

**EMRIP July 2014 Session**

**U.S. Statement: Access to Justice**

**Tuesday and Wednesday, July 7-8, 2014**

We thank EMRIP for its study on “Access to Justice in the promotion and protection of the rights of indigenous peoples.” We particularly commend the study’s emphasis on seeking justice for indigenous women, youth and children, and persons with disabilities, who suffer disproportionately high rates of violence globally. The United States and other member states made a Joint Statement at the June 2014 Human Rights Council session highlighting the critical topic of violence against indigenous women.

Within the United States, implementation of the 2010 Tribal Law and Order Act (TLOA) continues. The Act has improved the U.S. government’s ability to work with Indian tribes in investigating and prosecuting crimes affecting indigenous communities. This law gives U.S. tribes increased sentencing authority; improves defendants’ rights; enhances training for officers handling domestic violence and sexual assault cases; expands the recruitment and retention of Bureau of Indian Affairs officers; and gives those officers better access to criminal databases.

On violence against indigenous women, the March 2013 reauthorization of the Violence Against Women Act (VAWA) expands the protections and services available to survivors of violence, including those who experience the underreported crimes of intimate partner violence and rape. The Act addresses domestic violence, dating violence, sexual assault, and stalking. It provides for safe shelters and housing assistance, legal services for victims, training for law enforcement officials, skilled prosecutors and victim advocates, and improved

tools to investigate rape cases. VAWA contains an important provision enabling indigenous tribes to prosecute non-Native perpetrators of dating and domestic violence against indigenous women for acts that occur on tribal lands.

Indian Health Services (IHS) administers the Domestic Violence Prevention Initiative. The program supports 65 community-based projects which involve screenings, referrals for services, crisis intervention, and victim advocacy and counselling. In 2013, IHS launched its tribal forensic healthcare website, which offers training on domestic and sexual violence to medical providers. In addition, 46 HIS and tribal hospitals and clinics received equipment to assist in documenting and collecting evidence during sexual assault forensic examinations.

We hope that our domestic experiences point the way to best practices that other nations can consider utilizing. Thank you for your attention.