



Input for Special Rapporteur on Violence Against Women's Report on Violence Against Indigenous Women and Girls

First Peoples Worldwide commends the Special Rapporteur for her forthcoming report on violence against Indigenous women and girls, who experience violence at high rates. In the United States, murder [is the third leading cause of death for Indigenous women](#), and, on some reservations, violence is more than 10 times the national average. In 2017, First Peoples' former Executive Director Carla Fredericks and current Executive Director Kate Finn published an article in the Harvard Journal of Law and Gender entitled, "[Responsible Resource Development: A Strategic Plan to Consider Social and Cultural Impacts of Tribal Extractive Industry Development](#)," which looks at these issues. This analysis, alongside the [parallel publication of a strategic plan](#), remains true today. Additionally, the [Minnesota Indian Women's Sexual Assault Coalition's 2012 report](#) is a critical report that looks at Indigenous victims of sex trafficking. This project, which took into account the impact of racism, and colonialism, on sex trafficking of Indigenous women set forth recommendations that incorporated this disaggregated research and intersectional approach.

The link between incursions on Indigenous territory and violence against Indigenous women is well-documented and exacerbated by both state and corporate failure to adequately uphold Indigenous rights and practice rights-centered engagements. One such common incursion is that of the extractive industry, which conducts operations to extract minerals and fossil fuels on or near Indigenous lands, in many cases without the consent of the affected Indigenous Peoples. The United Nations Special Rapporteur, in [her 2017 report](#) on the rights of Indigenous People in the United States, noted that the short-term influx of well-paid men into isolated Indigenous communities has significant and negative impacts on the rate of sex trafficking, illegal prostitution, and violence against Indigenous women. Often corporations and states, who are responsible for the permitting for these corporations, do not take this increased violence into account as an impact of development.

In the United States, after the discovery of oil in the Bakken Formation of North Dakota in 2006, the [region experienced an increase in workers to the area](#) and more importantly the creation of man camps, which are temporary camps that house workers. As a result, the area experienced an exponential increase in the level of violence against Indigenous women. [The Bureau of Justice found that violent crime increased by 30 percent in oil producing counties in the Baaken](#), and that 53% of these crimes were committed by strangers to the victim. There [was no elevated crime in other counties](#). This violence includes homicide, non-negligent manslaughter, rape, and sexual assault; significantly there was a 54% increase in unlawful sexual contact in the region.

More recently, the link between violence against Indigenous women and extractive industry incursions continues as related to Enbridge's Line 3 pipeline replacement. This 2021 construction brought [increased violence to the area](#) and the Anishinaabe Indigenous Peoples. There [were multiple arrests in a](#) sex trafficking sting, with four men connected with the

pipeline. Other forms of violence increased. [Minnesota state](#) regulators also [note](#): "The addition of a temporary, cash-rich workforce increases the likelihood that sex trafficking or sexual abuse will occur." A member of Minnesota's Missing and Murdered Indigenous Women's Task Force, Sheila Lamb, reported that various direct service organizations saw an increase of sexual assault and harassment attributed to those working on Line 3. Lamb cited to the Violence Intervention Project, a [non-profit that requested](#) reimbursement for direct services it provided to assault survivors. The non-profit had to respond to two assaults at hotels and one at an Enbridge campground in 2020. [According to Lamb](#):

"In addition, some of our staff have young daughters that have reported sexual harassment incidents at the local gas station close to [the] Enbridge Campground; sexually explicit drop texts have appeared on their phones when they are in or near the gas station. We have also heard from young women working at [a] restaurant/bar in a hotel in town. The young women have reported 'cat calls' and 'harassing statements' during their work shift. They have been moved to the kitchen to protect them from these situations. And we have also heard stories of men in the bar, watching and targeting women that are vulnerable."

Enbridge denied the connection between extractive industry and increased gender-based violence, even [though it has a fund](#) that is designed to finance costs related to violence and trafficking associated with the pipeline. Enbridge's escrow account has also [funded law enforcement response](#) to Indigenous protests, which creates a worrisome link between the corporation and the local criminal justice apparatus. This type of reimbursement signals a prioritizing of development and corporate interests over the safety and rights of local communities. These funds have been linked to increased surveillance and targeting of Indigenous Protestors. Each of these instances individually demonstrates the link between extractive industries and increased violence.

In the United States, the outsized rates of violence against Indigenous women and girls is compounded by the [complicated jurisdictional regime](#) in which tribes cannot hold non-Indigenous perpetrators accountable for crimes on Indian lands. In some cases, states or the federal government can prosecute these crimes, but their investigations rarely result in criminal prosecution. When tribes do have jurisdictional authority to address crimes of this nature, they are limited in the sentences that they can impose. In short, jurisdictional gaps in the United States legal regime prevent equitable criminal prosecution and recourse for Indigenous women experiencing violence at the hands of non-Indigenous perpetrators.

First Peoples is currently conducting research on the impact of extraction on Indigenous Peoples alongside the global shift to a green economy. Low carbon and net-zero industry will require an influx of transition minerals like cobalt, lithium, and nickel, which are often found on Indigenous lands. With the known violence attendant to this industry, it is critical now – more than ever – that corporations and states be held accountable for the violence that occurs with increased mining extraction. All change must incorporate an Indigenous rights-centered approach, one that aligns with the articles of the Declaration on the Rights of Indigenous Peoples and requires that states and corporations seek to obtain free, prior and informed

consent (FPIC). This meaningful engagement with Indigenous Peoples will allow Indigenous leaders to make decisions for the well-being of their peoples, as they are all too familiar with the impacts of extraction on their lands and peoples. In assessing the impacts of violence against Indigenous women, the solutions must be Indigenous centered as well.