

## **ALASKA NATIVE WOMEN'S RESOURCE CENTER**



Adet', Tami Truett Jerue, Se'ezra I am an enrolled citizen of the Anvik Tribe, a Deg it' tan Athabascan Tribe from interior Alaska. I am the Executive Director of the Alaska Native Women's Resource Center. I am the mother to 4 children, the grandmother of 5 grandchildren and the Aunty to many. I thank you for allowing me to speak today, and giving me the opportunity to share our challenges in the United States as Alaska Native peoples and to provide suggestions for a path forward to increase our village safety for our communities, and specifically to eradicate the disproportionate violence against Alaska Native women.

I am a carrier of stories and experiences of Alaska Native women and girls that have faced many horrors just because they are indigenous women. Too many of our relatives have suffered abuse and death because of a government system that fails in their legal and moral responsibility to assist Indigenous nations in safeguarding the lives of our women and children. There are many reasons why and I have a short time to express to you the grave concerns that we have in protecting Alaska Native women and children when there is no help available such as safe shelter, law enforcement, medical services, or any type of help dealing with the aftermath of victimization. The following are some of the explanations and solutions.

The United States has made progress in addressing Violence Against Women. In 2013, during the Congressional debates to reauthorize the Violence Against Women Act, United Nations human rights officials came together and released a public statement calling on the United States to act promptly to pass key reforms to the Violence Against Women Act that bolster indigenous tribes .... That the continued jurisdictional gaps, especially those in Alaska, are an ongoing human rights crisis.<sup>1</sup> Sadly, Alaska was mostly left out of these improvements because of its tribal land status that make tribal jurisdiction challenging. Unlike other areas of the United States that share jurisdiction between the US government and Indian tribes, in the state of Alaska, Indian tribes share jurisdiction with the state government. Because of federal and state laws, policies and allocation of resources, tribal responses have been throttled leaving the investigation and prosecution of crimes, including violence against women and children to the

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state. Alaska, like the federal government, has failed in providing for public safety in Alaska Native villages( nearly 40% of our villages are without law enforcement and that when available they can be days away. Alaska's track record demonstrates a lack of engagement and follow through with tribal governments that creates one of the most dangerous situations for Native women in the nation. Local control to local solutions *with* resources is critical to improving the situation for our Alaska Native brothers and sisters. We call on the United states for a jurisdictional fix to the Alaska Native Indian country issue, and regular and consistent tribal justice funding.

According to the 2013 Tribal Law and Order Act Commission Report, Alaska Native women are over-represented in the domestic violence victim population, and among other Indian Tribes, Alaska Native women suffer the highest rates of domestic and sexual violence in the country.

There is a unique opportunity to recognize these issues and make corrections to the laws. In Deg it tan Athabascan, as with other language groups in Alaska, we had no words or description for violence within a family home. We had traditional forms of justice that kept our community in check and women valued as the life giver of the family. We had community justice, which we are now returning to.

Peacemaking is a traditional, non-adversarial form of justice practiced by many Native American tribes and is making a resurgence in Alaska. It is designed to heal damaged relationships and restore harmony to the community. Peacemaking brings together the immediate parties to a conflict, along with family, neighbors, community members, and others who wish to support the participants. In a peacemaking session, the participants sit in a circle with one or more peacemakers to discuss the underlying causes of the conflict. Peacemaking allows each participant to talk about the conflict and their feelings without limiting what they say. Peacemaking not only seeks to resolve the immediate conflict but to foster healing and help the participants avoid future problems. This is a measure supported by a report commissioned by the United Nations Permanent Forum on Indigenous Issues, on the extent of violence against indigenous women and girls in terms of article 22(2) of the UN Declaration on the Rights of

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Indigenous Peoples. The study emphasized the importance of states working with indigenous peoples “to adopt measures to eliminate all forms of violence against indigenous women and girls.”<sup>1</sup> The study also concluded that “[t]he evidence is clear that where an indigenous community exercises a degree of ownership over the conception and establishment of measures to address violence, those measures are more likely to be effective and successful.”<sup>2</sup> The report further noted that partnership approaches between indigenous communities and states are more likely to succeed in tackling violence than solely-state devised programs.<sup>3</sup> We need to move forward with these recommendations and partnerships and ensure that Alaska Native tribal nations are no longer exempted from continued progress.

The United States has created funding programs that help tribal governments with exercising these types of issues. In recent years, thanks to the Bureau of Indian Affairs, Alaska Tribes are getting much needed funding for tribal justice infrastructure and resources, which had been withheld from Alaska Tribes. While progress is gradual, it is happening in meaningful ways.

The federally funded Alaska Native Women’s Resource Center through the Office on Violence Against Women, U.S. Department of Justice and the Family Violence Prevention and Services Office, U.S. Department of Health and Human Services, is providing meaningful village engagement sessions with Alaska Native tribes, to help with identifying the resources within each tribe to address violence against women in their own voices, language and teachings. We have 7 distinct language groups in Alaska. We create a unique theme to each engagement session and work with the tribe towards restoring balance in their community.

We discuss through annual government-to-government consultations, how important funding is to meeting the U.S. government’s trust obligations and how as governments, we should have

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<sup>1</sup> E/C.19/2013/9, para.1.

<sup>2</sup> E/C.19/2013/9, para.43.

<sup>3</sup> E/C.19/2013/9, para.43.

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equitable access to all funding available to states, including a permanent fix in the federal laws to provide crime victims assistance. However, there is still much work to be done.

The United States government created the crisis in Alaska and can resolve it by amending federal law to address this injustice and reflect the reality that tribal governments as the local government has primary responsibility to respond to local issues. Equally important is the reality that as sovereigns they have the right to protect our women and children. Such a legislative fix is within reach and requires the will of Congress to act and address this crisis. The Tribal Law and Order Act Commission, specifically, recommended a legislative fix for the U.S. Supreme Court's *Venetie* decision as follows: amending the definitions of "Indian country" to include Alaska Native allotments and native-owned town sites, recognize a tribe's jurisdiction equivalent to the Alaska Native Claims Settlement Act Village land; supporting land into trust applications by Alaska Native tribes; channeling more resources directly to Alaska Native tribal governments for the provision of governmental services; and supporting Alaska Native tribes and villages with the concurrent exercise of criminal jurisdiction within their communities. Such a federal amendment could be inserted into pending legislation such as the Native Youth and Tribal Officer Protection Act, the reauthorization of Tribal Law and Order Act, or the reauthorization this year of the Violence Against Women Act.

We should create a pilot project to demonstrate how effective such legislative fixes would be to 228 tribes in Alaska and the United States, and to further collaborate as partners on the government to government basis.

Restoring and enhancing local, tribal governmental capacity to respond to violence against women provides for greater local control, safety, accountability, and transparency. We will have safer communities and a pathway for long lasting justice, and international advocacy has helped to effect social and cultural change ending violence against Indigenous women.

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