



FOR IMMEDIATE RELEASE - March 14, 2008

CONTACT: Lucy Simpson or
Valerie Taliman at 406/449-2006

United States urged to provide Native women equal access to justice

GENEVA – The United Nations Committee on the Elimination of Racial Discrimination (CERD) issued its “Concluding Observations and Recommendations” last week, noting particular concern about the high incidence of rape and sexual violence experienced by American Indian and Alaska Native women.

Among other issues relating to discrimination against Native Americans, the Committee urged the United States to increase its efforts to prevent and punish violence and abuse against women belonging to racial, ethnic and national minorities.

Lucy Simpson, staff attorney for the Indian Law Resource Center in Helena, Mont., praised the Committee’s recommendations. “Now that a U.N. Committee has raised concern regarding the shocking rates of sexual violence against Native women, it is our hope that the United States will take the necessary action to ensure Native women are provided equal access to justice.”

CERD recommended that the United States 1) setup and adequately fund prevention and early assistance centers, counseling services and temporary shelters; 2) provide specific training for those working within the criminal justice system, including police officers, lawyers, prosecutors and judges, and medical personnel; 3) undertake information campaigns to raise awareness among women belonging to racial, ethnic and national minorities about procedures provided for in national legislation on racism and discrimination; and 4) ensure that reports of rape and sexual violence against women belonging to racial, ethnic and national minorities, and in particular Native American women, are promptly and thoroughly investigated, and that perpetrators are prosecuted and appropriately punished.

“The Committee’s recommendations recognize the alleged insufficient will of federal and state authorities in the United States to investigate and prosecute rape and sexual violence against Native American women,” said Terri Henry, director of Clan Star, Inc., based in Cherokee, N.C. “Even though the United States response characterized the lack of prosecutions as tribal justice system failure, CERD clearly

understands the federal authority, role and responsibility in protecting Native women from such violent crimes.”

Clan Star, Inc. is a tribal non-profit organization devoted to improving justice to strengthen the sovereignty of Indigenous women through legal, legislative and policy initiatives, and, education and awareness.

The issue of violence against Native women was raised by a delegation of Native women who attended CERD’s February session examining human rights violations in the United States. The delegation included Navajo Nation First Lady Vikki Shirley, who serves on the Department of Justice Violence Against Women in Indian Country Task Force, Virginia Davis, Associate Counsel of the National Congress of American Indians, and Terri Henry, Director of Clan Star, Inc., both of whom participate on the NCAI Task Force on Violence Against Women.

The Committee further recommended that the United States recognize the right of Native Americans to participate in decisions affecting them, and consult in good faith with the indigenous peoples concerned before implementing any activity in areas of spiritual and cultural significance to Native Americans. While noting the United States opposition to the United Nations Declaration on the Rights of Indigenous Peoples, the Committee recommended that the Declaration be used as a guide to interpret the United States’ obligations to indigenous peoples.

The Indian Law Resource Center, a Native led non-profit legal advocacy organization that has worked on international indigenous issues for more than 30 years, coordinated closely with the delegation to ensure that the issue of violence against Native women remained at the forefront.

To view a copy of the Committee’s Concluding Observations and Recommendations, please visit <http://www2.ohchr.org/english/bodies/cerd/cerds72.htm> and click on the hyperlink “E” in the “Concluding Observations” column for the United State of America