



Clan Star, Inc.

Reclaiming the sovereignty of Indigenous women.



**Permanent Forum on Indigenous Issues  
Third Session, 10 – 21 May 2004**

**Economic & Social Council  
The United Nations, New York**

**Intervention by Terri Henry, Eastern Cherokee Nation, Qualla  
Indian Boundary; Principal Executive Director, Clan Star, Inc. 14  
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Os-da s(h)u-na-le. Good morning. We respectfully acknowledge and thank the haudenosaunee nation, the keepers of this land, for allowing us to be in their territory.

My name is Terri Henry. I am a member of the Eastern Cherokee Nation located in the United States. I am speaking on behalf of Clan Star under the agenda item on Human Rights.

Clan Star works with Indigenous (American Indian and Alaska Native) women from over 300 American Indian and Alaska Native villages, the Indigenous Peoples of *this* land claimed by the United States, and the National Congress of American Indians to address violence – domestic violence, sexual assault and stalking - against Indigenous women.

**We respectfully propose the following recommendation:**

1. The Permanent Forum recommends that the Special Rapporteur on Human Rights conduct an investigation on the genocidal and ethnocidal practices perpetrated on Indigenous Peoples in the United States, particularly the Indigenous women victimized by the violent crimes of domestic violence, sexual assault and stalking. The investigation process should

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utilize nationally recognized experts on violence against Indigenous women, in the fields of law, medicine, criminal justice, and direct services to victims and experts on domestic violence, stalking and rape of the Indigenous women in the United States. That the Special Rapporteur on Human Rights should issue a report with recommendations on addressing these human rights violations, that includes a monitoring mechanism for the implementation of the recommendations with the appropriate UN Agencies and report to the fourth session on progress made and resources allotted.

### **Justification for recommendation:**

The historical pattern of violence perpetrated against American Indian and Alaska Native women can be found in numerous U.S. policies, like forced removal, boarding schools, loss of children, and sterilization that have altered the lives of Indigenous women and shaped American culture. The current rates of prevalence and severity of violence experienced by the American Indian and Alaska Native women is a continuation of this historical pattern of violence, commonly known as colonization. This pattern is continued daily as perpetrators of rape, assault, and murder of American Indian and Alaska Native women frequently suffer no legal consequences for such criminal behavior.

American Indian and Alaska Native women are battered, raped and stalked at far greater rates than any other group of women in the United States and these disproportional statistics have attracted little comment or concern from United States institutions with specific responsibilities in responding to these heinous crimes.

The statistics show that 1 of 3 American Indian and Alaskan Native women are raped in their lifetime, and American Indian and Alaska Native women experience 7 sexual assaults per 1000 compared to 4 per 1000 among Black Americans, 3 per 1000 among Caucasians, 2 per 1000 among Hispanic women and 1 per 1000 among Asian Americans, according to the November 2000 National Institute of Justice report.

American Indian and Alaska Native women experience the violent crime of battering at a rate of 23.2 per 1000 compared to 8 per 1000 among Caucasian women.

About 8 in 10 American Indian and Alaska Native victims of rape or sexual assault were estimated to have assailants who were White or Black, according to the U.S. Department of Justice – American Indians and Crime Report from 1999.

Indigenous Nations that are located in the United States require additional resources to respond to violence assaults against American Indian and Alaska Native women and it is evident that there is an inadequate U.S. response to these serious crimes against American Indian and Alaska Native women.

The U.S. Department of Justice has jurisdiction over felony crimes by or against Indians, including homicide, rape and aggravated assault; however, perpetrators of such violent crimes against American Indian and Alaska Native women are rarely, if at all, prosecuted.

The population of all American Indians and Alaska Natives, the People of this land, totals less than 2% of the populations of the United States. In some Alaska Native villages the population of the village is 25 or less Indigenous people. The average size tribal population is approximately 7,500 people.

The future of Indigenous nations rests in the capacity of their ability to preserve the safety, integrity, and well-being of its members, especially the sacred status of American Indian and Alaska Native women to live in an environment free of violence and sexual assault. Indigenous women are inherently sovereign. Through the giving of life and bearing the culture and transmitting the knowledge of our Peoples, the sacred sovereign status of Indigenous women is directly connected to the self-determination of Indigenous Nations and continued existence of Indigenous Peoples to the seventh generation.

Thank you.

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