

MAIRIN IWANKA RAYA

INDIGENOUS WOMEN STAND AGAINST VIOLENCE

EXECUTIVE SUMMARY



International Indigenous Women's Forum (IIWF/FIMI)

INTRODUCTION TO THE REPORT

The report **Mairin Iwanka Raya** reflects the experiences and perspectives of FIMI in its work to advance the rights of Indigenous women. It is part of a process of Indigenous women's anti-violence work, underway since the onset of discrimination against Indigenous Peoples.

The Forum considered it necessary to publish this report (as a companion report to the United Nations Secretary General's Study on Violence Against Women), conscious that the problematic of violence against Indigenous Women requires a particular approach, which takes into account aspects of culture and identity that go beyond gender.

An executive summary of the central ideas and reflections, which are most significant in the five sections of the report, is presented in this document. The first part centers on the construction of a common theoretical position regarding the phenomenon of violence against Indigenous Women. The second section describes the diverse forms in which violence is manifested against Indigenous Women. The third part presents promising practices that show how one is able to work towards the elimination of violence. The fourth and fifth parts of the document systematize the principal conclusions and the necessary steps recommended to achieve the eradication of violence against Indigenous Women.

The study reflects the multiplicity of ways that violence against women is mediated by the interplay of identities. Hence, it seeks to contribute to the development of a human rights discourse capable of generating concrete, effective strategies to combat violence against Indigenous women. This report aims to enhance the knowledge base of the Indigenous women's movement and to communicate Indigenous women's perspectives.

FIMI hopes that the discoveries and recommendations, which are taken away from this report, contribute to furthering communication and cooperation between the global women's movement and women in the international Indigenous movement in the fight against violence.

PART 1 TOWARDS AN INDIGENOUS WOMEN'S APPROACH TO GENDER-BASED VIOLENCE

The report indicates that to effectively address violence against women, it must be understood not as a pathology of individual and generic perpetrators and victims, but as a human rights violation of near-universal scope, which is mediated in each case by aspects of identity beyond gender, including race, class, caste, religion, sexual orientation, geography, and ethnicity. For Indigenous women, gender-based violence is shaped not only by gender discrimination within Indigenous and non-Indigenous arenas, but by a context of ongoing colonization and militarism; racism and social exclusion; and poverty-inducing economic and “development” policies. These phenomena are interactive and mutually reinforcing, as are the various aspects of identity that shape women’s experience of violence, and their strategies of resistance.

The theoretical perspective that emerges from the concrete experience of living as an Indigenous woman produces what FIMI calls an “integrated analysis” of violence against women. Such an analysis recognizes both the near-universality of violence against women and the specificity of violence perpetrated on the basis of distinct, but overlapping, identities. This approach is not only a theoretical proposition, but the bedrock of strategies that are best able to effectively combat violence against Indigenous women—indeed against all women—within a human rights framework.

The fight to combat violence against Indigenous women situates itself at the crossroads of three interrelated fields: Indigenous Peoples’ collective rights, human rights, and women’s human rights. In particular, the report emphasizes that recognition of Indigenous Peoples’ collective rights is key to combating violence against Indigenous women. Indeed, this claim has been a central refrain of Indigenous women’s anti-violence initiatives around the world.



On Collective Rights

The collective rights of the Indigenous Peoples are a key element for anti-violence strategies. Indigenous Peoples have fought for centuries against genocide, displacement, colonization, and forced assimilation, preserving their cultures and identities as distinct Peoples. The ongoing attack has left Indigenous communities among the poorest and most marginalized in the world. For Indigenous women, the systematic violation of their collective rights as Indigenous Peoples is the single greatest risk factor for gender-based violence—including violence perpetrated within their communities.

On Human Rights

FIMI calls for overcoming the dichotomy between individual and collective rights and recognizing collective rights as a necessary complement to individual rights, integral to safeguarding those individual rights recognized in international human rights law.

Developing an Indigenous Conception of Violence Against Women

Understanding violence against women from an Indigenous perspective requires interrogating the ways that gender-based violence is conceived. For example, in an effort to be comprehensive and to address violence perpetrated by both State and non-State actors, most contemporary studies of violence against women (including the 2006 UN Study on Violence Against Women) categorize gender-based violence as occurring in the family, community, and State.

It is not that the categories of family, community, and State do not apply to Indigenous women, but rather that Indigenous definitions of, and relationships to, those categories need to be taken into account. The designation of “family” refers to the atomized nuclear family of parents and children in a single household. In this setting, violence is thought to be structured by power relations within the family and reinforced by women’s isolation within the home. Strategies to combat violence against women that are predicated on this family model may not be useful to Indigenous women, many of whom do not live in these formations.

While Indigenous women have certainly been subjected to violence by States, effective anti-violence strategies must recognize and address the specific ways that Indigenous women are targeted, some of which do not apply to non-Indigenous women. For example, Indigenous Peoples—in particular, pastoralist and nomadic Peoples—are often subjected to violence when national borders bisect their territories. In such cases, women are made vulnerable to violence because their lives and livelihoods do not correspond to the dominant notions of citizenship and residency that shape most peoples’ relationships to States.

Neither do the categories of family, community, and State adequately account for emerging forms of violence associated with crises such as bio-piracy, gene-piracy, trade in human organs, and climate change, which pose a disproportionate threat to Indigenous women. While individuals in the family, community, or State may be complicit in such forms of violence, the violence itself originates in the global arena. FIMI proposes, therefore, to include a “transnational” category to account for violence against Indigenous women that is produced or manifested in global arenas.

PART 2 MANIFESTATIONS OF VIOLENCE IN THE LIVES OF INDIGENOUS WOMEN

A reading of declarations and outcome documents of regional meetings and conferences of Indigenous women from the Americas, Africa, Europe, Asia, and the Pacific reveals strong continuity in the issues that Indigenous women face.

The report classifies the manifestations of violence against women in the following way:

-Neoliberalism and Development Aggression Against Indigenous Women

With its hallmark policies of strengthening markets, cutting government spending, privatizing basic services, liberalizing trade, and producing goods primarily for export, neoliberalism has both exacerbated violence against Indigenous women and generated new forms of violence.

The report indicates that neoliberal assumptions and policies lead to the displacement of indigenous economies, land-tenure traditions, cultural practices, and values. This generates multiple forms of violence toward Indigenous women and threatens the very survival of Indigenous Peoples.

-Violence in the Name of Tradition: An Indigenous Women's Perspective

Rather than “harmful traditional practices,” FIMI has coined the term “*violence in the name of tradition.*” This language criticizes the ethical neutrality of the term “practices” to describe abuses such as genital mutilation, forced child marriage, widow burning, and “honor killing.” We locate the term “practices” in a theory of cultural relativism that borders on moral relativism, which we reject. We also question whether these “practices” are in fact “traditional.”

-State Violence, Domestic Violence, and Indigenous Women

The report reveals that the problem of structural violence is not merely that Indigenous women do not enjoy their right to equality before the law, but that laws are written and interpreted in ways that discriminate against and endanger them. In other words, for women who are under attack by the State, laws themselves become a source of violence. This dynamic is not adequately accounted for in strategies to criminalize domestic violence.

-Armed Conflict, Militarization, and Indigenous Women

Today, a disproportionate number of armed conflicts are being waged on the resource-rich territories of Indigenous Peoples, placing Indigenous women at particular risk of militarized violence. The primary aim of militarized violence against Indigenous women is to neutralize Indigenous opposition to the seizure of their resources, particularly land.

They are perhaps best understood as “resource wars,” or contests over land, water, precious minerals, and energy sources located on Indigenous lands. As such, these wars are inextricably tied to neoliberal and development aggression, which entail their own forms of violence against Indigenous women.



-Migration and Displacement of Indigenous Women

Today, more than 200 million people (about half of them women) live outside their home countries, with economic need being the primary reason for Indigenous Peoples.

In these processes of migration and displacement, Indigenous Women in these settings face many threats of violence, with two factors specifically affecting Indigenous Women. First, Indigenous women face situations of discrimination as Indigenous Peoples and second, because Indigenous women's cultural identity and spiritual practices are inextricably linked to their ancestral territories, Indigenous Peoples confront an existential crisis.

-HIV/AIDS and Violence Against Indigenous Women

The alarming growth in HIV/AIDS cases among Indigenous Women calls for gender-specific, culturally appropriate responses, including guaranteed access to sexual and reproductive health services and supplies, the denial of which, in and of itself, constitutes a form of violence.

Attacks on Indigenous Peoples' rights and resources not only fuel the spread of HIV/AIDS and undermine food security, they also threaten the transference of centuries of traditional ecological knowledge about farming techniques and varieties and uses of medicinal plants to future generations.

PART 3

PROMISING PRACTICES

Indigenous Women’s Community-Based Anti-Violence Strategies

Relevant experiences of community work, which show effective strategies in the fight against violence towards Indigenous Women, do exist.

Wangky Tangni, a Miskito organization in Nicaragua, offers women’s leadership development programs that address violence against women, and promotes women’s political participation and gender equity through sustainable development projects, human rights trainings, and healthcare programs that incorporate Indigenous and western perspectives on medicine. The organization’s income-generating projects for women help reduce women’s economic dependence on abusive partners, while discussion groups enable survivors of abuse to support one another.

In Kenya, Umoja Indigenous Women’s Group, of the Samburu village, developed a bold strategy to meet the needs of Indigenous women forced to flee their communities because of gender-based violence. In 1998, a group of women created this group as a woman-run, independent community for survivors of violence. The women are survivors of rape by British soldiers, who were stationed for training on their ancestral lands. Because of the rapes, their husbands ostracized them and many were forced from their homes for having “shamed” their families. One of the women’s first collective acts was to file a lawsuit against the British military for the rapes of over 1,400 Samburu women during the 1980s and 1990s.

Improving Data Collection Methods for Indigenous Women

The report includes a proposal of indicators to measure the prevalence of violence against Indigenous Women and presents several relevant initiatives aimed at improving data collection endorsed by the United Nations and FIMI. The United Nations Permanent Forum on Indigenous Issues (UNPFII) has called upon all concerned agencies and organizations to begin to disaggregate data on Indigenous Peoples generally, and Indigenous women and children specifically, in two categories: programs and services impacting Indigenous Peoples, and fiscal allocations for Indigenous Peoples’ programs and services.

PART 4 CONCLUSION

The process of critiquing and refining human rights with the aim of protecting the rights of Indigenous women has only just begun. Therefore, this report raises more questions than answers. These questions are a guide, propelling our thinking and our efforts to create change. Through the process of grappling with questions, Indigenous women are producing concepts and language, including the terms introduced in this report (such as *violence in the name of tradition*, *spiritual violence*, and *ecological violence*). These terms reflect and support the development of a uniquely Indigenous conception of gender-based violence and Indigenous anti-violence strategies.

The need for new language underscores the fact that FIMI's efforts to develop a uniquely Indigenous approach to combating violence against women is more than a demand for inclusion in the conventional human rights framework. FIMI does not call for simply "adding in" the concerns of Indigenous women, but for a fundamental restructuring of human rights categories, terms, and their underlying assumptions. Reconciling the dichotomies between individual and collective rights and between rights based on gender and culture is central to this project.

MEASURING THE "COST" OF VIOLENCE AGAINST WOMEN

As the private sector becomes an increasingly prominent "partner" for government, we have witnessed a growing trend to generate data that extrapolates the economic impact of violence against women (for example, measuring the dollar-value of days of missed employment). FIMI holds that assigning economic cost to violence against women is antithetical to human rights: a life free of violence is not a commodity to be priced, but an inalienable right. Moreover, assigning "cost" to violence against women may undermine efforts to end violence because much of women's work is unpaid or unfairly compensated. Many Indigenous women do not participate at all in formal economies, making violence against them "cheap" indeed.

PART 5

FURTHER STEPS TOWARD ERRADICATING VIOLENCE AGAINST INDIGENOUS WOMEN

FIMI proposes the following steps to effectively work toward the eradication of violence against Indigenous Women:

A. Develop New Concepts. In order to further develop an Indigenous women's standpoint for understanding and combating violence, mechanisms and opportunities must be created for Indigenous women to reflect on, apply, and further develop concepts presented in this report. Indigenous definitions of violence against women and gender-based violence must be further developed; cultural indicators that are based on both individual and collective rights that can accurately and comprehensively reflect the prevalence of violence against Indigenous women must be developed; and everything must be developed in detail.

B. Strengthen Indigenous Women's Advocacy. Through education campaigns; strengthening of Indigenous Women's community-based initiatives to combat violence; improvement in collecting statistical data and the creation and implementation of rights-based public policies, adequately intersectional, to combat violence against Indigenous women.

C. Promote Indigenous Women's Leadership. There is an urgent need for education, training, and capacity-building for Indigenous women at all levels and in all capacities, as they have been systematically denied access to education, training, and information technology.

D. To Advance Indigenous Peoples' Rights. FIMI calls on United Nations Member States to uphold the Declaration on the Rights of Indigenous Peoples and to pass the Declaration without amendment or change.

