

**First
Ministers
Conference**

Ottawa, March 8-9, 1984

**Conférence
des
premiers ministres**

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GOVERNMENT ANNOUNCES PLANS TO ELIMINATE
DISCRIMINATION AGAINST INDIAN WOMEN

CANADIANA

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OTTAWA, Ontario (March 8, 1984) -- The Prime Minister announced today the government's intention to introduce legislation shortly to remove discrimination on the basis of sex from the Indian Act.

The announcement was made on the first day of the First Ministers' Conference on Aboriginal Constitutional Matters in Ottawa.

The proposed legislation will change the Indian Act along the following lines:

- In the future, no Indian will lose his or her Indian status or band membership as a result of marriage to a non-Indian. Conversely, no non-Indian will gain status or band membership through marriage to an Indian.
- For the future also, within certain limits to be specified in the amendments, the children and grandchildren of marriages between Indians and non-Indians will enjoy Indian status and band membership.
- Non-Indian spouses of registered Indians will have the right to reside on reserve with their Indian partners.
- Those who lost status and band membership as a result of the discriminatory provisions of the Act will be reinstated, if they so wish, as will their children.

The Prime Minister pointed out that the planned legislation will bring justice to many Indian women who have long sought rights equal to those enjoyed by Indian men. The government's action will also fulfill a commitment made in last December's Speech from the Throne, and in the 1979 National Plan of Action on the Status of Women. Because of the the close relationship between this legislation and that for Indian self-government, it will be important to consider both items of legislation in relationship to each other.

The federal government will provide the funding required to extend services to those who regain or retain Indian status and band membership as a result of the planned amendments.

There are several sections of the Indian Act which discriminate on the basis of sex. Section 12(1)(b), for example, deprives a registered Indian woman of status and band membership if she marries a man who is not a registered Indian. On the other hand, an Indian man who marries a non-Indian woman retains his status and band membership, and his spouse acquires them.

These sections of the Indian Act conflict with the sexual equality provisions in the Canadian Charter of Rights and Freedoms which will come into effect on April 17, 1985. Government action is also required to repeal this section if Canada is to fulfill its obligations under the U.N. Covenant on Civil and Political Rights and the Convention on the Elimination of all Forms of Discrimination Against Women.

In August 1982, the government, with all-party agreement, asked the Standing Committee on Indian Affairs and Northern Development to hold public hearings and report on how best to amend the Indian Act to remove sexual discrimination. A Sub-Committee on Indian Women and the Indian Act reported in September 1982. It recommended repeal or amendment of various sections to abolish discrimination for the future, as well as a program of reinstatement to undo past injustices. The government has accepted these basic recommendations.

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