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Statement submitted by the Education for Social Justice Foundation, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.

Statement

The Education for Social Justice Foundation is honored to submit this written statement, following accreditation with consultative status with the Economic and Social Council in 2023. Our mission is to provide education on past injustices relegated to the sidelines of history, with key areas that include countering sexual and gender-based violence to promote human rights and gender equity for women and girls worldwide.

Although this is our first official written submission to the United Nations Commission on the Status of Women, ESJF has actively participated in multiple CSW sessions and other UN events. For CSW70, our focus is addressing the crisis of Missing and Murdered Indigenous Women and Girls.

Introduction

The crisis of Missing and Murdered Indigenous Women and Girls (MMIWG) exposes enduring colonial practices and systemic injustices that continue to deny Indigenous women and girls equal protection under the law. It is a gendered and racialized human rights emergency rooted in colonization, marginalization, and the failure of states to uphold justice for Indigenous peoples.

Across the Americas and beyond, Indigenous women and girls face violence and homicide rates far higher than national averages. According to the 2023 U.S. National Vital Statistics System, homicide rates among American Indian and Alaska Native people were nearly five times higher than homicide rates for non-Hispanic White people. In Canada, the 2019 National Inquiry into Missing and Murdered Indigenous Women and Girls concluded that “human rights and Indigenous rights abuses and violations committed and condoned by the Canadian state represent genocide against Indigenous women, girls, and 2SLGBTQQIA people.” The Federal Pathway Annual Progress Report (Canada, 2024) further underscores ongoing gaps in enforcement, funding, and systemic reforms. Similar patterns are evident across Latin America, and many reports also document substantial risks for Indigenous peoples in the Pacific and Arctic regions. At the global level, the International Federation of Social Workers (IFSW, 2023) highlights the widespread scope of this crisis and the structural vulnerabilities created by colonial legacies.

Despite the scale of this crisis, systemic barriers continue to obstruct justice. The failure to investigate, prosecute, and prevent such crimes reflects a disregard for Indigenous women’s rights to life, safety, and equality before the law.

Barriers to Justice

a. Jurisdictional Exclusion
Colonial extractive practices and national legal systems often restrict Indigenous nations’ authority to prosecute crimes on their lands, particularly when perpetrators are non-Indigenous. Fragmented jurisdiction results in impunity, as cases fall between systems or remain uninvestigated.

Recommendation:
Restore and strengthen Indigenous jurisdiction through legislative reform, treaty implementation, and equitable funding for Indigenous courts and policing. Establish intergovernmental agreements to ensure timely, coordinated investigations.

b. Data Gaps and Misclassification
Inconsistent data and the misclassification of Indigenous identity conceal the accurate scale of MMIWG cases. Without reliable data, accountability and prevention are impossible.

Recommendation:
Mandate disaggregated data collection by gender, Indigenous identity, and location. Establish centralized databases governed by Indigenous data sovereignty and accessible to Indigenous authorities.

c. Institutional Bias and Discrimination
Racism, sexism, and victim-blaming continue to shape law enforcement and judicial responses. Families are often dismissed or blamed, which can delay critical early investigations.

Recommendation:
Implement mandatory anti-bias and trauma-informed training for police, prosecutors, and judges. Establish independent, Indigenous-led oversight bodies to review investigations and address systemic bias.

d. Lack of Indigenous-Led Justice and Healing
Conventional systems fail to address the cultural and communal dimensions of harm. Indigenous women's organizations and customary justice systems remain under-recognized and underfunded.

Recommendation:
Formally recognize Indigenous customary law and support Indigenous-led initiatives for justice, family advocacy, healing, and memorialization.

e. Insufficient Accountability and Resources
Government task forces and commissions often lack enforcement authority or consistent funding. Families bear the burden of advocacy and awareness.

Recommendation:
Ensure transparent monitoring of commitments and measurable outcomes in case resolution, community safety, and survivor support.

Advancing Human Rights and Justice through Indigenous Leadership

The crisis of Missing and Murdered Indigenous Women and Girls is a violation of international human rights and gender justice obligations. The UN Declaration on the Rights of Indigenous Peoples and CEDAW General Recommendation No. 39 affirm Indigenous women's rights to life, equality, and justice, which extend beyond courts to include dignity, truth, and self-determination. Indigenous women's participation in shaping justice systems is essential to compliance with these international norms.

Progress is possible when Indigenous leadership is centered. By building upon approaches such as the Savanna's Act and the Not Invisible Act in the United States, systemic reforms and oversight initiatives in Canada, community-led search brigades and restorative justice practices across Latin America, and the guidance of the IFSW, we can underscore that sustainable progress relies on both Indigenous women's leadership and the state's commitment to structural change.

Recommendations for Action: Justice as Sovereignty, Healing, and Survival

We urge the Commission on the Status of Women to adopt a timely resolution on Missing and Murdered Indigenous Women and Girls (MMIWG), recognizing it as a global human rights and gender justice issue. This crisis reflects systemic patterns of gendered and racialized violence that many experts identify as consistent with crimes against humanity.

Building on the recommendations outlined in Section 2, Member States should affirm Indigenous legal sovereignty, restore jurisdiction, and center Indigenous leadership in justice reform. They should also support culturally sensitive data collection and reporting, provide sustained funding for Indigenous-led justice and healing initiatives, and recognize Indigenous customary law and oversight mechanisms.

Justice for Indigenous women and girls requires more than legal remedies — it demands the decolonization of legal systems, restoration of sovereignty, and investment in community healing. Across the Americas, red dresses hang in public spaces as silent witnesses to this crisis, symbolizing remembrance and resilience, and reminding us that Indigenous women are not statistics, but knowledge-keepers and the heart of their nations.

Conclusion

The Commission on the Status of Women must commit to ensuring that Indigenous women’s full access to justice is inseparable from their right to self-determination. Member States must dismantle discriminatory systems, empower Indigenous-led justice mechanisms, and ensure accountability for state inaction. Justice for Missing and Murdered Indigenous Women and Girls is not only a legal imperative — it is a moral responsibility and a test of our collective humanity.