

**Submission to: UN Committee on the Elimination of All Forms
of Discrimination Against Women at its eighty-ninth Session
and Tenth Periodic Review of Canada**

TRAFFICKING, DISAPPEARANCES & MURDERS OF GIRLS AND YOUNG WOMEN

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Submitted by:

Justice for Girls Outreach Society and Tears to Hope Society

Prepared by:

Sue Brown, Justice for Girls
Zoe Craig-Sparrow, Justice for Girls
Lorna Brown, Tears to Hope Society



Justice for Girls

Justice for Girls is a Canadian NGO based in Vancouver, British Columbia (BC) that works to promote the health, well-being, and human rights of teenage girls who are homeless or living in poverty. Since 1999, the organization has worked locally, nationally, and internationally to promote and protect the rights of teenage girls who face poverty, violence, colonization, and environmental injustices. Justice for Girls has maintained consultative status with the UN Economic and Social Council (ECOSOC) since 2009. Justice for Girls acknowledges the ancestral, unceded territories of the xwməθkwəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and sə ʔilwətaʔɬ/ Selilwitulh (Tsleil-Waututh) Nations.



Tears to Hope Society

The Tears to Hope Society is an Indigenous-led organization. Our primary focus is to support the families of Missing and Murdered loved ones. We do this by honouring and remembering their lives while providing families with a safe, healing space. Tears to Hope Society was formed in 2019. Lorna Brown and her family began raising awareness for MMIWG when her niece, Tamara Chipman, went missing from Prince Rupert in September 2005. They were then called to testify at the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). The organization's mandate is to support families of MMIWG and foster health, wellness and healing. We work to encourage public understanding and raise awareness of MMIWG on the Highway of Tears. We develop partnerships with communities and organizations that align with our core values, as we work towards culturally safe communities and move from protection to prevention. We create awareness to address Indigenous-specific causes of gender-based violence. We develop resources and tools for Indigenous people to navigate the justice system to advance self-determination of Indigenous communities.

OVERVIEW

1. Justice for Girls (JFG) and Tears to Hope urge the Committee to hold Canada accountable for ongoing failures to implement Articles 6 and 14 under the Convention. Teenage girls and young women, particularly from Indigenous, northern and rural communities have a fundamental right to live free from violence and sexual exploitation. However, Canada is failing to thoroughly prevent, investigate and prosecute trafficking and exploitation of primarily Indigenous teenage girls, particularly in rural and northern areas of the country.
2. We observe similar failures by Canada to adhere to their due diligence obligation to prevent, investigate, prosecute and remedy the disappearances and suspicious deaths/murders of marginalized and Indigenous girls and women. Contrary to Canada's commitments under the convention, these failures undermine equal access and protection under the law and perpetuate discrimination and violence against Indigenous women and girls.
3. We remain deeply concerned that Canada's failure to implement the Calls for Justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls ("MMIWG Inquiry"), and many previous inquiries, is perpetuating ongoing violations of Indigenous women and girls' right to live free from violence, discrimination and equal access and treatment under the law.

GIRLS' RIGHTS

4. We urge the Committee to give special consideration to the situation and fundamental rights of girls by identifying Canada's obligations to prevent and respond to persistent inequality, discrimination and violence that characterizes their lived realities in Canada and across the globe. The rights of girls and the specific conditions of oppression they encounter are frequently overlooked by the Canadian government. The issues that affect girls are often eclipsed by concerns general to children, youth, or adult women. This leaves girls particularly vulnerable due to their age, gender, and position in the family.

CANADA IS FAILING TO IMPLEMENT ARTICLE 6 & 14: TO SUPPRESS ALL FORMS OF TRAFFICKING AND EXPLOITATION OF GIRLS & YOUNG WOMEN FOR SEX

5. Canada modeled their national anti-trafficking strategies¹ on the four pillar approach established in the Palermo Protocol: Prevention, Protection, Prosecution and Partnerships.²
6. Canada has taken steps towards addressing sex-trafficking and sexual exploitation since 2016. Canada renewed the *National Strategy to Combat Human Trafficking* in 2019,

¹ Canada (2019) 2019-2024 [National Strategy to Combat Human Trafficking](#).

² [Palermo Protocol \(2020\)](#), A/RES/55/25

however it is set to expire in 2024.³ Canada also supported the establishment of the Human Trafficking Hotline by a national NGO, which provides information, referrals and serves as an independent source of data to complement police reported data which is under-representative of the problem.

Sex-Trafficking and Exploitation of Teenage Girls in British Columbia (BC), Canada

7. Trafficking and sexual exploitation is one of the most pressing human rights concerns facing Canadian teenage girls who live in poverty, particularly where they are Indigenous, racialized, and/or have a disability.
8. Indigenous girls are significantly over-represented in trafficking data, which indicates that 96% of sex-trafficking victims in Canada are girls and women, 50% of are Indigenous and 25% are under 18 years old, and 69% are 24 and younger.⁴
9. JFG recently undertook a project to document violence that girls experience throughout BC. Through our work with girls and front-line service providers, we find sex-trafficking and exploitation of marginalized girls to be one of the most significant, ongoing, and pervasive threats to their safety and full enjoyment of their rights.
10. We are particularly concerned about teenage girls (12-18) who live in poverty, are Indigenous, in foster care, and come from remote, northern, and rural communities. Although official data indicates that most trafficking occurs in urban areas, we observe that this data is not adequately capturing trafficking and exploitation occurring in northern and rural regions of BC. In part, this is due to issues with detection and investigation by the Royal Canadian Mounted Police (RCMP).
11. We respectfully submit that Canada and BC are failing to adequately prevent, investigate, prosecute, and remedy sex-trafficking for this population of teenage girls who are disproportionately vulnerable to sex-trafficking.

Canada is Failing to Prevent Sex-Trafficking /Exploitation of Teenage Girls and to Protect survivors

12. Girls in northern, rural regions of B.C. are severely underserved by all essential services, particularly health care⁵, education, police, and social services. In many remote northern Indigenous communities, school is only available to a certain grade level, if it is available in the community at all. Teens are required to relocate to a city for highschool completion. This requires billeting or staying with family to complete their education. Some must travel multiple hours per day to attend school in a neighboring community. This travel renders Indigenous girls particularly vulnerable to violence and sexual exploitation in the north.

³ Supra, note 1.

⁴Statistics Canada (2022), [Trafficking in Canada](#).

⁵ CBC News (September 1, 2024) [5 Emergency Rooms Close in Interior BC Over Long Weekend](#).

13. Indigenous girls are significantly overrepresented in foster care as they are six-times more likely to have been in government care than non-Indigenous counterparts. There is a direct link between foster care and sex-trafficking and exploitation of teenage girls.⁶ Estimates suggest that 60% to 85% of trafficked children had previously been in foster care.⁷ One study found that 75% had been in a group home.⁸
14. JFG's observations support this finding. The majority of exploited girls we encountered were in care at one time. Girls in foster care in northern areas of BC are particularly at risk, where foster care resources are significantly limited. Girls taken into care from remote and Indigenous communities are often placed in group homes outside their home communities. Even where group homes are available in their community, girls may be transferred hundreds of kilometers away due to resource constraints and a lack of available foster care beds.
15. BC's ombudsperson for children in care found that Indigenous girls in care go missing at a higher rate than other children. 65% of children who had gone missing from care were Indigenous; 40% were Indigenous girls.⁹
16. Despite high numbers of Indigenous girls disappearing from care, social workers and other professionals (such as educators) report that police do not take the girls' disappearances as seriously as they should. In some cases, social workers report to JFG that RCMP are slow to release public alerts about missing Indigenous girls from care, characterizing them as runaways. When, and if, girls are found, police publicly report "they have been found safe", when in some cases the girls have been badly beaten, threatened, kidnapped, and sexually assaulted or exploited. While JFG has documented cases like this, many of these cases are not captured in official statistics of human trafficking or child exploitation.
17. In one case, a 13-year-old Indigenous girl from a First Nation in Saskatchewan, was in government care in a Port Coquitlam, BC group home, over 1,000 kilometers away. N.O. went missing in May 2021 from care for an entire year before her remains were found in the apartment of a man suspected of preying on vulnerable women in Vancouver's Downtown Eastside (DTES) in May 2022.¹⁰ The family learned, from the media, that she was missing months after she had disappeared. Police determined N.O. had been deceased for months before her remains were located.¹¹ Police had previously searched

⁶ Pam Palmater, "From Foster Care to Missing or Murdered: Canada's Other Tragic Pipeline," *Maclean's Magazine*, April 12, 2017;

⁷ New Mexico Dream Centre (2022) [The Tragic Link Between Foster Care and Human Trafficking](#).

⁸ Baird, K., McDonald, K. P., & Connolly, J. (2020). [Sex trafficking of women and girls in a southern Ontario region: Police file review exploring victim characteristics, trafficking experiences, and the intersection with child welfare](#). *Canadian Journal of Behavioural Science*, 52(1), 8–17.

⁹ BC Representative for Children and Youth (2023) [Missing: Why are Children Disappearing from BC's Child Welfare System?](#)

¹⁰ CTV News (2022) [Missing Indigenous teen's body lay in SRO for weeks after VPD discovery of tenant](#). The DTES is one of the poorest communities in Vancouver, characterized by unregulated drug use, poverty, crime and exploitation.

¹¹ Ibid.

the apartment and removed the remains of the man believed to have been exploiting N.O, failing to discover N.O's remains at the time.

18. To date the family has few answers about what happened in the group home that caused N.O. to run away, though they knew of complaints she made to the ombudsperson. They have no answers about how N.O. ended up in Vancouver's DTES, and what circumstances led to her death.¹²
19. There are many reasons girls in care are vulnerable to trafficking, including violence, abuse, and neglect in the foster care setting; family and community dislocation; unmet mental health needs and addictions. BC must create targeted resources to support the high needs of marginalized teenage girls in care, and commit resources earlier to prevent them from coming into care.
20. Girls are targeted and recruited into exploitation from group homes because traffickers know children in care are vulnerable to the manipulation and grooming tactics they use. Traffickers employ affection, gifts, and drugs as tools to groom victims. Many group home providers are ill-equipped to keep girls safe from traffickers once exploitation has started.
21. Many group homes are inadequately resourced to provide care for girls with addictions, as they are often staffed by students and those lacking specialized addiction support training. B.C. does not have adequate gender-specific and age appropriate detox and addictions support for teenage girls who have become addicted to substances. B.C. has invested significant funding into harm reduction strategies in the face of a long-standing toxic drug crisis that has led to thousands of overdoses per year since 2016. However, we have not seen the same investment into gender-specific addictions treatment programs for girls. Traffickers use illicit drugs to facilitate manipulation and dependence of teenage girls; accessible and adequate addiction support is desperately needed to combat trafficking.
22. JFG has documented the deaths of multiple Indigenous girls and young women ruled as overdoses while in care, or shortly after turning 19. According to data from the BC Coroner Service, girls accounted for 51% of 123 youth drug-toxicity deaths between 2019 and 2023.¹³ This data is not disaggregated by Indigenous identity or geographic region.
23. By failing to address the root causes that render girls, particularly Indigenous girls, more vulnerable to exploitation, Canada is failing to take necessary action to prevent their victimization. Canada must do more to address poverty, housing insecurity, access to education, and economic opportunities for teenage girls. Girls have a fundamental right

¹² Global News (2022) [Noelle O'Soup: Coroner Didn't Attend Unit Where Teen's Body was Found](#); CBC News (June 23, 2022) [Death of Noelle O'Soup a Familiar Tragedy and Answers Are Needed Indigenous Leaders Say](#); Vancouver Sun (June 30, 2022) [She was a Little Girl. Aunt Remembers Noelle O'Soup Who Vanished at 13](#).

¹³ BC Coroner Service (2023) [Youth Unregulated Drug Toxicity Deaths in BC 2019-2023](#).

to live free from violence, including the right to safe and adequate housing, basic necessities, and access to education.

24. Canada has ratified the *United Nations Declaration on the Rights of Indigenous Peoples*, which further articulates the obligation to address root causes of violence against Indigenous women and girls. Colonialism, systemic discrimination, and racism against Indigenous people in Canada is reflected in the grossly disproportionate number of Indigenous girls in care, among trafficking victims, and the persistent genocide of MMIWG.
25. High rates of Indigenous child apprehensions into foster care contribute to their over-representation among trafficked, missing, and murdered people in Canada. Canadian governments continue to demonstrate they are not suitable guardians for children who need the most resources and highly specialized care.
26. A 2016 Canadian Human Rights Tribunal decision found Canada had discriminated against Indigenous children living on reserves.¹⁴ The tribunal concluded that Indigenous children were not receiving equal access to support and services. In 2023, the Complainant filed a non-compliance order¹⁵ alleging that Canada was still failing to comply with orders from the 2016 decision to fully remedy the discrimination.¹⁶
27. Canada has a massive housing availability and affordability crisis that compounds the risks to girls and women. In BC, resources for girls and women escaping violence are drastically underfunded and there is only one dedicated anti-trafficking safe house. Group homes and transitional housing are not substitutes for anti-trafficking safe houses designed to meet the survivors' needs with the requisite protections from traffickers.

Canada is failing to thoroughly investigate human trafficking and exploitation of marginalized teenage girls and young women who live in poverty

28. Front-line workers in northern communities have documented reports of sexual exploitation and trafficking from teenage girls they work with. In many cases the girls are terrified to go to police due to threats and tactics of their traffickers. In some cases, workers have made third-party reports to police with specific details including names, addresses and particulars of incidents, yet they state police do not take the reports. In one community, 19 names of known traffickers and accomplices were provided to police by credible professionals but the RCMP failed to take action.
29. Police inaction on trafficking and exploitation of marginalized women and girls persists, despite growing awareness and understanding of these crimes. JFG has compiled reports from advocates, girls, and frontline workers detailing their experiences reporting information about trafficking and exploitation to RCMP. We submit that the RCMP in BC

¹⁴ [2017 CHRT 14](#); First Nation Child and Family Caring Society (FNCFCS), [Factsheet](#).

¹⁵ FNCFCS (2023) [Jordan's principle](#).

¹⁶ FNCFCS (2024) [I am a Witness](#), Tribunal Timeline.

are failing to take the necessary and urgent steps to properly and thoroughly investigate cases of alleged child-trafficking in many communities.

30. JFG has documented reports where social workers have requested and been refused RCMP assistance to remove girls from houses known for organized crime and trafficking, leaving social workers to go on their own. In one case, a social worker described finding an intoxicated teenage girl in a room that resembled a scene set up for online child sexual abuse material. After reporting to police, she later had to return multiple times to remove girls from the same house with little-to-no police response.
31. In some communities, we have observed the same traffickers exploit entire families of Indigenous teen girls, while law enforcement fails to intervene and there appears to be no investigation. In one such family, four daughters were trafficked from the ages of 11 and 12 by the same men who were known to police. By age 19, two of the sisters had died. N.O.'s case is emblematic of similar concerns, as a 13-year-old she went undetected in a community known for child exploitation, and one of the most heavily policed communities in BC.
32. We are also concerned that girls are criminalized for trafficking-related offenses where they are actually victims forced by traffickers to help recruit and groom. 6% of trafficking cases involved youth, and 56% of them were girls.¹⁷
33. JFG is deeply concerned that RCMP are failing to operate with the urgency demanded by ongoing and pervasive commercial sexual exploitation of children, and that this failure is rooted in discriminatory stereotypes and attitudes towards marginalized teenage girls who are Indigenous, live in poverty, and experience addictions such that the police do not see them as children needing protection.
34. Compounding this concern is that Canada and BC do not have the necessary infrastructure to properly respond and care for teenage girls who require protection. We do not have an adequate girl-specific safe housing strategy, gender-appropriate addictions treatment or recovery resources adequate to meet the needs of teenage girls who have survived trafficking. This is particularly true in northern and remote regions.
35. A federal strategy is insufficient to address the multi-faceted needs of victims or to address the reality and nature of sex-trafficking and child exploitation. To effectively respond and prevent trafficking, all levels of government and each jurisdiction must adequately resource coordinated anti-trafficking strategies. Currently only a few provinces have anti-trafficking strategies and each take different approaches, with different resources and varying legal protections. Ontario's strategy which includes well-resourced, specialized police and crown, as well as legislation creating legal protections for trafficking survivors is the strongest model. A patchwork of different laws and practices does not work to keep girls and women safe. Traffickers will exploit jurisdictional gaps.

¹⁷ Supra note, 3.

RECOMMENDATIONS

Prevention

Urge Canada to:

36. Adequately invest in Indigenous mothers and families to prevent apprehensions of Indigenous children into foster care. This must include continued efforts to decolonize and end the culture of racial discrimination that persists in the practice of apprehending children.
37. Adequately resource and invest in safe, accessible and voluntary addictions treatment and prevention programs that are designed specifically for teenage girls.
38. Invest in safe and affordable housing models for girls and women, especially single mothers in all communities, but prioritize Indigenous, rural and northern. Culturally appropriate housing is needed for Indigenous girls and women.
39. Ensure all girls and women in remote, northern and Indigenous communities have equal access to low-barrier healthcare, including public health nurses who are Indigenous to reduce barriers to access for Indigenous girls. This should include:
 - a. Auditing and reforming discriminatory policies or practices that discriminate against Indigenous girls and women by creating unnecessary barriers or harmful treatment. This includes discrimination in access for remote and Indigenous communities through inadequate resources and funding.
 - b. Adequately funded specialized health care providers to ensure girls and women have immediate access to properly trained health care providers to administer sexual assault examinations. Training more nurses to administer these exams, particularly in rural regions, is essential to enhancing equal access to justice and health care for survivors.
 - c. Trauma-informed and patient-centred policies and practices to remove barriers and discrimination in health care provision for Indigenous women and girls.

Protection

40. Ask Canada for timelines, deliverables and details on the renewal of the National Strategy to End Human Trafficking which expires this year (2024).
41. Urge Canada to invest in properly resourced safe-houses designed for girls and women escaping trafficking. Ensure a majority of these projects are Indigenous-led and situated in locations for continued access to cultural practices.
42. Urge Canada to adequately fund front-line organizations to deliver programs for trafficking survivors, specifically targeting northern communities. Necessary programs include:
 - a. Immediate housing support that is safe, supported and designed for trafficking survivors (not shelters, group homes, treatment or transition houses);

- b. Accessible, funding and specialized counseling and trauma treatment;
- c. Safe and specialized addictions treatment and detox designed for those leaving trafficking;
- d. Access to specialized trauma-informed education programs to accommodate survivors.

Investigation & Remedy

Urge Canada to:

- 43. Collaborate with all jurisdictions to ensure all provinces provide the same standards of protection, investigation, support and remedies for trafficking survivors. Each jurisdiction should be covered by legislation that provides for specialized protection orders, financial protections and access to legal aid programs specific to trafficking survivors.
- 44. Enact legislation ensuring that trafficking survivors have equal access to civil remedies in response to trafficking, including against entities that facilitate or profit from trafficking and sexual exploitation.

ACCESS TO JUSTICE FOR MMIWG: ARTICLES 1, 2 and 14

- 45. Canada is failing to properly prevent, investigate, prosecute, and remedy disappearances, murders, and suspicious deaths of Indigenous women and girls.
- 46. The RCMP have identified serious resource and capacity issues in northern and remote communities throughout BC, undermining their ability to effectively investigate serious crimes.¹⁸ While we agree this contributes to the problem, there is a well-documented history of systemic discrimination —particularly against marginalized and Indigenous girls and women who live in poverty— by the RCMP and municipal police forces in Canada.
- 47. Multiple reports, investigations, and public inquiries have found the RCMP and municipal police forces discriminate against marginalized and Indigenous women and girls by failing to thoroughly prevent, investigate, prosecute, and punish pervasive gender-based violence, including trafficking, disappearances, suspicious deaths, and homicides.¹⁹
- 48. In 2006, following the disappearances and deaths of multiple Indigenous girls and women in the north western part of BC, a symposium was held to address the issue.

¹⁸ Public Safety Canada (2024) [Contract Policing Assessment](#); The Tye (2023) [Documents Reveal Rural Policing Money Going to C-IRG](#); The Northern View (November 10, 2023) [BC Police Forces Struggling to Recruit, amid shifting culture, perceptions](#).

¹⁹ Human Rights Watch (2013), [Those Who Take Us Away: Abusive Policing and Failures in Protection of Indigenous Women and Girls in Northern British Columbia, Canada](#); Inter-American Commission on Human Rights [OEA/Ser.L/V/II. Doc.30/14; CEDAW/C/OP.8/CAN/1](#).

Most of the disappearances and deaths occurred along a remote stretch of Highway 16 in BC (given the moniker “the Highway of Tears”²⁰) that runs from Prince Rupert to Prince George. That symposium resulted in multiple recommendations for keeping Indigenous girls and women safe along the highway and addressed police inaction and complacency to the high rates of Indigenous women and girls going missing or being killed in Northern BC. The Symposium issued a number of recommendations, including the need for more police resources and safe houses for women and girls, improved transportation between remote communities, and better support for families, including police liaisons and communications, and culturally appropriate counseling services.²¹ Most of these recommendations still have not been fully implemented, if at all. There is still no reliable public transportation along Highway 16.

49. In 2010, BC held the Missing Women’s Commission of Inquiry in Vancouver to identify the systemic failures that resulted in police inaction over 60 Indigenous and marginalized women from the DTES went missing, many of whose remains were found on Robert Pickton’s farm. That inquiry concluded there was a persistent pattern of discrimination and indifference towards the women by police. The inquiry concluded many women’s deaths could have been prevented had the police investigated sooner. The report issued multiple recommendations to address systemic discrimination by police in investigations of marginalized women’s disappearances, address jurisdictional gaps and other practices that hampered investigations, and to take disappearances of vulnerable women and girls seriously.²²
50. In 2013, Human Rights Watch documented abusive policing and systemic discrimination by police in Northern BC against Indigenous girls and women. Two years later in 2015 the CEDAW Committee concluded its Inquiry into MMIWG in Canada under Article 8 of the Convention. In 2014, the Inter-American Commission for Human Rights investigated the issue of MMIWG in BC. Findings from all three investigations found:
 - a. That disappearances and murders are part of a broader pattern of discrimination against Indigenous women and girls that is rooted in persisting colonialism and systemic racism.
 - b. That discrimination, racist and sexist stereotypes and structural inequality contribute to inadequate and ineffective police investigations of violence against Indigenous women and girls, as well as ineffective prosecutions due to systemic barriers in the criminal justice system. The resultant impunity exacerbates and perpetuates ongoing violence against women and girls.

²⁰ Tears to Hope Society (2024) [Highway Markers for Highway of Tears Cases](#); Hue and Cry (2023) [Timeline of Highway of Tears](#).

²¹ Highway of Tears Symposium (2006) [Final Report and Recommendations](#); Brandi Morin (2021) [Stench of Death on Canada’s Highway of Tears](#). Aljazeera.

²² Missing Women’s Inquiry (2010) [Final Report and Exhibits](#).

- c. Remedies for failures to properly investigate are inadequate and have not properly addressed the systemic and ongoing issues.²³

51. All three of these investigations resulted in recommendations for a national inquiry, which Canada complied with and implemented. The final report from the National Inquiry into Missing and Murdered Indigenous Women and Girls was released in 2019 along with 231 Calls for Justice, that are described as “legal imperatives”.

Implementation Of The MMIWG Inquiry Calls For Justice & Canada’s National Action Plan Are Inadequate

52. As of June 2024, the Assembly of First Nations issued a report evaluating Canada’s implementation of the Calls for Justice. Five years after the inquiry, the AFN found that Canada had only fully implemented 2 Calls for Justice, while the majority had only minimal or no progress.²⁴

53. In our assessment, the federal 2021 MMIWG National Action Plan²⁵ is insufficient and vague to meet the objectives of the Inquiry or adequately address MMIWG. The National Action Plan lacks clear and measurable steps, deliverables and budgets.

54. While Canada committed to an implementation plan by fall 2021,²⁶ one is yet to be released. Canada must develop an appropriate national, Indigenous-led mechanism to monitor the progress and implementation of their 2021 National Action Plan. Those who are perpetrating the genocide should not be monitoring the transition out of genocide.

55. The National Action Plan omits mechanisms or measures to address failures by law enforcement to thoroughly investigate cases involving MMIWG. Indigenous women and girls are both under-protected by the RCMP and subject to police abuse and violence.²⁷ Despite numerous calls for independent police oversight and accountability,²⁸ no concrete measures to increase police accountability were included in the National Action Plan.

Investigations into MMIWG Cases are still inadequate

56. Despite findings from so many reports and investigations, JFG has observed that Canada is not adhering to its due diligence obligation to thoroughly and effectively investigate deaths and disappearances of high-risk Indigenous girls and women.

²³ *Supra*, note 19.

²⁴ Assembly of First Nations (2024) [Progress Report on Implementation of Calls for Justice from MMIWG Inquiry](#).

²⁵ Canada (2021) [MMIWG Action Plan](#)

²⁶ APTN, [Ottawa delivers action plan in response to MMIWG inquiry](#)

²⁷ *Supra*, note 19.

²⁸ *Ibid*.

57. The case of N.O., mentioned earlier, is one of three examples from 2022 in Vancouver involving vulnerable young Indigenous girls and women where law enforcement failed to take basic investigative steps to conduct a thorough investigation. In N.O.'s case²⁹ the coroner was not called to attend the scene, despite the discovery of multiple sets of remains. The family reports they have not been provided with updates or information on the status of the investigation. They do not feel this is a priority because the suspected male perpetrator is deceased and there has been minimal institutional accountability for child welfare authorities.
58. Serious concerns were raised by the families of the Vancouver cases about inadequate police follow up on tips and lack of communication with family members. In one 2022 case, the family had to lobby the coroner to complete a sexual assault exam ("rape kit") after their daughter's remains were found partially clothed on a boat in a storage yard. The RCMP later admitted that the results from the rape kit were never tested and that no physical evidence was collected from the scene because they believed it to be a drug-related death.³⁰
59. In 2022, a third 24 year-old Indigenous woman was found a year-and-a-half after she disappeared in Vancouver. She was located in the backyard of an abandoned mansion in a wealthy suburb of Vancouver. Police determined she died of a drug overdose and had likely wandered into the yard the night she went missing, despite evidence that her disability would have made that impossible. Police publicly announced the investigation was closed and that her death was an accident.³¹
60. These three Vancouver cases are alarming because they demonstrate that little from the previous investigations and inquiries, especially the Missing Women's Inquiry in 2010, has been learned and some basic recommendations were not followed.
61. Perceptions of police indifference became particularly acute when, in 2023, the public learned that the RCMP had been quietly disposing of evidence from the unsolved missing women's cases associated with the Pickton Investigation.³² Robert Pickton was only convicted of six murders in 2007 and 21 cases were stayed. There were an estimated 30 to 60 women who disappeared from the DTES, many were linked to Robert Pickton and his pig farm.³³ There was strong evidence indicating multiple co-conspirators were involved but were never brought to justice. In at least one case, the "mission Jane Doe" whose partial-remains were found on the Pickton farm, the victim has never been identified.³⁴

²⁹ CBC (July 14, 2022) [Officer facing misconduct Investigation over response to apartment where 3 people found dead.](#)

³⁰ CBC (September 2, 2022) [What happened to Tatyanna Harrison?](#)

³¹ CBC (May 12, 2022) [Chelsea Poorman's Body Lay in Shaughnessy for more than one year.](#)

³² JFG & Dr. Sasha Reid (2023) [A Call to Preserve the Evidence in the Pickton Case.](#); Vancouver Sun (December 9, 2023) [Mounties want to Destroy Evidence from Pickton Case.](#)

³³ *Supra*, note 32.

³⁴ Mission City Record (February 21, 2011). [Police Seek Help in Identifying Jane Doe.](#)

62. Although 20 - 40 cases remain unsolved, the RCMP maintain that more than 200,000 physical exhibits seized from the investigation hold no evidentiary value towards a future prosecution. The RCMP has already disposed of 185,000 exhibits, with only 1500 remaining. JFG's efforts to stop the RCMP from disposing of these exhibits have heralded two observations:
- a. There is no clarity with respect to who the RCMP are accountable to in such circumstances and there is no clear oversight mechanism available to challenge their decision to dispose of the evidence.
 - b. There is no legislated standard time period mandating the retention of evidence in cold case homicides.

Northern BC and the Highway of Tears

63. Many Indigenous families in northern BC have lost one or more of their daughters, sisters, aunties, cousins or friends. Most have lost more. To describe the epidemic of MMIWG as genocide is apt, but it is so much more than that for the families who live with loss, grief and injustice every day.
64. Ongoing failures by police to take cases of disappeared and murdered Indigenous girls and women's cases seriously is omnipresent in the north. Through provincial contracts, the RCMP is responsible for policing most communities outside of Vancouver in BC. Due to the legacy of abusive and harmful policing practices, the relationship with Indigenous people in the north and the RCMP is still fractured. The RCMP have not earned the trust of many due to ongoing abusive policing against Indigenous people, including militarized police responses to land defenders.
65. A disproportionate number of Highway of Tears cases are teenage girls. All of the disappearances and deaths were rooted in racism, sex-based discrimination, and harmful stereotypes about girls and women in poverty and who use illicit drugs. These are the same reasons the cases remain unsolved.
66. RCMP failures to solve any of the "highway of tears" cases throughout the last 25-years has left Indigenous communities feeling hopeless in the face of ongoing discrimination against Indigenous girls by the RCMP. They also feel that police do not have the capacity or competence to work on these complex cases.
67. Recommendations from the 2006 Symposium included measures to create safety for girls and women along highway 16. Many of those still have not been fully implemented. In 2021, following years of advocacy by women and families in the north, BC announced funding for 12 cellular towers along the Highway of Tears through public-private partnerships. Despite some small improvements, Lorna Brown and Denise Halfyard from Tears to Hope Society testified before a parliamentary committee in April 2024 regarding Red Dress Alerts and again raised concern that cellular service along the highway was still insufficient. Despite promises from Canada's biggest tech companies that claim to

offer the best service there continue to be many dead zones along the highway.³⁵ Even basic infrastructure in the north and along the highway of tears remains inadequate to keep girls and women safe.

68. Multiple families have reported that they do not get timely answers to questions about their family member's cases. In some cases public statements by the RCMP have perpetuated harmful rumours, conjecture and stereotypes about lost and murdered girls and women. Many of the failures identified in the Human Rights Report³⁶ persist in the ongoing investigations.
69. Families report that police did not follow up on tips about witnesses or take basic investigative steps to look into their cases. In the case of F.B., a Wet'suwet'en woman disappeared when picking mushrooms, police quickly ruled her death a misadventure despite concerns by family. Their official search for her ceased within days. Her community and family were forced to carry on and fund their searches independently.³⁷ Her community does not believe this was misadventure.
70. In many cases of missing Indigenous girls and women, families and advocates take on searching for their loved ones on their own. In T.H.'s case, her mother searched for three months, sending names and tips to police for follow up. She later learned those tips were not all pursued. Families report placing themselves in dangerous situations to generate leads and evidence for the police. Some have hired private investigators.

Racist and Inadequate Death Investigations

71. JFG is aware of multiple cases from various regions in BC where suspicious deaths of marginalized teenage girls are ruled accidental or natural where evidence suggests otherwise, and there is concern that the investigation may have been inadequate.
72. In T.H. and N.O.'s cases, the coroner did not attend the scene of their deaths and the investigative steps following their discovery indicate that police did not treat them as criminal. In T.H.'s case no physical evidence was collected despite the suspicious location and scene of her death, as well as the condition of her remains. In N.O.'s case very little evidence appears to have been collected and no autopsy could be performed.
73. In two Prince Rupert B.C. cases involving teenage girls the families assert that the death investigations were flawed and inadequate. K.R.M.³⁸ was found deceased in 2004 at the age of 13 and E.R.M, 16³⁹, was found six years later in 2010. In both cases, each girl was found on the waterfront in the northern industrial port town. The coroner ruled their deaths as alcohol poisoning, despite suspicious circumstances surrounding their cases. The families pushed for more investigation and eventually took their own measures to

³⁵ [Status of Women Committee](#) (2024); Terrace Standard (April 7, 2021) [Province Feds fund full cell-service along highway of tears](#)

³⁶ *Supra*, note 19.

³⁷ CBC News (November 14, 2017) [Search for Frances Brown Suspended](#).

³⁸ Globe and Mail (April 29, 2004) [Discovery of Girl's body Stuns West Coast Town](#).

³⁹ CBC News (2010) [Teen found dead in Prince Rupert Identified](#).

generate tips and track down witnesses. A researcher who looked into these cases found the investigations to be inadequate.⁴⁰

74. JFG has serious concerns about the adequacy of death investigations into cases involving Indigenous teenage girls and young women. We observe a pattern in multiple cases where suspicious circumstances are not thoroughly investigated and where basic questions about potential criminal involvement do not appear to drive investigations.
75. A pattern of inadequate death investigations has been identified in other northern Canadian cities. The police in Thunder Bay Ontario were found to have engaged in racism and discrimination in the cases of seven Indigenous teens who had been found near water and ruled accidental overdoses. The Ontario Police Watchdog tasked with the review found archaic racist stereotypes about Indigenous people that deeply undermined the quality of the investigations.⁴¹ The same investigation found that racism in the Thunder Bay police was deeply systemic and institutionalized.

RECOMMENDATIONS

76. Urge Canada to fully implement the Calls for Justice from the MMIWG Inquiry, and all previous inquiries, investigations and reports that have examined this issue, including the Highway of Tears Symposium, Missing Women's Inquiry, Human Rights Watch report, the Cedaw inquiry and the IACHR Investigation.
77. Urge Canada to implement an Independent and Indigenous-led oversight body to oversee and evaluate implementation of recommendations.
78. Investigations
Urge Canada to:
 - a. Develop legislation and policy guidance to require law enforcement and death investigators to treat all disappearances and deaths of marginalized girls and women as homicides from the beginning of the investigation, particularly Indigenous girls.
 - b. Implement legislated and standardized time frames for the preservation of evidence by police in cold case homicides, including clear definitions of "cold cases" and "closed cases".
 - c. Adopt the Minnesota Protocol⁴² as a mandatory standard for all police investigations into the missing and murdered in Canada.
 - d. Commit sufficient and adequate investigative resources by police to thoroughly and effectively investigate cold cases of MMIWG. This must include well trained, experienced and seasoned investigators.

⁴⁰ Steff King (2022) [When Police Investigations are Inadequate](#). The Tyee.

⁴¹ OPIRD (2018) [Broken Trust: Indigenous People and The Police in Thunder Bay](#); see also: [2024 OPIRD Update on Broken Trust](#); Tanya Talaga (2017) *Seven Fallen Feathers*. House of Anansi Press.

⁴² Office of the United Nations High Commissioner for Human Rights (2016) [The Minnesota Protocol on the Investigation of Potentially Unlawful Death](#).

- e. Consider expanding the use of civilian experts and resources in the resolution of cold cases of missing and murdered people in Canada. This could address resource shortages while also shifting the RCMP culture and expanding capacity. This is being piloted in one jurisdiction with genetic genealogists.⁴³

79. Supports

Urge Canada to:

- a. Ensure that victim services and organizations that directly support families, including Family Information Liaison Units, are adequately resourced to meet the needs of families and communities impacted by violence.
- b. Provide funding to support Indigenous-led organizations to define the needs of communities and to act as advocates for Indigenous families when dealing with police.
- c. Work with provinces to fund and support the implementation of adequately-resourced and well-trained advocates to support families through death investigation.

80. Remedies

Urge Canada to:

- a. Immediately improve information access to lawyers acting for families in MMIWG investigations. Too often families are unable to access information about investigations due to privacy laws which undermines access to timely remedies;
- b. Seek more effective and timely alternatives to the police complaints process along with the mandate and power to receive complaints and investigate when concerns arise about failed MMIWG investigations.

⁴³ Toronto Star (June 24, 2024) [Meet the ex-hobbyists revolutionizing how detectives catch cold case killers.](#)