



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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8 December 2023

Excellency,

I write to inform you that the Committee considered information received under its early warning and urgent action procedure, related to the murder of Indigenous women in the province of Manitoba, Canada, in 2022.

According to the information received:

- In December 2022, the police of Winnipeg in the province of Manitoba laid criminal charges against the alleged murderer of four Indigenous women during 2022;
- In June 2022, police concluded that the remains of two of the victims are located at the Prairie Green landfill, a privately run landfill in Winnipeg;
- Police have maintained that searching the Prairie Green landfill for remains would not be feasible since the women's remains are thought to have been placed in the landfill in May 2022, after which further debris and wet construction clay was deposited, and due to the potential for poisonous gases to be released from decomposing waste and asbestos;
- The feasibility study to evaluate whether the remains could be recovered from the Prairie Green landfill, requested by the Assembly of Manitoba Chiefs (AMC) and other Indigenous organizations and released in May 2023, concluded that there are risks of exposure to toxic chemicals and asbestos, but that these could be mitigated with the use of training and personal protective equipment ("PPE"), and did not identify any extraordinary circumstances or requirements for the search;
- Despite the outcome of the feasibility study, the government of Manitoba stated in July 2023 that it would not fund the search of the Prairie Green landfill and the federal government of Canada has not committed to authorizing the search;
- The refusal by Canadian authorities to undertake the search denies the dignity and dehumanizes the victims solely because they are Indigenous women, and denies their families closure, the right to mourn their loved ones and to bury their bodies with dignity;
- The failure by Canadian authorities to fully investigate the deaths of the victims, undermining the criminal case against their alleged murderer and increasing the chances that it will not be properly prosecuted and that their deaths will not be fully remedied for them, for their families, or for society, perpetuates the documented crisis of missing and murdered Indigenous women in Canada.

H.E. Ms. Leslie E. Norton
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The allegations received by the Committee may amount to a breach of the State party's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), in particular the rights of the victims and their families to equal treatment before the tribunals, the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual as well as the right to ensure effective remedies.

The Committee is aware that in its visit report of July 2023, the UN Special Rapporteur on the rights of Indigenous Peoples noted that “despite the findings of the Royal Commission on Aboriginal Peoples (published in 1996), the Truth and Reconciliation Commission into Missing and Murdered Indigenous Women and Girls (published in 2015), and the National Inquiry (published in 2019), the number of missing and murdered Indigenous women and girls continues to increase”, and recommended the Government of Canada “to develop a joint action plan to advance implementation of the National Inquiry’s 231 calls to justice, along with a comprehensive and coordinated national violence prevention strategy for Indigenous women and girls.”¹

Furthermore, the Committee recalls that in its previous concluding observations, it expressed concern at the lack of an independent mechanism in the State party to re-examine cases where there is evidence of inadequate or biased investigations, and at the failure to build transparent and accountable relationships with survivors, families and stakeholders, and recommended that the State party take immediate action to end violence against indigenous women and girls, provide support and access to equal services for survivors, and enact a national action plan on violence against women, with special provisions to end the high rates of violence against indigenous women and girls (CERD/C/CAN/CO/21-23, para. 38 and 24/a).

In light of the above, and in accordance with Article 9 (1) of the Convention and Article 65 of its Rules of Procedure, the Committee requests the State party to provide information on the abovementioned allegations and to submit its response by 15 March 2024.

The Committee would like once more to request the State party to submit its overdue combined twenty-fourth and twenty-fifth periodic reports.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Canada, with a view to ensuring the effective implementation of the Convention.

Yours sincerely,



Verene Shepherd
Chair

Committee on the Elimination of Racial Discrimination

¹ Visit to Canada, Report of the Special Rapporteur on the rights of Indigenous Peoples, 24 July 2023, [A/HRC/54/31/Add.2](#), para. 38 and 93(a).