



UN Expert Mechanism on the Rights of Indigenous Peoples 8th Session (20-24 July 2015)

Agenda Item 3: Follow-up to the World Conference on Indigenous Peoples – Consultation on the United Nations System-wide Action Plan for a coherent approach to achieving the ends of the Declaration on the Rights of Indigenous Peoples (24 July 2015)

Statement by the Indian Law Resource Center, National Congress of American Indians, and Native American Rights Fund, non-governmental organizations in consultative status with ECOSOC

Mr. Chair,

We appreciate the progress made on development of a System-wide Action Plan to ensure a coherent approach to achieving the ends of the UN Declaration on the Rights of Indigenous Peoples and wish to share our views on several of the proposals and recommendations in the recent summary and analysis of background notes.¹

The summary identifies 31 broad challenges to implementation of the UN Declaration. Nothing could do more to address these challenges than the creation of an effective implementing and monitoring body for the UN Declaration; the establishment of new rules for participation of indigenous governing institutions in the UN; and UN actions to address violence against indigenous women.

The outcome document of the World Conference on Indigenous Peoples contains decisions crucial for achieving the ends of the UN Declaration, including consideration of an implementing body for the UN Declaration; development of a System-wide Action Plan; and adoption of rules to enhance the participation of indigenous peoples' governments at the UN. Importantly, states also committed to support the empowerment of indigenous women and to intensify efforts to prevent and eliminate violence and discrimination against women by strengthening legal, policy, and institutional frameworks. Inclusion of these decisions in the final System-wide Action Plan will significantly help advance the rights of indigenous peoples if properly executed.

Toward that end, we recommend the implementing body be comprised of independent experts with the mandate to gather information from all sources and to issue reports, recommendations, observations, and interpretative opinions concerning the UN Declaration. We also recommend that effective, meaningful participation of indigenous peoples' governing institutions in the UN be guaranteed through an appropriate accreditation mechanism. The background note, in part, makes preliminary recommendations

¹ Background Note for the Development of a System Wide Action Plan to Ensure a Coherent Approach to Achieving the Ends of the United Nations Declaration on the Rights Of Indigenous Peoples, Summary and Analysis of Background Notes 1-11 for the development of the action plan (16 July 2015).

for these two points, yet fails to mention the urgent need to address the crisis of violence against indigenous women. In fact, indigenous women are entirely absent from the note.

We are deeply concerned about the global pandemic of violence against indigenous women and girls. Violence against women is widespread,² a form of discrimination,³ and “one of the most pervasive violations of human rights.”⁴ No country is immune from this scourge of violence, including the United States where, despite some steps forward, American Indian and Alaska Native women are 2.5 times more likely to be sexually assaulted or raped and, in some cases, 10 times more likely to be murdered than other women in the United States.

Article 22(2) of the UN Declaration directs states, in conjunction with indigenous peoples, to take measures to protect indigenous women and children against violence and discrimination. To address the extreme situation of violence against indigenous women, dedicated attention to the rights of indigenous women and girls is urgently needed on an accelerated basis. To combat violence against indigenous women, we offer the following recommendations:

- 1. That the System-wide Action Plan pay particular attention to the rights of indigenous women in order to ensure their full protection from all forms of violence and discrimination;**
- 2. That the Human Rights Council hold a high-level panel to examine the causes and consequences of violence against indigenous women, perhaps during its annual discussion on the rights of women;**
- 3. That the Human Rights Council request a Secretary-General’s report with concrete recommendations for action on the issue of violence against indigenous women; and**
- 4. That the Commission on the Status of Women designate “empowerment of indigenous women” as the emerging theme for its 60th Session.**

We look forward to building on the momentum of the World Conference and moving closer towards achieving the ends of the Declaration.

Thank you.

² Statement by Ms. Rashida Manjoo, Special Rapporteur on Violence against women, its causes and consequences, 59th Session, Commission on the Status of Women (March 9, 2015).

³ United Nations Division for the Advancement of Women, Background Paper for the Expert Group Meeting on Good Practices in Legislation on Violence Against Women, U.N. Doc. EGM/GPLVAW/2008/BP.01 (May 2008), 3. UN Permanent Forum on Indigenous Issues, Study on the extent of violence against indigenous women and girls in terms of article 22(2) of the United Nations Declaration on the Rights of Indigenous Peoples, E/C.19/2013/1 (Feb. 12, 2013), 2.

⁴ Statement by the UN High Commissioner for Human Rights, Navi Pillay, on International Women’s Day: Violence against women (March 8, 2013).