

**Contributions to a General Recommendation on the Rights of  
Indigenous Women and Girls by the CEDAW Committee  
Submitted by the  
Continental Network of African Indigenous Women Organization (AIWO)  
August 2021**



*Africa Indigenous women participants and FIMI Director during the Africa preparatory meeting in Yaounde, Cameroon*

## I. INTRODUCTION

We are submitting this report to the CEDAW Committee on behalf of the African Indigenous Women's Organization (AIWO) to contribute to the CEDAW General Recommendation No. 39 on the Rights of Indigenous Women and Girls. AIWO is a continental-wide network, whose members are composed of African Indigenous women and girls representing NGOs, Community Based Organizations (CBOs), and other grassroots organizations that undertake social and economic activities. Together we work towards the promotion of Indigenous women and girls' rights and the rights of Indigenous Peoples throughout Africa.

As a network, we recognize that African Indigenous women and girls' voices have been underrepresented in decision-making spaces like the CEDAW Committee. That's why, AIWO has been working collectively with Indigenous women and girls across Africa to close these gaps and barriers to ensure our voices are heard in such spaces. For 23 years, AIWO has been working with leaders in the continent to create networks, position critical issues, and advocate for policies that can respect, protect and uphold the rights of Indigenous Peoples and especially Indigenous women and girls. Today, AIWO is committed to contributing to promoting the elaboration of a General Recommendation (GR) on the rights of Indigenous women and girls. AIWO is committed to advancing the rights of Indigenous women and girls and overcoming some of the detrimental impacts of the lack of respect for human rights we have seen across our communities.

AIWO would like to present this report to share our expertise and community knowledge with the CEDAW Committee to walk on the path with our Indigenous women and girls sisters across the globe. In looking at the experiences of the Indigenous women in Africa, they have been sidelined and continue to face triple discrimination: that of being a woman, Indigenous and poor. There are numerous mechanisms that advocate for the rights of women and many African countries have signed and ratified most of these agreements. The Maputo Protocol is one such example that is specific to African women. It is one of the most progressive legal instruments that provides a comprehensive set of human rights for African women covering civil and political, economic, social and cultural as well as environmental rights. Even with the ratification of the protocol there are still numerous challenges faced by women and specifically Indigenous women that hinder them from attaining their full rights. These include lack of national mechanisms that support, and promote the implementation of the protocol and social, political, economic and cultural practices that do not support women or promote their rights. This further exacerbates their inequality and access to decision making spaces and public resources, discrimination within their communities and outside of it, as well as being vulnerable to social and economic exclusion, exploitation, marginalization, gender-based violence, climate change and other vulnerabilities. For more information on the situation and experience as Indigenous women regarding the exercise of our rights please refer to the "Global Study on the Situation of Indigenous Women and Girls."<sup>1</sup> In this document, we describe the consultation process, key issues facing Indigenous Women and Girls, key recommendations, best models and our vision.

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<sup>1</sup> "Global Study on the Situation of Indigenous Women and Girls" (2020). In: [https://fimi-iiwf.org/wp-content/uploads/2020/09/GlobalStudyFIMI\\_20-englishRGB-2.pdf](https://fimi-iiwf.org/wp-content/uploads/2020/09/GlobalStudyFIMI_20-englishRGB-2.pdf)

## **II. CONSULTATION PROCESS**

We believe in a collective process that uplifts the voices of African Indigenous women and girls from rural Indigenous communities. We have created a process for consultation among Indigenous women and girls from different countries to discuss our issues and our visions for a peaceful and bright future where our rights are upheld and respected.

The first consultation process took place with the participation of AIWO members in March of 2019 with the support of FIMI/MADRE. In December of 2019, we organized a conference in Yaoundé, Cameroon for the African Regional Preparatory for Beijing +25 and the Second Indigenous women conference where Indigenous women shared their input and recommendations to address the issues, they face in their communities<sup>2</sup>. Furthermore, in March and June of 2020, in partnership with MADRE, we organized two webinar consultations to bring Indigenous women and girls from across Africa to continue providing their input on this general recommendation to ensure that it was inclusive and representative of the voice of the African Indigenous women. Indigenous women leaders and representatives were invited for the regional preparatory meeting and for the meetings that were held online. An open call was put out through the AIWO regional network to ensure that as many women were aware and could plan to attend. During this time of the pandemic, the biggest challenge we faced was poor communication infrastructures that barred women from participating in most of the countries and especially in rural areas.

This however did not stop Indigenous women and girls' voices from being heard because those who are able to connect and attend the consultation webinars spoke for those who were not able to attend meetings by working together and being part of the same local and national networks. Some of the countries that have been represented in these consultations include Botswana, Burkina Faso, Cameroon, Chad, Democratic Republic of Congo, Ethiopia, Kenya, Mali, Nigeria, South Africa, Sudan, Tanzania, The Gambia, and Uganda.

## **III. KEY ISSUES IMPACTING AFRICAN INDIGENOUS WOMEN AND GIRLS**

In this section we describe pressing issues impacting the livelihoods of Indigenous women and girls in Africa. These are at the intersectionality of our individual rights as women and our collective rights as peoples:

### **1. Educational rights**

Access to education for Indigenous women and girls in Africa continues to be a concern to us, given the lack of access to a safe and equal education that many Indigenous girls face in their communities. Today, there is still a strong cultural preference for boys to obtain an education over girls, most girls have to stay home and take on household chores because there is a belief that she will be married off. This is compounded by how inaccessible schools are for Indigenous

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<sup>2</sup> "AIWO Conference: Amplifying African Indigenous Women's Voices" (2019). In: <http://indigenouwomen-africa.org/wp-content/uploads/2020/10/AIWO-Africa-Regional-Conference-Report-1.pdf>

communities across Africa, many of our communities lack schools forcing girls to travel long distances. This lack of access to education perpetuates a discrimination that exposes young girls to multiple issues such as FGM, early and forced marriages, early pregnancies, gender-based violence, economic dependency, and poverty. In some communities when girls are taken to school, they are abducted because of the belief that they should not be in schools. This issue extends to adulthood where women are not allowed to be part of adult education programs or even skill development programs that they can attend to gain skills or knowledge that they can use to be self-sufficient. Furthermore, we continue to lack access to schools in our indigenous languages, this further prohibits Indigenous girls from learning. As a result, this violation of our right to education perpetuates a cycle of illiteracy and poverty in our communities where girls grow up to be women without an education and resources that enhance their knowledge and help them gain skills to forge different futures and livelihoods.

## **2. Land rights**

Lack of recognition of Indigenous Peoples and especially Indigenous women's rights to land results in some cases of land alienation or restrictions to their access to natural resources on lands that they have traditionally occupied. This is mainly because of pressures for natural resource extraction, environmental degradation, and policies regarding environmental conservation that do not take into consideration Indigenous Peoples' needs. Cultural practices and beliefs further bar Indigenous women and girls not only from inheriting land but also affects their access to and use of land. So, for instance, a woman will not be allowed to use her husband's land to plant crops as food sources for her family. Indigenous women also do not know their land rights, and this is taken advantage of especially in cases where a widowed woman loses her land to her late husband's brother and she cannot nor does not know how to fight for her rights.

## **3. Climate change**

Indigenous women contribute the least to climate change but suffer the most from the climate crisis. This is recognized at the global level, such as in the Paris Agreement. Indigenous women have an intrinsic relationship with the environment and are more dependent on natural resources for their economic, social, and cultural activities. These resources are under threat due to climate variability and extremes. Indigenous women have a role in ensuring the provision of food, water, and energy for their families. Their role in traditional food systems and their traditional knowledge are impacted by the adverse effects of climate change that result in drought or floods. For instance, women and girls have to walk for hours in search of water and will sometimes sleep away from their homes to ensure that they return with water for domestic use. Climate change not only affects the food production within an Indigenous community, but also affects the health and sanitation of Indigenous women and girls, their sexual reproductive health, settlement patterns, increases poverty, and increases harmful practices such as forced or early marriages. This climate crisis is also leading to increased conflicts arising within Indigenous communities due to the limited resources.

## **4. Knowledge, empowerment, and skill development**

Because of the inequalities that Indigenous women and girls face, they do not have access to opportunities that can empower them with knowledge and skills that give them the ability to be socially and economically empowered. Indigenous women are unaware of their rights and are therefore not aware of the violations against them. This has contributed to poverty in communities where women are dependent on their families and mostly their husbands. This has

led to Indigenous women being more vulnerable to violence and early and forced marriages as families benefit financially from “bride price.”

### **5. Violence against women and girls and harmful practices**

Indigenous women and girls face multiple forms of violence in their communities. There is a high rate of gender-based violence, rape, and other forms of violence against Indigenous women. These cases are not reported to relevant authorities because of fear and women’s dependence on men. Social and cultural beliefs and practices have normalized violence against women. Poverty is also a contributor to violence against women and in this past year, the Covid-19 pandemic caused the rate of violence against women and girls to exponentially increase. The pandemic resulted in social and economic hardships which led to frustration within communities. During the lockdown periods, women and girls were stuck at home with their abusers. Indigenous women and girls are also vulnerable to violence that is caused by political instability, insecurity, and conflict that is characterized by armed banditry, insurgency, kidnappings, rape, and sometimes killings. Other forms of violence prevalent in Indigenous communities, especially towards Indigenous girls, are harmful cultural practices such as early and forced marriages and female genital mutilation. Girls are forced into early marriages because of poverty and vulnerability. Oftentimes parents marry off their girls at a young age (as young as 7 years old in some communities), for the bride price. Early pregnancies among Indigenous girls is also a very big challenge. This is common both among girls who are in school and those who remain at home. There is a high rate of girls who are dropping out of school due to pregnancy. These early pregnancies can be attributed to a lack of knowledge on reproductive health rights and a lack of access to sanitary products. Because of high poverty rates, girls are often lied to by older men who promise them little money to buy some of their essential sanitary items in exchange for sexual favors that many times end in pregnancy.

### **6. Health and reproductive health rights**

Indigenous women and girls lack access to health facilities and sexual and reproductive health education. In many Indigenous people’s lands, health facilities are either very far and inaccessible or ill-equipped with both personnel and medication. Pregnant women and girls heavily rely on traditional birth attendants for their maternity needs. This places them at risk of death especially if there are complications that the traditional birth attendant cannot address or if a surgical procedure is needed. Sanitary products such as pads and soap that they can use for basic hygiene are unaffordable for many Indigenous women and girls.

### **7. Power and decision making**

There is a low and sometimes nonexistent number of Indigenous women participating in political and policy spaces. This is mostly because of the high rates of illiteracy amongst Indigenous women. They also face discrimination and stigmatization further reducing their participation in various processes at the local, national, regional, or international platforms that have a direct impact on their lives. Institutionalized patriarchy has also prevented African Indigenous women from being part of both traditional and formal institutions and in positions where they can influence decisions and policies. Indigenous women and girls also do not have proper and adequate access to justice and are therefore not able to advocate and demand their rights to be recognized nor are their legal mechanisms honored.

#### **IV. RECOMMENDATION ON HOW TO IMPLEMENT THE CONVENTION FOR INDIGENOUS WOMEN AND GIRLS**

We believe that this General Recommendation can contribute to addressing the discrimination and lack of underrepresentation we face as Indigenous Women and Girls. Indigenous Women and Girls in Africa can only realize their full potential with support from all relevant stakeholders at all levels, from within the community to international platforms. These are some of the recommendations we would like to make:

- Member States must prioritize the education access for Indigenous women and girls across Africa. This education should be safe, accessible, and affordable education that empowers them with knowledge and skills that will help them to develop socially, economically, and politically.
- Member States must uphold and implement relevant mechanisms that promote and protect the rights of women and girls such as the Maputo Protocol.
- Member States in collaboration and consultation with Indigenous communities should ensure that there is an implementation of laws that protect Indigenous women and girls against harmful cultural practices, such as FGM.
- Member States should develop and strengthen measures, systems, and resources to address all forms of gender-based violence against Indigenous women and girls such as early child marriage and sexual abuse.
- Member States should ensure that there is the implementation of laws that protect Indigenous women and girls against harmful cultural practices and they should also develop and strengthen measures, systems, and resources to address all forms of violence against Indigenous women and girls such as female genital mutilation, child marriage, sexual abuse, environmental violence, armed conflicts, and militarization among others.
- Member States should address barriers to quality and accessible healthcare for Indigenous women and girls, healthcare must be affordable and culturally appropriate.
- Member States must eliminate all barriers and provide free and or affordable sanitary towels for women and girls.
- Member States must uphold and validate the important leadership role of Midwives in the healthcare of Indigenous communities. States should validate their traditional knowledge as healthcare givers, provide them with the capacity for professional training and access to healthcare resources. This will help ensure that Indigenous communities have universal and equitable access to healthcare, addressing the lack of sexual and reproductive health available, HIV/AIDS prevention and transmission, and miscarriages amongst Indigenous communities.
- Member States must recognize, promote and protect Indigenous Peoples' traditional knowledge as it is crucial for the survival of Indigenous Peoples, for example, our traditional knowledge is often neglected in policy and research. Recognition and integration of traditional knowledge with scientific knowledge will increase the effectiveness of adaptation and mitigation measures for example in addressing food security, developing early warning systems, protection of watersheds, reforestation, etc.
- Member States must increase funding for Indigenous women and girls to mitigate the impact of climate change and respond with adaptation strategies based on their

traditional knowledge. We need more funding and investment going directly to Indigenous adaptation and mitigation strategies.

- Member States must take effective measures to strengthen, respect, and support Indigenous women and girls' access to participation in meaningful political decision-making platforms at all levels from the local to international platforms.
- Member States must create mechanisms to guarantee access to justice for indigenous women and girls in judicial institutions and put measures, systems and resources in place to effectively protect and uphold Indigenous women's rights that include property, land, and inheritance.
- Member States should set specific and specialized funding and make it accessible and available for Indigenous women's and girls' organizations that often lack access to this information. This will enable Indigenous women and girls to build their capacity through training, workshops, and advocacy that will enable them to have access to social, economic, and political freedom and self-reliance.
- Policies and strategies to address climate change must be gender-specific to meet the specific needs and priorities of Indigenous women who are impacted differently than men by climate change. Governments and stakeholders must take a gendered approach towards climate policy because a pastoralist woman has a much different experience of climate change than that of her male counterpart. Without taking this into consideration Indigenous women with the greatest climate change impact will be left out.

## **V. BEST PRACTICES FROM INDIGENOUS WOMEN AND GIRLS**

Despite the numerous issues, there have been strides made by Indigenous women and girls. These changes can be seen in their communities and in some instances, they have been replicated and influenced other Indigenous communities.

Some of these best practices are:

- Alternate passage, this is where a symbolic ceremony is held as a rite of passage for girls who would otherwise undergo FGM. This practice ensures that the rite of transitioning from child to womanhood is still upheld without the harmful practice of FGM being performed.
- National and local organizations are advocating for the rights of Indigenous women using different strategies such as training women on their rights, economic empowerment. They are also leading exchange visits between Indigenous women and girls to come together to exchange ideas and discuss solutions to influence community leaders and local governments.
- Indigenous women are implementing forest landscape restoration in their communities and leading efforts of reforestation and sustainable energy to further reduce the pressure on forests. These projects are showing impact and there is less forest degradation in the forest where these projects have taken place.
- Indigenous women are revitalizing traditional food systems, seeds, and diversifying crops such as sorghum which are drought resistant for food security based on their traditional knowledge including setting up their seed banks. For instance, in Kenya women groups from different parts of Kenya have been exchanging seeds and knowledge.

## **VI. OUR VISION**

Securing the rights of Indigenous women and girls is necessary to ensure the improvement and empowerment of the lives of African Indigenous women and girls. This is dependent on strong institutions and mechanisms for consultation and participation that can ensure meaningful participation of Indigenous women at all levels of decision-making, and will therefore reduce inequalities and discrimination against Indigenous women. It is also critical that a gendered approach is taken in policy making and implementation to meet specific needs and priorities of Indigenous women and girls. Failure to do so will only exacerbate the existing inequalities, especially for Indigenous women. Having systems and working mechanisms that take Indigenous women into consideration contributes towards enhancing and strengthening the capacity of African Indigenous Women through participation, social, economic, political empowerment as well as the protection of their rights.