

21th session Human Rights Council

Half-day discussion on indigenous peoples: access to Justice

Geneva, 18 September 2012

Statement by Austria

Thank you, Madame President.

Austria would like to thank both the panelists for their comprehensive and valuable contributions and the Office of the High Commissioner for Human Rights for the preparation of this important event. We welcome this half-day discussion which offers a good opportunity to identify promising practices and challenges with regard to indigenous peoples' access to justice.

Social marginalization and legal discrimination place indigenous peoples at risk of a wide range of human rights violations directed against individuals and indigenous peoples as a whole. In some States, while making up a small minority of the population, indigenous peoples often comprise a majority of the people incarcerated and often lack access to justice. For this reason, the international community has to join forces in order to achieve a change on the ground. In this regard, we would like to know how the panelists, including the Special Rapporteur intend to follow-up on the EMRIP-report on this issue due in 2013.

As highlighted in the concept paper for today's discussion, especially indigenous women face significant barriers to accessing justice, both within indigenous systems and in the formal state sector. In addition, they face multiple forms of discrimination, due inter alia to their gender, ethnicity or their socioeconomic marginalization. In this context, it is also highly important to emphasize the root causes for lack of access to justice or barriers thereto for indigenous women. This includes inter alia poverty, violence against women, structural discrimination as well as the lack of women's voice and participation in decision-making forums. Given the cross-cutting nature of this issue, cooperation and a holistic approach at all levels is needed. We therefore

call for an increased cooperation between special procedures of the Council and would seek comments and views on this by the panelists.

I thank you.