



2ND WORLD CONFERENCE OF INDIGENOUS WOMEN

Together for wellbeing and Mother Earth





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The power of Indigenous Women's resilience: standing up for a life free of violence

Background

Violence against Indigenous Women is **multifactorial and intersectional**. Indigenous Women suffer triple discrimination, comprising **poverty, gender and ethnicity**. **Racism, historical marginalization** and the **legacies of colonialism** have made them targets of hatred and violence at several levels. The **patriarchy** deeply rooted in society means that their rights are also violated within their own communities.

Despite gradual recognition of gender-based violence at international and national levels, and progress in the recognition by some States of the particular vulnerability faced by Indigenous Women, their rights are still violated at different levels. Although **gender violence** affects all women, it reaches alarming levels in the case of Indigenous Women.

According to the United Nations Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, Indigenous Women in Canada are 4 times more likely to be murdered than non-Indigenous Women. In the United States, 84% of Native Women have experienced some form of violence, ranging from psychological to sexual and physical violence. Despite the gravity of the situation, 38% of them were unable to access legal, medical, and other services. Also, 86% of reported cases against Indigenous Women are perpetrated by non-Natives⁹.

Even in these countries of the Northern hemisphere, the **law implementation** that protects the rights of Indigenous Women and Girls remains a challenge, leaving many of these cases **unpunished**. In addition, United Nations Special Rapporteur on the Rights of Indigenous Peoples points out the **significant lack of disaggregated data** regarding violence against Indigenous Women and the weaknesses of legal proceedings for the crimes committed, all of them contributing to the **invisibility** of assaults and discrimination in the justice system, thus preventing the formulation and implementation of efficient policies and laws to ensure a life free of violence for them.





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On the one hand, there is evidence that **sexual violence** during **war** or armed conflict is used **as a war weapon** and causes irreparable trauma to victims. By attacking women and what they represent, the agents of harm seek to annihilate the culture and community to which these women belong, and effectively destroy **social bonds**. FIMI's study "Mairin Bila Baikara: Voices of Indigenous Women" clearly demonstrates that violence against Indigenous Women not only affects their family and society, but also their **relationship with the environment and ancestral territories**. Finally, Indigenous Women are excluded from peace-making processes, conflict resolution and post-conflict programs. By undermining the dignity of Indigenous Women and preventing their participation in decision-making processes that affect them directly, their role and status in their community are undermined, together with their contributions in conservation and sustainable management of resources and territories.

On the other hand, **actions to defend land and territories** are being **criminalized** and all regions witness an alarming increase of verbal and physical attacks against Indigenous defenders, their families and communities.

The emergence of Covid-19 and its consequent sanitary and economic crisis sharpened this threat on Indigenous Peoples and Women as the paralysis of all economic activities, such as informal business or farm products selling, meant higher levels of criminalization from the State. In some other cases, land defenders confined in their home without any safety device were brutally murdered.





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The causes and impacts of criminalization and violence affecting Indigenous Peoples must be understood and addressed within the particular framework of the United Nations Declaration on the Rights of Indigenous Peoples and international and regional human rights instruments. These international legal sources recognize Indigenous Peoples' rights to **self-determination and to their traditional lands, territories and natural resources, self-government, cultures and ways of life**. In this vein, the UN Permanent Forum on Indigenous Issues recently reiterated its concern about ecological violence and its impacts on Indigenous Women and Girls.

Government institutions often provide limited access to **health, justice and education** to Indigenous women, either because services are not offered in their **native language** or services do not consider their **cultural specificities**, for example in the case of **sexual and reproductive health services**. Limited access is also due to a lack of resources or the insecurity involved in claiming these services, for example in the case of Indigenous girls who are victims of harassment or assault on their way to school. Another element of institutional violence relates to the services provided by **Civil Registry Offices**, such as birth registration or issuance of identity documents. Remote rural areas lack outreach programs to facilitate these services, so many births do not get registered. As a result, there are restrictions on mobility and on the access to general public services and financial services. In the Covid-19 crisis context, institutional violence levels increased.

⁹ *Indigenous women's rights are human rights, Cultural Survival Quarterly Magazine, February 2018.*





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Indigenous Women and Girls are at greater risk for **human trafficking and exploitation in migration** contexts. Forced and early marriages are additional challenges that hinder the living conditions and the protection of their rights.

The United Nations mechanisms address gender equality and women's rights through the **Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)** and recognize the inherent collective rights of Indigenous Peoples to social justice and non-discrimination in the United Nations Declaration on the Rights of Indigenous Peoples. In addition, the **International Convention on the Elimination of Racial Discrimination (ICERD)** and **International Labor Organization Convention 169** are key international human rights instruments for the protection of Indigenous Women's rights. The **61st session of the Commission on the Status of Women (CSW)** identifies the empowerment of Indigenous Women as an emerging priority and the **62nd session** identifies as a priority theme the **challenges and opportunities in achieving gender equality and the empowerment of Indigenous women and girls**, and it includes these issues in its annual work plan.

Guiding questions:

- What are examples where gender awareness has been observed at the level of your community and how has the status of women evolved in this context?
- What are the strategies and good practices that have been implemented to achieve justice in cases of gender-based violence or environmental justice in your community?
- What are the challenges women face in achieving protection of their right to live free from violence?
- What is the level of involvement and integration of Indigenous women in peace building, mediation, conflict resolution processes and post-conflict reparation programs?
- Did the Covid-19 crisis increase the levels of violence in your community? What is the role of women and youth in the measures taken?
- Is there opportunities to strengthen women sustainability in your community, to get into a free of violence virtuous circle ?
- Do you have an example of successful violence management based on ancestral practices and knowledge? Which are the best practices and the challenges to make this knowledge last?

