

What does it mean to call Canada's treatment of Indigenous women a 'genocide'?

 [cbc.ca/news/politics/indigenous-missing-murdered-women-genocide-trudeau-1.5162541](https://www.cbc.ca/news/politics/indigenous-missing-murdered-women-genocide-trudeau-1.5162541)

June 4,
2019

The faces of just some of the Indigenous women and girls who have been murdered or have disappeared in Canada in recent decades. (CBC News)

[Evan Dyer](#) · CBC News · Posted: Jun 05, 2019 5:00 AM ET | Last Updated: an hour ago

From the moment it was coined during the Second World War by Raphael Lemkin, the word "genocide" has carried an emotional charge like few others. For good reason: at its heart is the "intention to destroy" a whole people.

Even as Lemkin joined the Greek word *genos* ("people") to the Latin suffix *cide* ("killing"), history's most infamous genocidal killers were implementing their "Final Solution." But already in 1943, people recognized that this was but "a new word to denote an old practice."

The hope of Lemkin's generation — that the genocidal events of the Second World War would never be repeated — was not fulfilled. There has been no other genocide event on the scale of the Holocaust, but Cambodians, Rwandan Tutsis, Bosnian Muslims and Iraqi Yazidis have all suffered systematic campaigns of mass killing.

In Myanmar, a campaign aimed at driving the Muslim Rohingya people out of the mostly Buddhist nation has reached proportions that "constitute genocide," according to a motion passed in the House of Commons in September 2018.

Now, the debate over the unique nature of the crime of genocide has become part of Canada's political dialogue going into the fall election campaign. In its final report, released this week, the National Inquiry into Missing and Murdered Indigenous Women and Girls described those thousands of victims as casualties of a "genocide."

Yesterday, Prime Minister Justin Trudeau adopted that language as his own, telling an audience in Vancouver that "we accept the findings of the commissioners that it was genocide."

Prime Minister Justin Trudeau, pictured at the Women Deliver Conference in Vancouver on Tuesday, said he accepted the MMIWG inquiry's conclusion that the massive number of deaths and disappearances of Indigenous women constituted "a genocide." (Jonathan Hayward/The Canadian Press)

But despite Trudeau's careful use of the past tense, the commissioners who drafted that report were talking very explicitly about the present. They wrote that Canada has pursued "a continuous policy, with shifting expressed motives but an ultimately steady intention, to destroy Indigenous peoples physically, biologically, and as social units."

The report points a finger of blame at "present-day Canadian state conduct," including what it calls "proactive measures to destroy, assimilate and eliminate Indigenous peoples."

“ If we say everything is a genocide, then nothing is a genocide. ” - *Irwin Cotler*

"I'm not comfortable with that," said retired general Romeo Dallaire, when asked about applying the genocide label to Canada.

Dallaire's name is forever linked to the worst genocide of recent times: the slaughter of about two-thirds of Rwanda's Tutsi population during the span of three months in 1994 — perhaps as many as a million people. Dallaire, who was commanding the United Nations Assistance Mission for Rwanda at the time, was profoundly affected by his inability to halt the massacres.

Major-General Romeo Dallaire at the airport in Kigali, Rwanda, Aug. 1, 1994. (Ryan Remiorz/Canadian Press)

"My definition of genocide, I read it very deliberately at the start of the Rwandan genocide," he told CBC News. "And it was a deliberate act of a government to exterminate, deliberately and by force and directly, an ethnicity or a group of human beings. And that meant actually going and slaughtering people."

Dallaire said that the commissioners were right to highlight the systemic racism and double standards that have blighted the Indigenous experience in this country, and Canada's "horrible failure" to ensure that all its citizens are protected.

"That is scandalous and that is unacceptable in a country that has a Charter and believes that all humans are human," he said.

"Is that an act of genocide? Is it? Is it deliberate, do we want that to happen? Or is our government just that inept and has been that irresponsible to these people over all these years?"

"I'm simply having a problem of going and leaping to an international convention on a definition of ... not only abuse of human rights, but mass atrocities and a deliberate aim by a government to destroy a society, to destroy an ethnicity, to eliminate it. That's what I lived through. And that's what I saw as a genocide."

National Inquiry commissioner Marion Buller defended her commission's decision to use the genocide label, saying comparisons to other countries are misleading.

Chief Commissioner of the National Inquiry Marion Buller addresses a crowd at the closing ceremonies for community hearings in April 2018. (Chantelle Bellrichard/CBC)

"I think it's important for everybody, for all Canadians, to know that we often think of genocide as the Holocaust, the killings in Africa or elsewhere. And of course that is genocide, and of course that is tragedy," she said.

"But the type of genocide we have in Canada is, as my colleague Commissioner Robinson said, death by a million paper cuts for generations."

By accepting a finding that Canada committed genocide, Trudeau arguably placed the country within a tiny group of self-declared guilty nations.

Until yesterday, the group included only Germany, Cambodia and Rwanda. Ukraine marks the Holodomor as a genocide but does not consider itself the perpetrator, blaming instead Stalin's Soviet Union. The Muslim part of Bosnia's government also considers the Srebrenica massacre and other killings to have been part of a genocide; the Serbian-controlled branch of the government disputes that, but The Hague, the international tribunal for the former Yugoslavia and the European Court of Human Rights all agree with the Muslims.

Irwin Cotler, former attorney general of Canada, says he fears that frequent use of the word genocide might cause it to 'cease to have the singular importance and horror that it warrants.' (Sean Kilpatrick/Canadian Press)

Irwin Cotler is head of the Raoul Wallenberg Centre for Human Rights, a former attorney-general of Canada and perhaps the country's most prominent international human rights lawyer.

"Perhaps they had to use a term like genocide in order to sound the alarm and people will take notice and finally action will result," he said. "But I think we have to guard against using that term in too many ways because then it will cease to have the singular importance and horror that it warrants."

"If we say everything is a genocide, then nothing is a genocide."

Cotler has used the term "genocide" to describe Myanmar's campaign against the Rohingya, but said it doesn't fit the killings and disappearances documented by the MMIWG inquiry.

The national inquiry's supplementary report — A Legal Analysis of Genocide — seems itself to struggle to fit Canada's troubled relationship with Indigenous peoples into the same framework as Srebrenica, Rwanda and other recognized genocides, all of which were campaigns of mass murder directed by governments and armies.

"Examinations of the commission and risk of genocide largely and unhelpfully revolve around the numbers killed," the report says, suggesting that the definition is bad at capturing what it calls "the particular nature of Colonial Genocide."

The report then says that Canada should be judged not only by its actions, but also by its omissions. Together, it says, they constitute the Canadian government's "genocidal policy, a 'manifest pattern of similar conduct', which reflects an intention to destroy Indigenous peoples."

Framing genocide in Canada as an accumulation of actions and omissions over decades, the report says, "allows us to understand its true nature without the entanglement caused by an inappropriate 'copy and paste' of the logic pertaining to individual criminal liability and to Holocaust-types of genocides."

The international consequences of attaching such a label to one's own country on the international stage could be heavy and long-lasting. They might be felt the next time that Canada tries to press another country on its human rights record, or tries to uphold its own image as a nation where there is rule of law.

The reputational damage alone is a cost that most countries would want to avoid.

Turkey has fielded an enormous diplomatic push for much of the past century against the application of the genocide label to the massacres and forced transfers of its Armenian minority in 1915.

Any country that considers recognizing an Armenian genocide can expect to receive a blizzard of diplomatic notes and letters of protest, and very likely see its ambassador expelled.

One federal government official told CBC News that Canada "will unquestionably" see this label "used against us" on the world stage. China has cited a relatively bland national scandal — the [SNC-Lavalin affair](#) — to undermine Canada's claim that it is merely following the rule of law in the Meng Wanzhou case.

It's difficult to imagine Beijing passing up the propaganda plum presented by the the inquiry report and Trudeau's response to it if, for example, Canada were to criticize its treatment of its Muslim Uighur minority.

Then there's the question of how ordinary people will see Canada in light of this declaration. How many will understand that the commissioners are applying a new and untested definition to the word? How many will simply hear the word "genocide" and conjure up its normal associations: mass murder, ethnic cleansing, concentration camps?

"That should be used very sparingly," Cotler told CBC News. "I would hope it would not have an effect on Canada's reputation."