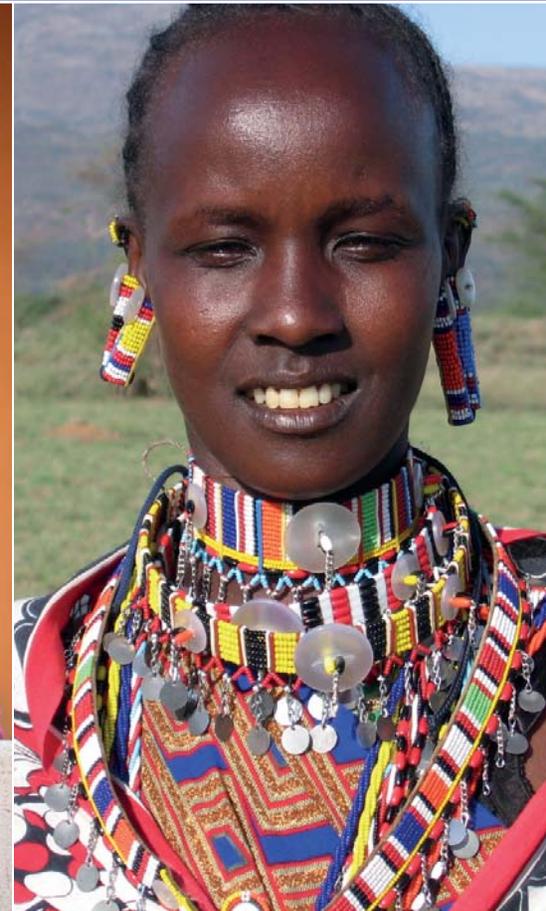




Breaking the Silence on Violence against Indigenous Girls, Adolescents and Young Women



A call to action based on an overview of existing
evidence from Africa, Asia Pacific and Latin America
(Summary Report)



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Human Rights Unit
Programme Division, UNICEF
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Email: rights@unicef.org

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Cover Images

Local symbol: traditional embroidery made in the department of Sololá, in the highlands of Guatemala, home to descendants of the Mayan culture

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Foreword

The United Nations Declaration on the Rights of Indigenous Peoples includes Article 22, which ensures that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination. At the time of negotiating this provision, the drafters knew that the contexts in which many indigenous women and girls live place them at risk of violence.

Even before the adoption of the declaration in 2007, the United Nations Permanent Forum on Indigenous Issues (UNPFII) had at its Fifth Session in 2006 recommended to United Nations organizations and States to provide comprehensive reports on violence against indigenous women and girls, particularly sexual violence and violence in settings of armed conflict.

This study responds to that call. It finds that violence against these groups must be understood within the broader contexts of indigenous peoples' historic and continuing marginalization and discrimination, violations of their collective and individual rights, displacement, extreme poverty and often-limited access to culturally appropriate basic services and justice – a finding that is consistent with the views of the UNPFII and the International Indigenous Women's Forum.

However, in all societies there are practices to keep, practices to change and practices to reconsider. While indigenous peoples continue to value and perpetuate their culture and way of life, we should not be exempt from this type of reflection. We hope this report will trigger change so that indigenous communities – women, men, girls and boys – can play their role in guaranteeing a life free from violence and discrimination for indigenous girls, adolescents and young women.

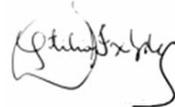
As the study exposes gaps in research and data collection in regard to violence against these groups, it is the collective responsibility of States, indigenous

peoples, civil society organizations and United Nations agencies, funds, programmes and special mandate holders to further examine and assess their real experiences in order to effectively focus interventions and strengthen protective factors that work to prevent and reduce the likelihood of violence.

To truly realize the rights of indigenous girls, adolescents and young women, there must be a positive and cooperative environment for their promotion and protection. It is our hope that this study will catalyse action so that together we will not only declare that violence is unacceptable but also make its prevention and elimination a living reality.



Grand Chief Edward John,
*Chairperson United Nations
Permanent Forum on Indigenous Issues*



Otilia Lux de Coti
*Executive Director, International
Indigenous Women's Forum*

Special Message

Freedom from violence is a fundamental right of children that each country has committed to uphold. Indeed, the Convention on the Rights of the Child, its three Optional Protocols, and the Convention on the Elimination of All Forms of Discrimination against Women, widely ratified by countries in all regions, provide a sound normative foundation to prevent and address all forms of violence against indigenous girls and boys. Other international human rights standards, such as the ILO's Indigenous and Tribal Peoples Convention No. 169 and Child Labour Conventions Nos. 138 and 182, and the United Nations Declaration on the Rights of Indigenous Peoples complement this important international framework for the protection of the rights of indigenous children.

Guided by these international instruments, the United Nations Permanent Forum on Indigenous Issues and other United Nations human rights mechanisms, including the Special Rapporteur on the rights of indigenous peoples, the Special Rapporteur on violence against women, its causes and consequences, and my own mandate as Special Representative of the United Nations Secretary-General on Violence against Children, act as global advocates for the protection of indigenous children from violence, whichever its manifestations may be and wherever these incidents may occur.

The emergence of a strong normative framework for the protection of the rights of indigenous children opens avenues for a rich process of national implementation for achieving steady progress. Yet, as the present study reveals, the challenges faced by indigenous girls, adolescents and young women remain serious and widespread. Due to gender inequality and the traditional status of women in and outside of indigenous communities, they continue to face neglect, sexual abuse and exploitation, human trafficking, forced and bonded labour, other slave-like practices and harmful practices.

Violence contributes to trauma, low self-esteem, poor health and poor school performance, and is often associated with the high incidence of depression, alcohol

and drug abuse, self-harm and suicide. It prevents young people from developing to their full potential, from participating as equal and active members in society, and from playing a leading role in the transmission of ancestral knowledge, culture, identity and language on an equal footing with their male counterparts as noted in this study.

This situation is however not inevitable as it can in fact be effectively prevented. As I have highlighted in my own reports, one fundamental component of national efforts for violence prevention and for the effective protection of children, including indigenous girls and adolescents, is the enactment of legislation that explicitly prohibits all forms of violence in all contexts, supported by safe and child-sensitive counselling, reporting and complaint mechanisms that children can access when incidents of violence occur. Recognizing the special needs of indigenous girls and boys, mechanisms must not only be child-sensitive, but also culturally-sensitive in order to take ethnicity and cultural diversity into account, and prevent any form of

discrimination and prejudice. This is a priority concern underscored by the United Nations Secretary-General's Study on violence against children, and is also a constant request children convey.

This new report, *Breaking the silence on violence against indigenous girls, adolescents and young women: a call to action based on an overview of existing evidence from Africa, Asia Pacific and Latin America*, is a thoughtful contribution to the global agenda to prevent and eliminate violence against indigenous girls, adolescents and young women. It offers valuable insights, positive experiences and comprehensive recommendations, including a set of guiding principles to accelerate progress and inspire further debate and innovative action to protect girls and women from violence in all its forms and in all contexts where incidents may occur. I am confident that the report will serve as an inspiring reference for consolidating sustainable achievements and building a world where the rights of indigenous children are effectively safeguarded and protection from violence is a reality for all.



Marta Santos Pais,
Special Representative of the United Nations Secretary-General on Violence against Children

Preface

This study offers a unique opportunity to rally behind the UNiTE to End Violence against Women Campaign of the United Nations Secretary-General and to remain steadfast to the recommendations of his two 2006 global studies on violence against children and violence against women.

This results bring into sharp focus the pervasive nature of violence and its nexus with other human rights concerns, such as the right to be protected from discrimination, justice, education and health, including sexual and reproductive health. It furthermore underscores the inextricable association between the vulnerability to violence suffered by indigenous girls, adolescents and young women and the broader contexts of historical and continuing marginalization and discrimination of many indigenous peoples.

It has long been recognized and recently reinforced in the United Nations General Assembly Resolution detailing the Quadrennial Comprehensive Policy Review (2012) that gender equality is a fundamental element in the achievement of sustained and inclusive economic growth, poverty eradication and sustainable development. Advancing the rights of girls, adolescents and young

women is therefore pivotal to achieving these objectives.

In this respect, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the United Nations Declaration on the Rights of Indigenous Peoples cannot be meaningfully implemented unless efforts are strengthened to guarantee that indigenous girls, adolescents and young women enjoy the full realization of their rights and are free from violence and the culture of impunity around which it revolves. As a first step, limitations and challenges posed by the lack of comprehensive data disaggregated by age, sex, location and ethnic status must be urgently addressed as a means to tackling the invisibility of the hardships endured by these groups.

By creating awareness of the severity and unique characteristics of the contexts

within which violence against indigenous girls, adolescents and young women take place, this study aims to provide its target audience (governments, indigenous communities, civil society organizations, bilateral organizations and the United Nations system, including United Nations funds, programmes, special procedures and mechanisms and regional commissions) with a useful tool for designing sustainable and appropriate interventions to prevent and respond to violence.

Looking ahead, it is critical that the findings and recommendations of this study are integrated into discussions and outcomes of on-going global agenda-setting processes, including the 2014 World Conference on Indigenous Peoples, the International Conference on Population and Development Beyond 2014 review process and the Post-2015 Development Agenda.



I. Purpose and objectives

This study is in response to a call made by the United Nations Permanent Forum on Indigenous Issues (UNPFII) to United Nations agencies to contribute to the state of knowledge on violence against indigenous girls, female adolescents and young women (referred more briefly to as 'indigenous girls and women'). It builds on the United Nations Secretary-General's study on violence against children, his in-depth study on all forms of violence against women and his report on the status of implementation of the Convention on the Rights of the Child (CRC), with a focus on the rights of indigenous children. It also draws upon the International Indigenous Women's Forum's companion report to his in-depth study on violence against women, *Mairin Iwanka Raya*.¹ The Secretary-General's three reports reaffirm the UNPFII's concerns of the urgent need to improve data collection and information systems for informing policy and programming, and tracking progress towards the goals of preventing and punishing violence.

Given data limitations, the study is not intended to be exhaustive, conclusive or comprehensive. Instead, it aims to be illustrative of documented evidence revolving around three main areas of investigation, namely:

- (1) The interface between the historical, political, economic, social and cultural contexts of indigenous peoples, including the structural, underlying causes and risk factors associated with violence against indigenous girls and women;
- (2) The different manifestations of violence documented against these groups in different settings, with an emphasis on domestic, community and health (including sexual and reproductive health) in the regions under study; and
- (3) On-going national level initiatives in the fields of prevention, protection and response to violence and the challenges associated with their implementation.

The study represents the first attempt at providing a broad overview of the existing evidence on violence against

indigenous girls and women and reflects an urgent desire by the initiating partners to contribute to the accelerated implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the CRC, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other relevant instruments.

II. Scope, methods, sources, opportunities and limitations

The study was undertaken through a systematic desk review of quantitative and qualitative sources spanning between 2000 and 2013 to reflect the period from when a substantial number of relevant studies and surveys were initiated.

Country reports of Demographic and Health Surveys (DHS), Multiple Indicator Cluster Surveys (MICS) and Child Labour Surveys (CLS) undertaken through the ILO/International Programme on the Elimination of Child Labour (IPEC) Statistical Information and Monitoring Programme on Child

Labour (SIMPOC) were used to assess and collate information on various forms of violence affecting indigenous girls and women.² Qualitative sources included the information databases of the UNPFII, the United Nations Secretary-General's UNiTE to End Violence against Women Campaign, United Nations agencies, academic institutions, reports of Member States and civil society organizations to treaty bodies (in particular the Committee on the Rights of the Child (CRC Committee), the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW Committee) and their concluding observations and recommendations) and the Universal Periodic Review (UPR), reports of United Nations special procedures and mechanisms, ILO supervisory bodies, and regional and national human rights institutions.

As the findings of the study will be used to inform policy, planning and implementation at country level, it was necessary to ensure that the geographical focus reflects a blend of low- and middle-income contexts pertinent to the development objectives of the United Nations partners involved in this study.

This decision was strengthened by a review of national Millennium Development Goals reports undertaken by the UNPFII on countries based in Africa, Latin America and Asia Pacific regions that highlight significant gaps in data on the development concerns and priorities of indigenous peoples.³

Regional perspectives were balanced with country perspectives on some specific forms of violence for in-depth study. The selection was based on the criteria of availability of information on a specific form of violence and evidence of on-going initiatives to address that specific form of violence in three countries. On that basis, Kenya was selected as a case study in the Africa region given available evidence on the prevalence of female genital mutilation/cutting (FGM/C) among indigenous communities and promising legislative developments in this field. For Latin America, Guatemala was selected for the study to benefit from its widely documented experience as a post-conflict country and on-going legislative and institutional reforms aimed at addressing issues such as femicide and sexual violence among indigenous women and girls. Finally, the Philippines

represents the Asia Pacific in terms of the involvement of girls and adolescents in armed conflict in the predominantly indigenous area of Mindanao and accompanying initiatives to address this situation.

The study adopts United Nations standard definitions and concepts. It is for example, informed by the prevailing view within the international community that no formal definition of indigenous peoples is necessary and is underpinned by the fundamental subjective criterion of self-identification and the objective characteristics of 1) distinct social, cultural and economic conditions, and 2) descent from populations which originally inhabited the country prior to colonization.⁴

For guidance on referencing people who identify themselves as indigenous, the study relies on the UNPFII's *State of the World's Indigenous Peoples* (2009), the International Working Group for Indigenous Affairs' annual publication *The Indigenous World* and Minority Rights Group International's *World Directory of Minorities and Indigenous Peoples*.

The study encountered some limitations as well as opportunities: As the selection of DHS modules and reporting on the outcomes by ethnicity are at the discretion of governments concerned, the study could not benefit from the richness of what such data potentially affords. Furthermore, MICS and DHS are designed for assessing the prevalence of some forms of violence (e.g., FGM/C and child marriage) and not others (e.g., human trafficking). Additionally, although the ethnic background of respondents or household head is taken into account in both surveys, the scattered nature and small sizes of indigenous populations in some countries do not allow for significant sampling.



Conversely, significant sampling is possible in countries where indigenous peoples are concentrated in specific geographical areas given that the majority of DHS and MICS collect and report on data by location in addition to other characteristics such as sex and age. Such demographic advantages exist in the case of Bolivia (Plurinational State of), India, Kenya and the Philippines from where DHS data (2008, 2005-2006, 2008-2009 and 2008, respectively) progressively capture information pertaining to indigenous peoples by location. To a more limited extent, similar observations may also be made with respect to the MICS of the Lao People's Democratic Republic (2006) and Viet Nam (2011). The review also found that the additional step taken by India, Kenya and Viet Nam to specifically disaggregate some if not all of their survey findings by ethnicity enhances specificity in analysing the situation of indigenous populations in those countries.

As far as qualitative sources are concerned, the review found these to be patchy and scattered, spanning across a number of categories such as those which deal with violence against women and children in general, in which are some references to indigenous girls and young women.

III. Key findings

1. Manifestations of violence globally

Violence against women and girls is a pervasive violation of human rights that persists in every country in the world and cuts across all socio-economic groups. Having its roots in historical and structural inequality in power relations between males and females, it is characterized by the use and abuse of power and control in public and private spheres, and is intrinsically linked to

gender stereotypes that underlie and perpetuate such violence, as well as other factors that can increase women's and girls' vulnerability to such violence.⁵

Its dimensions include physical, sexual and psychological/emotional violence in the family and community, as well as such violence perpetrated or condoned by the State. Specific forms and manifestations include domestic violence, child marriage, forced pregnancy, honour crimes, FGM/C, femicide, non-partner sexual violence and exploitation, sexual harassment, trafficking and violence in conflict situations.⁶

Although efforts are being harnessed to address the situation, more remains to be done. In the case of FGM/C, for instance, prevalence in the 29 countries in Africa and the Middle East where the practice is concentrated, has declined from an estimated 53 per cent of women aged 45- 49 being cut to an average of 36 per cent of adolescents and young women aged 15-19 being cut, but this is still a significant proportion of the young generation going through FGM/C.⁷ Similarly, despite near-universal commitments to end child marriage, one third of all girls in developing countries (excluding China) are likely to be married before age 18, and one out of nine will be married before they reach age 15 years. Most of these girls are poor, less-educated and live in rural areas.⁸

Over 67 million women aged 20-24 years old in 2010 had been married as girls. Half were in Asia, and one fifth in Africa. In the next decade, 14.2 million girls below the age of 18 will be married every year, and this is expected to rise to an average of 15.1 million girls a year from 2021 if present trends continue.⁹ Furthermore, girls, adolescents and young women are at risk of HIV/AIDS when unable to negotiate safe sex, especially in situations of child marriage

and sexual violence.¹⁰ Worldwide, one third of all new HIV cases involve young people aged 15-24, and adolescent girls are at far greater risk of contracting HIV than boys.¹¹

The hidden and clandestine nature of some forms of violence manifest place some girls and adolescents beyond detection and available protective mechanisms. Twenty-seven per cent of all victims of human trafficking detected globally are children; of these child victims, two thirds are girls.¹² While the gender and age profile of victims varies by region, the number of girls who were trafficked and detected increased from 2007 to 2010, during which time they accounted for 15-20 per cent of the total number of victims.¹³ Of the estimated 15.5 million children worldwide engaged in domestic work – considered the largest category of child labour – the majority are girls who are easily isolated and have little protection or social support, thus making them vulnerable to physical and sexual assault when performing work within the household.¹⁴

Acceptance of these forms of violence and others, along with the corresponding lack of accountability and impunity, reflect discriminatory norms that reinforce a lower status accorded to girls and women in society, particularly when the majority of cases go unreported and consequently remain concealed and unaddressed.

2. The context of indigenous girls, adolescents and young women

Violence against indigenous girls and women cannot be separated from the wider contexts of discrimination and exclusion to which indigenous peoples as a whole are often exposed in social, economic, cultural and political life.¹⁵ Challenges – such as land dispossession, conflict, insecurity, displacement, low

rates of birth registration, limited access to culturally appropriate education and health services (including sexual and reproductive health), the lack of access to justice and other essential services, including social services – create conditions affecting their development, human security and the exercise of their human rights. Indigenous girls and women are also at risk of violence in communities where intra-communal and inter-communal conflicts have arisen, as well as in those communities that conform to deeply-rooted patriarchal systems and practices that relegate women and girls to subordinate roles and positions in society.¹⁶

3. Manifestations of violence against indigenous girls, adolescents and young women documented to date: Examples from Africa, Asia Pacific and Latin America

While there is a growing body of evidence on the magnitude, nature and consequences of gender-based violence globally, knowledge of its extent among specific groups such as those of indigenous background is limited and tends to vary considerably by issue and region. By relying on existing literature, the study presents illustrations of manifestations of violence which have been documented to date against the groups in the regions under study and to this extent focuses on four areas of violence, namely: (1) domestic violence; (2) harmful practices; (3) economic exploitation, sexual abuse and sexual exploitation; (4) and gender-based violence in situations of armed violence, insecurity and communal conflicts.

Domestic violence

Findings from the DHS of Bolivia (Plurinational State of) (2008) and India (2005-2006) point to a mix of results in reference to some specific forms of

violence against indigenous girls and women including how their prevalence rates compare with the rest of the population.

For example, the Plurinational State of Bolivia is a country where an estimated 62 per cent of the population is indigenous; its departments of Chuquisaca, Cochabamba, La Paz, Potosí and Oruro have the highest concentration of indigenous peoples.¹⁷ DHS data show that Potosi records the highest prevalence of ever-married girls and women aged 15-49 reporting physical or sexual violence by a current or former partner (29 per cent) compared to the national average of 24 per cent. In relation to psychological violence by a current or former partner, however, Chuquisaca records the same prevalence as the national average (38 per cent) and is lower than Santa Cruz, a more cosmopolitan department which records a prevalence rate of 41 per cent.¹⁸

In India, the proportion of the population belonging to Scheduled Tribes is high in all north-eastern states where households belonging to Scheduled Tribes comprise the majority in Mizoram (95 per cent), Nagaland (89 per cent), Meghalaya (86 per cent) and Arunachal Pradesh (64 per cent). The DHS of India finds that 47 per cent of ever-married girls and women aged 15-49 belonging to Scheduled Tribes have experienced emotional, physical or sexual violence committed by their husband, compared to 40 per cent of the total population.¹⁹ Furthermore, 16 per cent of ever-married girls and women aged 15-49 identified as Scheduled Tribes report that their husband has displayed three or more 'control behaviours', compared to 12 per cent of the total population.²⁰ Furthermore the predominantly indigenous state of Arunachal Pradesh has the highest percentage of ever-married girls and women aged 15-49 who have ever

experienced different forms of spousal violence: physical or sexual (39 per cent) violence and emotional, physical or sexual (43 per cent) violence and ranks higher than the experience of girls and women of the same age in the total population – at 37 per cent and 40 per cent, respectively.²¹

Harmful practices

In plural legal systems, the simultaneous existence and operation of national legislation, customary and/or religious laws often lead to tensions and complications in the implementation of the rights of women and girls.²² This situation is particularly evident in attempts to eliminate harmful practices, which often persist because of traditional norms. Harmful practices prevail in many countries around the world, ranging from lesser-known practices such as nutritional taboos to the more commonly known practices of FGM/C, child marriage and prenatal sex selection.²³ In this research, the area found to be most extensively documented in relation to the study groups was child marriage and to a lesser extent FGM/C, both of which have other violence-related and attendant reproductive health consequences.

The Global Campaign to Stop Violence against Women finds that child marriage in the indigenous-dominated Autonomous Region of Muslim Mindanao (ARMM) of the Philippines is largely influenced by Article 16 of the Muslim Code, which sets the minimum age of marriage of both males and females at 15 years and also confers powers on sharia district courts to sanction the marriage of a girl who has attained puberty.²⁴ A total of 593 respondents from five provinces in ARMM who were younger than 18 at marriage when surveyed by Nisa Ul-Haqq Fi Bangsamoro showed that 83 per cent were aged 15-17, while 17 per cent were



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aged 9-14. The ages of the respondents' husbands ranged between 11-59 years, and 57 per cent were between 17 and 21 at the time of marriage.²⁵

The ARMM also has the lowest median age at first marriage and the lowest median age at first sexual intercourse (both 19 years) among women aged 25-29, compared to 22 and 21 years respectively for the country's general population.²⁶ Other related reproductive health data on ARMM include the region having the:

- *Lowest* percentage of girls and women aged 15-49 receiving antenatal care from a skilled provider (47 per cent), compared to 91 per cent of the total population;
- *Highest* likelihood of women aged 20-49 delivering their babies at home (85 per cent, compared to 56 per cent of the total population) and less likely in a health facility (15 per cent, compared to 44 per cent of the total population); and the
- *Lowest* median duration of schooling (4 years for women and 3 years for men, compared to 7 and 6 years, respectively, for the total population)

based on *de facto* household population.²⁷

The CRC Committee expressed concern at the continued practice of child marriage among indigenous girls in the Lao People's Democratic Republic. It found that the country's lack of an effective statistical database to monitor the Family Act of 1990 – the legislation that prohibits child marriage – impedes the law's implementation.²⁸

In Kenya, where early marriage and FGM/C are intertwined, the latter practice remains far more prevalent among the Somali (98 per cent), the Kisii (96 per cent) and the Maasai (73 per cent) indigenous populations than among other groups, although previous and current DHS data (1998, 2003 and 2008-2009) show a steady decline of national prevalence (38 per cent, 32 per cent and 27 per cent respectively).²⁹

Economic exploitation, sexual abuse and sexual exploitation

The review finds limited references to indigenous girls and women in the expanding research on the various

dimensions of economic exploitation, sexual abuse and sexual exploitation which are issues of concern in the three regions. Within the broad array of literature, the study finds that disaggregation by both sex and ethnicity are rare and references to indigenous girls and adolescents in particular, are made to sectors which engage young people in bonded labour, forced labour, domestic labour and human trafficking in which they are also at risk of being sold.

Despite a steady overall decline in child labour in Latin America, it remains a serious concern among indigenous peoples.³⁰ The Bolivia National Statistics Institute and ILO/IPEC finds that participation rates of male and female indigenous children and adolescents in hazardous employment is more pronounced compared to their non-indigenous counterparts in both urban and rural areas. Based on figures for the age group of between 5-17 years it suggests that 29 per cent of male and 24 per cent of female children and adolescents of indigenous background in urban areas are in these forms of employment, compared with 16 per cent and 14 per cent of their non-indigenous peers, respectively.

At rural level, although the rates for both indigenous and non-indigenous groups increase sharply (82 per cent of males and 79 per cent of females in respect of those of indigenous background and 54 per cent and 46 per cent for those who are non-indigenous), those for the former remain significantly higher.

Furthermore, in all cases, the data shows that the participation rate of indigenous girls and adolescents is consistently higher than that of non-indigenous males, non-indigenous females and in some instances, exceeds that of indigenous boys and adolescents.³¹ (Table 1 - overleaf)

In Guatemala, an estimated 65 per cent of domestic workers are indigenous girls and adolescents belong to impoverished families who often send their young female members to towns and cities, where they work an average of 14 hours per day and are often at the risk of physical and psychological abuse and sexual harassment by employers and their family members, a situation worsened by the lack of commensurate remuneration and social security.³²

Similar situations pertain in Namibia, where the Working Group on Indigenous Populations/Communities of the African Commission on Human and Peoples' Rights learned of sexual abuse of indigenous girls in domestic work settings for which there had been police inaction even after the incidents had been reported.³³ Recruitment for domestic labour of San girls and adolescents by non-San families in Namibia is disguised as adoption, in some cases leading to trafficking to other parts of the country.³⁴

Gender-based violence in situations of armed violence, insecurity and communal conflicts

General insecurity facing a country or community may serve as a potential risk factor for violence, as it is often symptomatic of a breakdown of the rule of law and the systems established to prevent and respond to violence.

A 2012 Expert Group meeting of the United Nations Special Rapporteur on violence against women, its causes and

Table 1: Participation of children and adolescents in economic activities (%)

Area/Age group	Boys			Girls			National
	Non-indigenous	Indigenous	Total	Non-indigenous	Indigenous	Total	
BOLIVIA							28
Urban	16	29	18	14	24	16	17
Ages 5-13	10	20	12	9	17	11	11
5-8	4	11	5	4	9	5	5
9-11	13	16	14	11	20	13	13
12-13	20	40	23	19	21	20	21
Ages 14-17	32	41	34	25	35	28	31
14-15	27	33	28	23	37	27	28
16-17	37	47	40	28	33	29	34
Rural	54	82	67	46	79	62	65
Ages 5-13	46	78	61	42	75	58	60
5-8	30	64	44	30	63	44	44
9-11	61	86	74	55	81	68	71
12-13	70	88	80	50	86	70	76
Ages 14-17	74	93	83	59	90	75	79
14-15	81	96	89	58	85	71	80
16-17	69	89	78	60	94	79	79

Source: Organización Internacional del Trabajo, Instituto Nacional de Estadística de Bolivia. *Magnitud y Características del Trabajo Infantil en Bolivia – Informe nacional*, La Paz, 2010, p. 95. Table 6.1.

consequences found that gender-motivated killings or femicides emerging from the contexts of insecurity in Latin America was particularly critical for indigenous women and girls.³⁵ Indigenous women and girls have been victims of gender-based violence in conflicts such as those of Colombia, Guatemala, Mexico, Nicaragua and Peru.³⁶ The Rapporteur on the rights of women of the Inter-American Commission on Human Rights notes that the situation of indigenous women and girls is particularly critical in the context of armed conflict, given that they are already exposed to multiple forms of discrimination on the basis of race, age, ethnicity and sex in their family, community and wider social settings.³⁷ During a visit to Colombia, the Rapporteur received complaints about the use of indigenous women and girls as ‘spoils of war’ by armed actors and verified that they had often been victims of sexual violence perpetrated by these groups. She further received reports that armed groups occupying indigenous lands “had kidnapped indigenous women, collectively used them sexually, and abandoned them with impunity,” while young girls were also forced to perform domestic duties.³⁸

Primarily as a result of public and private entities’ expropriation of lands – and the ensuing resistance from indigenous communities – over the past decade, many countries in the Asia Pacific region such as Fiji, India, Myanmar, Nepal, the Philippines, Thailand and Timor-Leste have witnessed increased armed conflict, political instability and militarization, leading to insecure environments for indigenous women and girls as a whole.³⁹ The United Nations Special Rapporteur on the rights of indigenous peoples specifically documents evidence of numerous cases of gang-rape, sexual enslavement and killing of tribal women and girls involving parties to conflicts in a number of countries and was

concerned that these acts had not been investigated and prosecuted.⁴⁰

Situations of inter-communal and intra-communal conflicts involving indigenous communities in Africa appear much more documented in contrast to other forms of conflict. Such conflicts have been common among and between the Pokot, Turkana, Marakwet and Samburu of Kenya over issues such as diminishing water resources for animal grazing and worsening climatic conditions, leading to competing access for land.⁴¹ Cross-border conflicts have also erupted between pastoralist communities located along border lands linking Kenya (Turkana and Pokot), South Sudan (Topsa) and Uganda (Karimojong).⁴² Another source notes long standing and prevalent inter-clan and inter-ethnic conflicts between the Gurgura and Issa clans located in the Erer district of Ethiopia’s Somali region for the same afore-mentioned reasons and resulting in similar consequences for women and girls.⁴³

Identical contexts and situations have emerged among the Tuareg, Bororo, Wodaabe and the Toubou pastoralists of Niger; the Basarwa of Botswana; the Bagyéli of Cameroon; the Twa of

Burundi, Rwanda and Uganda; and the Twa, Bongo and Mbendjele of the Republic of Congo.⁴⁴ Previously dealt with through traditional dispute mechanisms, such conflicts have assumed fatal dimensions for men, women and children, particularly within the context of the proliferation of accessible small arms, high-powered and other assorted assault rifles in some of these areas.⁴⁵

4. What are the gaps in knowledge?

Critical gaps in research identified in this study potentially serve to shape a future research agenda. The study elicits more in-depth appreciation of two major areas, namely: 1) the full extent to which indigenous women and girls are affected by the different forms of violence identified in this research (i.e., domestic violence, harmful practices, economic exploitation, sexual abuse and sexual exploitation, and gender-based violence in situations of armed violence, insecurity and communal conflicts) and others documented in the United Nations Secretary-General’s studies on violence against women and violence



against children. Additionally, attention should be paid to different forms of intersecting inequalities as reflected in the experiences of indigenous girls and women with disabilities and those located in rural areas. The research should be undertaken from the perspective of different settings (e.g., domestic, education, employment, care and justice institutions and the community at large); and 2) effective strategies for preventing and responding to violence against indigenous girls and women, including documenting lessons learned and assessing the impact of existing legal, policy and institutional reforms. A research agenda must furthermore take into account identified gaps in data by region. For example, data on the situation of indigenous communities in Africa is commonly lacking, suggesting a need for technical assistance to address the paucity of data in that region.

5. On-going national level interventions to address violence against indigenous girls and young women and the challenges in implementation

The study presents an overview of on-going prevention, protection and response efforts to address violence against indigenous girls and women. They include selected constitutional, legislative and institutional reforms, to strengthen the protective environment for indigenous girls and women, as well as efforts to prevent and respond to such violence. While some of these efforts appear promising, gaps such as those relating to limited capacities of implementing agencies to fulfil their mandates persist. In particular, there has been limited success in addressing obstacles related to factors such as language barriers, lack of confidentiality in procedures for reporting of abuse, geographic remoteness of indigenous

territories, patriarchal and discriminatory attitudes of service providers, law enforcement and judicial personnel, the culture of impunity and limited awareness of the rights of indigenous peoples in general and women and girls in particular. The study establishes that interventions needed to address violence against indigenous girls and women cannot be separated from broader initiatives with respect to women and girls in general, and that efforts are needed to ensure that the interests and rights of indigenous girls and women are taken into consideration when implementing such broader violence prevention and response strategies.

6. Proposed actions moving forward

The study concludes with a set of 6 principles and 10 recommendations that complement and reinforce those of national, regional and global human rights systems, the UNPFII and the Fifty-seventh Session of the Commission on the Status of Women of 2013, which was held on theme 'Elimination and prevention of all forms of violence against women and girls.'

The proposed recommendations of this study are to be adapted to suit specific country and regional contexts. They call for (1) enhancing efforts at data collection and analysis to address the 'statistical silence' around violence against indigenous girls and women by ensuring that data from national household surveys such as DHS, MICS and CLS are fully analysed and reported by ethnicity. A research agenda must take into account the prominent gaps in data on specific issues by region and in particular the extremely thin information

on indigenous girls and women in the Africa region; (2) addressing the structural, underlying and risk factors that lead to violence against these groups. These factors include poverty, exclusion and limited access to quality services such as education, health (including reproductive health), justice services, social welfare services, birth registration, the elimination of *de facto* and *de jure* discrimination and discriminatory attitudes towards indigenous peoples in general, patriarchal and stereotyped notions of the inferior status of indigenous girls and women in both indigenous and non-indigenous settings, and gaps in customary, religious and statutory laws related to the minimum age of marriage; (3) tackling impunity and the lack of redress and enforcement through strengthening of laws, and promoting values and practices of indigenous communities which serve as positive protective factors against violence; (4) improving social welfare services and complaints and reporting mechanisms such as helplines by ensuring that they are accessible, appropriately resourced, and age, gender and culturally appropriate; (5) increasing resource allocation, capacities and coordination in policy implementation among agencies responsible for promoting and protecting the rights of indigenous girls and women; and (6) making visible and integrating the study findings into on-going global processes such as the 2014 World Conference on Indigenous Peoples, the International Conference on Population and Development Beyond 2014 review process and the Post-2015 Development Agenda.

Notes

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Breaking the Silence on Violence against Indigenous Girls, Adolescents and Young Women

A call to action based on an overview of existing evidence from Africa, Asia Pacific and Latin America

About the research

Addressing disparities in development outcomes of marginalized and excluded groups such as those of indigenous background is central to all sustainable development efforts. This study represents the first attempt at consolidating existing evidence on violence against indigenous girls, adolescents and young women and is based on a recommendation of the United Nations Permanent Forum on Indigenous Issues to United Nations agencies to address gaps in knowledge on the magnitude, nature and context of violence against these groups. It is in step with similar recommendations arising out of the United Nations Secretary-General's 2006 studies on violence against children and violence against women respectively.

Using illustrations from Africa, Asia Pacific and Latin America, the study reaffirms the universality of violence across all socio-economic groups and cultures but finds that violence is heightened for indigenous girls, adolescents and young women when their communities' broader contexts – such as colonial domination, continued discrimination, limited access to social services, dispossession from ancestral lands, militarization and inter-communal conflicts – intersect with personal circumstances such as age, sex, ethnicity and by patriarchal value systems of indigenous and wider societies.

This study finds that the types of violence which have been documented with respect to indigenous girls and young women are embedded in a

narrow space of evidence which, though widening through a number of qualitative and quantitative sources remains insufficient.

Notwithstanding the noticeable gaps in information, the report aims to spur a call to action to governments, United Nations agencies and special mandate holders, indigenous communities, and women's and children's rights organizations to work collaboratively to end the impunity of violence. It also aims to tackle issues such as the structural, underlying causes and risk factors that lead to violence while paying close attention to deficits in information and strengthening of the capacities of government institutions and civil society organizations in preventing and responding to violence.

