

**ACHPR/Res.190 (XLIX) 2011: RESOLUTION ON THE PROTECTION OF THE RIGHTS OF INDIGENOUS WOMEN IN AFRICA**

*The African Commission on Human and Peoples' Rights (the African Commission), meeting at its 49<sup>th</sup> Ordinary Session, held in Banjul, The Gambia, from 28 April to 12 May 2011;*

**Recalling** its mandate to promote and protect human and peoples' rights pursuant to the African Charter on Human and Peoples' Rights (the African Charter);

**Considering** the relevant provisions of Articles 2 and 3 of the African Charter on Human and Peoples' Rights (the African Charter), which proclaims equality and prohibits all forms of discrimination;

**Recalling** the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa which prohibits discrimination against women, and the right to a positive cultural environment, whereby the States undertake to ensure protection for women from marginalized populations and to guarantee them a framework adapted to their conditions in relation with their physical, economic and social requirements;

**Further recalling** the international instruments which prohibit all forms of discrimination, in particular on the basis of race, ethnic grouping, colour, gender, language, religion, national or social opinion or origin, and specifically the United Nations Declaration on the Rights of Indigenous Populations, in its Articles 21 and 22 which calls on the States to pay particular attention to the Rights of Indigenous Women in the application of the said Declaration;

**Considering** the 1995 Beijing Declaration on Indigenous Women which urged the Governments and non-Government actors to adopt concrete measures to promote and strengthen national policies and programmes for the benefit of indigenous women pertaining specifically to their rights to good health, education and economic development;

**Noting** the indivisibility of the rights of indigenous women and those of the populations to which they belong and the fact that the respect for the rights of indigenous women passes necessarily through the respect for the collective rights of indigenous populations;

**Recognizing** the crucial role played by indigenous women in the protection and preservation of natural resources and in the protection, development and transmission of indigenous knowledge and culture;

**Recalling** that the rights of indigenous populations to property, to freely dispose of their wealth and natural resources, to practice their culture and their right to development as guaranteed in the African Charter and other pertinent international instruments;

**Noting** the persistence of violence and various forms of discrimination and marginalization faced by indigenous women in all areas of society;

Concerned by the fact that the expropriation of indigenous populations' ancestral lands and the prohibition of their access to the natural resources on these lands has a particularly serious impact on the lives of indigenous women;

**Preoccupied** by the high rate of maternal mortality of indigenous women and cases of illnesses affecting them, which could have been prevented if they had proper health care facilities;

**Concerned** by the absence of disaggregated data in several countries, which are important in the determination of required measures to develop adapted policies;

**Urges** States Parties to:

1. Collect disaggregated data on the general situation of indigenous women;
2. Pay special attention to the status of women in their countries and to adopt laws, policies, and specific programs to promote and protect all their human rights;

**Requests** to all other concerned actors, notable NGOs, technical and financial partners to support the efforts of States Parties in the implementation of policies and programmes in favour of indigenous women;