



International Indian Treaty Council
Consejo Internacional de Tratados Indios

100 E. Ajo Way
Tucson, AZ 85713
Phone: (520) 833-9797
Fax: (520) 833-9799
Email: info@treatycouncil.org
www.treatycouncil.org

January 31, 2022

Ms. Reem Alsalem, Special Rapporteur on Violence Against Women
OHCHR-UNOG
8-14 Avenue de la Paix,
1211 Geneve 10, Switzerland
Email: ohchr-vaw@un.org

Re: Submission for Report on Violence Against Indigenous Women and Girls

For more information, please contact Morning Star Gali, IITC California Community Liaison, at +(916) 996-6580, or via email: Morningstar@treatycouncil.org; or Summer Blaze Aubrey, IITC Staff Attorney for Human Rights, at +(509) 823-6951, or via email: summer@treatycouncil.org.

Indigenous women globally face increased rates of violence and harassment. The issue is nuanced and touches many facets; however, complex jurisdictions, racial discrimination, fetishes, strategies to silence human rights defenders, strategies to forcibly move Indigenous peoples out of their homelands, and further environmental violence are all causes or egregious contributing factors.

Indigenous women in South American countries and in the Amazon also face these challenges. Extractive industry or agri-businesses come into Indigenous territories and use violence against Indigenous women, as leaders and knowledge holders in their communities, as a weapon to push entire Indigenous communities from the land so that it can start “producing” energy and popular crops.

Women in many countries in Latin America are in a constant threat to be disappeared, trafficked and killed. The governments are silent about this epidemic that women face every day by prohibiting media coverage and refusing to offer justice or assistance to the families who have lost a loved one. Inaction is a stark reality that Indigenous women face.

Women who are of different nationalities and seeking asylum in different countries, are stripped of their human rights by those very same countries that are supposed to provide refuge. For example, there are women, fleeing from violence and drug cartels, seeking legal asylum in another country, only to end up stolen and either raped, killed or used to traffic drugs into another country. Once they find themselves in those situations against their will,

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help is limited because of their nationality and documentation. They cannot go back into their own country because they might get killed.

The injustice of not being able to seek justice for their loved ones because of the deep and entrenched relationships that the State has with the cartel and media is the ultimate form of silencing the reality that women and their families face. The media does not share when women disappear or are found dead because the State does not want bad publicity. The media is paid by the State and the cartels.

In 2019 and 2020, femicides in Mexico significantly increased: on average 10 women are killed every day, setting record calls from women who were fearing for their lives, especially due to domestic violence from their partners. Instead of putting in place mechanisms, budgets and proper help; the government launched a much-ridiculed series of public service videos about how to prevent domestic violence. One ad presented a selection of moments in a typical household. As stress and tension built, the ad advised people to count to ten to calm down and "take out the white flag of peace," and concluded with the family members smiling and waving small flags. This very disconnected from reality campaign of the government went viral with advocates condemning the government's approach as "atrocious" and "disconnected from reality."

Real solutions that stop the femicide in Mexico and around the world are urgently needed and need to be prioritized- not discarded or silenced.

In the United States, 85% of Indigenous women are affected by sexual violence, of those that experience sexual violence, 97% of those assaults are perpetrated by non-Indigenous peoples. These numbers are undoubtedly much higher because accurate data about the crisis of missing and murdered Indigenous women and girls simply does not exist.

In the U.S., Indigenous women face complex jurisdictional requirements which arise simply because of their status as an Indigenous person. As a result, there is a gap in prosecution and often it is up to the federal government to exercise their prosecutorial discretion, which they decline at alarming rates. At the federal level, these crimes have more than a 90% prosecutorial rate of declination.

Moreover, there is a link between environmental violence and violence against Indigenous women in the United States. Enbridge's 337-mile Line 3 tar sands pipeline poses ever greater threats to indigenous women and girls. The number of sexual assault and harassment incidents of indigenous water protectors linked to Enbridge's 337-mile Line 3 tar sands pipeline is ever increasing. Shelters in Northern Minnesota are handling so many more cases that Enbridge is reimbursing at least one non-profit shelter for its costs associated with housing victims allegedly assaulted by pipeliners.

Violence against Indigenous women and children is multifaceted. Overt racism and aggression towards Indigenous women, in particular, are shown through the use of the term “squaw.” In Indigenous communities in the U.S. refer to this word as the “s” word, similar to other extremely offensive racist slurs. In the U.S., the “s” word is a common name for federal and state lands and parks as well as sports arenas and stadiums. The use of the word promotes the dehumanization of Indigenous women and furthers aloof sentiments that contribute to the purposeful victimization and lack of effective attention from law enforcement. This past year, the federal government has begun processes to remove the “s” word from federal lands, but that does not include state lands or private sporting arenas.

Additionally, the inattention to the missing and murdered Indigenous women crisis is highlighted through what many in the Indigenous community call “missing white woman syndrome.” In late 2021, Gabby Petitio, 22, went missing while travelling in Wyoming with her boyfriend. Her case reached every part of the United States via mainstream media outlets. However, whenever an Indigenous woman or child goes missing, affected families and friends rely on social media to spread the word and conduct their own investigations. For more information: <https://www.newyorker.com/news/q-and-a/the-long-american-history-of-missing-white-woman-syndrome>.

We would like to highlight some cases of violence against Indigenous women:

Khadijah Britton, 23 years old, Wailaki and an enrolled member of the Round Valley Indian Tribes.

Khadijah Britton went missing February 8, 2018, in Covelo, California, United States. She was taken at gunpoint by a former boyfriend that she filed domestic violence charges against the month previously. Mendocino County Sheriff's Officer arrived the following day, with only a paper notepad and pen to take down notes of her abduction. There was no involvement of outside law enforcement or the FBI during her investigation. It took three years of community advocacy and support, for the FBI to get involved.

For more information on Khadijah Britton's disappearance: <https://www.fbi.gov/wanted/kidnap/khadijah-rose-britton> and <https://mendocinosheriff.com/project/khadijah-britton/>

Jessica Alva, 35 years old, Blackfeet and Yaqui.

Jessica Alva, mother of 6 children and been 4 years clean and sober while living in the San Francisco Native community. Jessica Alva passed on April 6, 2019, succumbing to her injuries believed to be caused by her former boyfriend that was released from prison on parole in late January. Jessica Alva's former boyfriend called 911 reporting “an attempted

hanging/suicide.” Jessica Alva was transferred to the local county hospital where she was kept on life support for 3 days until her death. Jessica Alva’s family believe her former boyfriend is behind Jessica Alva’s injuries and ultimate death. Jessica Alva has cuts and bruises all over her body that were inconsistent with a suicide by hanging. Her family also worked hard to have law enforcement do a proper investigation after smelling bleach in her place of residence after she was admitted to the hospital. Law enforcement did not effectively investigate and ultimately ruled her death a suicide and failed to notify the former boyfriend’s parole officer of the incident.

For more information on Jessica Alva’s death: <http://eltecolote.org/content/en/family-seeks-justice-for-slain-indigenous-mother/>

Nicole Smith, 32 years old, Manchester Band of the Pomo Indians.

Nicole Smith, mother of 3 children, was shot and killed in her home while sleeping during a drive-by shooting on November 19, 2017, near the Mendocino Coastline, California, United States. 5 children were in the household while Nicole Smith took a bullet to the chest through the door and witnessed her have a seizure and bleed to death while it took 1.5 hours for Mendocino County Sheriff’s Officers to arrive. Nicole Smith’s boyfriend found several shotgun shells on the porch of the residence. The family was evicted from the home shortly after, in part, due to law enforcement failing to find the perpetrator.

For more information on the death of Nicole Smith: <https://kymkemp.com/2020/11/19/the-drive-by-shooting-death-of-mendocino-county-coastal-resident-nicole-smith-remains-unsolved-three-years-later/> and <https://kymkemp.com/2021/12/10/cloverdale-armed-robbery-suspect-was-a-person-of-interest-in-the-2017-murder-of-menodcino-county-woman-nicole-smith/>