



**GIGANAWENIMAANAANIG**  
(We all take care of them)  
**MMIWG2S+ Implementation Committee**

# **Submission to the 7<sup>th</sup> Periodic Review of Canada to the United Nations Human Rights Committee**

**145<sup>th</sup> Session (02 March 2026 to 19 March 2026)**

**February 2026**

## 1. INTRODUCTION

Giganawenimaanaanig appreciates that the Treaty Bodies and Special Mechanisms have consistently raised concerns over the widespread and extreme violence faced by First Nations, Inuit, and Métis women, girls, and 2SLGBTQQIA+ people<sup>1</sup> wherever they live in Canada and in all aspects of their lives. Reports and recommendations from international bodies, such as the 2015 report of CEDAW's investigation into missing and murdered Indigenous women and girls<sup>2</sup>, play a critical role in public recognition of this crisis and the eventual decision to convene a long sought-after National Inquiry.<sup>3</sup>

As set out in the Government of Canada's submissions, and as illustrated by our own submission below, particularly section 2, significant measures have been undertaken to address violence against Indigenous women, girls, and gender diverse people, as well as the systematic discrimination and inequality that is the root cause of this violence. Importantly, however, as the Committee will also hear from other Indigenous Peoples and organizations and civil society allies, Canada's response continues to fall far short of what is needed.<sup>4</sup>

In 2023, the Canadian House of Commons gave its unanimous support to a motion recognizing that violence against Indigenous women, girls, and 2SLGBTQQIA+ people is a "national emergency."<sup>5</sup> Our overall message to the Committee is that Canada's response – poorly coordinated, piecemeal, under-funded, and bogged down in bureaucratic processes – is not how a country with Canada's resources should respond to a national emergency. Despite public commitments to implement the 231 Calls for Justice of the National Inquiry, in almost every case, Canada's response has been to continue to study and discuss the issues rather than take concrete action.<sup>6</sup>

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<sup>1</sup> Crown-Indigenous Relations and Northern Affairs Canada, "Government of Canada and the Government of Manitoba announce partnership to develop a Red Dress Alert together with Indigenous partners," 3 May 2024. < <https://www.canada.ca/en/crown-indigenous-relations-northern-affairs/news/2024/05/government-of-canada-and-the-government-of-manitoba-announce-partnership-to-develop-a-red-dress-alert-together-with-indigenous-partners.html>>

<sup>2</sup> Committee on the Elimination of Discrimination against Women, *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*, 30 March 2015, CEDAW/C/OP.8/CAN/1

<sup>3</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls, "Calls for Justice," *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*. 2 June 2019. [https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls\\_for\\_Justice.pdf](https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls_for_Justice.pdf)

<sup>4</sup> In particular, we express our support for the submission provided by the National Family and Survivors Circle to this Committee.

<sup>5</sup> Olivia Stefanovich, "MPs call for national emergency declaration on violence against Indigenous women, girls, two-spirit people," Canadian Broadcasting Corporation. 2 May 2023. < <https://www.cbc.ca/news/politics/ndp-mp-leah-gazan-mmiwg-national-emergency-motion-1.6829298>.

<sup>6</sup> Donna Carreiro, "Mother. Sister. Daughter." Canadian Broadcasting Corporation. 5 June 2023. < <https://www.cbc.ca/newsinteractives/features/mother-sister-daughter>>

*Every effort must be made to accelerate the full implementation of the Calls for Justice, through consultation and cooperation with Indigenous Peoples, and with a particular focus on human rights-based transparency and accountable measures as called for by the National Inquiry.*

## **Who we are**

Formerly known as the Missing and Murdered Indigenous Women, and Two Spirit+ Implementation Committee, Giganawenimaanaanig is a province-wide network of advocates, Indigenous Peoples and organizations, and other allies in Manitoba, Canada. We share the common goal of ending violence against women, girls, and gender diverse people. Through our work, we promote the voices of family members of missing and murdered Indigenous women, girls, and 2SLGBTQIA+ people<sup>7</sup>; Survivors of racialized gender violence; and organizations led by and serving Indigenous peoples in all regions of the province. Our name means “We All Take Care of Them” in Anishinabemowin.

## **2. RED DRESS ALERT**

In May 2024, the government of Canada and the provincial government of Manitoba announced plans to create a unique missing persons system to address threats to the lives and safety of Indigenous women, girls, and 2SLGBTQIA+ people. This new “Red Dress Alert” would be piloted in Manitoba and eventually expanded nation wide.

The idea of a Red Dress Alert was part of the 2023 House of Commons motion referred to above. A national engagement process carried out with national Indigenous Peoples and organizations, service providers, family members, survivors, and others in late 2023 and early 2024 confirmed widespread support for the idea. The creation of a national Red Dress Alert system was also endorsed by a study conducted by the House of Commons Standing Committee on the Status of Women.<sup>8</sup>

In October 2024, the federal and provincial governments tasked Giganawenimaanaanig to carry out a province-wide engagement in Manitoba to develop a more detailed proposed responsive system to the lived experiences and needs of Indigenous Peoples in all regions of the province. Based on what we heard from families, survivors, Indigenous governments, frontline service organizations, police, and other public agencies, Giganawenimaanaanig has developed a proposal for a pilot Manitoba Red Dress Alert system that would be distinct from the existing missing persons response in a number of ways.

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<sup>7</sup> Two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex, and asexual.

<sup>8</sup> House of Commons Standing Committee on the Status of Women, *Implementing a Red Dress Alert in Canada*, Adopted by the Committee 18 June 2024. <<https://www.ourcommons.ca/DocumentViewer/en/44-1/FEWO/report-12/>>

In order to build trust with Indigenous families and communities, it is vital that the service be Indigenous led, reflective of the diversity of Indigenous Peoples in Manitoba, and open and accountable to our communities. In addition to receiving missing person reports and ensuring this information is quickly shared with police, frontline organizations, and the general public, the Red Dress Alert system would also help impacted families and communities access the supports they need in this time of crisis. In addition, the Red Dress Alert system would allow long-term tracking of disaggregated data to better respond to the threats facing Indigenous women, girls, and 2SLGBTQQIA+ relatives.

Our final report was released in November 2025.<sup>9</sup> Initial response to this report has been positive. The federal and provincial governments have both expressed support for the Indigenous-led Red Dress Alert framework that we have developed. However, at the time of this submission, we have not received any concrete funding commitment and there is no timeline for implementation of this pilot project.

While we understand that government decision-making processes are often slow and cumbersome, we have also seen many examples where decisions can be made quickly and efficiently in times of emergency. Having acknowledged that violence against Indigenous women, girls, and 2SLGBTQQIA+ relatives constitutes a national emergency, there is a clear onus on all levels of governments to treat it as such.

*Measures that can save the lives of Indigenous women, girls and 2SLGBTQQIA+ persons – such as the proposed Red Dress Alert pilot – must be implemented as quickly as possible.*

### **3. THE HUMANITARIAN RECOVERY OF THE REMAINS OF MISSING AND MURDERED INDIGENOUS WOMEN, GIRLS, 2SLGBTQQIA+ RELATIVES**

The remains of three Indigenous women, Rebecca Contois, Morgan Harris and Mercedes Myran, have now been recovered from landfills in or near the city of Winnipeg, Manitoba. Days before this submission, the Manitoba Premier announced that there were positive signs that the remains of a fourth woman, Ashlee Shingoos, might soon be recovered. In addition, the remains of Tanya Nepinak are believed to also be in the landfill.

Giganawenimaanaanig commends the federal and provincial governments for their efforts to find these five women and return them to their families and communities. We are also grateful to everyone who spoke out in support of the families and communities in demanding that this search take place. This includes then UN Special Rapporteur on the Rights of Indigenous Peoples, Francisco Cali-Tzay, who raised these concerns during his 2023 visit to Canada.<sup>10</sup>

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<sup>9</sup> Giganawenimaanaanig, What We Heard: Manitoba-Wide Red Dress Alert System Pilot Project, November 2025. <<https://www.giganawe.ca/red-dress-alert>>

<sup>10</sup> UN Special Rapporteur on the Rights of Indigenous Peoples, “End of Mission Statement, Visit to Canada,” 10 March 2023. <<https://www.ohchr.org/sites/default/files/documents/issues/indigenouspeoples/sr/statements/eom-statement-canada-sr-indigenous-2023-03-10.pdf>>

We are deeply troubled, however, that the search has only taken place because of sustained public pressure and after a change of government in Manitoba. In fact, in its unsuccessful bid for re-election in October 2023, the incumbent Conservative party made its opposition to a landfill search part of its campaign, taking out ads and billboard bragging that it was “standing firm” against the families and friends of the missing women.<sup>11</sup>

The state has a fundamental obligation to locate the victims of racialized, gendered violence and restore their remains to their families. It is unacceptable that fulfillment of this responsibility can be blocked by discrimination and partisan politics.

Four of the First Nation women went missing in 2022. In December of that year, a Winnipeg man was charged with their murder. He has subsequently been convicted of four counts of first-degree murder.

When the arrest was made, the remains of the four women had not been located. Winnipeg police said that they believed that they been buried in municipal landfill sites – but that it would not be possible to find and recover the four women. Despite the fact that this claim was subsequently refuted by an independent technical assessment,<sup>12</sup> the provincial government of the time continued to rule out any search activity. After the election of a new government, a search process was finally launched with funding from both the provincial and federal governments.

As acknowledged in international human rights standards related to forced disappearances, when human rights violations take place, and the remains are not located and returned to families and loved ones, these families and loved ones are subjected to ongoing suffering. Decisions about whether to undertake a search, and the resources to be deployed, must be consistent with the state’s human rights obligations. Furthermore, when the human rights violation takes place in the context of systemic racism and discrimination, additional care must be taken to ensure that decisions are not influenced by – or add to – these injustices.

*In these instances, all decisions about when and how to conduct a search should be made by a trusted public body, at least at arm’s length from government, and on the basis of accurate technical assessments and established, human rights-based criteria.*

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<sup>11</sup> Canadian Press, “Manitoba Progressive Conservatives ‘pulling out stops’ with attack ads”, 27 September 2023. <<https://www.ctvnews.ca/winnipeg/article/manitoba-progressive-conservatives-pulling-out-stops-with-attack-ads-analyst/>>. Amanda Beakes, “PC Party apologizes for delay, crass campaign based on refusal to fund search,” Winnipeg Sun, 6 March 2025 [https://www.winnipegsun.com/news/provincial/pc-party-apologizes-for-delay-crass-campaign-based-on-refusal-to-fund-search/article\\_d4fed5aa-fb42-5cd0-9561-be71cd1a1a14.html](https://www.winnipegsun.com/news/provincial/pc-party-apologizes-for-delay-crass-campaign-based-on-refusal-to-fund-search/article_d4fed5aa-fb42-5cd0-9561-be71cd1a1a14.html)

<sup>12</sup> Landfill Search Feasibility Study Committee, Final Report of the Technical Sub-Committee, Assembly of Manitoba Chiefs, 24 July 2023. <<https://manitobachiefs.com/final-report-of-the-landfill-search-feasibility-study/>>

#### **4. CONTINUED ARBITRARY DISCRIMINATION UNDER THE INDIAN ACT**

The federal Indian Act defines who the federal government recognizes as a “status Indian” and therefore entitled to specific rights and benefits. Since 1985 – under pressure from domestic legal challenges and from complaints before UN Treaty Bodies – Canada has implemented a series of incremental reforms to the Indian Act intended to address overt discrimination in its status provisions. For example, Canada no longer removes status from First Nations women who marry outside their own communities. Canada also no longer removes status as a condition for participating in the Canadian electoral system.

With each of these reforms, Canada has created processes for people to regain their status, and for certain descendants to be able to do so as well. However, in making these reforms Canada had invented new, highly arbitrary categories of status, each with different legal rights to pass status on to descendants. In the first category, designated 6(1), a parent can always pass status on to their children. However, if the other parent does not have status, the child is designated 6(2) and, in turn, will be unable to pass status onto their child unless the other parent also has status. As a consequence, status can be lost within two generations.

The predictable effect of this “second generation cut-off” is to drastically reduce, generation by generation, the number of people who are entitled to the rights and benefits of being recognized as status Indians. Furthermore, because the overwhelming majority of people who have been able to regain status are classified as 6(2) from the outset, the cut-off has the effect of continuing and compounding the original discrimination, including gender discrimination, experienced by these individuals or their ancestors.

The arbitrary denial of Indian status has the consequence that generations of First Nations women and their families have lived as domestically displaced persons, without identity and cut off from their territories, their communities, their birthright.

This discrimination is unacceptable in its own right. As the Treaty Bodies have repeatedly told Canada, it is a clear violation of fundamental, international protected human rights.

More than that, as the National Inquiry affirmed, there is a direct connection between the intergenerational displacement of Indigenous women, girls, and Two Spirit persons and the shocking levels of violence that we face in Canadian cities.

Giganawenimaanaanig asks that the Human Rights Committee reiterate and reinforce the following important recommendations made by CEDAW in its 2024 Concluding Observations on Canada concerning status under the Indian Act:

**The Committee recommends that the State party:**

- (a) Amend section 6 of the Indian Act to remove status categories under sections 6 (1) and 6 (2) and any other legal provisions that do not recognize the equal right of**

**women and men to transmit their Indian status to their children and eliminate all remaining categories or classes of Indian status, including differentiations in eligibility caused by pre- and post-1985 birth and marriage dates;**

**(b) Review records to grant status to First Nations women, and their descendants, who were previously denied status and are now eligible;**

**(c) Repeal all domestic legal provisions restricting access to comprehensive reparations for the violation of human rights of First Nations women and their descendants, including those stemming from the Indian Act, and develop a mechanism to address reparation claims, in coordination with First Nations women and their descendants;**

**(d) Conduct outreach campaigns to inform First Nations women and their descendants that they may be newly entitled to status, while allocating sufficient resources, funding and support to achieve increased membership numbers and secure successful, expedited registration processes within the same time frame as other identification services, establish a mechanism to challenge all refusals issued in the procedure to recognize status to Indigenous women and their descendants, which includes representation of First Nations, and develop and implement comprehensive policies ensuring that all Indigenous women and girls, including those who are unregistered and off-reserve, have equal access to early learning, childcare, employment support and educational opportunities. These policies should be adequately funded, culturally relevant and developed in consultation with Indigenous communities.**

When restoring status under the Indian Act, Canada must also dedicate the resources needed to address all the implications of doing so, including honouring Canada's Treaty commitments. This must be done in partnership with Indigenous women and Indigenous Peoples, consistent with the UN Declaration on the Rights of Indigenous Peoples and the National Inquiry on Missing and Murdered Indigenous Women and Girls. In addition, when status is restored, recognition must begin from birth, not from the date of registration. The resources committed for this purpose must be consistent with articles 21 and 22 of the UN Declaration on the Rights of Indigenous Peoples, which affirms the right to the continued improvement of Indigenous Peoples' economic and social conditions and calls for particular attention to those sectors of Indigenous society with special needs, including those facing systemic discrimination, including Indigenous Elders, women, children, youth, persons with disabilities and gender diverse persons.