



ANNUAL GENERAL ASSEMBLY
July 9, 10, 11, 2024, Montreal, QC

Resolution no. 08/2024

TITLE: Call for Independent Inquiry into the Deaths of Rebecca Contois, Morgan Harris, Mercedes Myran, and Mashkode Bizhiki'ikwe

SUBJECT: MMIWG2S+

MOVED BY: Cathy Merrick, Proxy, War Lake First Nation, MB

SECONDED BY: Annie Ballantyne, Proxy, Misipawistik Cree Nation, MB

DECISION Carried by consensus.

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) states:
- i. Article 7(2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
 - ii. Article 22(2): States shall take measures, in conjunction with indigenous peoples, to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.
 - iii. Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.
- B. In August 2016, the Government of Canada launched the independent National Inquiry into Missing and Murdered Indigenous Women and Girls (National Inquiry). The National Inquiry released its Final Report entitled *Reclaiming Power and Place* (Final Report) on June 3, 2019.
- C. The Final Report explores many intersectional issues contributing to the national tragedy of missing and murdered Indigenous women, girls (MMIWG), and Two-Spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual people and those who identify as part of sexual and gender diverse

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communities that use additional terminologies (2SLGBTQQA+), and sets out 231 Calls for Justice, which include:

- i. Call to Justice 1.5: We call upon all governments to immediately take all necessary measures to prevent, investigate, punish, and compensate for violence against Indigenous women, girls, and 2SLGBTQQA+ peoples; and
 - ii. Call to Justice 1.6: We call upon all governments to eliminate jurisdictional gaps and neglect that result in the denial of services, or improperly regulated and delivered services, that address the social, economic, political, and cultural marginalization of, and violence against, Indigenous women, girls, and 2SLGBTQQA+ people.
- D.** On December 1, 2022, charges were laid for the murders of four Indigenous women in Manitoba: Rebecca Contois, Morgan Harris, Mercedes Myran, and an unidentified woman referred to as Mashkode Bizhiki'ikwe (or Buffalo Woman).
- E.** The Winnipeg Police Service was responsible for the investigation process and had information that the remains of Rebecca Contois, Morgan Harris, Mercedes Myran, and Mashkode Bizhiki'ikwe may be in Winnipeg landfills. Prior to the 2023 provincial election, the Province of Manitoba and the Winnipeg Police Service made public statements that landfill searches would not take place.
- F.** Independent inquiries are essential in filling the gaps where the traditional western-based legal system has failed by investigating, educating, and informing the government and public about matters of great importance, and serving as a vehicle to search for the truth when there are concerns about the conduct of provincial institutions.
- G.** The *Manitoba Evidence Act* provides the Lieutenant Governor of Manitoba with the authority to establish a commission for the purpose of carrying out an inquiry into any matter within the jurisdiction of the Legislature, including the conduct of any provincial institution or the administration of justice within the province.
- H.** In the Assembly of First Nations (AFN) Resolution 67/2023, *Denouncement of Manitoba Decision on Landfill Search for Remains of First Nations Women*, First Nations-in-Assembly called on the Manitoba Premier to reconsider the decision not to search the landfill and to work with the Federal Government to provide funding and conduct thorough searches of both the Prairie Green Landfill and Brady Landfill.
- I.** On March 22, 2024, the Province of Manitoba and the Government of Canada committed funding to search the Prairie Green Landfill, demonstrating the political will that had been absent prior to the 2023 provincial election.
- J.** As of June 2024, the searches are ongoing. However, the handling of search efforts by the Province of Manitoba and Winnipeg Police Service, including the management and preservation of evidence, has raised questions regarding the adequacy and sensitivity of the search methods employed. The responses and actions from official parties involved in the searches have highlighted issues of responsiveness, accountability, and transparency that undermine trust in the investigative process.

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THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Call on the Honorable Anita Neville, Lieutenant Governor of Manitoba, to establish a commission to undertake an inquiry into the deaths of Rebecca Contois, Morgan Harris, Mercedes Myran, and Mashkode Bizhiki'ikwe, with specific focus on the Winnipeg Police Service and Province of Manitoba's initial and ongoing efforts to investigate and locate the missing women.
2. Call on the Lieutenant Governor of Manitoba to appoint First Nations commissioners to carry out the independent inquiry, with consideration given to recommendations from the Assembly of Manitoba Chiefs (AMC) on the selection of commissioners.
3. Direct the Assembly of First Nations (AFN) National Chief Cindy Woodhouse Nepinak to write a letter to the Honorable Anita Neville in support of immediately establishing a public and independent inquiry into the deaths of Rebecca Contois, Morgan Harris, Mercedes Myran, and Mashkode Bizhiki'ikwe.
4. Direct the AFN to work with the AMC to recommend a proposed scope of the inquiry into the circumstances surrounding the deaths and to fully investigate the:
 - a. methodology and thoroughness of the search efforts;
 - b. protocols followed for the management and preservation of evidence;
 - c. actions and responsiveness of official parties throughout the investigative process; and
 - d. intersection of these issues with the crisis of MMIWG and 2SLGBTQIA+ peoples, scrutinizing how systemic biases have potentially influenced case outcomes.

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