

# INDIGENOUS FEMICIDE



## Introduction:

Indigenous women in the United States are disproportionately killed – most often by non-Native men, intimate partner violence, or maternal mortality – compared to their non-Indigenous counterparts. In fact, “in Indian country,<sup>1</sup> Native women are murdered at a rate 10 times [higher] than the national average”<sup>2</sup> but the lack of data on Missing and Murdered Indigenous Women and Girls (MMIWG) indicates that the disparity might be greater. Violence against American Indian Alaskan Native (AIAN)<sup>3</sup> women is prevalent, as more than 1 in 2 of all AIAN women have experienced physical violence by intimate partners<sup>4</sup> and homicide is the third leading cause of death among [AIAN] girls & women aged 10 to 24. In Hawaii, “Native Hawaiian women, like their land, have been subjected to alarmingly high rates of violence, trauma, and assault since colonization and into the present

day. According to a 2018 report by the Office of Hawaiian Affairs, 20.6% of Native Hawaiian women between the ages of 18 to 29 years have experienced IPV, compared with 13.3% of non-Hawaiian women.”<sup>5</sup>

Similar to the impact COVID-19 had on the rest of the world, the need to isolate, often with perpetrators of violence, the pandemic has seen a rise in violence against women in Indigenous communities. For example, “curfews, quarantines, and travel restrictions being used to slow the virus also restrict survivors of abuse from getting help, reaching shelters, and distancing themselves from abusers”<sup>6</sup> which has magnified historic, pervasive human rights abuses such as the extreme levels of violence experienced by AI/AN women and the crisis of MMIW in the US.<sup>7</sup> Additionally, the systemic and racial barriers in place in society have led to higher rates of COVID-19 related deaths in the Indigenous

## AN INTERSECTIONAL APPROACH TO FEMICIDE

In 2021, the Center for Women’s Global Leadership (CWGL) marked the 30th anniversary of the [Global 16 Days Campaign](#), with a special anniversary theme of [Ending Femicide](#), which is recognized under international law as the gender-related killing of women and girls. This year, the Campaign, along with its allies, is [continuing](#) its advocacy to end Femicide. Vulnerable women and girls face a heightened risk of Femicide that is associated with multiple and intersecting forms of discrimination. This fact sheet spotlights Femicide among Indigenous women and girls and recommends certain actions.

communities – nearly 2.1x more than the death rate of white people.<sup>8</sup>

### **Heightened Vulnerabilities and Nuances:**

In addition to the violence and danger that women around the world face, there are also specific factors that contribute to both direct and indirect Femicides of Indigenous women.

One such nuance is the cultural and geographic differences between each Indigenous and non-Indigenous communities. For example, there are 229 Alaska Native tribes spread across 6 large regions that speak different languages and dialects.<sup>9</sup> This language barrier, along with factors like an underfunded health system and lack of transportation from remote areas, is often cited by Indigenous communities as a reason to avoid visiting doctors and getting regular health screenings. This has led to indirect forms of Femicide, such as disproportionate rates of cancer among Indigenous women; “[AIAN] women are nearly twice as likely to develop cervical cancer compared to white women and four times as likely to die from [cervical cancer, which is treatable if caught early<sup>10</sup> ]”<sup>11</sup> and overall, cancer is a leading cause of death among Indigenous women.<sup>12</sup> Similar barriers to healthcare have increased the rates of maternal mortality among Indigenous women as well; AIAN women are 2-3x more likely to die from pregnancy related causes, and the ratio increases after the age of 30.<sup>13</sup>

Climate change is another factor that impacts Indigenous women, as “it is Indigenous peoples who may be displaced, forced to relocate or migrate, or who suffer food insecurity from losing critical parts of their subsistence livelihoods derived from hunting, fishing, and gathering.

Likewise, climate change-induced natural disasters and crises, such as flooding, erosion, drought, wildfires, or storms, can again increase the risk of violence against Indigenous women.”<sup>14</sup>

These disruptions impact social and cultural protective factors in Indigenous communities, which can indirectly add to the GBV and Femicide faced by Indigenous women. Additionally, “climate change will also, in some instances, drive in-migration of extractive industries ... as new resources become available and these sorts of developments can lead to a major influx of non-Indigenous men into Indigenous territories”<sup>15</sup> when 80.6% of AIAN Femicides are at the hands of men, and 66.2% are by non-Native suspects.<sup>16</sup>

These influxes of non-Indigenous men into Indigenous territories can be especially catastrophic for Indigenous women, as non-Indians “reportedly commit 88% of the violent crimes against Native women on tribal lands.”<sup>17</sup> However, until very recently, “Indian nations were unable to prosecute non-Indians” due to “United States law [that] stripped all Indian nations of their criminal authority over non-Indians” and “limited the ability of Indian nations to protect Native women and children from violence and to provide them with meaningful remedies.”<sup>18</sup>

Meanwhile, federal and state authorities who do have jurisdiction over these perpetrators often fail to investigate these crimes or take action by attributing MMIWG to drunken behavior of the women,<sup>19</sup> giving the perpetrators impunity and putting Indigenous women at higher risks.

Oftentimes, the victims of Femicide in Indigenous communities are two-spirit People, who were “male, female, and sometimes intersexed individuals who combined activities of both men and women with traits unique to their status as

two-spirit people ... and in most tribes they occupied a distinct, alternative gender status."<sup>20</sup> Unfortunately, in instances of MMIWG, "[c]ases of lesbian, gay, bisexual, trans, queer, two spirit (LGBTQ2S+) have been undercounted"<sup>21</sup> often due to "lack of documenting self-identified gender and sexual orientation, as well as the rarity of media coverage on missing and murdered Indigenous 2LGBTQ+ relatives – perhaps due to internalized colonialism, homophobia, and transphobia in tribal communities"<sup>22</sup> even though they are often violently "target[ed] [by] harmful patriarchal beliefs regarding gender identity."<sup>23</sup>

### **Case Studies:**

#### *The case of Hanna Harris*

Hanna Harris (Northern Cheyenne Tribe) left her reservation in 2013 to watch July 4th fireworks but never returned home. When her family reported her missing, law enforcement dismissed the case without taking it seriously, until her body was found days later, decomposed so badly that the cause of death was not discernible. Later, testimony from her killers confirmed that she was "raped and bludgeoned to death."<sup>24</sup>

Hanna's death has brought about the passage of [Hanna's Act](#) in the state of Montana, which "authorizes Montana Department of Justice to assist local law enforcement in missing persons cases."<sup>25</sup>

#### *The case of Savanna LaFontaine-Greywind*

Savanna LaFontaine-Greywind (Spirit Lake Sioux Nation) was 8 months pregnant when she was invited over to a neighbor's home in 2017. However, when Savanna did not return home, her family reported her missing. It was later

discovered that the neighbor, Brooke Crews, had knocked Savanna out and cut the baby out of her womb to keep for herself and her boyfriend. Crews and her boyfriend then disposed of Savanna's body, which was later found in a river.

Crews has since received a life sentence in prison, and her boyfriend received a sentence of 21 years.

Savanna's case is rare in that the perpetrators of violence against her were brought to justice. Oftentimes, lethal violence against Indigenous women occurs without arrests and prosecutions, which sends the message that crimes against Indigenous women have impunity.

The baby is now being raised by her father and Savanna's longtime boyfriend, and Savanna's death has brought about the passage of [Savanna's Act](#) in the US Congress, which addresses the issue of MMIWG in the US.<sup>26</sup>

### **Promising Practices:**

Since 2016, the United States has been a member of the [Trilateral Working Group on Violence Against Indigenous Women and Girls](#) with Canada and Mexico, which aims to bring together Indigenous women leaders from across North America to hear from them about their experiences of violence against Indigenous women as well as receive their recommendations for identifying areas to make improvements among all three countries.<sup>27</sup> This resulted in a joint commitment from all three nations to strengthen the support system for Indigenous women across North America.

In recent years, there have been legislative and institutional changes to address the issue of MMIWG as well. In 2020, the US Congress passed two bills, [Savanna's Act](#) and the [Not Invisible Act](#),

that are intended to "direct the Department of Justice (DOJ) to review, revise, and develop law enforcement and justice protocols to address missing or murdered Native Americans"<sup>28</sup> and "increase the coordination of efforts to reduce violent crime within Indian lands and against Indians,"<sup>29</sup> respectively. However, neither "list[s] any plan or methods for measuring positive impacts"<sup>30</sup> and the federal government has been slow to implement these bills, so it is too early to tell if they will be effective. The US Government Accountability Office (GAO) has given both the DOJ and the DOI a list of recommendations to implement that could improve the federal response.<sup>31</sup>

The [US Department of the Interior Bureau of Indian Affairs](#) has also established a [Missing and Murdered Unit](#) (MMU) within the [Office of Justice Services](#), which "focuses on analyzing and solving missing and murdered cases involving American Indians and Alaska Natives"<sup>32</sup> by building on the existing work of [Operation Lady Justice](#). The US Senate has also passed [legislation](#) declaring May 5, 2019 the National Day of Awareness for Missing and Murdered Native Women and Girls, and has redesignated it in [2020](#), [2021](#), and [2022](#). The office of the POTUS has also issued three proclamations for the day. This day, which was Hanna Harris' birthday, coincides with the National Week of Action that many Indigenous rights organizations participate in yearly, during which walks, rallies, and vigils take place to bring awareness to the prevalence of MMIWG. This advocacy was not only vital to passing Savanna's Act and the Not Invisible Act, but also has led to the expansion of the Tribal amendments to the 2022 passage of the [Violence Against Women](#)

[Act](#); Section 903 now allows Tribal authority to respond to violence against Native women.<sup>33</sup>

Additionally, individual states have also taken steps to prevent MMIWG, such as [Hanna's Act](#) in Montana, "created by the State-Tribal Relations Committee, which creates legislation and conducts studies which would promote cooperation between state and tribal governments,"<sup>34</sup> and the [resolution](#) of the Hawaii State Legislature to request the convening of a "task force to study missing and murdered Native Hawaiian Women and Girls."<sup>35</sup> Currently, the task force is focused on gathering data and determining where there are gaps in data; there is a lack of statistics and data in Hawaii on MMIWG and domestic violence, due to both lack of documentation on the end of law enforcement or the lack of reporting, and the little data there is is difficult to retrieve from law enforcement.<sup>36</sup>

Organizations dedicated to Indigenous Women's rights have also taken steps to protect the lives of Indigenous Women and prevent MMIWG. The [National Indigenous Women's Resource Center](#) (NIWRC) has developed a [Missing and Murdered Indigenous Women \(MMIW\) State Legislative Tracker](#), a "navigational database designed to help [state and local legislators, advocates, grassroots leaders, community members, and allies] easily search legislation relating to MMIW within state[s] and across the country."<sup>37</sup> Additionally, a coalition of organizations have come up with a [6-Point Action Plan to Reform Current Systemic Barriers and Restore Safety of Indigenous Women](#), which "urges the U.S. government to reaffirm and support Indigenous protective systems" through a series of six points that address gaps and barriers to Native justice.

6-Point Action Plan to Reform Current Systemic Barriers and Restore Safety of Indigenous Women:

- **Restoring the full authority of American Indian and Alaska Native Nations to protect Indigenous women**, including through the support of VAWA 2021's expansion of Special Domestic Violence Criminal Jurisdiction for Indian nations.
- **Recognizing and respecting Indigenous responses of Native Hawaiian communities and organizations to protect Indigenous women**, including through the support of a Native Hawaiian Resource Center on Domestic Violence.
- **Ensuring adequate resources for advocacy and services for Indigenous women**, including by support of FVPSA 2021 tribal funding increases and establishment of a permanent, dedicated funding stream for tribes in the Victims of Crime Act (VOCA).
- **Removing the systemic barriers facing families of MMIW including by supporting implementation of Savanna's Act and Not Invisible Act** and the development and adoption of additional MMIW legislation in consultation with Alaska Native and American Indian Nations and Native Hawaiians.
- **Implementing a thorough federal response to MMIW** by requiring every federal department to develop action plans with meaningful consultation with American Indian Nations and Native Hawaiians to address MMIW.
- **Recognizing that both land and Indigenous women are sacred and connected**, and that both require legislative and policy actions to protect them from extractive industries and corporate interests, such as the passage of the Save Oak Flat, HR 1884/S.915.

Source: NIWRC, [Indian Law Resource Center](#), [Pouhana 'O Nā Wahine](#), [Alaska Native Women's Resource Center](#) (AKNWRC), [StrongHearts Native Helpline](#), and the [Alliance of Tribal Coalitions to End Violence](#) (ATCEV)<sup>38</sup>

## International Standards:

In addition to promising practices within the United States, there are also international standards that provide rights to Indigenous women. In 2007, the UN GA adopted the [UN Declaration on the Rights of Indigenous People](#). Art. 22, Sec. 2 states that "States shall take measures, in conjunction with [I]ndigenous peoples, to ensure that [I]ndigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination,"<sup>39</sup> indicating that States are required to protect women from all forms of violence, including gender-based violence and Femicide.<sup>40</sup>

In 2016, a regional declaration, the [American Declaration on the Rights of Indigenous Peoples](#), was adopted by the Organization of American States (OAS) General Assembly. This declaration mentions Indigenous women's rights, namely in Art. VII, which states that "States recognize that violence against [I]ndigenous peoples and individuals, particularly women, hinders or nullifies the enjoyment of all human rights and fundamental freedoms"<sup>41</sup> and that "States shall adopt, in conjunction with [I]ndigenous peoples, the necessary measures to prevent and eradicate all forms of violence and discrimination, particularly against [I]ndigenous women and children."<sup>42</sup> Hence, Art. VII, ensures that States recognize and are responsible for the protection of Indigenous women from violence. Furthermore, Art. XXX claims that States "Shall take special and effective measures in collaboration with [I]ndigenous peoples to guarantee that [I]ndigenous women and children live free from all forms of violence, especially sexual violence [which can lead to death], and shall guarantee the right of access to justice,

protection, and effective reparation for harm caused to the victims,"<sup>43</sup> meaning that victims of violence are entitled to reparations from the State for any harm that the State does not protect them from.<sup>44</sup>

In 2022, a draft of the CEDAW [General Recommendation 39](#), the "first binding instrument focused on the rights of [I]ndigenous women and girls"<sup>45</sup> was developed to give Indigenous women and girls an instrument to protect their rights. This recommendation, which takes into account "the voices of [I]ndigenous women and girls as driving actors and leaders in and outside of their communities,"<sup>46</sup> acknowledges the violence that Indigenous women face that leads to Femicide and is asking for inputs from States and organizations for additions and nuances to the draft.<sup>47</sup>

Additionally, the 2022 Report of the Special Rapporteur on violence against women, its causes and consequences on [Violence against Indigenous women and girls](#) puts forth recommendations to prevent Femicide of Indigenous women and girls, such as the importance of educating women<sup>48</sup> and gathering disaggregated data on Indigenous Femicides.<sup>49</sup>

### Action Menu:



#### Governments:

- Prioritize better data collection. Examining current, existing data can show biased gaps so that researchers and advocates know what to address in future data collection.



#### Media:

- Report on cases of MMIWG to shed light on the prevalence of the issue as well as the response of authorities, whether or not the case was solved, and the perpetrator prosecuted.
- For tips on how to report on MMIWG, use the [Tip Sheet](#) jointly created by the [Journalism Initiative on Gender-Based Violence \(JiG\)](#) and NIWRC, and for reporting on First Nations, Inuit, and Métis communities, use the [Indigenous Media Guides](#) from the [Native American Journalists Association \(NAJA\)](#).



#### Individuals and communities:

- During the National Week of Action, participate in activities to show solidarity and support.
- Share the stories of MMIWG on social media to spread awareness of the issue amongst your own networks and communities.
- Join or initiate Twitter chats, Tweetathons, Facebook/Instagram live conversations, or other social media calls to action and engage @16DaysCampaign accounts on Facebook, Twitter and Instagram, using hashtags #LetsEndFemicide, #RatifyILO190 and #16DaysCampaign.
- Sign and disseminate the Global 16 Days Campaign petition calling on the United

Nations (UN) to declare December 6 as the International Day to End Femicide. Petition link [here](#).

## **Acknowledgments:**

This Fact Sheet was authored by Nishi Shah (Program Coordinator for the Global 16 Days Campaign) with assistance from Alexandra Singh (Independent Study Candidate) who conducted background research and provided documentation pertaining to various aspects of Femicide against Indigenous Women in the United States. Melissa Upreti (Senior Director, Program and Global Advocacy at CWGL) and Ardra Manasi (Senior Program Coordinator, Advocacy and Partnerships) created the outline and provided inputs and edits to the drafts.

The Global 16 Days Campaign team at CWGL deeply appreciates the support of allies and partners who shared their published resources and inputs, including Paula Julian from the National Indigenous Women's Resource Center (NIWRC) and Christopher Foley and Jana Walker from the Indian Law Resource Center.

This Fact Sheet is dedicated to the Indigenous women who have been victims of Femicide as well as their families, friends, and communities who continue to fight for justice and demand action and accountability to make a world without violence possible.



## Our Sources:

---

<sup>1</sup> *Tribal Nations and the United States: An Introduction* (Washington, DC: National Congress of American Indians, 2020).

“Indian country” is a defined legal term for that area over which the federal government and tribal nations exercise primary jurisdiction.

<sup>2</sup> *MMIW Brochure* (Eagle Butte, SD: Native Women's Society of the Great Plains).

<sup>3</sup>, *Who Is an American Indian or Alaska Native?* (US Department of the Interior Bureau of Indian Affairs, 2017).

<https://www.bia.gov/faqs/who-american-indian-or-alaska-native>.

The US DOI defines AIAN as “someone who has blood degree from and is recognized as such by a federally recognized tribe or village (as an enrolled tribal member) and/or the United States.” However, the term “American Indian” can be used in both a political/legal sense or an ethnological sense.

<sup>4</sup> *MMIW Brochure*.

<sup>5</sup> *Restoration of Native Sovereignty and Safety for Native Women Magazine* (Lame Deer, MT: National Indigenous Women's Resource Center, June 2021), p. 17.

<sup>6</sup> *Ibid.*, p. 64.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Risk for COVID-19 Infection, Hospitalization, and Death by Race/Ethnicity* (Centers for Disease Control and Prevention, 2022). <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html>.

<sup>9</sup> *Restoration Magazine*, p. 20.

<sup>10</sup> *Cervical Cancer* (Saint Paul, MN: American Indian Cancer Foundation).

<https://americanindiancancer.org/aicaf-project/cervical-cancer-awareness/>.

<sup>11</sup> *American Indians Twice as Likely to Develop Cervical Cancer* (Albuquerque, NM: National Indian Council on Aging, Inc, 2020). <https://www.nicoa.org/american-indians-twice-as-likely-to-develop-cervical-cancer/>.

<sup>12</sup> *Leading Causes of Death – Females – Non-Hispanic American Indian or Alaska Native – United States, 2018* (Centers for Disease Control and Prevention, 2018). <https://www.cdc.gov/women/lcod/2018/nonhispanic-native/index.htm>.

<sup>13</sup> *Infographic: Racial/Ethnic Disparities in Pregnancy-Related Deaths — United States, 2007–2016* (Centers for Disease Control and Prevention, 2016). <https://www.cdc.gov/reproductivehealth/maternal-mortality/disparities-pregnancy-related-deaths/infographic.html>.

<sup>14</sup> *Restoration of Native Sovereignty and Safety for Native Women Magazine*, p. 66.

<sup>15</sup> *Ibid.*

<sup>16</sup> *Homicides of American Indians/Alaska Natives — National Violent Death Reporting System, United States, 2003–2018* (Centers for Disease Control and Prevention, 2021).

[https://www.cdc.gov/mmwr/volumes/70/ss/ss7008a1.htm#T1\\_down](https://www.cdc.gov/mmwr/volumes/70/ss/ss7008a1.htm#T1_down).

The 66.2% includes suspects that are confirmed non-AIAN and unknown race.

<sup>17</sup> *Racial Discrimination and Denial of Equality Under the Law* (Helena, MT: Indian Law Resource Center).

<https://indianlaw.org/safewomen/racial-discrimination-and-denial-equality-under-law>.

<sup>18</sup> *Ibid.*

<sup>19</sup> Martin Rogers, Nicole and Virginia Pendleton, *Missing and Murdered Indigenous Women Task Force: A report to the Minnesota Legislature* (Minnesota: Wilder Research, 2020), p. 34.

<https://dps.mn.gov/divisions/ojp/Documents/missing-murdered-indigenous-women-task-force-report.pdf>

<sup>20</sup> *Two-Spirit* (Rockville, MD: Indian Health Service). <https://www.ihs.gov/lgbt/health/twospirit/>.

The interpretation of two-spirit varies between each Indigenous community.

<sup>21</sup> *MMIWG2S* (Albuquerque, NM: Coalition to Stop Violence Against Native Women).

<https://www.csvanw.org/mmiw/>.

---

<sup>22</sup> George, Blythe K., Annita Lucchesi, Chelsea Trillo, *Year 2 Progress Report: Missing & Murdered Indigenous Women, Girls & Two Spirit People of Northern California* (Sovereign Bodies, 2021), p. 55. [https://www.sovereign-bodies.org/\\_files/ugd/6b33f7\\_d7e4c0de2a434f6e9d4b1608a0648495.pdf](https://www.sovereign-bodies.org/_files/ugd/6b33f7_d7e4c0de2a434f6e9d4b1608a0648495.pdf).

<sup>23</sup> *Missing and Murdered Indigenous Women & Two Spirit Individuals* (The Center for Relationship Abuse Awareness). <http://stoprelationshipabuse.org/missing-and-murdered-indigenous-women-two-spirit-individuals/>.

<sup>24</sup> Rickert, Levi, *Say Her Name: Hanna Harris' Murder is Why We Remember Our Missing and Murdered Indigenous People on May 5* (Native News Online, 2022). <https://nativenewsonline.net/opinion/say-her-name-hanna-harris-murder-is-why-we-remember-our-missing-and-murdered-indigenous-people-on-may-5#:~:text=Testimony%20from%20those%20responsible%20for,enforcement%20in%20missing%20persons%20cases>.

<sup>25</sup> Hanna's Act, HB 21, 2019 Leg., (MT 2019). <https://leg.mt.gov/bills/2019/billhtml/HB0021.htm>.

<sup>26</sup> Reinan, John, *Pregnant Fargo woman was alive when baby was cut from her womb, prosecutors say* (Minnesota: StarTribune, 2018). <https://www.startribune.com/pregnant-fargo-woman-was-alive-when-baby-was-cut-from-her-womb-prosecutors-say/472388733/>.

<sup>27</sup> *Fact Sheet: Virtual Engagement with Indigenous Women Leaders in Preparation for the Fourth Convening of the Trilateral Working Group on Violence Against Indigenous Women and Girls* (Washington, DC: The White House, 2021). <https://www.whitehouse.gov/briefing-room/statements-releases/2021/11/30/fact-sheet-virtual-engagement-with-indigenous-women-leaders-in-preparation-for-the-fourth-convening-of-the-trilateral-working-group-on-violence-against-indigenous-women-and-girls/>.

<sup>28</sup> Savanna's Act, S. 227, 116<sup>th</sup> Congress (2019). <https://www.congress.gov/bill/116th-congress/senate-bill/227>.

<sup>29</sup> Not Invisible Act, S. 982, 116<sup>th</sup> Congress (2019). <https://www.congress.gov/bill/116th-congress/senate-bill/982>.

<sup>30</sup> *Year 2 Progress Report*, p. 78.

<sup>31</sup> *Missing or Murdered Indigenous Women: New Efforts Are Underway but Opportunities Exist to Improve the Federal Response* (Washington, DC: U.S. Government Accountability Office, 2021). <https://www.gao.gov/products/gao-22-104045>.

<sup>32</sup> *Missing and Murdered Indigenous People* (Washington, DC: US DOI BIA). <https://www.bia.gov/service/mmu>.

<sup>33</sup> Violence Against Women Act Reauthorization Act of 2021, H.R. 1620, Sec 903, 117<sup>th</sup> Congress (2022). <https://www.congress.gov/bill/117th-congress/house-bill/1620/text#toc-H38009D4F8FEF42A495F4293D9EF3E732>.

<sup>34</sup> Johnson, Jazzlyn, *Struggle for Justice* (Montana: Native News, 2019). <https://nativenews.jour.umont.edu/2019/northern-cheyenne/>.

<sup>35</sup> S.C.R. 8, 31<sup>st</sup> Leg., (HI 2021). [https://www.capitol.hawaii.gov/session2021/bills/SCR8\\_.HTM](https://www.capitol.hawaii.gov/session2021/bills/SCR8_.HTM).

<sup>36</sup> From a consultation with Rosemund Pettigrew, Board President for the Pouhana O Na Wahine.

<sup>37</sup> *MMIW State Legislative Tracker* (Lame Deer, MT: NIWRC). <https://www.niwrc.org/mmiw-state-legislative-tracker>.

<sup>38</sup> *6-Point Action Plan to Reform Current Systemic Barriers and Restore Safety of Indigenous Women* (Lame Deer, MT: NIWRC). <https://www.niwrc.org/restoration-magazine/february-2022/6-point-action-plan-reform-current-systemic-barriers-and-restore>.

<sup>39</sup> United Nations Declaration on the Rights of Indigenous Peoples, A/RES/61/295, Art. 22, Sec. 2, United Nations (2007). [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf).

<sup>40</sup> *United Nations Declaration on the Rights of Indigenous Peoples* (UN DESA). <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>.

The US was initially one of 4 countries that voted against this but has since reversed its position.

---

<sup>41</sup> American Declaration on the Rights of Indigenous People, AG/RES. 2888, Art. 7, Sec. 2, OAS (2016). <https://www.oas.org/en/sare/documents/DecAmIND.pdf>.

<sup>42</sup> *Ibid.*, Art. 7, Sec. 3.

<sup>43</sup> *Ibid.*, Art. 30, Sec. 4c.

<sup>44</sup> The US does not support this declaration.

<sup>45</sup> *Indigenous women leaders from across the region gather in Mexico to contribute to the development of the CEDAW General Recommendation on the Rights of Indigenous Women and Girls* (UN Women, 2022). <https://lac.unwomen.org/en/stories/noticia/2022/05/lideresas-indigenas-de-toda-la-region-se-reunen-en-mexico-para-contribuir-en-el-desarrollo-de-la-recomendacion-general-de-la-cedaw-sobre-los-derechos-de-las-mujeres-y-ninas-indigenas>.

<sup>46</sup> General Recommendation No. 39 on the rights of indigenous women and girls, para. 2, The Committee on the Elimination of Discrimination against Women (CEDAW) (2022). <https://www.ohchr.org/sites/default/files/2021-12/Draft-GR-indigenous-EN.docx>.

<sup>47</sup> *Draft General Recommendation on the rights of indigenous women and girls* (Committee on the Elimination of Discrimination against Women, 2022). <https://www.ohchr.org/en/calls-for-input/2022/draft-general-recommendation-rights-indigenous-women-and-girls>.

<sup>48</sup> Violence against indigenous women and girls: Report of the Special Rapporteur on violence against women, its causes and consequences, Reem Alsalem, A/HRC/50/26, para. 52, UN GA HRC (2022). <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/323/90/PDF/G2232390.pdf?OpenElement>.

<sup>49</sup> *Ibid.*, para. 67.