**CEDAW Day of Discussion on Indigenous Women and Girls - 24 June 2021**

**EMRIP Chair Laila Susanne Vars - Keynote Remarks**

 **Theme 1: Equality and non-discrimination with a focus on indigenous women and girls and intersecting forms of discrimination**

Indigenous Women and Girls are more empowered than ever. We are ensuring our voices are heard, including at the international level. However, at the same time there are emerging and increased challenges to achieving equality, including due to Climate Change and COVID-19. As Chair of EMRIP I would like to commend the Committee for its increased attention to Indigenous Girls and Women in recent years, including through increased referencing to the **United Nations Declaration on the Rights of Indigenous Peoples**. It is essential that CEDAW continues this trend and EMRIP sees this General Recommendation as an important step in that direction.

EMRIP is the UN body mandated to provide advice and expertise to the Human Rights Council on the **United Nations Declaration on the Rights of Indigenous Peoples**. We have the honour to work directly with Indigenous Peoples and States to achieve the goals of the Declaration, including through our Country Engagement mandate. The Declaration is central to the protection of the rights of Indigenous Peoples, recognizing minimum standards for the **survival, dignity, and well-being of Indigenous Peoples across the world.** The Declaration guarantees equal rights and freedoms between Indigenous women and men.[[1]](#footnote-1) It recognizes special protection for Indigenous women and children, including in its implementation. It calls for particular attention to the advancement of their economic and social conditions[[2]](#footnote-2) and measures guaranteeing their protection from all forms of violence and discrimination.[[3]](#footnote-3) The Declaration places **collective rights** at the centre of the international human rights framework on the rights of Indigenous peoples. This interplay between collective and individual rights will be important for the Committee to highlight in its upcoming General Recommendation.

**Indigenous Languages** should also be highlighted, including in the context of the upcoming **International Decade on Indigenous Languages** (2022-2032). They are the principal mechanism of intergenerational transmission of indigenous knowledge. They are a sign of life of Indigenous Peoples’ cultures and one of the essential elements of our identities.[[4]](#footnote-4) Indigenous Women, particularly Elders, play key roles in the retention, transmission and revitalization of indigenous languages, and the protection and promotion of our cultures.[[5]](#footnote-5)

**EMRIP** ensures the **inclusion** of the rights of Indigenous women and girls in all its work, including its reports and studies. EMRIP specifically includes Indigenous Women in its **Proposals** to the Human Rights Council, including in 2020 **relating to Indigenous Women human rights defenders**. It has also held events such as a panel on **Indigenous Women in Power** during its session in July 2019.[[6]](#footnote-6) While EMRIP has not yet undertaken a comprehensive study on the rights of Indigenous Women and Girls, it has ensured special attention throughout its reports. With this General Recommendation, the Committee has provided inspiration for future dedicated EMRIP reports.

The Right to **Self-determination** is the anchor of the Declaration,[[7]](#footnote-7) and as with the Right to Land, it is necessary for the full enjoyment of all other rights.[[8]](#footnote-8) It is of central importance to all aspects of the lives of Indigenous Peoples, and crucial for peace and reconciliation. As highlighted by the EMRIP in its **upcoming report on Self-Determination**, denial of Indigenous Peoples’ self-determination is often at the root of violations and abuses against Indigenous Peoples. Many abuses, such as increased rates of violence, have a disproportionate impact on Indigenous Women and Girls.[[9]](#footnote-9)

Indigenous women’s vital role in the protection of land is often overlooked. Loss of land has widespread consequences on all aspects of Indigenous Peoples’ lives including on our food sources, connection to the earth, and our cultures as a whole. Indigenous Women face intersecting forms of discrimination affecting our rights to land, territories, and resources. We do not have access on an equal basis with men to ownership, possession, or control over land.[[10]](#footnote-10) In its **2020 study on the Right to Land**, the EMRIP reiterated former Special Rapporteur Victoria Tauli Corpuz’ position that land appropriation is not gender-neutral[[11]](#footnote-11), and called on States to repeal discriminatory laws, policies, and regulations related to land.[[12]](#footnote-12)

Lack of land devalues Indigenous **women’s** status, a fact that has fueled their migration to cities.[[13]](#footnote-13) In cities they face particular challenges; while no longer protected by traditional law, they are often without trust in the police, leaving them with little recourse or access to justice.[[14]](#footnote-14) Indigenous Women and girls are also among those most vulnerable to, and affected by, Climate Change, and related migration.

Multiple and intersecting forms of discrimination increase Indigenous Women’s vulnerability during all types of **migration**. In its **2019 study on borders, migration, and displacement,** the EMRIP found that Indigenous **Women** and **Girls** are at high risk of **human trafficking**, forced labour and sexual exploitation,[[15]](#footnote-15) particularly around border regions.[[16]](#footnote-16) In some countries, l**ack of birth registration or citizenship documentation** leaves Indigenous Women at risk of human trafficking. It also limits **women** and children’s access to basic public services, including health and education, as the Committee has also referred to in its reviews of States.[[17]](#footnote-17)

**In EMRIP’s upcoming study on the Rights of Indigenous Children, and its 2020 Annual Report** **focusing on the impact of** **COVID-19** on Indigenous Peoples, EMRIP highlighted the disproportionate and differentiated impact of the pandemic on Indigenous Girls and Women. This included increased violence against Indigenous Women and children and reported increases in cases of intimidation and repression of Indigenous human rights defenders, including women. The pandemic also had a disproportionate impact on the social, economic, and cultural rights of Indigenous Women. Pregnant women were unable to travel from remote locations for prenatal controls and attention, and many women who relied on informal work faced the loss of their livelihoods, including those working in the tourism sector, and as domestic workers.

Indigenous Women are key solution finders and caretakers of communities. This has been highlighted since COVID, with Indigenous Women leading many initiatives, working to guarantee food security and information, including in indigenous languages, and generally acting as caretakers of the well-being and resilience of communities.

EMRIP has highlighted the risk that the pandemic will further deepen gender inequality. The impact has been even greater for those with intersecting vulnerabilities, including Indigenous girls.

The rights of Indigenous Girls have featured in EMRIP’s recent work, particularly its upcoming study on the **Rights of the Indigenous Child**. Indigenous Children, along with the Right to Self-Determination, will be a theme of the EMRIP’s upcoming session to take place from 12-16 July.

EMRIP emphasizes the importance of sufficient inclusion of the situation of **Indigenous Girls** in the General Recommendation. As stated in its draft study, challenges to the enjoyment of the rights of Indigenous children are compounded by intersecting vulnerabilities, particularly for girls, LGBTI and two-spirit children, and children with disabilities. It found that Indigenous girls experience additional barriers, including to their rights to **education** and **health**, and disproportionately high rates of teenage pregnancy, which is often attributed to underlying causes including lower education rates and harmful practices such as child marriage.

I am not able to present the full complement of EMRIP’s work on Indigenous Women and Girls here today. However, I urge the Committee to consider it for your General Recommendation, including important overarching recommendations such as the need for investment in leadership of women and girls in Indigenous communities and decision-making structures,[[18]](#footnote-18) and other important barriers not mentioned today, such as the lack of data dedicated to assessing the situation of Indigenous Women.

On behalf of my EMRIP colleagues, I would like to thank the Committee for having chosen Indigenous Women and Girls as the topic of its next General Recommendation. As we proposed to the Human Rights Council last year, we support enhanced collaboration with the Committee and all treaty bodies. EMRIP stands ready to support you with the General Recommendation and all your work.

Thank you – Giitu.

1. UNDRIP Article 44. [↑](#footnote-ref-1)
2. UNDRIP Article 21(2). [↑](#footnote-ref-2)
3. UNDRIP Article 22(2). [↑](#footnote-ref-3)
4. A/HRC/21/53 at para. 33. [↑](#footnote-ref-4)
5. A/HRC/21/53 at para. 44 & 79. [↑](#footnote-ref-5)
6. [OHCHR | IndigenousWomen](https://www.ohchr.org/EN/NewsEvents/Pages/IndigenousWomen.aspx). [↑](#footnote-ref-6)
7. UNDIRP Art. 3. [↑](#footnote-ref-7)
8. A/HRC/12/34, para. 41., A/HRC/EMRIP/2021/2. [↑](#footnote-ref-8)
9. A/HRC/EMRIP/2021/2 at para. 40. [↑](#footnote-ref-9)
10. A/HRC/45/38 at para. 31. [↑](#footnote-ref-10)
11. A/HRC/45/38 at para. 31. Citing Special Rapporteur Victoria Tauli Corpuz in A/HRC/30/41. [↑](#footnote-ref-11)
12. A/HRC/45/38 Annex 1, at para. 10. [↑](#footnote-ref-12)
13. A/HRC/EMRIP/2019/Rev.1 at para. 76. [↑](#footnote-ref-13)
14. A/HRC/EMRIP/2019/Rev.1 at para. 78. [↑](#footnote-ref-14)
15. A/HRC/ EMRIP/2019/Rev.1 at para. 73. [↑](#footnote-ref-15)
16. A/HRC/ EMRIP/2019/Rev.1 at para. 74. [↑](#footnote-ref-16)
17. CEDAW/C/HND/CO/7-8. [↑](#footnote-ref-17)
18. A/HRC/EMRIP/2021/3. [↑](#footnote-ref-18)