

## Annual full-day discussion on the human rights of women

### Panel 1: Violence against indigenous women and girls and its root causes

*Concept note (as of 15 June 2016)*

<b>Date and venue:</b>	<b>16 June 2016, 9 a.m. - 12 p.m.</b> , Palais des Nations, Room XX, Geneva (will be broadcast live and archived on <a href="http://webtv.un.org">http://webtv.un.org</a> )
<b>Objectives:</b>	The morning panel will provide an opportunity to discuss the protection of the right of indigenous women and girls to a life free from violence. In particular, the panel will identify challenges and good practices in ensuring that States respect, protect and fulfil this right, including by addressing underlying discrimination and marginalization, eliminating structural and institutional discrimination and harmful stereotypes, promoting access to protection measures and services and ensuring accountability for perpetrators of violence and access to an effective remedy for survivors. The panel will also devote specific attention to the role of indigenous women and girls in addressing the violence directed against them.
<b>Chair:</b>	<b>H.E. Mr. Choi Kyonglim</b> , President of the Human Rights Council
<b>Opening statement:</b>	<b>Ms. Kate Gilmore</b> , United Nations Deputy High Commissioner for Human Rights
<b>Moderator:</b>	<b>Chief Wilton Littlechild</b> , Member of the Expert Mechanism on the Rights of Indigenous Peoples
<b>Panellists:</b>	<ul style="list-style-type: none"><li>• <b>Ms. Dubravka Šimonović</b>, Special Rapporteur on violence against women, its causes and consequences</li><li>• <b>Ms. Tarcila Rivera Zea</b>, Founder and Director of CHIRAPAQ (Centro de Culturas Indígenas del Perú), journalist and indigenous peoples' rights activist</li><li>• <b>Ms. Josephine Cashman</b>, Indigenous lawyer, Founder and Managing Director of the Riverview Global Partners</li><li>• <b>Ms. Jennifer Koinante</b>, Executive Director of the Yiaku Laikipiak Trust</li></ul>
<b>Outcome:</b>	A summary report of the panel discussion will be prepared.
<b>Mandate:</b>	In its resolution 6/30 of 14 December 2007, the Human Rights Council decided to incorporate into its programme of work an annual discussion on the integration of a gender perspective throughout its work, at minimum an annual full-day meeting, to discuss the human rights of women, including measures that can be adopted by States and other stakeholders, to address human rights violations experienced by women. Furthermore, in its resolution 29/14, recognizing the vulnerability of those who suffer multiple and intersecting forms of discrimination, such as indigenous women, the Council decided to continue its consideration of the issue of the prevention and elimination of all forms of violence against women and girls, its causes and consequences as a matter of high priority and in conformity with its annual programme of work.
<b>Format:</b>	The opening statement by the Deputy High Commissioner and initial presentations by the panellists, guided by the moderator, will be followed by an interactive discussion with States and observers intervening from the floor. The list of speakers for the discussion will be established at the beginning of the panel and, as per practice, statements by high-level dignitaries and groups will be moved to the beginning of the list. States and observers, including representatives of civil society, will take the floor for a 2-minute intervention each (total 45 minutes), followed by responses from panellists (15 minutes). A second round of interventions from the floor (45 minutes) will be followed by responses and concluding remarks from the panellists and the moderator (15 minutes).

To make the panel interactive, speakers are encouraged to focus their interventions on the themes of the panellists either by asking the panellists questions or sharing concrete examples and relevant national experience. Interpretation will be provided in the six United Nations official languages (Arabic, Chinese, English, French, Russian and Spanish).

**Background:** The United Nations Declaration on the Rights of Indigenous Peoples provides that States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy full protection and guarantees against all forms of violence and discrimination (art. 22). Yet, indigenous women and girls continue to experience high levels of violence in their own families and communities, as well as within wider society.

According to the 2015 Report of the Special Rapporteur on the rights of indigenous peoples (A/HRC/30/41), violence against indigenous women is systemic and varied, and there are high levels of impunity. This is partly because of significant underreporting and a lack of investment in disaggregated data collection, research, and analysis of disseminated data that include data on the perpetrator and indigenous women and girls as victims. Nevertheless, available data shows that indigenous women and girls are more likely to suffer gender-based violence than non-indigenous women and girls, including those with disabilities. For example, indigenous women are “significantly more likely” to be raped and be victims of domestic violence when compared to non-indigenous women. The Committee on the Elimination of Discrimination against Women (CEDAW) and other human rights mechanisms have highlighted the heightened vulnerability of indigenous women and girls to harmful practices such as child marriage and female genital mutilation and cutting, as well as to forced sterilization, sexual abuse and exploitation and gender-based violence in humanitarian settings and/or in situations of armed violence, insecurity, communal conflicts and post-conflict situations. Echoing the Rapporteur on the Rights of Women of the Inter-American Commission on Human Rights, the Special Rapporteur on the rights of indigenous peoples noted that *“military officials may perpetrate sexual violence as a weapon to weaken the resolve of indigenous communities in militarized disputes over land and resources.”*

Violence against indigenous women and girls is rooted in racism, marginalization and poverty. It fits within the wider context of the discrimination and exclusion indigenous women and girls often face in all aspects of their life, including in the political, social, economic and cultural spheres. It has been highlighted inter alia by the Working Group on discrimination against women in law and in practice<sup>1</sup> and Ms. Rashida Manjoo, the former Special Rapporteur on violence against women, its causes and consequences in the thematic report addressing gender-related killings of women (A/HRC/20/16). Referring to indigenous women, the former Special Rapporteur stated that poverty is one of the main causes that has left some of these women in vulnerable positions; their situation being exacerbated by different factors such as colonialism, historic racism and marginalisation. A joint study published by UNICEF, UN Women, UNFPA, ILO and the Special Representative of the Secretary-General on Violence against Children stressed that deep inequalities in living conditions and discrimination in the provision of government services can push indigenous women and girls into precarious situations—ranging from inadequate housing to sex work—where there is a heightened risk of violence. Inequalities can also hinder indigenous women’s access to services needed to escape violence, such as culturally appropriate emergency shelters. Bias on the side of law enforcement officials and lack of accessible and comprehensive services, including justice services, can result into high rates of impunity, fuelling a vicious cycle of exclusion and violence.

**Background documents:** Human Rights Council resolution 29/14 recognizes that violence against women and girls, is a serious violation or abuse of human rights, a societal problem and a manifestation of unequal power relations, and is intrinsically linked with gender stereotypes that underlie and perpetuate such violence. This resolution also recognizes the vulnerability of indigenous

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<sup>1</sup> See inter alia A/HRC/23/50 and A/HRC/29/40.

women, who are exposed to multiple and intersecting forms of discrimination, and the particular risk of violence they face, and therefore it stresses the urgent need to address violence and discrimination against them.

Reports and resolutions on human rights on the rights of indigenous peoples and on discrimination and violence against women:

- United Nations Declaration on the Rights of Indigenous Peoples ([General Assembly resolution 61/295](#))
- Outcome Document of the World Conference on Indigenous Peoples ([General Assembly resolution 69/2](#))
- [Human Rights Council resolution 6/30](#)
- [Human Rights Council resolution 29/14](#)
- Report of the Working Group on the issue of discrimination against women in law and in practice ([A/HRC/23/50](#))
- Report of the Working Group on the issue of discrimination against women in law and in practice ([A/HRC/29/40](#))
- Report of the Special Rapporteur of the rights of indigenous peoples ([A/HRC/30/41](#))
- Report of the Special Rapporteur on violence against women, its causes and consequences ([A/HRC/20/16](#))
- Report of Special Rapporteur on violence against women, its causes and consequences ([A/HRC/17/26](#))
- Expert Mechanism on the Rights of Indigenous Peoples. Study on access to justice in the promotion and protection of the rights of indigenous peoples: restorative justice, indigenous juridical systems and access to justice for indigenous women, children and youth, and persons with disabilities ([A/HRC/27/65](#))