

**UN Permanent Forum on Indigenous Issues, Tenth Session**  
**May 16-27, 2011**  
**Global Indigenous Women's Caucus Statement**

**Agenda Item 4 (a)**  
**Human Rights: Implementation of the Declaration on the Rights of  
Indigenous Peoples**

Honorable Madame Chairperson, Members of the UN Permanent Forum on Indigenous Issues, distinguished representatives of Indigenous Peoples, sisters and brothers here today,

The Global Indigenous Women's Caucus would like to emphasize that implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* needs to give particular attention to how rights are respected, protected and fulfilled without discrimination of any kind, including gender. In addition, as recommended in various of the UN Permanent session reports, using a gender framework in the implementation of UNDRIP is key for protecting the human rights and fundamental freedoms of Indigenous women, youth and children.

**RECOMMENDATIONS**

1. Indigenous adult and young women are disproportionately affected by health disparities in their communities, HIV being a reoccurring health concern during all ten sessions of the UNPFII. These health disparities reflect inadequate and unequal access to culturally appropriate and gender specific health care and education that advances Indigenous self-determination. We recommend that the UN Permanent Forum includes lowering rates of HIV and AIDS among Indigenous women as indicators of the full implementation of UNDRIP. This is crucial because the lowering of HIV and AIDS rates among Indigenous women would in turn contribute to:
  - a. the fulfillment of individual Indigenous women's human rights to access health care supported by the *Universal Declaration of Human Rights; International Covenant on Economic, Social and Cultural Rights; Convention on the Elimination of All Forms of Discrimination against Women; and, the Convention on the Rights of the Child.*
  - b. the fulfillment of collective Indigenous rights relating to health cited in *United Nations Declaration on the Rights of Indigenous Peoples* (Articles including, but not limited to, 21,23 and 24) and the mutually reinforcing *International Labour Organization Convention 169* articles 24-25.

2. We urge states, in conjunction with Indigenous Peoples, to pay specific attention on the situation of violence against Indigenous Women, including domestic, sexual, war-related, and government-induced violence. Violence against Indigenous women has specific historical and structural roots that emanate, among other things, from the Doctrine of Discovery and the Framework of Dominance to which Indigenous Peoples have been subjected. While its remedies must come from the implementation of Article 22 of UNDRIP, given the urgency of the situation, we also call upon the UN system, particularly CEDAW's Special Rapporteur on violence against [women](#), its causes and consequences, to work in conjunction with states and Indigenous Peoples to take measures to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.
3. Article 33 of UNDRIP establishes Indigenous Peoples' right to determine their own identity or membership in accordance with their customs and traditions. Many states, however, continue to deny legal recognition to certain groups of Indigenous Peoples within their territories, whether living in their own traditional territories or not, through which they negate the respect, promotion and fulfillment of their collective rights and fundamental freedoms. We call upon the UN Permanent Forum to urge states to implement article 33 of UNDRIP and allow self-identification to be the principal, if not the only, criterion for establishing who are the Indigenous Peoples.
4. Indigenous migrants and Indigenous peoples living in territories divided by states-established international borders continue to suffer gross violations of their human rights, as it has been observed by the Permanent Forum in previous sessions. Neither states nor UN agencies have created mechanisms to fully protect their collective human rights as established in articles 8 and 36 of the UNDRIP. We urge the Permanent Forum to bring attention again to states and the International Migration Organization (IOM) to these issues, especially the increasing migration rates among Indigenous women, youth and children. We call upon the UN Permanent Forum to urge states to decriminalize migration and instead link the right to mobility to the right to self-development as stated in Article 36 of the UNDRIP. We also call upon the UN Permanent Forum to urge states and UN agencies to create culturally appropriate mechanisms to protect the human rights of Indigenous migrants and Indigenous peoples living in territories divided by states international borders.