



**Submission to  
United Nations Committee on the Elimination of  
Discrimination against Women**

**Day of General Discussion on the Rights of Indigenous  
Women**

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Submitted June 18, 2021 by the Canadian Feminist Alliance  
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## The Rights of Indigenous Women to Equality, including Equal Enjoyment of Their Indigenous Culture

*A nation is not conquered until the hearts of its women are on the ground. Then it's finished; no matter how brave its warriors or how strong their weapons.<sup>1</sup>*

This submission focuses on the sex discrimination in Canada's *Indian Act* because it is a key example of how discrimination against Indigenous women works in the context of colonial policy and practice, and can offer lessons about what needs to be affirmed and clarified in a new General Comment on the Rights of Indigenous women and girls.

Experience in Canada reveals how sex discrimination and violence against Indigenous women have been used by colonial governments to deny women equal enjoyment of their Indigenous culture, and to control and weaken Indigenous Nations. Canada's National Inquiry on Missing and Murdered Indigenous Women and Girls found that Canada is engaged in a slow-moving, decades-long genocide against Indigenous peoples, and that Indigenous women and girls are particularly targeted.<sup>2</sup>

The sex discrimination in Canada's *Indian Act* is a key component of the genocide identified by the National Inquiry on Missing and Murdered Indigenous Women and Girls because it is a tool of forced assimilation. The *Indian Act* has defined thousands of Indigenous women and their descendants as non-Indians and forced them into the non-Indigenous population. It has stripped First Nations of thousands of women and their descendants, shrinking the pool of Indians who are recognized as having inherent, Aboriginal, treaty and land rights, and to whom the government owes a fiduciary duty.

In this context, it is a mistake to view the equality rights of Indigenous women and the right to self-determination of Indigenous nations as in competition, or in need of balance (see concept note, para. 21). Instead, the reality is that in Canada, since 1867, successive governments have used sex discrimination to diminish the strength of Indigenous nations. Then, shamefully, when Indigenous women assert their right to be free from sex discrimination, the colonizing State Party claims that the women are a threat to the right of First Nations to self-determination.<sup>3</sup>

Because this sex discrimination in the *Indian Act* has banished women and their descendants from their communities, it has also denied them the right to equal enjoyment of their Indigenous culture. Canada cannot now treat Indigenous women's right to equality as though it does not include the right to the equal enjoyment of their Indigenous culture. These rights are indivisible for Indigenous women. In addition, Indigenous nations and communities are entitled to be made whole, with women as full, equal, participating members.

The sex discrimination in Canada's *Indian Act* is notorious. FAFIA has reported to the CEDAW Committee on this sex discrimination since 2003. In all concluding observations on Canada issued since that time, the Committee has recommended elimination of the sex discrimination from the *Indian Act*.<sup>4</sup> In addition, the Inquiry into murders and disappearances of Indigenous women and girls, conducted by the CEDAW Committee under Article 8 of the Optional Protocol, found that the sex discrimination in the *Indian Act* was a root cause of the violence, and recommended that it be eliminated in order to address the crisis.<sup>5</sup> But the discrimination is still not gone.

## **Historical and Cultural Context**

In order to fully appreciate what has been taken from Indigenous women by state laws, policies and practices which continue to breach their human rights, it is important to understand the historical and cultural context. Indigenous women are widely recognized as the hearts of their Nations. They were the foundation of powerful, sovereign Nations that had their own sophisticated governments, political systems, complex legal regimes, trading networks, economies and land defenders.

Indigenous women appear in many creation stories for their central role as life-givers (mothers), who helped bridged the spirit and human worlds to nurture a baby into adulthood with the help of large extended families. While, all over North America, each Nation's practices varied, Indigenous women played an important role in passing down these diverse cultures, traditions, customs, practices, worldviews and languages. They helped children form their sense of identity, belonging and purpose.

Indigenous women were also involved at the political level. Depending on the specific Nation, Indigenous women not only selected their leaders, but they also helped control access to territories and had equal influence within their Nations' political affairs. They also acted as leaders in their own right, as interpreters, negotiators, political advisors, strategists, decision-makers and warriors. It is because Indigenous women played such a central role in their Nations that colonial and modern governments have targeted them for violence, exploitation, forced assimilation.

## **Indian Policy: "Get rid of the Indian Problem"**

Historical government records reveal that Canada's Indian policy was always focused on (1) acquiring Indigenous lands and resources; and (2) reducing financial obligations acquired through treaties and other agreements with Indians.

*I want to get rid of the Indian problem...Our objective is to continue until there is not a single Indian in Canada.*<sup>6</sup>

The primary methods used by colonial and state officials were elimination and assimilation. Despite the many treaties signed with sovereign Indigenous Nations which promised mutual respect, prosperity and protection,<sup>7</sup> the policies and practices of Canada's governments worked deliberately against the continued existence of Indigenous peoples as Nations or distinct peoples.

While colonial officials engaged in brutal acts of violence against all Indigenous peoples, including the use of smallpox-infected blankets and scalping bounties, government officials also took aim at Indigenous women and girls. From the earliest days, Indian Agents, often assisted by the police, would withhold food rations from young Indigenous women and girls to extort sex from them,<sup>8</sup> and on the east coast of Canada, settlers kidnapped young Mi'kmaw girls and took them away on boats overseas to be sexually exploited.<sup>9</sup>

One of the most devastating ways to target women was through their children. Thousands of Indigenous women and girls have been forcibly sterilized.<sup>10</sup> Children were literally ripped from the arms of Indigenous mothers and forced into residential schools where many were starved, tortured, physically and sexually abused, and subjected to medical experimentation; thousands died horrible deaths.<sup>11</sup> When Canada's own Chief Medical Officer warned that Indian children were "dying like flies", Canada's response:

*Indian children... die at a much higher rate [in residential schools]... but this alone does not justify a change in the policy...which is geared towards a final solution of the Indian problem.<sup>12</sup>*

For those who survived these horrific practices, Canada's *Indian Act* targeted Indigenous women and their children for removal from their communities and Nations in the hopes of diminishing, and eventually eliminating, these Nations.

*Parliament has provided the legal definition of an Indian... This definition has greatly simplified the Indian problem... it has enabled the Government to deal with its wards without complications... in gradual assimilation.<sup>13</sup>*

The sex discrimination worked this way: since 1876, the *Indian Act* has privileged Indian men and their descendants over Indian women and their descendants. For more than 140 years being entitled to Indian status required being related to a male Indian by blood or marriage. There was a one-parent rule for transmission of status, and the one parent was male. In addition, Indian women who married non-Indian men lost their status, while Indian men who married non-Indian women endowed their Indian status on their wives.

*When an Indian woman marries outside the band... it is in the interests of the Department, and in her interests as well, to sever her connection wholly with the reserve.*<sup>14</sup>

This legislative targeting of the women and their descendants for expulsion from their communities, and severance from their Indigenous cultures and identities, has been a very effective tool of forced assimilation. Thousands of First Nations women and their descendants have been denied status registration as Indians under the *Indian Act* and barred from membership in their home communities.

First Nations women have challenged these discriminatory laws in Canadian courts and at the United Nations Human Rights Committee for fifty years, and won their cases repeatedly. Each time, Canada has been forced to amend the *Indian Act's* registration provisions, and each time they have removed a sliver of the sex discrimination, and reinstated or newly registered some thousands of First Nations women and their descendants.

But every time, Canada has failed to eliminate *all* the sex discrimination, demonstrating over and over again its reluctance to relinquish this effective means of diminishing the pool of Indians and redefining them, through sex discrimination, as non-Indian.

Nonetheless, with the support of the Senate of Canada, First Nations women and their allies were successful in 2017 in obtaining an amendment to the *Indian Act*, contained in Bill S-3, which has the effect of removing, not all, but the *core* of the sex discrimination. It puts women and men, and patrilineal and matrilineal descendants, on the same legal footing with respect to eligibility for Indian status and transmission of status, going back to 1867. It came into effect on August 15, 2019.

Canada's Parliamentary Budget Officer estimated that this amendment would make 670,000 women and their descendants newly eligible for status.<sup>15</sup> Since there are only a little over 1 million registered Indians in Canada now, this number demonstrates just how effective sex discrimination is as a tool of forced assimilation.

Just before this amendment came into force, in January 2019, the UN Human Rights Committee ruled on Sharon McIvor's petition, *McIvor v. Canada*<sup>16</sup>, and found that the sex discrimination in the *Indian Act* violated her and her son's rights to equal protection of the law, and to equal enjoyment of their culture. The Human Rights Committee found that the *Indian Act* also violated the rights of all other First Nations women and matrilineal descendants similarly situated. The remedy set out by the Human Rights Committee is a systemic one, applying to all affected.

Unfortunately, the change to the legislation, which we applaud, does not confer status on First Nations women and their descendants automatically. Until they are actually registered by the Government of Canada, they still suffer discrimination. So far, Canada has registered only a few thousand of the newly eligible. This means that the vast majority of First Nations women and their descendants, thousands of them, who have been affected by the denial of their equality rights, and their right to equal enjoyment of their Indigenous culture, have not yet received a remedy.

The lack of a pro-active, effective information campaign to ensure that First Nations women and their descendants actually know that they are newly entitled, and the cumbersome process, and unacceptable delays in registering the newly entitled indicate an unwillingness on Canada's part to give up this colonial tool of assimilation, and raises the question of whether Canada is willing, in fact, to have more Indians.<sup>17</sup>

However, robbing the women and their descendants of status is only half the story of how this sex discrimination works as a tool of forced assimilation, as the sex discrimination also denies women their equal right to enjoyment of their culture. No status for women and their descendants also means no band membership in their home community or First Nation. Canada not only has exclusive control over who is an Indian, it also controls who can be a member of their First Nation for more than 60 per cent of First Nations.

Without Indian status, First Nations women and their descendants are excluded from accessing First Nations-specific social programs and services such as, uninsured health benefits to pay for critical health services; critical pandemic related supports, like priority vaccinations; targeted funding for post-secondary education; and constitutionally-protected Aboriginal and treaty rights, like the rights to hunt, fish or gather within traditional or ancestral territories. Without band membership, First Nations women and their descendants cannot access community-based programs and services like social housing, health clinics, on-reserve day-cares and schools, and Indigenous language instruction.

No band membership also precludes First Nations women and their descendants from participating in the governance of their home communities. They cannot vote in government elections, nor can they let their names stand to be elected as Chief or Councillor. They cannot vote in referenda in their First Nation on important issues like land claim settlements, resource agreements or local laws and would be excluded from any per capita payments, compensation or land distribution.<sup>18</sup>

We are concerned about the future. Canada now says that it wishes to "get out of the business of Indian registration." In practice, however, for the purposes of resource

allocation and self-government agreements, Canada only recognizes, and counts, persons with status as members of a Nation. Consequently, if Canada exits from Indian registration before it restores First Nations women and their descendants to their rightful place, it will be establishing self-government for Nations that have been stripped of thousands of women and their descendants, whose return will then not be affordable, for the Nation. The project of forced assimilation will be further advanced. Canada cannot get out of the business of Indian registration until it restores the women to their status and membership in their Nations, and undoes the enormous damage of its discriminatory regime.

## **CEDAW and the Rights of Indigenous Women and Girls**

In drafting a new General Comment, it is important to take into account the impact of violations of Indigenous women's rights 1) on women, 2) on women as members of their Indigenous communities who have a right to enjoyment of their culture, and 3) on their communities and Nations.

The *Convention on the Elimination of Discrimination against Women* needs to stand as a bar to colonial practices of assimilation, exploitation and violence that target women, and to be a tool for reversing their effects.

**Article 1** of the Convention defines "discrimination against women" as any obstacle or restriction that impairs or nullifies women's equal enjoyment of human rights and fundamental freedoms, in political, economic, social, cultural, civil or any other field. It is thus broad enough to encompass and reinforce the findings of the United Nations Human Rights Committee in *Lovelace v. Canada* and *Mclvor v. Canada* that Indigenous women have the right to equal enjoyment of their Indigenous culture, and cannot be denied it through forms of discrimination such as the discrimination in Canada's *Indian Act*.

**Article 2(f)** articulates the obligation of States Parties to "take all appropriate measures including legislation to modify or abolish existing laws...and practices which constitute discrimination against women." Canada has not done this yet with respect to the *Indian Act*, even in 2021. While it has changed existing law, Canada has failed to register the thousands of women who are now entitled to status. Canada's methods of implementing Bill S-3, which are slow to the point of negligence, amount to a discriminatory practice, and violates Article 2(f), illustrating the importance of CEDAW being able to engage with administrative or other practices, which deny the right of Indigenous women to enjoy their right to their Indigenous culture.

**Article 7** reinforces this, as it requires States Parties to take measures to ensure that women can take an equal part in political and public life. For Indigenous women, this



Article has a double application. For Indigenous women, it applies to the governance of the country in which they reside (Canada), and also to the nation, community of which they are members, (for example, Eel Bar First Nation). Indigenous women are entitled to equal political voice and political participation in their country, and in their Indigenous nation or community.

Similarly, “nationality” in **Article 9** must have a double application. As citizens of Canada, Indigenous women have the right to acquire, change or retain their “nationality”. But they also have the right to retain their “nationality” as a citizen of their nation, or community, and the State Party is obliged to ensure that “neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.” This, of course, is exactly what the *Indian Act* sex discrimination did to First Nations women. It changed their “nationality” – that is their belonging to their nation, or community, if they married ‘out’; it rendered them nationless, and forced upon them the nationality (non-Indigeneity) of their husbands, banishing them from their cultures and homes, contrary to Article 2. We note that Articles 7 and 9 of the *Universal Declaration on the Rights of Indigenous Peoples* state that Indigenous people have the right to a nationality (Article 7, UNDRIP) and the right to belong to an indigenous community or nation (Article 9, UNDRIP). Article 9 of CEDAW must encompass both of these aspects of ‘nationality’ in order to encompass the realities of Indigenous women’s lives.

**Article 13(c)** guarantees to women the “right to participate...in all aspects of cultural life.” For Indigenous women and girls, this Article has particular importance, and should be given a fulsome reading, that reflects the rights guaranteed in UNDRIP.. Article 13 (c) should be read in conjunction with Articles 5 and 20 of UNDRIP, which guarantee to Indigenous peoples the right to “maintain and strengthen their distinct... institutions.” ‘Culture’ should be interpreted to encompass the social, legal and political institutions of a particular group or people, and the right to equal enjoyment of their Indigenous culture must include full and equal participation in governance and decision-making in their communities.

**Article 16** guarantees women equal rights in all matter relating to marriage and family relations: the same right to choose a spouse, the same rights during marriage, and the same rights as parents. The decades of sex discrimination in the *Indian Act* provide a particularly egregious example of violation of this right, and the profound damage it can do. *Indian Act* sex discrimination has robbed Indigenous women of their equal rights in marriage, and equal rights as parents.

**Article 24** obliges States Parties “to adopt all necessary measures... aimed at achieving the full realization of the rights” in the Convention. Read in conjunction with the other

rights noted here, the Convention stands as a clear bar to the treatment of Indigenous women as the property of their husbands, as lesser parents, as not entitled to equal status as Indigenous persons, or as not the equals of Indigenous men in political, cultural and social life in their nations, or communities.

The rights set out in the *Universal Declaration on the Rights of Indigenous Peoples (UNDRIP)*<sup>19</sup> should inform the Convention when addressing the rights of Indigenous women.<sup>20</sup> We note that Article 44 of UNDRIP states that the rights in the declaration are guaranteed “equally to male and female Indigenous individuals”, and CEDAW should enrich and bolster UNDRIP’s guarantees to Indigenous women.

We note that Article 8 of UNDRIP states: “Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture ...[or] any form of forced population transfer which has the aim or effect of violating or undermining any of their rights.”

CEDAW needs to be one of the tools for preventing and remedying the rampant sex discrimination and violence experienced by Indigenous women and girls. It also needs to be a one of the mechanisms for preventing and remedying the violation of indigenous women’s right to equal enjoyment of their Indigenous culture through forced assimilation, or population transfer, or any other means.

## **Conclusion**

The new General Comment should affirm and clarify that:

- Indigenous women and girls are entitled to full equality, in all aspects of life, in the countries in which they reside, and in their Indigenous nations and communities, and to the equal enjoyment of all other rights, including civil, political, social, cultural, economic and Indigenous rights.
- For Indigenous women and girls, the realization of their right to equality depends on the realization of their right to the equal enjoyment of their Indigenous culture, including the right to belong to their Indigenous communities or nations without discrimination. The right to culture must be understood to encompass all of the components of the distinct culture of an Indigenous group or community, including its institutions of governance.
- The realization of equality for Indigenous women and girls, and their equal enjoyment of their Indigenous culture depend on their cultures and nations being whole, healthy, and stable.

## Endnotes

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<sup>1</sup> Marlene Brant Castellano, "Heart of the Nations: Women's Contribution to Community Healing" in Gail Guthrie Valaskakis, et al, eds., *Restoring the Balance: First Nations Women, Community and Culture* (<https://uofmpress.ca/books/detail/restoring-the-balance>) (Winnipeg: University of Manitoba Press, 2009) quoting Tsistsistas, Cheyenne at 203.

<sup>2</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls, "Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls", volume 1, (Ottawa: National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019) [*MMIWG Report, vol. 1*], online: <[https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final\\_Report\\_Vol\\_1a-1.pdf](https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf)>.. See also: National Inquiry into Missing and Murdered Indigenous Women and Girls, "A Legal Analysis of Genocide: Supplementary Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls" (Ottawa: National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019) [*Genocide Report*], online: <[https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Supplementary-Report\\_Genocide.pdf](https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Supplementary-Report_Genocide.pdf)>.

<sup>3</sup> For example, Canada argued recently that removing the sex discrimination from the *Indian Act* "could put enormous strain on First Nations communities, which could suddenly experience an influx of new members." The Globe and Mail, "Bennett urges MPs to kill Senate amendment that aims to take sexism out of the *Indian Act*", June 8, 2017, online at: <https://www.theglobeandmail.com/news/politics/bennett-urges-mps-to-kill-senate-amendment-that-would-take-sexism-out-of-the-indian-act/article35256574/> These burdensome "new members" are the women and their descendants who have been banished from their communities by Canada's sex discrimination.

<sup>4</sup> Report of the Committee on the Elimination of Discrimination against Women, 28<sup>th</sup> and 29<sup>th</sup> Sessions, 2003, General Assembly Official Records, Fifty-eighth Session, Supplement No. 38 (A/58/38), at para. 362, online at: <http://www.fafia-afai.org/wp-content/uploads/2015/02/2-2003-CEDAW-Concluding-Comments.pdf>; Concluding observations of the Committee on the Elimination of Discrimination against Women: Canada, CEDAW/C/CAN/CO/7, 7 November 2008, at paras. 17-18, online at: <http://www.fafia-afai.org/wp-content/uploads/2015/02/5-2008-CEDAW-Concluding-Comments.pdf>; CEDAW, Concluding observations on the combined eighth and ninth periodic reports of Canada, CEDAW/C/CAN/CO/8-9, 18 November 2016, at paras. 12-13,

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online at: <http://www.westcoastleaf.org/wp-content/uploads/2016/11/2016-Canada-CEDAW-Concluding-Obs.pdf>.

<sup>5</sup> CEDAW, Report of the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW/C/OP.8/CAN/1, 30 March 2015, at para. 129 and Recommendation C (e), online at:

[https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CAN/CEDAW\\_C\\_O\\_P-8\\_CAN\\_1\\_7643\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CAN/CEDAW_C_O_P-8_CAN_1_7643_E.pdf)

<sup>6</sup> Truth and Reconciliation Commission of Canada, "Final Report of the Truth and Reconciliation Commission of Canada, The History, Part 1 Origins to 1939" vol.1 [TRC, vol. 1] (Ottawa: Truth and Reconciliation Commission of Canada, 2015) at 288-289, quoting Duncan Campbell Scott, Indian Affairs, Canada.

<sup>7</sup> See for example: Treaty 1752 Peace and Friendship Treaty Between His Majesty the King and the Jean Baptiste Cope "Indians shall have all favour, Friendship & Protection shewn them from this His Majesty's Government", online: <<https://www.rcaanc-cirnac.gc.ca/eng/1100100029040/1581293867988>>.

<sup>8</sup> Sherene Razack, "Gendered Racial Violence and Spatialized Justice: The Murder of Pamela George" in S. Razack, ed., *Race, Space, and the Law: Unmapping White Settler Society* (Toronto: Between the Lines, 2002) at 99.

<sup>9</sup> Miles Howe, "We didn't think at the time the images would be painful and upsetting": Images of bound and gagged Indigenous women part of Bathurst festival" (Halifax: Halifax Media Co-op, July 28, 2015), online: <<https://nbmediacoop.org/2015/07/28/we-didnt-think-at-the-time-the-images-would-be-painful-and-upsetting-images-of-bound-and-gagged-indigenous-women-part-of-bathurst-festival/>>, "understand the history of this coastal area and the rapes and most likely murders of Mi'kmaq women that took place with each ship arriving in the bay. Murders. These women are now our Ancestors. They were degraded and used and abused and left for dead over the side of ships. Ripped from their families and for the most part, never to be seen again".

<sup>10</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls, "Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls", volume 1 at 53. See also: Karen Stote, *An Act of Genocide: Colonialism and the Sterilization of Aboriginal Women* (Winnipeg: Fernwood Publishing, 2015).

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<sup>11</sup> Truth and Reconciliation Commission of Canada, "Final Report of the Truth and Reconciliation Commission of Canada, The History, Part 1 Origins to 1939" vol.1 (Ottawa: Truth and Reconciliation Commission of Canada, 2015) [TRC, vol. 1].

<sup>12</sup> *Ibid* at 288-289.

<sup>13</sup> Wilf Bean, "Ruling Canada's North: Democracy in a Frozen State" (1989) 24:1 Community Development Journal at 23. The Deputy Minister of Indian Affairs, Duncan Campbell Scott: "Again Parliament has provided the legal definition of an Indian; descent in the male line alone gives the individual legal standing as an Indian. This definition has greatly simplified the Indian problem; true it has created a class of half-breed dependent on the Provinces but it has enabled the Government to deal with its wards without complications... in gradual assimilation".

<sup>14</sup> Royal Commission on Aboriginal Peoples, Report of the Royal Commission on Aboriginal Peoples (Ottawa: Minister of Supply and Services, 1997) [RCAP], vol.4, Chapter 2, citing Letter from Deputy Superintendent General Scott to Arthur Meighen Superintendent General of Indian Affairs, (12 January 1920), as cited in W. Cornet, A. Lendor, "Discussion Paper: Matrimonial Real Property on Reserve" (Ottawa: Wendy Cornet, Allison Lendor, 2002).

<sup>15</sup> Based on the work of independent demographers, relied on by the Government of Canada, the Parliamentary Budget Officer estimated that 670,450 First Nations women and their descendants are newly entitled to status by the Bill S-3 amendment which came into force on August 15, 2019, and 268,000 of those are likely to apply for status registration. See: Office of the Parliamentary Budget Officer, *Bill S-3: Report on Sex-Based Inequities in Indian Registration*, 5 December 2017, online at: [https://www.pbo-dpb.gc.ca/web/default/files/Documents/Reports/2017/Bill%20S-3/Bill%20S-3\\_EN.pdf](https://www.pbo-dpb.gc.ca/web/default/files/Documents/Reports/2017/Bill%20S-3/Bill%20S-3_EN.pdf). Based on the same demographic studies, the Government of Canada cites the number of the newly eligible as 270,000 to 450,000. See, for example, Indigenous Services Canada, *The Final Report to Parliament on the Review of S-3*, December 2020, at 3, online at: <https://www.sac-isc.gc.ca/eng/1608831631597/1608832913476>

<sup>16</sup> Human Rights Committee, Views adopted by the Committee under article 5 (4) of the Optional Protocol, concerning communication No. 2020/2010, CPR/C/124/D/2020/2010, 11 January 2019, online at: [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/CAN/CCPR\\_C\\_124\\_D\\_2020\\_2010\\_28073\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/CAN/CCPR_C_124_D_2020_2010_28073_E.pdf)

<sup>17</sup> At the rate of registrations completed between 2017 and 2021, it will take over 100 years to register the 450,000 whom Canada agrees are likely entitled. By contrast,

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Canada processes over 5 million passports every year in 10 to 20 working days - a form of registration which requires similar authentication of identity, birth, and ancestry.

<sup>18</sup> It should be noted that Canada is engaged in negotiations with hundreds of First Nations on a wide range of agreements which do not include the participation or input of all these non-registered First Nations women and their descendants.

<sup>19</sup> *Universal Declaration on the Rights of Indigenous Peoples*, Resolution adopted by the General Assembly on 13 September 2007, 61/295, online at: [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)

<sup>20</sup> Canada has just passed Bill C-15, *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples*. This Act commits Canada to taking "all measures necessary to ensure that the laws of Canada are consistent with the United Nations Declaration on the Rights of Indigenous Peoples, and prepare and implement an action plan to achieve the objectives of the Declaration. See Legisinfo, s C-15, *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples*, online at: <https://www.parl.ca/LegisInfo/BillDetails.aspx?Language=E&billId=11007812>.