



**FEMMES AUTOCHTONES DU QUÉBEC INC.**  
**QUEBEC NATIVE WOMEN INC.**

Minister of Justice  
The Honourable David Lametti  
111 Wellington Street  
Ottawa, Ontario K1A 0A4

**Re: Letter of Intent Concerning the Responsibility of the Government of Canada and the Church for the Suffering Caused by the Residential Schools**

Dear Minister Lametti,

I am writing to you today to express the concerns of Quebec Native Women (hereafter QNW) regarding the deep wounds caused by the residential school system in Canada. Our mission is to defend the human rights of Indigenous women and their families, both collectively and individually, and to advocate for the needs and priorities of our members with the various levels of government, civil society and decision-makers in all areas of activity that have an impact on the rights of Indigenous peoples.

QNW supports Mumilaaq Qaqqaq's petition for truth and justice regarding Canada's international crimes against Indigenous peoples. The principles of the petition are consistent with our mission to protect the rights of Indigenous women and girls and 2ELGBTQQIA+ people. Our organization supports the overall request for the appointment of a special, independent prosecutor with a mandate to investigate abuses and crimes against the person committed by the Church against Indigenous peoples. It is essential that the prosecutor be able to advise the International Criminal Court as the history of residential schools in Canada must be addressed in the sense of international human rights violations. Finally, the Special Prosecutor must be able to

access all relevant documents in the possession of the various religious and governmental orders and be able to make the necessary information public.

The intergenerational impacts of residential schools in Canada and Quebec are immense and must be addressed. The physical and psychological abuse and violence in all its forms to which Indigenous children were subjected is still, to this day, fraught with consequences. Recognizing that the national history of the residential school system is important, the Government of Canada must take meaningful action to support the families of missing and murdered Aboriginal children. Our organization believes that not enough effort is being made to find the truth about the residential school system. The *Truth and Reconciliation Commission* and its calls for action have definitely not provided adequate redress in light of the recent discoveries of Indigenous children in mass graves.

Aimed at eradicating Indigenous people and their culture by directly targeting children, it is a genocide that has been perpetrated within this system. It is time for Canada to acknowledge, as the *National Inquiry into Missing and Murdered Indigenous Women and Girls* (hereafter referred to as NIMMWG)<sup>1</sup> report recognizes, that it is not only cultural genocide that has been perpetrated, but genocide within the meaning of Article 2 of the *Convention on the Prevention and Punishment of the Crime of Genocide*<sup>2</sup> and Article 6 of the *Rome Statute of the International Criminal Court*<sup>3</sup>. As a State Party to these two international treaties, Canada has failed to meet its international obligations by oppressing Indigenous peoples.

As an undoubted means of colonization, residential schools have created intergenerational trauma and impacts that continue to place Indigenous women and girls in situations of vulnerability, poverty, dependency and violence. Victims of discrimination and structural marginalization, Indigenous women and girls and 2ELGBTQIA+ people have been and are doubly affected by residential schools.

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<sup>1</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls, *A Legal Analysis of Genocide*, 2019, p. 29. Retrieved from the Internet: [https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Rapport-suppl%C3%A9mentaire\\_Genocide-1.pdf](https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Rapport-suppl%C3%A9mentaire_Genocide-1.pdf).

<sup>2</sup> *Convention on the Prevention and Punishment of the Crime of Genocide*, 1951, Res 250 A (III), art. 2.

<sup>3</sup> *Statute of the International Criminal Court*, 2002, A/CONF.183/9, Treaty Series Vol. 2187, No. 28544, art. 6.

Furthermore, the *United Nations Declaration on the Rights of Indigenous Peoples* (hereafter UNDRIP), in its Article 1, recognizes that « Indigenous peoples have the right, collectively or individually, to the full enjoyment of all human rights and fundamental freedoms recognized in the *Charter of the United Nations*, the *Universal Declaration of Human Rights* and international human rights law »<sup>4</sup>. Abuse and violence against indigenous children are therefore serious human rights violations under international law. The UNDRIP also provides protection for the right to life, physical and mental integrity, liberty and security of the person in Article 7. These same protections are guaranteed in section 7 of the *Canadian Charter of Rights and Freedoms*<sup>5</sup> and section 1 of the *Charter of Human Rights and Freedoms*<sup>6</sup>. The national history of residential schools therefore represents a violation of the aforementioned sections of the UNDRIP and the Canadian and Quebec Charters. Deprived of practicing their culture and speaking their traditional languages, it is also a violation of article 30 of the *Convention on the Rights of the Child* regarding the right to cultural life and the right to speak their own language.

QNW has addressed the issue of missing Indigenous children in its submissions, including our submission to MMIWG, our submission to the *Viens Commission*, and our submission to the consultation on *Bill 79, An Act to authorize the release of personal information to the families of missing or deceased Indigenous children following an admission to an institution*. With the objective of defending the interests and human rights of Indigenous women and girls, we fully support Mumilaaq Qaqaq's request.

This information must be made public and Canada's colonial history must be known to all. We must stop protecting the perpetrators of these grave human rights violations. As a fundamental principle of international law, the right to the truth (right to know) is recognized at the international and state level, including in *Additional Protocol I to the Geneva Conventions of 1949*<sup>7</sup>. The Government of Canada and religious institutions have a responsibility to enable families to obtain the truth about the causes and circumstances of the disappearance and murder

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<sup>4</sup> *United Nations Declaration on the Rights of Indigenous Peoples*, 2007, Res 61/295, art. 1.

<sup>5</sup> *Canadian Charter of Rights and Freedoms*, 1895, CA 1982, s. 7.

<sup>6</sup> *Charter of Human Rights and Freedoms*, 1975, C-12, s. 1.

<sup>7</sup> *Protocol Additional I to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 1978.

of Indigenous children who attended residential schools. The families deserve to know the truth in order to begin their seven-generation healing process.

If you wish to follow up with QNW, please contact our legal and policy analyst, Ms. Stéfanie Sirois-Gauthier, at the following address: [analyste@faq-qnw.org](mailto:analyste@faq-qnw.org)

Yours sincerely,



Viviane Michel  
President of QNW