



International and National Legal Foundations for Women's Rights

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MMIWG March 2 2026



International Legal Foundations for Women's Rights

- UN Charter (1945)
 - Art. 1(3): Human rights without distinction as to sex
- Universal Declaration of Human Rights (1948)
 - Arts. 1–2: Equality & non-discrimination
 - Art. 7: Equality before the law



Core Binding Human Rights Treaties (Canada is Party)



- **ICCPR** — International Covenant on Civil and Political Rights (1976)
 - Arts. 2–3, 26: Equal rights & equality before the law
- **ICESCR** — International Covenant on Economic, Social and Cultural Rights (1976)
 - Arts. 2(2), 3: Non-discrimination & equal enjoyment of rights
- **CERD** — International Convention on the Elimination of All Forms of Racial Discrimination (1970)
 - Art. 5: Equal enjoyment of civil, political, economic, social rights



CEDAW — Convention on the Elimination of Discrimination Against Women



- Ratified by Canada: 1981
 - Art. 1: Definition of discrimination
 - Art. 2: Obligation to eliminate discrimination
 - Art. 5: Address gender stereotypes
 - Arts. 10–12: Education, employment, health
 - Art. 16: Equality in marriage & family relations
 - Optional Protocol (2002): Individual complaints

Protection from Violence & Exploitation



- Convention Against Torture (1987)
 - Duty to prevent torture & ill-treatment
- Convention on the Rights of the Child (1991)
 - Protection of girls from violence & exploitation
 - Art. 30: Right of Indigenous children to their culture and language
- Convention on the Rights of Persons with Disabilities (2010)
 - Art. 6: Women with disabilities
 - *Canadian Human Rights Act*
- UN Palermo Trafficking Protocol (2002)
 - Prevention, protection, prosecution framework

Rights of Indigenous Women & MMIWG in Canada



- UNDRIP (endorsed 2010)
 - Art. 22: Protection of Indigenous women & children
- MMIWG National Inquiry (2019)
 - Final Report: Reclaiming Power and Place
 - 231 Calls for Justice – legal imperatives
 - 2021 National Action Plan & Federal Pathway (ongoing implementation)



International Legal Framework – Indigenous Women



- Canada's UN Declaration on the Rights of Indigenous Peoples (UNDRIPA)
 - Art. 22: Protection of Indigenous women & children from violence & discrimination
 - Art. 44: All rights apply equally to male and female Indigenous persons
 - Arts. 2 & 3: Eliminate discrimination & ensure advancement of women
 - General Recommendation 35: Gender-based violence = discrimination

MMIWG National Inquiry – Key Findings (2019)



- Final Report: Reclaiming Power and Place (June 3, 2019)
 - Extensive testimony from families, survivors, and communities
 - Found systemic human & Indigenous rights violations
 - Identified colonialism, racism, sexism, and state failures as root causes
 - Violence described as a national human rights crisis



231 Calls for Justice – Legal Imperatives



- Directed to federal, provincial, territorial & Indigenous governments
 - Address policing, justice reform, health, child welfare, housing & education
 - Emphasize self-determination and Indigenous-led solutions
 - Framed as legal obligations under human & Indigenous rights law
 - Applies to institutions, industry, civil societies & all Canadians



Implementation & National Action Plan



- 2021 National Action Plan (co-developed with families & survivors)
 - Federal Pathway outlines government commitments
 - Progress reporting ongoing (2022–2025)
 - Implementation uneven across jurisdictions
 - Continued calls for accountability & measurable outcomes

MMIWG: Summary of Calls to Action



1. Policing & Justice Reform

Relevant Calls for Justice: 5.1–5.21, 9.1–9.11

Implementation underway includes:

- **Culturally responsive policing reforms**
- Enhanced **RCMP trauma-informed training**
- Strengthened **civilian oversight mechanisms**
- National review of **missing persons policies**
- Investments in **Indigenous-led justice programs**
- Improved **data collection & reporting** on MMIWG cases

Status:

- Partially implemented; training and policy reforms underway, but systemic reform remains ongoing and uneven across provinces.

2. Data & Accountability

Relevant Calls: 1.7, 5.17, 9.5, 16.32

Implementation:

- Development of **national data strategies**
- Federal reporting through the **Federal Pathway Annual Reports**
- Creation of performance indicators
- Public progress tracking dashboards

Status:

- Reporting mechanisms exist; advocates note need for clearer measurable benchmarks.



MMIWG: Summary of Calls to Action



3. Shelters, Housing & Safe Spaces

Relevant Calls: 4.1–4.8

Implementation:

- Federal funding for **Indigenous women's shelters**
- Investments in **transition housing**
- Community safety infrastructure funding
- Urban Indigenous women's safety programming

Status:

- Significant funding committed; infrastructure gaps remain, especially in northern/remote communities.

4. Child Welfare Reform

Relevant Calls: 12.1–12.14

Implementation:

- Passage of **An Act respecting First Nations, Inuit and Métis children, youth and families (2019)**
- Movement toward Indigenous jurisdiction over child welfare
- Funding for family reunification & prevention

Status:

- Structural reform underway; implementation varies by region.



MMIWG: Summary of Calls to Action



5. Health, Mental Health & Healing

Relevant Calls: 7.1–7.12

Implementation:

- Expansion of **culturally grounded healing programs**
- Trauma-informed supports for families of MMIWG
- Indigenous mental health funding streams

Status:

- Funding expanded; access disparities remain.

6. UNDRIP Implementation & Self-Determination

Relevant Calls: 1.2, 1.4, 1.5

Implementation:

- **United Nations Declaration on the Rights of Indigenous Peoples Act (2021)**
- Federal Action Plan to align laws with UNDRIP
- Support for Indigenous-led community safety strategies

Status:

- Legislative framework established; law reform alignment ongoing.



MMIWG: Summary of Calls to Action



7. Human Trafficking & Exploitation

Relevant Calls: 12.16, 16.20

Implementation:

- National Strategy to Combat Human Trafficking
- Funding for victim supports
- Law enforcement training enhancements

Status:

- Active programs exist; enforcement and prevention gaps remain.



What Is NOT Fully Implemented

- Independent Indigenous-led oversight body for all Calls
- Full policing reform and accountability overhaul
- Guaranteed long-term stable funding for all Indigenous shelters
- Comprehensive national MMIWG database
- Full compliance across all provinces and territories
- Most Calls for Justice are considered **“in progress” rather than fully implemented.**



Resources – MMIWG Core Documents



- **MMIWG – Missing and Murdered Indigenous Women and Girls**
 - [Final Report: Reclaiming Power and Place \(2019\)](#)
 - [231 Calls for Justice](#)
 - [National Action Plan \(2021\)](#)
 - [Federal Pathway Progress Reports](#)
- **UNDRIPA – Canada United Nations Declaration on the Rights of Indigenous Peoples**
 - [UNDRIP Act \(Canada\) – National Action Plan & Reports](#)
- **British Columbia Declaration on the Rights of Indigenous Peoples Act (DRIPA)**
 - [BC DRIPA Overview](#)
 - [BC DRIPA Action Plan & Annual Reports](#)
- **Métis Perspectives of Missing and Murdered Indigenous Women and Girls (National Metis Women)**
 - [Les Femmes Michif Otipemisiwak Report \(PDF\)](#)
- **Infinity Women Secretariat (MMF)**
 - [Programs & Supports for Métis Women](#)



Resources – International and National Women's Reports



- **UN Women – Global Gender Equality Reports**
 - [Publications & Annual Reports](#)
- **Commission on the Status of Women (CSW)**
 - [CSW Outcome Documents & Reports](#)
- **CEDAW Committee Reports**
 - [Treaty Body Database – Concluding Observations](#)
- **Native Women's Association of Canada (NWAC)**
 - [MMIWG & Policy Resources](#)
- **Assembly of First Nations (AFN)**
 - [MMIWG & Justice Resources](#)
- **Inuit Tapiriit Kanatami (ITK)**
 - [National Strategy on Inuit Women, Girls & 2SLGBTQQA+](#)
- **Federation of Sovereign Indigenous Nations (FSIN)**
 - [Justice & Community Safety Resources](#)

