



INDIAN LAW
RESOURCE CENTER
JUSTICE FOR INDIGENOUS PEOPLES

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Delegation Asks United Nations to Intervene on Violence Against Native Women

HELENA, Mont. – A delegation of experts will be attending the upcoming session of the United Nations Committee on the Elimination of Racial Discrimination (CERD) in Geneva in February to highlight the shocking rates of physical and sexual violence against Native women and the United States government’s failure to provide even the most basic law enforcement services in many Native communities.

The delegation will include Navajo Nation First Lady Vikki Shirley, who serves on the Department of Justice Violence Against Women in Indian Country Task Force, Councilwoman Juana Majel Dixon from the Pauma-Yuima Band of Mission Indians, who chairs the National Congress of American Indians Task Force on Violence Against Native Women, Terri Henry, Director of Clanstar, Inc., and Virginia Davis, Associate Counsel of the National Congress of American Indians.

CERD expressed its concern about the rampant violence affecting American Indian and Alaska Native women when it specifically questioned the United States on January 11 regarding what it has done to prevent violence against Native women. The United States is required to respond when CERD considers the United States report on February 21- 22, 2008.

“We are the most raped and beaten women in the United States,” said Susan Masten, former chair of the Yurok Nation in Northern California, who is the co-founder and President of Women Empowering Women of Indian Nations. “One out of three Native women will be raped in her lifetime, and three out of four will be physically assaulted. Can you imagine the impacts this intergenerational trauma has on our families and communities? It has to stop – for the sake of our children and their futures. We desperately need the federal government to help intervene and fund the necessary services needed to combat this terrible injustice.”

Lucy Simpson, staff attorney at the Indian Law Resource Center, said, “It is time that the international community asks the United States about violence against Native women. Native women are victims of rape and sexual violence at a much higher rate than any other women in the United States. This is a problem that needs urgent attention.”

The Indian Law Resource Center has advocated at the United Nations on behalf of indigenous peoples for more than 30 years. During that time, the Center has questioned the United States' discriminatory treatment of Native Americans on a broad range of issues, including federal takings of Native lands, unfair legal rules that apply only to Indians, and abuse by the federal government of its role as "trustee" for Indian money and property.

These issues were brought to the attention of CERD in December 2007, when the Indian Law Resource Center, along with a coalition of indigenous organizations and individuals, prepared a collaborative report regarding the United States' obligations to indigenous peoples. This report, entitled "Report of the Working Group on Indigenous Peoples," was submitted to CERD in December 2007 as part of a national report by NGOs.

The Indian Law Resource Center, along with the other contributors to the December 2007 report, also brought attention to the federal government's policies that result in the erosion of tribal jurisdictional authority and the denial of equality before the law to Indian nations and individuals.

Perhaps most importantly, the report raised the disturbing fact that Native women are victims of rape and sexual violence at a much higher rate than any other women in the United States. In nine out of 10 cases, the assailants were non-Indian, and the current criminal jurisdictional scheme created by the federal government impedes the ability of Indian nations to properly protect their citizens.

"Women form the backbone of Native communities. Violence against Native women disrupts the stability and productivity of their families, their communities, and Indian nations," said Simpson. "We are encouraged that CERD is expressing concern about the disturbing reality of violence against Native women in the United States."

CERD is the entity charged with monitoring compliance with the International Convention for the Elimination of All Forms of Racial Discrimination (CERD Convention) by countries that have ratified the Convention. The United States ratified this Convention in 1994. The parties to the Convention undertake to eliminate racial discrimination in all its forms, to ensure the right of everyone to equality before the law, and, among other things, to ensure that there are effective legal remedies against racial discrimination and that effective measures are taken in the fields of education, culture and information to combat prejudices that lead to racial discrimination.

For a copy of the "Report of the Working Group on Indigenous Peoples," see the Indian Law Resource Center's website at www.indianlaw.org.

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