**Introduction**

The Lutheran World Federation (LWF) commends the CEDAW Committee on opening up this dialogue towards a general recommendation on the rights of indigenous women and girls. LWF recognizes the multiple and intersecting forms of gender- based discrimination and inequality and believes that the full implementation of the CEDAW requires state parties to protect the rights and dignity of women and girls in all their diversity, including indigenous women and girls. Indigenous women and girls often suffer the double burden of being women first, and then discrimination based on their identity/ethnicity hence the need for standalone measures to protect their rights and dignity.

**Context**

Whilst the CEDAW implicitly protects the rights of indigenous women and girls, this is insufficient as their lived experiences make them more vulnerable to additional intersecting issues faced by women. The United Nations Declaration on the Rights of Indigenous Peoples, adopted by the UN in 2007, is the most comprehensive international agreement on indigenous peoples’ rights. Although the declaration drew special attention to the needs and rights of indigenous women and called for action to protect them from violence, indigenous women continue to face disproportionate levels of discrimination and violence.1 The rights of indigenous peoples are also protected by a number of additional international human rights instruments. These include the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination.  Despite the protections afforded by these instruments, making these rights a reality in communities and states worldwide is still far off for most indigenous peoples and critical gaps exist between them and the general population.

Respecting indigenous peoples' right to self-determination, the integrity of their territories, and natural resources, and their ability to live free from all forms of discrimination and violence is a prerequisite for sustainable development.

LWF is deeply concerned with the continued lack of recognition of and violation of indigenous women and girls’ rights globally. Issues of violence and brutality, continuing assimilation policies, marginalization, dispossession of land, forced removal or relocation, denial of land rights, impacts of large-scale development, abuses by military forces and armed conflict, and a host of other abuses, are a reality for indigenous communities around the world.2 Women and girls bear the brunt of these gross violations of human rights.

The deepening global climate crisis has further exacerbated the situation for indigenous women, especially in the global south, who are more dependent on natural resources for their livelihood and survival due to historic and ongoing impacts of inequality. Drought, flooding and extreme and unpredictable weather patterns present life and death challenges for many women because it is them who are responsible for providing food, water and energy to their families.3 Furthermore, indigenous communities face the devastating effects of the extractive industry on their land.

Globally, more than one in three indigenous women and girls are raped during their lifetime and they show higher-than-average rates of maternal mortality, teenage pregnancy and sexually transmitted diseases, including HIV/AIDS.4 In Canada, indigenous women and girls are 12 times more likely to be murdered or to go missing than members of any other demographic group - and compared to white women, 16 times more likely to be slain or to disappear5

In Tanzania, the state does not recognize indigenous people, despite Tanzania being home to 125-130 different ethnic groups. The situation is particularly grave for women and girls, who endure additional discriminatory customary laws and practices at community level. They lack access to basic services, including economic and productive resources, health care services, education and the right to bodily autonomy.

In Brazil, the state acknowledges indigenous people and has made constitutional provisions to protect their rights. Yet, the reality on the ground is different, with the government not providing resources to honor these rights. In Colombia, where women make up more than 50% of the indigenous population, they are absent from political decision-making.

LWF recognizes that despite experiencing discrimination and violations of their human rights, indigenous women must not be viewed as victims only, but as active players in the struggle for the self-determination of their peoples and for their rights as women. They play a critical role as the guarantors of their culture and contributors to the well-being of their families, their communities and their countries. At the global level, networks of indigenous women have also stood up boldly to raise awareness on the inequalities they face as well as to urge the international community to recognize their rights. Therefore, indigenous women and girls’ participation in all processes affecting their rights cannot be over emphasized.

**General recommendations**

In light of the concerning examples of discrimination against indigenous women and girls noted above, **LWF calls on relevant states to:**

* Review all laws and policies pertaining to women and girls’ rights and ensure that the rights of indigenous women and girls are made explicit and specific to their needs and increased vulnerabilities. These measures should be undertaken and implemented with the full participation of indigenous women and girls.
* Enact laws and policies that ensure the full and effective participation of indigenous women in socio economic, political and development activities, including those related to poverty eradication.
* Take into account the particular problems faced by indigenous women and girls and the significant roles they play in the economic survival of their families, including their work in the non-monetized sectors of the economy and in the informal sector in line with article 14 of the CEDAW.
* Protect indigenous women and girls from all forms of violence, including sexual and gender-based violence, through appropriate prevention and response mechanisms and ending impunity for perpetrators.
* Take appropriate measures to address harmful and discriminatory traditional practices that hinder indigenous women and girls’ access to services, opportunities and rights to a life of dignity and justice.
* Include the rich indigenous knowledge, positive practices, and skills of indigenous women and girls in sustainable development efforts.
* Take appropriate measures to prevent and combat trafficking and exploitation of indigenous women and girls.
* Introduce measures to eliminate discrimination against indigenous women in all matters relating to marriage and family relations in line with article 16 of the CEDAW.
* Include in their periodic reports information on violence against indigenous women and girls and measures introduced to deal with it.
* Ensure that indigenous women and girls have access to sexual and reproductive health information and services.
* Ensure that indigenous communities, especially women and girls, have access to culturally appropriate and timely information, education and opportunities.
* Ensure that indigenous women and girls have equitable access to social security programs in line with article 14 of the convention.
* Take appropriate measures to strengthen indigenous women’s resilience to climate shocks and ensure that they play a meaningful role in climate change adaptation and mitigation.