

# Indian Law Resource Center

## Indigenous Peoples' Rights

**<https://indianlaw.org/safewomen/un-expert-visit-chokeee-north-carolina-study-epidemic-violence-against-native-women>**

## Campaign and Advocacy

**JANUARY 27, 2011 - VISIT DELAYED DUE TO WEATHER (EXPECTED TO START ON JANUARY 28)**[An updated agenda is available here](#)

January 21, 2011

CHEROKEE, N.C. -- A United Nations expert on womens human rights is investigating why Native women face the highest rates of sexual and physical assault of any group in the United States.

Ms. Rashida Manjoo, United Nations Special Rapporteur on Violence Against Women, will visit the Eastern Band of Cherokee Indians in Cherokee, North Carolina on January 27-28, 2011. Manjoo will meet with tribal leaders and advocacy organizations to learn more about the epidemic of violence against Indian women and what the United States can do to safeguard the human rights of Indian women.

According to U.S. Department of Justice statistics, one out of three Native women will be raped in her lifetime, and three out of four will be physically assaulted. Indian women are stalked at a rate more than double that of any other population. These statistics are linked to legal barriers that prevent Indian nations from adequately responding to crimes.

Unlike all other local communities, Indian nations and Alaska Native villages are legally prohibited from prosecuting non-Indians and tribal courts have restricted sentencing authority for offenders committing acts of sexual and domestic violence that occurs within their tribal lands and communities.

"A visit to a sovereign Indian nation will allow the Special Rapporteur to learn firsthand about the distinct legal barriers that prevent American Indian nations in the U.S. from protecting their women citizens," said Terri Henry, Councilwoman for the Eastern Band of Cherokee Indians and co-chair of the NCAI Task Force on Violence Against Women. "American Indian and Alaska Native women's are routinely denied access to justice. Indian nations have no authority to prosecute non-Indians that commit acts of rape or domestic violence on tribal lands. This has to stop."

The Eastern Band of Cherokee Indians (EBCI) is one of 565 federally recognized, sovereign Indian and Alaska Native nations in the United States. The land base of the EBCI, known as the Qualla Boundary, includes an area of 56,000 acres of land located in five western North Carolina counties. It is a rural, remote area that has six traditional Cherokee townships. The EBCI is responsible for the safety and protection of women within Qualla Boundary. EBCI tribal emergency medical personnel, law enforcement services, prosecutors, courts and services are charged with handling domestic violence and sexual assault cases. The EBCI is directly responsible for holding Indian perpetrators of such crimes accountable. Despite these responsibilities for responding to violent crimes against women, the EBCI and all other Indian tribes have no criminal authority over non-Indians and cannot prosecute non-Indians for committing crimes against their citizens on their lands. Nationally, non-Indians commit 88% of all violent crimes against Indian women.

The Special Rapporteur will visit the EBCI tribal courts, the police department, and the Cherokee Hospital providing services to women. Findings from the trip will be reported back to the United Nation's Council on Human Rights along with recommendations to the United States on how to better protect womens human rights and to stop the violence.

The Special Rapporteur's visit is hosted by the Eastern Band of Cherokee Indians, in partnership with the National Congress of American Indians, Clan Star, Inc., Indian Law Resource Center, and the Sacred Circle National Resource Center to End Violence Against Native Women.

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### Host and Partner Organizations

*The Eastern Band of Cherokee Indians is hosting the UN Special Rapporteur on Violence Against Women on the Qualla Boundary, Cherokee, North Carolina.*

#### *About the Clan Star*

Clan Star, Inc., a not-for-profit organization incorporated under the Eastern Band of Cherokee Indians in 2001, devoted to improving justice to strengthen the sovereignty of Indigenous women through legal, legislative, and policy initiatives, and, education and awareness; Clan Star provides technical assistance, training and consultation throughout the United States to Indian tribes and tribal organizations in the development of public policy strategies addressing violence against women.

#### *About the National Congress of American Indians*

The National Congress of American Indians (NCAI) is the oldest and largest national organization of American Indian and Alaska Native tribal governments. As the collective voice of tribal governments in the United States, NCAI is dedicated to ending the epidemic of violence against American Indian and Alaska Native women. In 2003, NCAI created the NCAI Task Force on Violence Against Women to address and coordinate an organized response to national policy issues regarding violence against Indian women. The NCAI Task Force represents a national alliance of Indian nations and tribal organizations dedicated to the mission of enhancing the safety of American Indian and Alaska Native women.

*About the Indian Law Resource Center*

The Indian Law Resource Center is a non-profit law and advocacy organization established and directed by American Indians. The Center is based in Helena, Montana and also has an office in Washington, DC. We provide legal assistance to Indian and Alaska Native nations who are working to protect their lands, resources, human rights, environment and cultural heritage. Our principal goal is the preservation and well-being of Indian and other Native nations and tribes. For more information visit [www.indianlaw.org](http://www.indianlaw.org).

*About the Sacred Circle National Resource Center to End Violence Against Native Women.*

Sacred Circle provides technical assistance, policy development, training, materials and resource information regarding violence against Native women and assists in developing tribal strategies and responses to end the violence. Sacred Circle was established in 1988 as the fifth member of a national domestic violence resource center network created by the US Department of Health and Human Services in 1993.

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*Editors note: Details of the visit and background information is available at <http://www.clanstar.org/un-special-rapporteur>.*

We are a non-profit law and advocacy organization.

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