**Inputs for CEDAW online General Discussion on the rights of indigenous women and girls**

[**Thursday, 24 June 2021**](https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/DGDRightsIndigenousWomenAndGirls.aspx)

**Background**

Please find below the OHCHR’s Regional Office for the Pacific’s submission[[1]](#footnote-1) (with a climate crisis focus) regarding the two themes of CEDAW’s next General Discussion on 24 June 2021:

* “Equality and non-discrimination with a focus on indigenous women and girls and intersecting forms of discrimination”; and
* “Effective participation, consultation and consent of indigenous women and girls in political and public life”.

**Key points relating to women and girls**

*Climate Crisis and the environment – general issues*

Human rights can help to ensure accountability for harmful actions that drive climate change. The impacts of the climate crisis in the Pacific are, however, unevenly experienced, with marginalized and vulnerable groups (indigenous women and girls who are disproportionately included) feeling the effects sooner or more severely.

That severity of effect is amplified for indigenous peoples due to their historical, socio-economic and political conditions, and their close relationship with nature, which means climate crisis directly impacts their entire way of life: their health, housing, education, economy, identity, culture and knowledge systems and sciences (women being important knowledge-holders and practitioners of ‘native sciences’ in their communities). Deforestation, fisheries depletion, damaging agricultural practices and growing populations are all undermining indigenous peoples’ resilience. Resource scarcity on outer islands and other areas, exacerbated by climate crisis, threatens migration from communities to urban areas, creating new social problems, such as expanding informal settlements (often on marginal lands prone to flooding, lack of fresh water or other environmental hazards) with attendant exposure to increased crime, high rates of youth unemployment and risk of sub-standard informal working conditions or labour exploitation.[[2]](#footnote-2) This all puts women and girls at risk of harms such as increased ill health, poverty and financial hardship, and physical and sexual abuse.

States and civil society (including the CBD, the IUCN and other conservation programmes) should give greater respect for indigenous peoples’ knowledge and practices, including for disaster response purposes - for example, with regard to Covid-19 and climate crisis responses. Women in communities can use their customs and practices to create environmental and economic security. However, indigenous peoples’ lands, territories and resources are being excessively exploited, including in the name of development and conservation, which often negatively impacts their situations (including those of women and girls).

Indigenous voices (including those of women and children) must be at the table as concerns untested, emerging and new technologies that may pose serious environmental and social concerns – such as climate or geo-engineering and deep sea mining.

**Recommendations - States:**

* 1. **Ensure that solutions to build resilience are tailored to different communities’ profiles, and physical needs and environments, with:**
		1. **Meaningful inclusion and participation of women;**
		2. **Respect for the principle of free, prior and informed consent (FPIC); and**
		3. **Effective alignment among State agencies, and improved support for CSO, Government and local communities’ collaboration.**
	2. **Implement more nature-based solutions to restore ecologies and mitigate and adapt to climate crisis, with full participation of indigenous women and girls, in their design and implementation.**
	3. **Allocate sufficient resources to combat the climate crisis.**
	4. **Protect the Pacific’s oceans as a critical buffer against global warming, and to protect the wellbeing of indigenous peoples, especially women, who rely on them for subsistence.**
	5. **Develop, with the full participation of indigenous peoples, human rights-based responses in the Pacific to the threat of overpopulation, pollution and overuse of natural resources that are making indigenous peoples in the region, particularly women and girls, especially vulnerable to fresh water, food and social insecurity, and increased conflict situations.**

*Human Rights Defenders*

There are frequent reports of human rights defenders (HRDs) and environmental human rights defenders (EHRDs) suffering intimidation, attacks, arrests by law enforcement authorities, restrictions to the right of freedom of expression and peaceful assembly, and other violations. [[3]](#footnote-3) Women, and those opposing land-grabbing and defending indigenous peoples’ rights, are among the most vulnerable. However, there are few laws that explicitly protect their rights, and there is a lack of hard data on the nature and extent of violations of these defenders’ rights.

**Destruction of the ocean and its ecosystems (including the seabed) exacerbates the already vulnerable conditions of Pacific indigenous peoples, including women and children, who rely on them for food, health, culture and economic wellbeing. In the Pacific, women HRDs working on the oceans are reported to be facing risks and challenges daily, whether it’s resistance from village leaders about public demonstrations by women to protect the ocean from climate crisis,**[[4]](#footnote-4) **discrimination women face participating in decision-making bodies on ocean law and policy that affect the environment, their fisheries and fishing practices,**[[5]](#footnote-5) **or fighting to have a voice in the fishing sector.**[[6]](#footnote-6)A**ll decision-makers impacting on oceans (domestic or international) should provide Pacific indigenous peoples with a meaningful voice in accordance with the UNDRIP and FPIC, particularly with regard to activities affecting their traditional territories and resources.**

Youth play an important part in NGO campaigns to protect indigenous peoples’ human rights (350.org Pacific’s efforts to end fossil fuels, and the Torres and Strait Islander youth ‘Seed Mob’ movement are examples). Local and national elections are an opportunity for indigenous peoples, youth and women to decide who will be in power, including by standing candidates. The participation of women and youth in the UN human rights mechanisms - including engagement with the UPR, UN Treaty bodies, and the Special Procedures - is critical, especially with their being at the frontlines of climate and other campaigns.

**Recommendations - States:**

* 1. **Adopt laws that explicitly protect the rights of indigenous peoples, including indigenous women HRDs and EHRDs, and raise awareness among the general public and State officials regarding the rights of indigenous peoples.**
	2. **Through their participation in intergovernmental fora, such as** [**UN Oceans**](http://www.unoceans.org/about/en/) **and the** [**International Seabed Authority**](https://www.isa.org.jm/contractors/exploration-areas?fbclid=IwAR38BmCMx59RTFc3n4aaFU34CKcIUs6rdnrIITWhfGn7p8fW62U4AieevPg)**, ensure the recognition and protection of indigenous peoples’ rights to meaningfully participate in decision-making in regards to their ocean territories and resources.**
	3. **Provide meaningful education in schools about indigenous peoples’ human rights and the UN system of human rights protection mechanisms, including a focus on the significance of rights protection for women and girls.**

*The Economy and Business and Industry*

The UN Guiding Principles on Business and Human Rights (UNGPs) are an important tool for reducing human rights violations by businesses. As change drivers, businesses should do due diligence on their impact on the environment and on indigenous communities.

There should be improved women’s involvement in economic decision-making to counter patriarchy in the business sector, and in key fora affecting indigenous peoples’ rights such as the [UN Food Summit](https://www.un.org/en/food-systems-summit/dialogues/independent).

**Recommendations - States:**

* 1. **Ensure that businesses and corporations complete comprehensive due diligence reviews of their operations and activities, compliant with the UN Guiding Principles, including as regards gender-based violence.**

*Culture and knowledge*

Historically, indigenous peoples could anticipate and prepare for oceanic and terrestrial risks to food and water security, to health, and strengthening communities. However, a**boriginals’ traditional knowledge and practices, and food and health security are threatened by climate crisis, environmental and freshwater pollution, mining, and restricted access to traditional fishing, hunting and medicine-gathering grounds.**

**Recommendation – States:**

* 1. **With full participation of affected indigenous communities (including women and youth), undertake more research into non-economic impacts of climate crisis on indigenous peoples – e.g. in terms of loss of culture, habitat and biodiversity; and to meaningfully include indigenous peoples and their traditional knowledge (especially that held or practiced by women) in climate crisis solution design and implementation.**

*Vulnerable and marginalized groups*

Inequality is noted as stemming from patriarchy and assumed gender roles, even among indigenous peoples. In terms of discrimination that indigenous peoples face due to climate crisis impacts, women from diverse backgrounds can experience mental, physical, and sexual violence when relocated to disaster evacuation centers, causing them great anxiety. Women have contributed the least to the ecological, economical, and sociological adverse effects of climate crisis. Despite this, and the gender-based challenges and stigmatization they face, women (with their deep understanding of the situation on the ground) can be major agents for positive change as they hold many fundamental frontline roles to help address their villages’ and communities’ needs. Initiatives led by women include food distribution, providing access to medical aid, establishing endangered and medicinal plant nurseries, mangrove rehabilitation, bridge construction, aquaponics and job creation.

Recognizing the particular vulnerability of migrant women and girls, it is recommended that policies and legislation should be ensured to protect migrants (especially in a Covid-19 context). Forced relocation to a new community from climate crisis and disasters can make disabled persons more isolated, and disrupt access to essential services, which increases their risk of poverty (for women and children especially, who are more likely to experience violence than either their male peers with disabilities, or girls and young women without disabilities[[7]](#footnote-7)). Under-funding of services for persons with disabilities is prevalent, and there is a need for greater inclusiveness and equal participation of persons with disabilities in climate change policies regarding vulnerable groups, and the need for more information on loss and damage experienced by women and girls with disabilities due to climate change. Social protections for persons with disabilities need better integration with other policies (for example, social distancing and other pandemic measures ignored disabled persons’ needs and created difficulties, especially for those requiring 24/7 care).

**Recommendation – States:**

* 1. **Ensure protection of migrants and those forcibly displaced by climate crisis or environmental degradation (especially in a Covid-19 context), including providing effective opportunities for meaningful participation in relevant policy design by women, youth, indigenous peoples, persons with diverse mental and physical disabilities, and persons in marginalized communities.**

ENDS

1. Note this is an updated version of the submission dated 18 June 2021. [↑](#footnote-ref-1)
2. [Natasha Kuruppu](https://unu.edu/author/natasha-kuruppu), “Turning the Tide on Urbanisation Policy in the Pacific Islands”, United Nations University, 20 October 2016, <https://unu.edu/publications/articles/urbanisation-in-pacific-islands.html>. [↑](#footnote-ref-2)
3. Amnesty International, “Pacific Islands: Human rights defenders under threat”, 30 May 2019, <https://www.amnesty.org/en/latest/news/2019/05/pacific-islands-human-rights-defenders-under-threat/>. [↑](#footnote-ref-3)
4. Diva for Equality, “1o5c Talanoa Reports: Women of Taveuni Island March for Gender, Ecological and Climate Justice”, 8 October 2018, <https://diva4equality.wordpress.com/2018/10/08/1o5c-talanoa-reports-women-of-taveuni-island-march-for-gender-ecological-and-climate-justice/>. [↑](#footnote-ref-4)
5. Laura Liswood, “Women’s voices must be heard in the battle to save the ocean”, *World Economic Forum,* 11 January 2019, <https://www.weforum.org/agenda/2019/01/womens-voices-must-be-heard-in-the-battle-to-save-the-ocean/>. [↑](#footnote-ref-5)
6. Pacific Community, “New Report Highlights Women’s Invisible Roles in the Pacific’s Fisheries Sector”, 6 March 2020, <https://www.spc.int/updates/news/2020/03/new-report-highlights-womens-invisible-roles-in-the-pacifics-fisheries-sector>. [↑](#footnote-ref-6)
7. UN Refugee Agency, International Rescue Committee, Humanity and Inclusion and Under the Same Sun,

“WORKING WITH PERSONS WITH DISABILITIES IN FORCED DISPLACEMENT”, 2019, <https://www.unhcr.org/4ec3c81c9.pdf>. [↑](#footnote-ref-7)