

The protection of Indigenous women in the context of Inter-American Human Rights System

Abstract

The aim of the thesis is to identify the means of protection of Indigenous women's rights. The author rises the subsequent questions: (i) which documents of this regional system offers protection to Indigenous women and based on what reason; (ii) what bodies operate in the Inter-American framework and Indigenous women can turn on them; (iii) what violations of rights have been addressed in the jurisprudence of the Inter-American Court of Human rights and what meaning does it have regarding to protection of Indigenous women?

The first part contains the crucial documents in the topic of protection of indigenous women's rights. The author refers to the role and relation of both basic regional catalogues of human rights, American Declaration of the Rights and Duties of Men and American Convention on Human Rights. She also refers to a quite recent document, American Declaration on the Rights of Indigenous Peoples that offers *expressis verbis* some protection to Indigenous women. Apart from that, other documents providing special protection to certain groups are analysed: Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, Inter-American Convention on Forced Disappearance of Persons and Inter-American Convention to Prevent and Punish Torture.

The second part is dedicated to the Inter-American Human Rights System and its bodies. One of the chapters refers to the Inter-American Commission of Women, its mission and some key activities of the body, its aim is to influence to the policies of member states of the Organization of American States. Other chapter describes the role of Inter-American Commission on Human Rights and its proceedings. It also refers to the Rapporteurship on the Rights of Women and Rapporteurship on the Rights of Indigenous Peoples. Finally, this part is dedicated to the Inter-American Court of Human Rights, especially its proceedings.

The last part analyses the cases chosen based on the report of the Commission on Indigenous women. The jurisprudence is mostly linked to sexual violence on different occasions, mostly a military presence plays role. First it refers to the obligation of state to respect the rights protected by the American Convention on Human Rights, precisely

violation of the article 1 par. 1. Subsequently, it is dedicated to violation of the right to personal integrity and protection of honor and dignity. Finally, to the violation of the right to a fair trial and judicial protection.

Key words: Indigenous women, Inter-American Human Rights System, Inter-American Court of Human Rights, Inter-American Commission on Human Rights, protection of Indigenous women, right to humane treatment, right to privacy, right to a fair trial, right to judicial protection, Belém do Pará