**February, 2022**

**Submission: Comments and Recommendations to the Draft General Recommendation on IWAG**

Dear Committee on the Elimination of Discrimination against Women,

Equality Now is an international human rights organization that works to protect and promote the rights of women and girls in the areas of legal equality, harmful practices, sexual violence, and sexual exploitation, with a cross-cutting focus on adolescent girls. Equality Now combines grassroots activism with international, regional and national legal advocacy to achieve legal and systemic change for women and girls, and works to ensure that governments enact and enforce laws that uphold their rights.

We hereby submit our comments and recommendations to the Draft General Recommendation on IWAG. Before going on to list the suggestions, we would like to congratulate the CEDAW Committee for such a complete document that demonstrates the inclusion of the voices and needs of indigenous women and girls in all their diversity. We are convinced that it will be an excellent tool to advance the rights of indigenous women and girls across the world.

**Comments and recommendations**

**Para 4. (Recommendation)**: Also, States have to interpret the laws analyzing how the interaction, interdependence and the intersection of these work in each context and for persons and social groups, and always observing the dynamics that indigenous women and girls cross between two or more systems of subordination. That is, neither dividing the identities of a person, denying their various experiences, nor compartmentalizing discrimination by reducing it to categories. It will be necessary to start from the ways in which the variables of race, sex, national origin or ethnicity, age, sexual orientation, gender identity, disability, immigration status, language, religion, socio-economic or other status, contribute to creating layers of inequalities that interact simultaneously.

**Para 10. (Recommendation):** We recommend an alternative to the term “forced prostitution”. This term is not in line with UN language (1949 Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, 1979 Convention on the Elimination of All Forms of Discrimination against Women). The concept of ‘forced’ prostitution gives legitimacy to the possibility of a viable or acceptable form of prostitution, despite the significant and unavoidable prevalence of severe violence experienced in the trade in addition to its power inequality and the racism, sexism and classism that is at the core of its existence. These issues disproportionately affect indigenous women and girls. We recommend that the Committee considers using the term “exploitation of prostitution of women and girls” in line with Article 6 of CEDAW and General Recommendation 38 on trafficking in women and girls.

**Para 13. (Recommendation):** (text suggested to paragraph 13 or to add a new paragraph about discrimination in the online environment): The online environment reflects the inequality, discrimination and violence that indigenous women face in wider society. The core principles underpinning the internet — decentralisation, creativity, community and empowerment of users — should be used to achieve equality of indigenous women and girls online. As indicated in General Recommendation 35, States should adopt measures to encourage the elimination of discrimination and harmful stereotypical portrayal of women in media, including on technology platforms. Such measures should be specifically extended to indigenous women and girls.

**Para 13. (Recommendation):** We recommend adding specific recommendations to address the discrimination of indigenous women and girls in accessing digital technologies and the internet citing challenges such as limited cultural and linguistic diversity on the internet as well as with the tools that are used to access the internet and digital technologies. The internet of things, the interconnection of devices embedded in everyday objects, enabling them to share data, is designed to understand a few languages and cultural nuances. Most indigenous languages and cultures are not programmed into the devices or on the internet, this includes images and opinions of indigenous people, in particular women. Most indigenous languages and cultures are not programmed into the devices or on the internet, this includes images and opinions of indigenous people, in particular women. The Committee can refer to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

In addition, the Committee can also look into indigenous women and girls' right to control and own data and information about themselves, both online and offline, and their right to participate in decision making concerning how that data is used taking into account and respecting their approach to personal and communal data.

**Para 17. (Recommendation):** Add the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions

**Para 49. (text suggested to add):** “…*particularly sexual violence and exploitation in order to…*” Will look like this: Systematically collect data and undertake studies, in collaboration with indigenous communities and organizations, to assess the magnitude and gravity of gender-based violence against indigenous women and girls, particularly sexual violence and exploitation in order to inform measures to prevent and respond to such violence.

**Para 55. (text suggested to add):** Add “..*all women, including indigenous…*” Will look like this: Under the citizenship laws in a number of countries, indigenous women and girls face discrimination to acquire, change, and retain their nationality. Article 9 provides that States parties shall grant all women, including indigenous, women equal rights with men to acquire, change, or retain their nationality and with respect to the nationality of their children.

**Para 55.** Refer to The Special Rapporteur on Racism report on nationality, makes reference to indigenous women. See para 35 - <https://undocs.org/A/HRC/38/52>

**Parrag. 58. Add:** (a) i. *taking into account their cultures and native languages*. **Guaranteeing equal access of indigenous women and girls to quality education at all levels of education taking into account their cultures and native languages;**

**Para 70. Add:** Add in letter (a) *as long as they do not undermine their own human rights.* Will look like this: **Ensure the individual and collective rights of indigenous women and girls to maintain their culture, identity, and traditions as long as they do not undermine their own human rights, and to choose their own path and life plans;**