important work, of course, that you are doing.

My first question is for Martina.

You very eloquently said how important it is that indigenous views are reflected as resource-extraction projects are considered. You referenced the colonized approach. I would love for you to take a minute to further expand on your statements.

**Ms. Martina Saunders:** A decolonized approach—not a colonized approach—would include our Cree world view if we come from my Cree nation.

When I look at it in the context of having a public inquiry, it's being validated. It's having our stories heard. That brings healing for our people. We can't move forward if these abuses and acts of sexual violence are not acknowledged by the government and by industry, by Manitoba Hydro.

We need to use an indigenous approach. What that means to us is including ceremony and practising our culture when we're doing this work, making sure that it's a trauma-informed approach and not bringing more harm to victims of sexual violence. In doing it this way, using our protocols that we follow in ceremony and that are meaningful to us in our culture, that is how we see it as healing. Acknowledge it.

For apologies to happen to people who are harmed and... Of course, we know it doesn't stop only at the person who was harmed, but it impacts the family system. It impacts the whole community. It impacts the whole nation. It isn't just these individual acts of violence. When we use our culture and ceremony, it includes all of those. It isn't just for one.

● (1600)

**Mrs. Jenna Sudds:** You mentioned the family unit. I noticed, as I was reading a bit about the work that's happening at York Factory First Nation with the aboriginal head start program. I'm wondering if you can speak to the impact this has had in the community.

**Ms. Martina Saunders:** With regard to the impact it's had in the community, I've seen this project from different angles. I've been home most recently, and we have a huge problem with addiction in our community. I can see how it's impacted the different groups in the community. When I visit my mother, I can see the impacts that the addictions have on her. I have spent some time with her recently. Prior to this, I didn't notice those changes.

Being home most recently, I can see how it's changed people. There has been a lot of family breakdown. We recently lost one of our family members through violence and alcohol and addiction. It's very sad to see that. Of course, this impacts our children. It impacts the young people.

**Mrs. Jenna Sudds:** Of course. I'm sorry to hear how it's impacted your family.

I know that I don't have much time left, but I want to quickly go to Ellen, if I may.

Ellen, you made the comment that “we have the right to withhold consent” when it comes to projects and protecting the environment. I'd like to hear your perspective on how to go about achieving that as projects are being proposed.

**The Chair:** I'll let you know, Ellen, that you have about 20 seconds to answer.

**Ms. Ellen Gabriel:** The right to have some sort of legal remedy is also included in free, prior and informed consent, as I said. In terms of development, we're living through a climate crisis. I think part of the deal is that we should be assimilating you into indigenous laws, customs and protocols, because it's always us who have to fit into the box.

Thank you.

**The Chair:** Thank you so much.

We'll now move to Sylvie from the Bloc.

Sylvie, you have six minutes.

[Translation]

**Ms. Sylvie Bérubé (Abitibi—Baie-James—Nunavik—Eeyou, BQ):** Thank you, Madam Chair.

To begin, I would like to thank the three witnesses here for their very important testimony.

I would also like to thank the interpreters for their excellent work.

My question is for Ms. Gabriel.

You talked about human rights and indigenous customs. You identified issues relating to language, culture, identity and respect for indigenous communities. As part of this study, we are also looking for solutions to these problems. We are looking for concrete solutions, and we think the federal government should shoulder its share of the responsibility. What we see, however, is the opposite, especially in light of the report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, MMIWG, which indicates that the federal government has not taken sufficient follow-up action.

Would you not say that the federal government needs to undertake a process of true reconciliation, specifically by repealing the Indian Act and sitting down at the same table with indigenous peoples so that all nations are on an equal footing?

[English]

**Ms. Ellen Gabriel:** Thank you for the question.

I'm more comfortable responding in English.

I think one of the problems we are having is that political leaders, judges, lawyers, social workers and educators are not really reading the reports of the Truth and Reconciliation Commission and the Royal Commission on Aboriginal Peoples. All of the work has been done for people to be on the same page and to understand each other's perspectives.

Yes, we want to get rid of the Indian Act. It is probably the only racist piece of legislation that still exists in the world today. That doesn't mean we have the answers on how to replace it. If we're going to deal nation to nation, then the government needs to get rid of and stop legitimizing the band council system in which council members are the only people it recognizes as the legal authorities. The Rotinonhsesháka, or Haudenosaunee, the People of the Longhouse of the Iroquois Confederacy, is a governing system that has survived colonization. Traditional governments need to be included in any discussions that affect our homelands and our rights. It's not up to Canada to decide who is a legitimate authority.

Amongst us, as indigenous people, we need to discuss what it means when we get rid of the Indian Act, but it definitely has to be a human rights-based approach. We have to use the UN Declaration on the Rights of Indigenous Peoples and all of the international human rights norms that go with it. Getting rid of the Indian Act does not mean that we are surrendering our land title by any means. We still have to provide some respect and defend the rights of future generations, who will be dealing with the legacy of this climate crisis that we're facing.

That said, getting rid of the Indian Act does not mean you are getting rid of our rights. It's not even protected under Canada's Constitution Act of 1982, in spite of the fact it says it respects the existing rights. Rights that existed before 1982 are a quagmire of

legal implications that I think demand more than just reflection. I think there should be a study on what that means in getting rid of the Indian Act. I come from a community where the band council provided a 33-year lease to a toxic waste dump, which we are dealing with and for which no member of Parliament, except for Elizabeth May, is willing to advocate on our behalf—a toxic waste dump that will take at least 10,000 years to clean up, all from the debris and raw sewage from the Island of Montreal.

Those are the kinds of precarious situations we face because of the Indian Act. It's not easy to just get rid of this legislation. It has to be a human rights-based approach. It has to complement and be based on indigenous peoples' human rights law and our constitutions.

Thank you.

• (1605)

[Translation]

**Ms. Sylvie Bérubé:** Can you also tell us what practical measures should be taken to protect indigenous women and girls in communities near resource development projects from such violence in the future?

I would like all three witnesses to answer this question if possible please.

[English]

**Ms. Ellen Gabriel:** You must have free, prior and informed consent. I'm going to keep coming back to that. If that's ignored, we're going to continue to be put in these threatening situations in which indigenous women are vulnerable to these man camps. I'm sure Hilda would like to answer that question as well.

You have to begin on a good note. You have to begin the process in good faith and openness and respect of human rights, especially indigenous peoples' right to self-determination.

**Mrs. Hilda Anderson-Pyrz:** I'm not sure how much time is left.

**The Chair:** Hilda, I'll give you 20 seconds. Then we'll go to Martina for 20 seconds and our time will be over.

**Mrs. Hilda Anderson-Pyrz:** I think the first and key thing that needs to happen is to invite indigenous women, girls and 2S people to the table and ensure there's equity and equality when they're sitting at those tables. They must be central to any type of resource development that is occurring within their territory. They have the answers. They know what they need and what they want and what it takes to keep them safe, so it's important to involve them.

**The Chair:** Awesome.

Martina, if you want to answer, you have about 20 seconds.



• (1610)

**Ms. Martina Saunders:** I'll add that there is a need for victim services within these industry camps, man camps, hydro camps, because if women or two-spirit people are being violated....

I'll give an example. If they're working in catering and housekeeping, and then one of them—I'll use housekeeper as an example—was violated, then she or he would have to report to the manager and the manager's going to be.... In our case, it was a Sodexo manager. They would have to go and approach a top chef, and it's not even in his job or his responsibility to deal with sexual violence, and it just gets lost. Plus, there's no trust there, so we need victim services in these camps where victims can go and they know and they trust that they're going to be heard and validated and not be afraid of their bosses or Manitoba Hydro.

**The Chair:** Thank you so much.

I'm now going to turn it over to Leah Gazan.

Leah, you have six minutes.

**Ms. Leah Gazan (Winnipeg Centre, NDP):** Thanks so much, Chair.

Thanks to all the witnesses for being here today for this very important study that I'm really honoured our committee was so open to study.

I wanted to start with Ellen Gabriel.

You wrote a column for the *Ricochet*, discussing the violence against indigenous land offenders and you wrote this: "Reconciliation cannot happen as long as the colonial project,"—you were referring to the use of indigenous homelands for profit and the violence against land and water defenders—"and the violence it inflicts, exists. Only through understanding human rights and the Indigenous laws that protect the environment and all our relations can we move forward."

In the spirit of this, how can human rights and indigenous laws be upheld to move forward together and ensure that indigenous women, girls, 2SLGBTQIA individuals and land defenders remain safe from violence, particularly women on the front lines?

**Ms. Ellen Gabriel:** If I understand your question correctly, in order to have safety, we have to have policing authorities also be able to do their jobs in a way that they understand human rights, but the colonial project is, in fact, overriding, oppressing and suppressing traditional knowledge and traditional rights. Our human rights are being sacrificed for the sake of economic development. We are ostracized. We face racism by the non-indigenous communities that we live next to.

The only way to do this is through education and dialogue, not pamphlets, not reports that.... It has to go beyond the reports and the rhetoric. We need safety within the communities that will provide knowledge about what colonialism has done, so that this colonial project that we keep referring to is profoundly understood as mentioned in the royal commission, as mentioned in the Truth and Reconciliation Commission and in the MMIWG.

To be safe, I really don't know. I've been doing this for 32 years and I do not feel safe in the community that I grew up in because

the town of Oka rides roughshod over us. The Minister of Indian Affairs refuses to include the Longhouse in any negotiations. They refuse to put a moratorium on development so that we can at least sit down at the table in an atmosphere of peace. If we are not sitting down at the table in an atmosphere of peace, we are under pressure. It is coercive.

We have to undo this and look at a human rights-based perspective of the dignity and worth of a human being and provide those safety measures so that we can speak in safety, so that we can speak with honesty, but starting from the same page, where we are aware of the impacts of multi-generational trauma. It wasn't just our languages and cultures that were attacked. It was our homelands. It was the lands upon which our whole language and identity are based.

I know that for me, in my community, we cannot call the police. There is nobody to come help us when there is violence in the community and INAC is very much aware. Minister Miller said that they are very aware that the community I come from is imploding. We have organized crime of every kind that you can imagine in this community. Nobody is willing to help us.

This committee should act on this and decide what would you do if you were in my position where you are not safe in the community that you grew up in and in which thousands of generations have been before.

• (1615)

**Ms. Leah Gazan:** Thank you so much. I think pointing out that you are an elder in our community who does not feel safe is telling and something that I'm glad you shared with the committee.

Martina, you were talking about bullying and harassment. I know there was a former security staff from a Manitoba Hydro work site at the Keeyask camp near Gillam who came forward in 2018 to report the incidents of racism, sexual assault, smuggling of alcohol and drugs on the job site and violence he witnessed at the camp. When he alerted managers to these incidents, he was brushed aside and the violence was allowed to continue unaddressed.

This seems to closely align with experiences that you shared, Martina, experiences of bullying after raising issues of racism and discrimination during your time as the VP on the board of directors for the Keeyask hydro partnership.

Could you please speak about the harm—as much as you feel comfortable—that's perpetrated by the patriarchal, colonial and violent mindset of senior staff in a lot of these resource development initiatives and how you feel it should be addressed? I know you talked about sexual assault centres. Do you have any other recommendations, especially with what Ellen Gabriel said about having nowhere to go, not being safe and having nobody to go to?

**The Chair:** You have about 20 seconds, but I'll give you about 30 seconds.

Go ahead, Martina.

**Ms. Martina Saunders:** I'm thinking about my experience and my first nation's experience in negotiating the JKDA with Manitoba Hydro. There were no women at all; it was mostly men. It was already an imbalance between hydro workers and the first nation partners, but when you look at the gender-based analysis of that, who were the seats for? The indigenous seats were mostly made up of indigenous men, so we didn't have two-spirit people there and we didn't necessarily always have women's voices there.

It was the same with the board of directors of KHLPL, where I was a VP. We need to have our voices at the planning of these projects. If they have to happen.... We don't want these projects to happen, but if they're going to happen, then they need to be done in a way that they're not harming our people, that we're being heard and that there are not just indigenous men's voices at the table.

**The Chair:** Martina, I'm going to have to cut you off. We've gone about a minute over there, so I'm sorry about that. I just want to get back on track, so thank you so much.

We'll start our next round of questions. I'm going to pass the floor over to Shelby for five minutes.

**Mrs. Shelby Kramp-Neuman (Hastings—Lennox and Addington, CPC):** Hello, everyone. Thank you for joining and sharing your testimony. I have questions or comments for each one of you.

I'll start by saying to Martina that I want to thank you for sharing your story with regard to your family loss due to violence and addiction. That's never a nice one to stomach, so I do appreciate your willingness to be open about that.

Ellen Gabriel, if I may, thank you as well for being so open and forthright. I'll start specifically with some of your remarks and a couple of questions. You mentioned the importance of education and dialogue and the need for.... Pamphlets can often just be empty rhetoric and do not accomplishing anything. You also suggested that, for decades, indigenous women have been active participants in the protection and promotion of human rights and that of their families and nations, and that you've been at the helm of positive changes for equality and equity in regard to indigenous peoples' human rights.

My question has two parts. What kind of framework, when you speak of the human rights approach, do you see as ideal? I recognize that you need more demands and not just reflection. That's the first part.

Second, you mentioned that legislation should be based more on human rights and not solely words. Instead of focusing on quotas

and time frames, we should be focusing more on family units, languages and lands. I personally think it should be more a combination of the two. I don't think we can have one without the other, so could you speak to that as well?

Thank you.

• (1620)

**Ms. Ellen Gabriel:** I like where you're going with this. It's impossible to do this in five minutes.

I've been looking at some of the legislation regarding the implementation of the UN declaration. There are parts that indigenous people were not happy with.

It still goes back to this imposition of the sovereignty of Canada and Canada's refusal to repudiate the doctrine of discovery, which means that we are indigenous people without the "s". Our right to self-determination is extremely important. I'm very sincere when I say we should be assimilating you because the education about the love for the land, how important the environment is and how we discuss things in a way that is respectful are some of the essentials of a framework where we can progress and move forward.

A framework is very simple under the UN Declaration on the Rights of Indigenous Peoples, which acknowledges the harms that have been done because of colonization, racism and genocide, to bring people of all genders to sit at the table and to contribute as people who are knowledgeable.

Legislation, even with the languages component.... We're talking about two-year frameworks. We are losing our first-language speakers who think in the language. We don't have that luxury of time to be able to say we'll look in two years' time to see where the Indigenous Languages Act is.

It's always based on Canada's needs, not upon the needs of indigenous peoples or on examining the harms that have been done because of colonization and because of the genocidal project. It's a really complicated question.

**Mrs. Shelby Kramp-Neuman:** Thank you so much.

It was a several-part question, so we need an hour. In the spirit of time I will move forward to ask Hilda a question with regard to the national inquiry calls for action.

I'm just wondering if you could enlighten us as to which ways you think we could progress towards implementing the actual calls to action. How could it be improved?

**Mrs. Hilda Anderson-Pyrz:** Thank you so much.

One key thing that has to occur immediately is that an accountability mechanism has to be put into place—specifically call for justice 1.7, which is the ombudsperson. Right now, there's no real accountability mechanism in place that will measure what calls for justice have been actioned. There has to be a framework for reporting as well in conjunction with the ombudsperson.

I can see across the country right now that there has been little or no action by all the provinces and territories, and the federal and indigenous governments as well, when it comes to the implementation of the 231 calls for justice.

In saying that, we have seen an increase in violence against indigenous women and girls in the context of the COVID-19 pandemic. Governments have shown how nimble they can be in the context of the COVID-19 pandemic. We need them to be equally nimble with respect to protecting the lives of indigenous women and girls and the 2S community, because women, girls and 2S people are dying at alarming rates.

The key thing is an accountability mechanism. That's what we really need. It's holding governments accountable to see where they're at and what calls for justice have been implemented.

**The Chair:** Thank you very much.

We're now going to move it over for five minutes to Anita Vandenberg.

You have five minutes.

• (1625)

**Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.):** Thank you very much.

I'd like to thank all of the witnesses.

My first question is for Ms. Saunders.

I'd just like to pick up a little bit on what you were saying about your experience. We often talk about the need to have indigenous women at the table in order to give voice, but your experience shows that just being at the table does not guarantee meaningful voice and meaningful participation. Often women end up—in your case and others—bullied and then vacating that space.

How do we make sure that indigenous women can be empowered so that they feel protected, so that there is actual agency and they can actually have meaningful participation when and if they do choose to participate and be at the table?

How do we do that, particularly as legislators? How do we ensure that this is happening when sometimes this is happening through private actors?

**Ms. Martina Saunders:** When I think about my experience on the KHLP board of directors, there was no place for me to go to report the bullying and racism. First off, there was a power imbalance at that table, and it shouldn't be that way.

There needs to be an independent process aside from industry where we can go and feel safe and be heard and make sure that whatever's happening, there's some action taken to help us to be at these tables and continue to do the work because our voices are very important.

**Ms. Anita Vandenberg:** Thank you very much.

I think that certainly would be something that we may wish to recommend as a committee.

I want to move over now to Ms. Anderson-Pyrz about some of the things she said in her testimony.

Ms. Anderson-Pyrz, you talked about a humans rights-based approach and then about what happens when those rights are violated. If I heard correctly, I think there were three things in particular. There's the acknowledgement of the harm, then the assistance to the survivors and then you also mentioned preventing it from being repeated.

I would like to home in on that particular piece. Again, thinking about what we can do as legislators to create the overarching structure for this, how do we prevent these things from happening in the first place?

**Mrs. Hilda Anderson-Pyrz:** I think what it really boils down to are policies and legislation that have accountability mechanisms to hold perpetrators and companies and governments responsible, and also bringing indigenous women and girls and 2S people to the table and centring their voices, and actioning what they are sharing about what prevention and safety look like to them. It's also about providing that equity and equality for meaningful participation when resource development is occurring.

When we look at poverty, it often can lead to the perpetuation of violence as well. If we give opportunities for education, housing, child care and employment, that's what a lot of prevention looks like because we're providing strength-based approaches to supporting indigenous women, girls and 2S people within the communities who are being impacted by resource development.

I also think that there have to be mechanisms put in place and training on violence prevention. What is violence and what is human trafficking and what is sexual exploitation? I mention these because sometimes people do not understand the types of violence occurring out there. It's also an opportunity, even in schools, when there's resource extraction happening, to educate teens and younger children on what violence looks like and what grooming, human trafficking and sexual exploitation look like.

We need to really focus on the education piece, and also on grounding indigenous women and 2S people in who they are and where they come from, and providing those opportunities to anchor themselves in their land, their culture, their language, because these are really strength-based approaches. We know that when resource extraction occurs, it often takes away many of these things.

We also need opportunities for healing because we have been impacted by intergenerational trauma as well.

There are many things that are needed. Those are just some of the things I can share right now in the interests of time, but I could talk for two days on what prevention can look like.

Thank you.

• (1630)

**Ms. Anita Vandenberg:** That's very helpful. I really appreciate that.

If you have more things to mention, including recommendations, that you didn't get a chance to mention, please do write to the committee.

**Mrs. Hilda Anderson-Pyrz:** Perfect.

**Ms. Anita Vandenberg:** That applies also to Ms. Saunders and Ms. Gabriel, if we didn't get a chance to get to you, because, I think, Chair, I'm out of time.

**The Chair:** Yes, I know you wanted to mention they can send it. That's always a reminder. We are having great conversations, but if there's additional information, please send it our way. You're providing great details today.

We're now going to move to Sylvie.

Sylvie, you have the floor for two and a half minutes.

[*Translation*]

**Ms. Sylvie Bérubé:** Thank you, Madam Chair.

My question is for the three witnesses.

We are talking about resource development projects and companies, but, in your opinion, have steps been taken to limit the harmful effects of these resource development projects on indigenous women and girls?

[*English*]

**The Chair:** I'm going to pick one of you first. I'm going to go to Martina, Hilda and then Ellen.

**Ms. Martina Saunders:** If I'm expected to answer that question, I don't understand what language it was spoken in.

**The Chair:** Did you hear it in French, perhaps?

**Ms. Martina Saunders:** Yes, I did.

**The Chair:** Okay, so we need to turn on your interpretation to show the language on there.

I'm going to ask Sylvie to put the question back to you, Martina. Give me a thumbs-up if you hear it, okay?

Go ahead, Sylvie.

[*Translation*]

**Ms. Sylvie Bérubé:** In your opinion, in the context of resource development projects, have steps been taken to limit the harmful effects of these projects on indigenous women and girls?

[*English*]

**The Chair:** Martina, were you able to hear it that time? Fantastic.

We're going to start off with you for the answer, then Hilda and then Ellen.

Go ahead, Martina.

**Ms. Martina Saunders:** I know that they did try to help with the issue of violence against indigenous women and girls. They tried to help with bringing people in. There was a meeting that happened in my community, and they brought in outside resources. I know that one of them had to do with addictions. Another one I think was to promote healthy lifestyles. I wasn't at the community meetings myself. I had already finished working for my first nation.

When I looked at that, I thought there's nobody from the community who's speaking to those issues or who can help plan those types of services. Bringing in people from the outside has never worked for us.

We know what we need. We're our own—for lack of a better word—healers. We know ourselves best. We just lack the resources. We lack the resources and the budgets that go along with all of this. It's more from a western view. That's how I interpret it. We need our own indigenous ways of healing. I'll say it again: We lack those resources. We don't have the money to pay for all of the things that we need.

**The Chair:** Hilda, do you want to add your thoughts on that?

**Mrs. Hilda Anderson-Pyrz:** Sure.

I'm also from a hydro-impacted community, but I also sit nationally with the National Family and Survivors Circle. I would say there are not enough measures that have been put into place. It's very lacking. It's almost like, when it comes to gender issues, they're often off the side of a desk when resource development projects are occurring. They have to be front and centre. As I mentioned previously, it's often the individuals who are the most impacted whose voices are not at the table.

I've seen a lot of struggles, even in my advocacy, where it's like you're pressuring governments, Manitoba Hydro and even other industries that are participating in these resource development projects. You meet with them, and they'll ask you to meet, but then there's never any action associated with what you're sharing that needs to take place when it comes to prevention, wellness and healing when resource development projects are occurring in our communities. I'd say there's a lot of lip service and not enough action.

• (1635)

**The Chair:** I'm sorry about this, Ellen. I'm going to give you just 10 seconds. We are so out of our time frame, but I'm just going to make it work.

Ellen, can you just give us a few last comments? Then I'll pass the floor over to Leah.

There are just 15 seconds. I know that's not a lot.

**Ms. Ellen Gabriel:** No, there's nothing. It's very adversarial and racist.

**The Chair:** Thank you very much.

I'm now going to pass the floor over to Leah Gazan. We're anywhere between two and a half minutes to 10—you never know.

I'll pass the floor over to you for two and a half minutes.

**Ms. Leah Gazan:** Thanks so much, Chair.

Martina, I heard you just say that we don't have the resources.

Hilda Anderson-Pyrz, you talked about the need for an ombudsman as stated in call for justice 1.7, and the lack of action. You know, we're three years out from the national inquiry. There's been money allocated in the budget that's not being spent. There's a whole pile of excuses. Meanwhile, we continue to deal with the most horrific violence, and in this study, particularly around resource extraction, there's zero in this budget to deal with this issue. It's abhorrent from my perspective, especially listening to the stories that we're listening to in this study. It's like our lives or our not having lives doesn't seem to matter very much.

Hilda, you did an interview with Amnesty International, and you spoke about the connection between resource development and violence against indigenous women, girls and two-spirit individuals. You noted that, "If there's activities happening in our territories, there need to be mechanisms to protect us from all types of violence." We've heard from Ellen Gabriel and Martina Saunders, that's not there. You said, this occurs "so others can benefit economically."

I'm quoting you on this because I find that since being elected in 2019, they seem to want to uphold our human rights when it suits their political and economic interests and then they just brush them aside when it doesn't, and the brunt of it is indigenous women, girls and two-spirit individuals.

I wanted to see if you agree with me on that and ask you to share what kind of mechanisms should be in place to protect indigenous women, two-spirit individuals and victims of violence. What do you think the hold up is? Why are they sitting on all this money while we're dying on the streets?

**Mrs. Hilda Anderson-Pyrz:** I would say that it's the lack of political will that is creating all the inaction. There has to be political will. There's a lot of talk about transformative change, but it has to be equally matched with the political will to support that transformative change and to provide that resourcing. There's a lot of inequity when it comes to addressing violence against indigenous women and girls and two-spirit and gender-diverse people. We're often invited to processes, but we don't have the same type of equity or equality to meaningfully participate and to make our lived experience, our knowledge and our ways of being and knowing as indigenous people come to fruition, because we don't have the resourcing to be able to do that. It's often coming from a western-based approach towards what is best for us when it comes to prevention.

I also think that we also need to really look at and go back to communities that have been impacted by resource development, because they're left in a really sad state. As I shared previously, I come from South Indian Lake, which is a resource-impacted community too, and I see the devastating impacts years later. It's like there's no hope in the community. The women and the girls who are involved in the process of supporting their men who lived off the

land were never compensated for resource development, so there's a lot of misogyny and patriarchy in how decisions are made. I think that's a really big problem.

• (1640)

**The Chair:** Thank you so much, Hilda.

As I said, I've let time get all offside, so we're going to go for four minutes for the next round. It will be four minutes to Dominique, four minutes to Emmanuella, four minutes to Sylvie and four minutes to Leah.

I'm going to be cutting you off at the four-minute mark. There's no playing nice for the chair today.

I'm going to pass the floor over to Dominique.

You have four minutes.

[*Translation*]

**Mrs. Dominique Vien (Bellechasse—Les Etchemins—Lévis, CPC):** Thank you very much, Madam Chair.

Thank you for being here this afternoon, ladies.

Your remarks are very interesting, but it is also difficult to hear about all this violence and the circumstances you face.

I am an eternal optimist. That is also why we are here today: we think things could go more smoothly and could be improved.

I was saying at another committee, and you also touched on this, I do not think it will be easy to make progress, to bring the police to the table so that they also change their attitude to help the women more often report the violence to which they have been subjected. The community should be there as well to help these women, to be proactive in finding solutions, starting points; and the companies should be there as well to become good corporate citizens.

I used to work for the Department of Labour. I saw to it that companies were required to adopt policies against psychological and sexual harassment. I know how important that is and how important it is for women to be able to express themselves and work in a safe environment. Before that can be achieved, the problems, the situation must be recognized. I think that is the starting point for mobilization. These people must be mobilized. You talked about securing funding, and more resources are needed.

Ms. Saunders, I heard what you said. I heard all of you, ladies, but will money on the table get these people moving? Will it make them work together? Will it change mentalities, cultures and ways of doing things? Will it give women the opportunity to report violence? Will they be convinced to report it more often? These are not questions, just observations.

It is important that the various players not be pitted against each other. Common ground must be found in each of these areas.

This is what I think, and maybe it is sort of a question. I think it would be easy to sit everyone down around the table and say that we are changing the way things are done.

What do you think? Do you think I am being overly optimistic?

[*English*]

**The Chair:** Is there anyone in particular you want to start with?

[*Translation*]

**Mrs. Dominique Vien:** Ms. Anderson-Pyrz, would you like to answer my question?

[*English*]

**Mrs. Hilda Anderson-Pyrz:** I think you are too optimistic. As indigenous women, girls and 2S people, we've tried to sit at many tables, and we're often silenced or not respected and our rights are not respected. Sometimes it's almost as if we're brought to the table just to say that they met with us, but they're not valuing the contributions that we can bring to the table.

I'm not going to say that all tables are like that, but I would say the majority of the tables that I've sat at have often just created a space for me, but not valued what I bring to it. I know that has been the experience of many of my sisters across the country.

I do remain hopeful that I will see significant changes in my lifetime. That's why I continue to be such a strong advocate. I don't give up that hope because I know generations are relying on this auntie to create change. I sit at any table I'm invited to.

**The Chair:** Wonderful. Thank you so much.

I'm now going to give the floor to Emmanuella for four minutes.

**Ms. Emmanuella Lambropoulos (Saint-Laurent, Lib.):** Thank you, Madam Chair.

I'd like to thank all the witnesses for being with us today to answer some of our questions and for your great testimony.

My first question has to do with the safety of indigenous communities and of women and girls. This is for Mrs. Anderson-Pyrz.

I know that budget 2021 had a lot of money—millions of dollars—set aside to support culturally responsive policing and community safety services in indigenous communities. I know that this funding was to be over five years. There was \$861 million over five years.

I'm wondering if you can tell me what you've been able to see from that funding in the last couple of years. If you haven't, then I'm going to take a look myself at where it's gone. I know that the money was in there for 2021 over five years. Could you let us know what has been done with that, in your view?

• (1645)

**Mrs. Hilda Anderson-Pyrz:** I would say there have been some investments into indigenous policing services, but one of the key things I want to mention here is that, given the way that data is currently collected, it's very hard to paint a picture of where the funding is going, because the realities of the investments are not really

being captured. I think we really need to look at data going forward, especially if we're trying to measure outcomes. That's a critical component.

I would also say that there has to be so much work done within policing agencies, because during the national inquiry, policing came up repeatedly from coast to coast to coast. I see some police agencies trying to change, bringing indigenous partners to the table and trying to self-reflect on their internal behaviours, policies and racism, really, which is what it really is.

I do see some movement, but as an indigenous woman, when I see the devastating impacts on the ground, as I said, I think it's not happening fast enough.

**Ms. Emmanuella Lambropoulos:** Thank you very much.

We saw, unfortunately, when it was brought to light, what happened with the residential schools. When unmarked graves were found, that hit the news and it hit schools across Canada. I had so many students from my riding write to me, because their teachers actually had them write letters to their MP.

It was beautiful, really, to see how passionate they were. They were angry at me, because obviously they see me as a politician and as their representative, and they were upset, thinking that it was my fault and that I should do better. They were elementary students, and there was so much passion in their voices through these letters. It was beautiful to see, and I was really happy that I was seeing it.

What role do all of the witnesses on this panel think education could play in really opening the eyes of our youth? Clearly there's been a movement of the younger populations. That's what I see. A lot of the people who write to me about indigenous issues are the youth in my riding. Even though my riding is not one that has much of an indigenous population, these are still issues that a lot of young people write to me about. What can you tell me about that?

**The Chair:** I'm going to call on Ellen.

You have about 10 seconds.

**Ms. Ellen Gabriel:** Education that tells the truth about Canada's colonial history is a good starting place, because we don't want to see the rhetoric that's being told in the schools today. Education is extremely important.

**The Chair:** Wonderful. Thank you so much.

We're now going to pass the floor over to Sylvie.

You have four minutes.

[*Translation*]

**Ms. Sylvie Bérubé:** Thank you, Madam Chair.

My question is for Ms. Gabriel.

We are obviously talking about reconciliation and colonialist policies, but you also talked about due diligence. Please elaborate on the solutions that would allow for due diligence.

[*English*]

**Ms. Ellen Gabriel:** I'm not sure what "reasonable due diligence" means, but I think due diligence should be indigenous-led. It's affecting our rights. It needs to include, for sure, the interests of everybody, but according to our ways and customs, we need to look at whether our needs are going to be negatively impacting future generations and their needs. Those are the ways of due diligence that I think have an indigenous-led perspective.

It is important for everybody to be sitting at the table. It is important that we're all on the same page in what we're talking about today, which is education, and for everybody, whether corporations, politicians, judges or whoever, to see those reports.

I'll leave more time for other people to answer.

• (1650)

[*Translation*]

**Ms. Sylvie Bérubé:** I have another question for Ms. Gabriel.

You said earlier that you had considered the safety and protection of indigenous women. Do you have any recommendations so we can help you more?

[*English*]

**Ms. Ellen Gabriel:** I think one of the things we need to tackle is the elephant in the room, which is corrupt governments, corrupt organizations that come into our communities and threaten the safety and well-being of our people. We need to implement free, prior and informed consent.

I've always said that a traditional warrior society in our communities needs to be not policing but just people like us. We had an ERU that was protecting us during the pandemic, keeping people who are not from the community from entering into the community. I don't want it to be that severe, but there needs to be an understanding that we are human beings and that, as the most marginalized group in society, we need extra protection. What that means is that we need to sit down and discuss that and change the mentality of society in its attitude towards indigenous women so that we can be safe when we walk in our communities and we can be safe on our homelands, even if it's in parks.

It's 2022. I've been doing this for 32 years. I feel more vulnerable than I did 32 years ago during the crisis in my community—and that says a lot—simply because of the organized crime that has been allowed to proliferate and infiltrate our community because of the Indian Act and the lack of awareness and the lack of political will to actually fix the over 300-year-old land dispute we have in my community. It's a complicated question and a complicated answer.

[*Translation*]

**Ms. Sylvie Bérubé:** My question is for Ms. Anderson-Pyrz.

Ms. Anderson-Pyrz, you talked about a national action plan with four pillars. Please tell us more about this national action plan.

[*English*]

**The Chair:** You have about 20 seconds.

**Mrs. Hilda Anderson-Pyrz:** The four pillars come from the National Family and Survivors Circle chapter. I actually shared it in the document that was written, because you'll learn a lot more about the four pillars. I think if those four pillars were applied to all kinds of different approaches when we're looking at addressing gender-based violence prevention, wellness and healing, they could be very instrumental.

I just wanted to say that. Thank you.

**The Chair:** Perfect. Thank you very much. I know our analysts and I have received that, on the four pillars. We'll make sure the committee is able to see that.

I'm now going to pass it over to Leah Gazan.

Leah, you have the last four minutes.

**Ms. Leah Gazan:** Thank you so much.

My last question is for Ellen Gabriel.

You talked about human beings, and I can't help but think of the Indian Act, which defined a person, a human being, as any individual besides an Indian. I think especially for indigenous women and girls and two-spirit, we're still struggling with that, with just being recognized as human beings.

In terms of misogyny and patriarchy in decisions that are made, you talked about the land dump, the toxic waste dump, in your community. Often these decisions are made devoid of the voices of indigenous women and two-spirit people. They just happen.

My question for you is this. When governments are going into communities and making agreements, who should they look to as the decision-making body? Should it just be chiefs and councils or do they need to really understand what free, prior and informed consent is and really do proper consultations with the community and especially indigenous women, girls and two-spirit people?

**Ms. Ellen Gabriel:** That's a good question. I think free, prior and informed consent should be the initiating process.

We as Haudenosaunee people have always said that the band council are service providers and they do not have a right to negotiate on land. Any negotiations on land should come to the traditional Haudenosaunee people, a government that existed before European arrival. Under the Iroquois Confederacy's Great Law of Peace, known as Gayanashagowa, indigenous women are the title holders to the land, and I know that in other communities there are similar constitutions.

We have a human rights-based approach under our traditional laws, and continuing to evolve into new forms of colonialism is not the answer. We could do at least the bare bones of free, prior and informed consent through having consultations, real consultations, and not just going through the motions of talking to an empty room or picking up the phone to the band council and asking whether or not they give permission. They need to be held accountable too, as another level of government.

Under the Indian Act, they have not been responsible, so that creates that “divide and conquer” mentality and the coercive ways for developers to get their way. That leaves us more vulnerable as indigenous women. It disrespects the authority and the traditional roles that indigenous women play.

Indigenous women definitely have to be at the table for any kind of consultations but also in the process of free, prior and informed consent. Thank you.

• (1655)

**Ms. Leah Gazan:** I ask that because we spoke about complaints coming forward about sexual assault and decisions being made about lands in the absence of women's and two-spirit voices, and there's nowhere to go, even when we speak up. It's not a lack of will—certainly not strength—as indigenous women and two-spirit people. That's not our issue. We really don't have a place to go, and our voices are marginalized.

Would you agree with that?

**Ms. Ellen Gabriel:** Yes. On top of that is the fear of reprisals if you speak out. This is coming from within and outside the community, especially given the circumstances we're living under here in Kanesatake.

**Ms. Leah Gazan:** I have 20 seconds. Is there anything else that you want to add?

**Ms. Ellen Gabriel:** We need to put action into words and not just apologies. We don't need more apologies that do nothing.

**The Chair:** I absolutely agree, especially since I'm about to apologize to say I have to cut everybody off.

This has been such an incredible panel. On behalf of everybody on the status of women committee, I'd like to thank Martina, Ellen and Hilda.

Thank you so much for being part of this.

I'm going to remind everybody that we're now going to switch to in camera. For everybody who is on Zoom, there is an additional link that has been sent to you for this meeting. I'll ask that you go off this link and go to the other link immediately. It will take a couple of seconds to switch over, so we will suspend until we all get back.

On behalf of the committee, thank you very much.

We're suspended. We'll see you back in a couple of minutes.

*[Proceedings continue in camera]*

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