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### **Strong Partnerships and Relationships**

Establishing strong business partnerships and relationships cannot be overstated. Aboriginal leaders often build relationships with education and financial institutions, governments, and the private sector for a variety of reasons, such as building capacity, education and training, access to capital, and building expertise.

There are several types of partnerships that can be beneficial to Aboriginal businesses. The first is the equity investment and profit sharing model; whereby private sector companies invest in Aboriginal businesses that already have the start-up capital and expertise in house.<sup>66</sup> A prime example is the proposed Mackenzie Valley Pipeline project, where Aboriginal groups control a one-third stake.<sup>67</sup> This project could yield millions of dollars in profits for those Aboriginal partners. In addition, Aboriginal businesses can gain further expertise while at the same time using their partner's investment to access additional capital and expand their enterprise.

Another beneficial business partnership is the subcontracting model, whereby an Aboriginal business provides a service to another enterprise. This commonly occurs with a non-Aboriginal enterprise conducting business with an Aboriginal community and/or land. This sort of business arrangement often occurs as a result of an Impacts and Benefits Agreement<sup>68</sup>.

Another successful partnership is the cooperative model, whereby Aboriginal businesses partner with other Aboriginal businesses or communities. This allows Aboriginal businesses to pool their resources to compete with other non-Aboriginal businesses. This cooperative model, also referred to as "Treaty Economy," has been successful for several Aboriginal businesses. For example, Five Nations Energy is a non-profit energy company owned by three Aboriginal communities. Attawapiskat Power Corp, Kashechewan Power Corp and Fort Albany Power Corp<sup>69</sup> pooled their resources in order to make the initial investment and kick-start their company.

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<sup>66</sup> Ibid, 19.

<sup>67</sup> *Aboriginal People in Canada: Growing Mutual Economic Interests Offer Significant Promise for Improving the Well-Being of the Aboriginal Population*, TD Bank, June 11, 2009. Pg. 16.

<sup>68</sup> The IBA usually contain provisions for minimizing negative impacts, such as environmental impact as a result of development, and maximizing benefits, such as job creation.

<sup>69</sup> *True to Their Visions: An Account of 10 Successful Aboriginal Businesses*. The Conference Board of Canada, November 2009, pg. 29.

## Human Resource Development

Aboriginal youth is the fastest growing demographic in Canada. In order for Aboriginal businesses to be successful, Aboriginal communities must educate and train their youth.

An emphasis should be placed on early childhood development and K-12 learning, specifically a proven delivery model with tangible outcomes. This can be achieved by Aboriginal and non-Aboriginal governments working together through education partnerships. For example, in 2006, the Province of British Columbia, the Federal Government and the First Nations Education Steering Committee entered into a series of tripartite agreements that recognized the jurisdiction of First Nations over K-12 education.<sup>70</sup> The agreement recognized the right for participating communities to develop laws with respect to education while at the same time working in tandem to achieve desired pupil outcomes. Alberta signed a historic Memorandum of Understanding (MOU) on Education in February 2010. The MOU establishes an equal partnership, among the Government of Canada, the Chiefs in Alberta, and the Government of Alberta, and a comprehensive strategic framework, to improve educational outcomes for First Nations students. In 2008, New Brunswick's First Nations, the Province of New Brunswick and the Federal Government signed a Memorandum of Understanding to work together to improve educational outcomes of First Nations students in band-operated and publicly run schools.<sup>71</sup> By working together, governments at all levels can empower students to succeed.

Finally, by providing Aboriginal students with higher learning opportunities through education and private sector partnerships, Aboriginal communities can build capacity and expertise through job training and mentorships.

## Competitive Advantages

Despite the challenges many Aboriginal businesses face, there exist distinct competitive advantages over their non-Aboriginal counterparts. For example, First Nations peoples and bands on reserve are exempt from taxation on property located on reserve<sup>72</sup> and they are generally exempt from taxation of business income if the "actual income-earning activities of the businesses take place on the reserve."<sup>73</sup> In addition, band-owned corporations "do not pay GST/HST on goods [or services] bought for use in band management activities...or for real property on reserve."<sup>74</sup>

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<sup>70</sup> *Aboriginal People in Canada: Growing Mutual Economic Interests Offer Significant Promise for Improving the Well-Being of the Aboriginal Population*, TD Bank, June 11, 2009. Pg. 8.

<sup>71</sup> *Ibid*, pg. 8.

<sup>72</sup> *Indian Act*, s. 87 in *True to Their Visions: An Account of 10 Successful Aboriginal Businesses*. The Conference Board of Canada, November 2009, pg. 4

<sup>73</sup> Canada Revenue Agency, "Information for Status Indians," in *True to Their Visions: An Account of 10 Successful Aboriginal Businesses*. The Conference Board of Canada, November 2009, pg. 4.

<sup>74</sup> Canada Revenue Agency, "Businesses owned by Indians, Indian Bands, or Band Empowered Entities," in *True to Their Visions: An Account of 10 Successful Aboriginal Businesses*. The Conference Board of Canada, November 2009 pg. 5.

Income and sales tax exemptions may also apply to business partners of non-incorporated First Nations-owned businesses. Income tax exemptions may apply for the share of the partnership's businesses that represents activities conducted on reserve.<sup>75</sup> Moreover, both the goods and services tax (GST) and the harmonized sales tax (HST) exemptions apply to partners of status First Nations-owned businesses when goods are purchased on or delivered to a reserve "by the vendor or the vendor's agent."<sup>76</sup>

Aboriginal communities may also benefit from Impacts and Benefits Agreements. Examples include either the subcontracting of services to an Aboriginal-owned company when development occurs on Aboriginal land, or provisions that encourage the creation of Aboriginal-owned businesses. Finally, many Aboriginal businesses have competitive advantages for procurement purposes. Federal Government contracts worth over \$5000 and serving "a primarily Aboriginal population," are set aside for qualified Aboriginal businesses.<sup>77</sup>

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<sup>75</sup> Ibid, pg. 5.

<sup>76</sup> Ibid, pg. 5.

<sup>77</sup> Indian and Northern Affairs Canada, "Procurement Strategy for Aboriginal Business," in *True to Their Visions: An Account of 10 Successful Aboriginal Businesses*. The Conference Board of Canada, November 2009, pg. 5.

## **4.5 GLOSSARY OF TERMS/DEFINITIONS OF VIOLENCE**

### **Culturally Relevant Gender Based Analysis**

Culturally relevant gender-based analysis recognizes that the social, cultural and legal realities of women can vary across cultures and societies and unless these realities are factored into the policy making process, gender equality goals may be compromised. In a First Nation, Métis and Inuit context, culturally relevant gender-based analysis factors in the diverse impacts of colonialism (past and present) on women and men and their respective enjoyment of individual and collective rights. Culturally relevant gender-based analysis recognizes that gender equality can be achieved in different ways. Gender-based analysis of First Nation, Métis and Inuit laws should be grounded in the cultural values and worldview of the Aboriginal people in question; and should assess how specific gender roles or other gender-related social and economic factors may result in an apparently neutral law having different impacts for women compared to men. While some of these factors may be common to most First Nation, Métis or Inuit peoples, there is also great cultural diversity and varying economic and social conditions that can affect men and women differently.

### **Domestic Violence**

Domestic Violence is any use of physical, sexual force or psychological actual or threatened, in an intimate relationship. Although both women and men can be victims of domestic violence the overwhelming majority of violence involves men abusing women. Intimate relationship includes those between the opposite-sex and same sex partners. Domestic violence may include a single act of abuse and may include physical assault, threats, and emotional psychological and sexual abuse.

### **Intimate Partner Violence or Spousal Violence**

Similar to domestic violence, spousal violence is violence toward or abuse of one's spouse or domestic partner.

### **Family Violence**

Family violence is typically used as a more comprehensive definition of domestic violence, which incorporates a wider range of family and family-like relationships including children, elders, extended family members, or non-family members living in the home. The use of this definition aims to broaden the understanding of domestic violence to better recognize economic, emotional and spiritual abuse, as well as other types of threatening and controlling behaviour.

**For additional definitions, please see: <http://respectwomen.ca/formsofviolence.html>.**

## 4.6 STATISTICAL OVERVIEW: VIOLENCE AGAINST ABORIGINAL WOMEN AND GIRLS

Nearly 60 per cent of Inuit women in Nunavik have experienced violence in adulthood.<sup>78</sup> According to the 2004 General Social Survey (GSS), residents of the territories were three times more likely than provincial residents to experience a violent victimization such as sexual assault, robbery or physical assault (315 versus 106 incidents per 1,000 population). Police-reported crime rates in the territories were substantially higher than rates in the rest of Canada. Specifically, in 2005, crime rates in the North were over four times higher than rates in the provinces (33,186 compared to 7,679 incidents per 100,000 population).

Statistics also clearly show a gender divide in experiences with violence: over the 30-year period between 1975 and 2004, spousal homicide rates in Nunavut when calculated as a rate per 100,000 couples were 7.3 for women and 3.6 for men, the highest of all three territories (GSS 2004). According to the Statistics Canada report, *Measuring Violence Against Women: Statistical Trends 2006*, rates of violence experienced by women in the three Territories were 12 per cent compared to seven per cent in the rest of Canada. The report, which devoted a specific section to Aboriginal women in the three Territories, also found that:

- Where the rates of spousal violence were much higher in the Territories than in the rest of Canada, the severity and impacts of spousal violence were also greater;
- 28 per cent of women in Nunavut were victims of spousal violence compared to seven per cent in the provinces;
- Police reported higher rates of violent crimes in the territories, including sexual assaults and spousal homicides;
- Per capita rates of shelter use were much higher in the Territories than in the provinces, with Nunavut having the highest shelter usage per capita: shelter use in Nunavut on a single day was a staggering 10 times higher than any of the provinces and territories.

Several studies have shown that the resources available for Aboriginal women and children in the North who are victims of domestic violence fall short of meeting their needs. Shelters targeting this population are not able to keep up with the demand for their services. Currently there are a total of 12 shelters serving the three Territories, operating in the range from emergency shelters, transition houses, and second stage housing, although the last is scarce and there is no second-stage housing in Nunavut. In Nunavik there are three women's shelters serving 14 fly-in communities, and three shelters serving five Inuit communities in Nunatsiavut. Shelters across the North are the ones most in need of assistance with regards to operations, as they face particular challenges that are unique to the North, such as very high operating costs

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<sup>78</sup> Institut national de santé publique du Québec and Nunavik Regional Board of Health and Social Services *Qanuippitaa? How are we? Epidemiological Portrait of Physical Violence and Property Offences in Nunavik* (2007) pg. 5

including utilities and shipping costs, human resource capacity issues and lack of access to training and professional supports. They must assist women who are coping with a wide range of social problems, including suicide, substance abuse, and all forms of violence.

Aboriginal women in the North are being impacted severely by family violence and confronted with a glaring lack of resources to address their needs. Homelessness, overcrowding, poverty, lack of employment and/or skills, substance abuse and the lasting effects of colonization, residential schooling and intergenerational trauma are all key issues that further contribute to these women being continually vulnerable to ongoing abuse. The extreme housing crisis across the Arctic often means that for women living with violence in the home there may be no other safe housing options, and the cost of air travel to seek safety in another community can be prohibitively expensive.

This statistical overview demonstrates the critical importance of taking the requisite measures to ensure that First Nation, Métis and Inuit women enjoy their right to live free from violence and to be safe and secure from victimization.

## **4.7 VIOLENCE AGAINST ABORIGINAL WOMEN: CURRENT INITIATIVES**

### **SUMMITS**

The First and Second National Aboriginal Women's Summits (NAWS I and II) provided important policy discussion tables to address violence against Aboriginal women and girls.<sup>79</sup> Specific recommendations were made at NAWS I to ensure that addressing violence against Aboriginal women and girls is a priority in all areas, including improvements to sexual and reproductive health services, education, child care, employment and housing (including shelters, second stage housing and transition shelters) (Recommendation two). Further, there was a call for increased financial resources from the Federal/Provincial/Territorial governments for family violence initiatives, abuse prevention programs and policies, healing initiatives and child sexual abuse and Elder abuse programs and services (Recommendation two).

At NAWS II, strategic actions were set out including partnerships between governments and Aboriginal women's groups and communities to address root causes related to violence, health and justice, calling for an Aboriginal Women's Strategy on Violence, or building on existing strategies, such as the National Strategy to Prevent Abuse in Inuit Communities which requires additional resources to be effectively implemented. Sustained, increased funding on a multi-year basis was identified as needed. Many of the recommendations and strategic actions identified at NAWS I and II are pertinent to addressing violence against Aboriginal women and girls, including in the areas of the criminal justice system and the need for a culturally relevant gender based analysis (CRGBA). Some of the National Aboriginal Organizations have developed a CRGBA.

### **CULTURALLY RELEVANT GENDER-BASED ANALYSIS**

Culturally Relevant Gender-Based Analysis (CRGBA) is a tool that is now recognized for its usefulness in understanding specific issues related to Aboriginal women, not only by National Aboriginal Organizations but also by the Federal, Provincial and Territorial Governments. For example, NWAC uses its CRGBA as a central lens in its policy and legal work in all areas, including NWAC uses its CRGBA as a central lens in its policy and legal work in all areas, including health, violence against Aboriginal women and girls and human rights, calling for the full equality and constitutional rights of Aboriginal women to be recognized and protected. For example, NWAC has developed a CRGBA of the UN *Declaration on the Rights of Indigenous Peoples*. Pauktuutit has developed an

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<sup>79</sup> The Native Women's Association of Canada (NWAC) with funding support from the Government of Canada initiated the two National Aboriginal Women's Summits. NWAC co-hosted these Summits in 2007 with the Government of Newfoundland & Labrador and in 2008 with the Government of the Northwest Territories. Over 150 women from every jurisdiction in Canada attended NAWS I and II. The purpose of the Summits was to raise awareness of issues specific to Aboriginal women and to develop strategic actions to aid in the implementation of the twenty-nine priority recommendations to improve the lives of Aboriginal women in Canada that were the result of the first National Aboriginal Women's Summit in June 2007 [see Appendix ..].



Inuit-specific GBA framework that considers factors such as the land and environment; culture, language and spirituality; and external institutions and influences. The Assembly of First Nations has developed a Culturally Relevant Gender Balanced Framework, toolkit and manual used to train the AFN Secretariat, regions and First Nations communities, federal, provincial and territorial governments at restoring balance and equity between men, women, boys, girls, two-spirited and transgendered First Nations peoples.

In order to address the broad issues of violence against Aboriginal women, it is clear that national, concerted, long-term, co-ordinated efforts will be required. These federal, provincial and territorial efforts can build on existing initiatives and resources already in place.

The Federal Plan for Gender Equality (1995-2000) states that all subsequent legislation and policies will include, where appropriate, an analysis of the potential for differential impacts on men and women and approved the Agenda for Gender Equality in 2000 as a government-wide initiative to accelerate implementation of gender-based analysis commitments. The Committee on the Elimination of Discrimination Against Women (CEDAW) also encouraged Canada to make gender based analysis mandatory for all governments. Gender budgeting has also been recommended for all federally funded programs, services and policy initiatives by the Auditor General of Canada's 2009 Spring Report.<sup>80</sup>

## **MISSING AND MURDERED ABORIGINAL WOMEN**

Immediate action in addressing murdered and missing Aboriginal women is supported by the global community, as evidenced by the Concluding Observations of the United Nations Committee on the Elimination of Discrimination against Women which called for "priority attention" to be given to the issue of missing and murdered Aboriginal women and for an examination of "the reasons for the failure to investigate the cases of missing or murdered aboriginal women and to take the necessary steps to remedy the deficiencies in the system." (para. 31 and 32, Concluding Observations, CEDAW, November 2008)

A part of the solution to missing and murdered Aboriginal women is a continuing commitment to existing initiatives as well as the development and implementation of key areas of reforms to the criminal justice system. Current initiatives have begun to address these concerns. The Government of Manitoba has initiated a Task Force of Missing and Murdered Women to review open missing and homicide cases and the Aboriginal Action Group to advise on the disproportionate number of Aboriginal women who are missing or murdered in Manitoba.

The five year Sisters in Spirit Initiative by NWAC has conducted research on the required changes to address missing and murdered Aboriginal women, has held more than 40 community engagement workshops nationwide, 3 family gatherings, over a hundred presentations at the national and international level

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<sup>80</sup> [http://www.oag-bvg.gc.ca/internet/English/parl\\_oag\\_200905\\_01\\_e\\_32514.html#hd5f](http://www.oag-bvg.gc.ca/internet/English/parl_oag_200905_01_e_32514.html#hd5f).

and held 72 annual SIS vigils across Canada on October 4<sup>th</sup> to remember missing or murdered Aboriginal women. This work has been done in collaboration with numerous partners, including the Assembly of First Nations, Amnesty International, KAIROS: Canadian Ecumenical Justice Initiatives, and the National Association of Friendship Centres. As mentioned above, the Federal, Provincial and Territorial Working Group on Aboriginal Justice has been initiated, in part, to examine this specific issue of missing and murdered Aboriginal women.

#### **4.8 CONTEXTUAL TIMELINE: PRE-FIRST MINISTERS MEETING IN KELOWNA, BC, NOVEMBER 2005 – DECEMBER 2009**

**April 19, 2004** – Canada-Aboriginal Peoples Roundtable, Ottawa, ON

**Summer 2004** – Pre-Council of the Federation Meeting with National Aboriginal Organization Leaders, Niagara on the Lake

**November 4-5, 2004** – Canada-Aboriginal Peoples Roundtable Health Sectoral Session, Ottawa, ON

**November 13-14, 2004** – Canada-Aboriginal Peoples Roundtable Life Long Learning Sectoral Session, Winnipeg, MB

**November 18-19, 2004** – Canada-Aboriginal Peoples Roundtable Post-Secondary Education and Skills Training Sectoral Session, Ottawa, ON

**November 24 - 25, 2004** – Canada-Aboriginal Peoples Roundtable Housing Sectoral Session, Ottawa, ON

**December 13-14, 2004** – Canada-Aboriginal Peoples Roundtable Economic Opportunities Sectoral Session, Ottawa, ON

**January 12 - 13, 2005** – Canada-Aboriginal Peoples Roundtable Negotiations Sectoral Session, Calgary, AB

**January 21, 2005** – Federal-Provincial-Territorial Meeting of Deputy Ministers of Aboriginal Affairs and Intergovernmental Relations, Winnipeg, MB

**January 25 - 26, 2005** – Canada-Aboriginal Peoples Roundtable Accountability for Results Sectoral Session, Ottawa, ON

**February 18, 2005** – Canada-Aboriginal Peoples Roundtable, Blueprint on Aboriginal Health, Ottawa, ON

**February 28, 2005** – Federal-Provincial-Territorial-Aboriginal First Ministers' Meeting Steering Committee, Vancouver, BC

**March 28, 2005** – Council of Ministers of Education, Canada (CMEC), Action Plan on Aboriginal issues, Toronto, ON

**May 31, 2005** – Aboriginal Federal Cabinet Joint Policy Retreat, Ottawa, ON

- Signing of:
  - A First Nations - Federal Crown Political Accord on the Recognition and Implementation of First Nations Governments (AFN)
  - Partnership Accord between the Inuit of Canada and Her Majesty the Queen in Right of Canada (ITK)
  - Métis Nation Framework Agreement between Her Majesty the Queen in Right of Canada and The Métis National Council (MNC)
  - Accord on Cooperative Policy Development between the Congress of Aboriginal Peoples and the Government of Canada (CAP)
  - Accord on Cooperative Policy Development between the Native Women's Association of Canada and the Government of Canada (NWAC)

**June 27, 2005** – Federal-Provincial-Territorial Meeting of Ministers responsible for Aboriginal Affairs and National Aboriginal Leaders, Ottawa, ON

**August 2005** - Pre-Council of the Federation Meeting with National Aboriginal Organization Leaders, Calgary, AB

**September 8, 2005** – Federal-Provincial-Territorial-Aboriginal First Ministers' Meeting Steering Committee (Deputy Ministers Meeting), Iqaluit, NU

**November 15, 2005** – Meeting between FPT Co-chair Ministers of Health and FPT Co-chair Ministers of Aboriginal Affairs and Leaders of National Aboriginal Organizations, Ottawa, ON

**November 23, 2005** – Government of Canada announces approximately \$2 billion for former Indian residential school students, Ottawa, ON

**November 24-25, 2005** – First Ministers' Meeting on Aboriginal Issues, Kelowna, BC

**March 8, 2006** – Council of Ministers of Education, Canada (CMEC), Renewing Commitment to Aboriginal issues, Yellowknife, NT

**May 29-30, 2006** – Western Premiers' Conference, Affirming Commitment on Aboriginal Issues, Gimli, MB

**July 2006** – Pre-Council of the Federation Meeting with National Aboriginal Organization Leaders, Deer Lake, Newfoundland and Labrador

**January 25, 2007** – Aboriginal Economic Development Symposium, Saskatoon, SK

**Summer 2007** – National Aboriginal Women's Summit, Newfoundland and Labrador

**Summer 2007** - Pre-Council of the Federation Meeting with National Aboriginal Organization Leaders, Moncton, NB

**August 8, 2007** – Council of the Federation, Pre-Meeting with National Aboriginal Leaders, Moncton, NB

**March 2008** - National Aboriginal Health Working Summit, Winnipeg, MB

**April 2008** – FPT Consultation and Accommodation Workshop, Toronto

**June 11, 2008** – Residential School Apology, Ottawa, ON

**July 16, 2008** – Pre-Council of the Federation Meeting with National Aboriginal Organization Leaders, Quebec, QC

**Summer 2008** – National Aboriginal Women’s Summit, Yellowknife, NT

**Summer 2008** - Pre-Council of the Federation Meeting with National Aboriginal Organization Leaders, Quebec City, QC

**February 2009** - FPT Consultation and Accommodation Workshop, Ottawa, ON

**August 5, 2009** – Pre-Council of the Federation Meeting with National Aboriginal Organization Leaders; Premiers directed a Ministerial Working Group to examine how governments and National Aboriginal Organizations can work more effectively to improve outcomes, Regina, SK

**October 29, 2009** – Meeting of Provincial-Territorial Ministers responsible for Aboriginal Affairs and Leaders of the National Aboriginal Organizations, Toronto, ON

**November 2009** - FPT Consultation and Accommodation Workshop, Vancouver, BC

**December 2009** – Métis Economic Development Symposium, Calgary, AB

## 4.9 AAWG WRITING GROUPS

### Introduction / Contextual Framework

Provincial-Territorial Leads: Ontario  
 Aboriginal Leads: Native Women's Association of Canada  
 Group Members: Newfoundland and Labrador  
 Nunavut  
 Assembly of First Nations

### Education

Provincial-Territorial Leads: Manitoba  
 Saskatchewan  
 Aboriginal Leads: Assembly of First Nations  
 Group Members: Alberta  
 Ontario  
 Northwest Territories  
 Yukon  
 Congress of Aboriginal Peoples  
 Inuit Tapiriit Kanatami  
 Métis National Council  
 Native Women's Association of Canada

### Economic Development

Provincial-Territorial Leads: New Brunswick  
 Aboriginal Leads: Métis National Council  
 Group Members: British Columbia  
 Ontario  
 Quebec  
 Nova Scotia  
 Prince Edward Island  
 Assembly of First Nations  
 Congress of Aboriginal Peoples  
 Inuit Tapiriit Kanatami  
 Native Women's Association of Canada

### Violence Against Aboriginal Women and Girls

Provincial-Territorial Leads: Nova Scotia  
 Aboriginal Leads: Native Women's Association of Canada  
 Group Members: Northwest Territories  
 Nunavut  
 Prince Edward Island  
 Assembly of First Nations  
 Congress of Aboriginal Peoples  
 Inuit Tapiriit Kanatami  
 Métis National Council