

INDIAN LAW RESOURCE CENTER

CENTRO DE RECURSOS JURÍDICOS PARA LOS PUEBLOS INDÍGENAS

www.indianlaw.org

MAIN OFFICE
602 North Ewing Street, Helena, Montana 59601
(406) 449-2006 | mt@indianlaw.org



WASHINGTON OFFICE
601 E Street, S.E., Washington, D.C. 20003
(202) 547-2800 | dcoffice@indianlaw.org

FOLLOW-UP TO THE WORLD CONFERENCE ON INDIGENOUS PEOPLES

Actions to Address Violence Against Indigenous Women in the Commission on the Status of Women and the Human Rights Council

February 2015

The World Conference Outcome Document in ¶ 19 calls on the UN Commission on the Status of Women (Commission) to “consider the issue of the empowerment of indigenous women” and on the Human Rights Council (Council) to “consider examining the causes and consequences of violence against indigenous women and girls, in consultation with the Special Rapporteur on the rights of indigenous peoples and other special procedures mandate holders.”

The Indian Law Resource Center calls for the following actions by the Commission and the Council to implement this decision: (1) Adoption by the Commission of the subject of empowerment of indigenous women as an emerging issue to be considered at its next session in 2016; and (2) a decision by the Council to hold a panel discussion to examine the causes and consequences of violence against indigenous women and girls during its annual discussion on the rights of women and to request a research-based report from the Secretary-General on the issue, including recommendations to the Human Rights Council, with a view toward enhancing the mandates of its existing special procedures to request regular joint reports on the issue of violence against indigenous women and girls. Any such reviews or discussions by the Council or the Commission should of course be conducted in consultation and cooperation with indigenous peoples, including indigenous women.

Action in the Commission on the Status of Women

To implement the Outcome Document the Commission should address the empowerment of indigenous women as an emerging theme at its 60th session in 2016. The Commission at its annual sessions, in addition to consideration of priority and review themes,¹ engages in “discussion of emerging issues, trends and new approaches to issues

¹While the formal criteria for selection of priority themes are broad enough to include “empowerment of indigenous women,” previous priority themes have been general and nearly universal in scope and this topic would seem to be an

affecting the situation of women or equality between women and men that require urgent attention.”² In selecting emerging issues themes, “the Commission may wish to bear in mind opportunities for contributing to, and strengthening coherence with, the thematic work of the Economic and Social Council or with other relevant intergovernmental processes.”³

Designating “empowerment of indigenous women” as the emerging theme for its 60th Session would allow the Commission to follow through on the General Assembly’s specific invitation. It would also strengthen the coherence of the work of the Commission with other intergovernmental processes, including the development of the UN’s system wide action plan as called for by the Outcome Document in ¶ 40.

Action in the Human Rights Council

In order to “examin[e] the causes and consequences of violence against indigenous women and girls,” the Council should request a report on this topic from the Secretary-General, and also decide to hold a panel or roundtable as part of an annual discussion on the rights of women held in June or at another session. These steps would allow the Council to gather information about this complex topic from within the UN system and to then also engage with outside experts about the report of the Secretary-General, its conclusions, and its recommendations.

As an additional step, the Council could also enhance the mandates of existing special procedures, and create a specific mandate for the new implementing body requested in ¶ 28 of the Outcome Document, to better address the issue of violence against indigenous women and girls. The resolution establishing the Council’s modalities states that the “Council should always strive for improvements” and that “[a]reas which constitute thematic gaps will be identified and addressed, including by means other than the creation of special procedures mandates, such as by expanding an existing mandate, bringing a cross-cutting issue to the attention of mandate-holders or by requesting a joint action to the relevant mandate holders.”⁴

A revision of the mandates of these special rapporteurs could thus identify violence against indigenous women and girls as a cross-cutting issue and request regular joint-reports on violence against indigenous women and girls, perhaps on a regional basis.

unlikely selection. Review themes are simply past priority themes.

²*Ways and means to further enhance the impact of the Commission on the Status of Women* E/CN.6/2014/14 (Dec. 19, 2013) para. 18.

³*Id.* at page 12.

⁴HRC 5/1 (2007), Annex, Para. 58.