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SPECPOL

Research Report

The Question of:

Protecting indigenous women from violence and justice system failures

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The Committee

The fourth committee of the General Assembly, the Special Political and Decolonisation Committee was formed in 1993, merging two former committees, the Decolonization Committee and the Special Political Committee. Currently, it is dealing with a wide range of issues, such as questions related to information, decolonisation, effects of atomic radiation, international cooperation in the peaceful uses of outer space, special political missions, peacekeeping operations and assistance to Palestine refugees. Being responsible for such various problems, the work of the committee is very diversified.

The committee's achievements in the issue of decolonisation should be highlighted. Since the creation of the United Nations in 1945, 80 former colonies gained independence with the help of the organization. However, the process of decolonisation is still not complete as there are 17 non-self-governing countries.

In the Special Political and Decolonisation Committee, a draft resolution is needed for every issue to be debated and every draft resolution is required to have one or more main submitters and co-submitters.

At this years' LEMUN, this committee is going to deal with 3 issues, such as Migration in Central America, Protecting indigenous women from violence and justice system failures and The annexation of occupied territories by Israel.

Key Terms

Indigenous: Originating or occurring naturally in a particular place. A synonym for indigenous is *native.*

Metis: a person of mixed parentage

Inuit: A member of an indigenous people of Northern Canada and parts of Greenland and Alaska.

General Overview

Violence against native women is a crisis that must be addressed immediately. Violence, both overt and covert, is central to the lives of many Aboriginal women.
Indigenous women and girls make up about 4 percent of the total female population of Canada but 16 percent of all female homicides, according to government statistics.
Some 1,181 Indigenous women were killed or went missing across the country between 1980 and 2012, according to a 2014 report by the Royal Canadian Mounted Police. That number has since risen and Patricia Hajdu, who served as minister for the status of women, has estimated that it may be as high as 4,000 since many of the cases go unreported. The police have estimated that 10 percent of missing women in the country are Indigenous.

Indigenous people in Canada are poorer, sicker and less educated than other Canadians, as well as over-policed and overrepresented in the country's jails. And they have withstood a long history of Canadian efforts to stamp out their cultures. Available statistics consistently point to a greatly disproportionate incidence of violence against Indigenous women in Canada. In a 2009 government survey of the ten provinces, Aboriginal women were nearly three times more likely than non-Aboriginal women to report being a victim of a violent crime; this was true regardless of whether the violence was perpetrated by a stranger or by a spouse.
The main problem in the justice system is that there are substantial gaps in the available data because many police services simply do not record this data, or do not provide officers with guidelines or training to ensure that the information is recorded consistently and accurately. It is the state's essential responsibility to ensure the prevention and prosecution of crime

During his election campaign in 2015, Mr. Trudeau promised big changes, from improving infrastructure and education to fashioning new "nation to nation" relationships with the hundreds of Indigenous groups in the country, which make up 4.9 percent of Canada's population. Canada is complicit in a race-based genocide against indigenous women. Prime Minister Justin Trudeau has received a report released in June 2019 by the National Inquiry into Missing and Murdered Indigenous Women and Girls, which cited a research finding indigenous women were 12 times more likely to be killed or to disappear than other women in Canada. The 1,200-page report is the culmination of almost three years of hearings and research by the inquiry into disproportionate violence faced by indigenous women and girls in Canada. The report found that "persistent and deliberate human and indigenous rights violations and abuses are the root cause behind Canada's staggering rates of violence". The report also discusses the effectiveness of the Indigenous law and the Canadian law protecting women. Prime Minister Justin Trudeau - who has made reconciliation with indigenous peoples a priority for his government - thanked those that shared stories with the commission, and vowed tackle violence against indigenous women.

In the United States, violence against indigenous women has reached discomforting and unexpected levels on tribal lands and also in Alaska Native villages. statistics say that more than 4 in 5 women are victims of violence. In 2016, 5,712 Native American and Alaska Native women and girls were reported missing to the National Crime Information Center, but only 116 were officially recorded in the US Department of Justice's federal missing persons database, according to a report on the issue released in 2018 by the Urban Indian Health Institute.

A new Department of Justice study shows that of over 2,000 women surveyed, 84 percent of Native American and Alaskan Native women have experienced violence, 56 percent have experienced sexual violence, and, of that second group, over 90 percent have experienced violence at the hands of a non-tribal member. Unfortunately, tribal courts do not have the jurisdiction to prosecute non-tribal members for many charges such as sexual assault and rape. The main problem is that the tribal courts do not get recognizable backup from local law enforcement and hardly any funding from the federal government in order to improve their systems. In the end, this escalates into exceptionally high rates of sexual and domestic violence against native women. The high levels of violence were first highlighted in 1999, when the Department of Justice released its initial report. Since then, multiple studies on the topic have confirmed the crisis: Native Americans are 2.5 times more likely to experience sexual assault and rape than any other ethnic group in the United States.
One of the reasons that the issue cannot meet a solution is the cultural and socioeconomic barriers. High rates of unemployment and substance abuse contribute to the problem. That is why many indigenous women cannot afford to live on their own so they stay in abusive and toxic relationships. It is also not common and so hard for a women who grew up in the Native American culture to fight the cultural stigma of reporting rape and other crimes.

Despite the negative, a progress has been made regarding the issue. A new domestic violence hotline instated with the help of National Indigenous Women's Resource Center will be serving to those who identify as Native American and Alaska Native to report the incidents in a more direct and easy way. In conclusion, it is obvious that both the U.S. and Canada haven't been valuing their citizens adequately, regardless of their ethnic group and gender. A call on the government of Canada and the U.S. is urged t make a clear commitment to their indigenous citizens, value them and count them accurately in official crime statistics, to work together with them and organizations representing them to develop a comprehensive approach to addressing the factors fuelling this violence.

Major Parties Involved

Canada: Being the second largest country in the world in area, Canada's population consists of a mixture of diverse national and cultural groups. An estimated 200,000 Indians (First Nations) and Inuit were living in what is now Canada when Europeans began to settle there in the 16th century. Today they comprise less than 5 percent of Canada's total population, though aboriginal peoples constitute half of the population of the Northwest Territories. Being a minor population, they are facing countless cases of sexual and domestic violence and the Canadian law is insufficient in order to prosecute their human rights.

United States of America: Native Americans form an ethnic group of the American society. An estimated amount of 2.5 million Native Americans are present in the U.S. since the turn of the 21st century. They cannot be disregarded, however the government of the U.S. keeps native Americans in poverty. As a result their human rights are also disregarded and the crimes affecting them are not accurately recorded.

Timeline of Events

Since there is no specific event, there will be no timeline of events presented.

Previous attempts to solve the issue

The Violence Against Women Act (first enacted in 1994) was reauthorized in 2013 by the U.S. government, with amendments to add protections for Native American women. It gave tribal nations the power to prosecute non-tribal members for domestic violence, but not other crimes like sexual assault, child abuse or rape. The law went into effect in 2015 and was implemented for a handful of tribes, but most are still trying to find the resources to build out more criminal justice infrastructure like courts, jails, law enforcement, and judges, and fund anti-violence programs.
As mentioned above, a report by the National Inquiry into Missing and Murdered Indigenous Women and Girls have been prepared in order to underline the issue and have been presented to the Prime Minister of Canada, Justin Trudeau. Following the events, Trudeau pledged to tackle violence against indigenous women.

The Future

Since indigenous women are a minor part of the society, they cannot be heard. If the governments and the justice system continues to disregard them, no one will stand up for them.

Questions a Resolution Must Answer (Q.A.R.M.A.)

- What are the conditions that indigenous people are living in? Are they supported by the government adequately compared to the predominant part of the society?
- What is the reason behind the failure in the justice system towards indigenous people?
- Why are indigenous people considered "vulnerable"? What makes them seem "vulnerable" from outside?
- Are the governments trying to conceal the fact that indigenous people are facing extreme violence?
- How is the justice system failing when it comes to sexual and domestic violence cases that indigenous women are facing? What is behind this? How can this come to an end?
- It is obvious that native women should be heard and be supported. How can civilians support them?

Further Reading

https://www.cbc.ca/news/indigenous/un-special-rapporteur-violence-against-women-1.4637613
https://www.amnesty.ca/sites/amnesty/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf
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