



October 18, 2012

Via email: [NichoR@parl.gc.ca](mailto:NichoR@parl.gc.ca)

The Honourable Robert Nicholson, Q.C., P.C., M.P.  
Minister of Justice and Attorney General of Canada  
284 Wellington Street  
Ottawa, ON K1A 0H8

Dear Minister:

**Re: Violence against Aboriginal Women**

I am writing on behalf of the National Aboriginal Law Section of the Canadian Bar Association (CBA Section) to request that the Department of Justice Canada work with Aboriginal communities to plan a national inquiry that will help break intergenerational cycles of violence that are so destructive to Aboriginal women.

The CBA is a national association of over 37,000 lawyers, notaries, law students and academics, and our mandate includes seeking improvement in the law and the administration of justice. The CBA Section consists of lawyers specializing in Aboriginal law and related issues from across Canada.

The CBA Section notes that there have been numerous calls to the Government of Canada for a national inquiry into the underlying issues of murdered and missing Aboriginal women. The CBA Section supports the call for an national inquiry for the following reasons:

- Aboriginal women have disproportionately suffered the impacts of violence and are over represented amongst missing and murdered women in Canada;
- There is a history of discriminatory application of the law to Aboriginal people (see reports of the Aboriginal Justice Inquiry of Manitoba <http://www.ajic.mb.ca/volume.html> and the Royal Commission on Aboriginal Peoples <http://www.aadnc-aandc.gc.ca/eng/1307458586498/1307458751962>);
- Canada is not meeting its international obligations to protect Aboriginal women. The United Nations announced that it will investigate the Canadian violation of the Convention for the Elimination of Discrimination against Women (CEDAW) on issues of violence against Aboriginal women. An Inter-American Commission on Human Rights will send a Rapporteur to Canada to investigate and report on the plight of Aboriginal women and girls;

- Inaction and the lack of sufficient government resources to address violence against Aboriginal women compounds the detrimental effects left by the legacy of residential schools and the over-incarceration of Aboriginal people.

The CBA consistently advocates for the proper application of the rule of law, ensuring equal benefit of the law and equal protection under the law for all persons, including Aboriginal persons. Building on the 2011 report of the House of Commons Committee on the Status of Women [Ending Violence against Aboriginal Women and Girls: A New Beginning](#), the CBA Section urges the Government to implement specific measures that would address the persistent violence, inequality and human rights violations endured by Aboriginal women. This would include strategic interventions to address underlying poverty and the healing of Aboriginal communities.

We urge the Government of Canada to work with Aboriginal communities to plan a national inquiry that will focus on practical solutions to break intergenerational cycles of violence in Aboriginal communities and end the abuse of aboriginal women by perpetrators that target them.

We look forward to your response and would be pleased to discuss the proposed mandate and terms of reference for a national inquiry, in accordance with section 2 of the *Inquiries Act*.

Yours truly,

*(original signed by Tamra L. Thomson for Aimée E. Craft)*

Aimée E. Craft  
Chair, National Aboriginal Law Section

Cc:  
Shawn Atleo, National Chief, Assembly of First Nations  
Michèle Audette, President, Native Women's Association of Canada