



**45<sup>th</sup> session of the Human Rights Council**

**Item 3: Interactive dialogue with the Special Rapporteur on the rights of indigenous peoples**

**24 September 2020**

**Statement by the International Lesbian, Gay, Bisexual, Trans and Intersex Association**

Delivered by: Zamanta Enevia

Mx President,

My name is Zamanta Enevia, I am a trans indigenous woman from the Embera Chamí and Katío community of Santuario, Colombia and I am honored to present this statement today.

This statement has been prepared in consultation with LGBTI and indigenous rights defenders from Colombia and Bolivia.<sup>1</sup>

We welcome and support the work of the Special Rapporteur on the rights of indigenous peoples, and the reports that this mandate is presenting today.

We thank Ms. Victoria Tauli Corpuz for all her work and positive developments as a Special Rapporteur, particularly for contributing to the progress achieved in the recognition and legal protection of the human rights of indigenous peoples, including indigenous consultation and consent.

We also applaud her for highlighting the gaps that still remain, as well as for drawing attention to the increasing violence against indigenous peoples and their criminalization in many countries around the world, especially when defending and exercising rights to their territories and natural resources.

We welcome as well her report on the regional consultation in Asia, and celebrate the references to sexual orientation regarding the multiple and intersecting forms of discrimination faced by indigenous peoples.

However, we are concerned about the absence of references to LGBTI indigenous peoples in her reports, and the issues they face in some countries because of their diverse sexual orientation, gender identity and expression and sex characteristics (SOGIESC).

Bolivia has a 62% of native indigenous population, among which the populations with ancestral sexual diversities stand out.

People belonging to ancestral sexual and gender diversities are victims of violence and discrimination from the state but also often from their own families and communities. When this happens, they usually face sanctions and are subjected to forced labor, and are even expelled from their communities and territories.

In Colombia, for example, members of my community still lack identity documents, which often means that we are not recognized as citizens and subjects of rights. There is also issues of exploitation and precarious work conditions, a lack of spaces of participation and of opportunities for the strengthening of our ethnic and cultural identity. We currently do not have a collective territory and legal recognition from the territorial and national institutions.

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<sup>1</sup> This statement was prepared in consultation with Mano Diversa Bolivia and trans indigenous women from the Embera Chamí and Katío community of Santuario, Colombia.

We welcome the new Special Rapporteur, Mr. Francisco Cali Tzay, and invite him to conduct a report on the situation of people belonging to ancestral sexual and gender diversities in Abya Yala.<sup>2</sup> And look forward to engaging with his mandate in the future.

We recommend states to work with the different indigenous authorities to eradicate all the forms of violence and discrimination that indigenous people with diverse SOGIESC face, including the multiple punishments inflicted on them based on their SOGIESC, such as the expulsion from their communities and the deprivation of the right to land. We also recommend states to design manuals or guides aimed at making effective the inclusion of ancestral indigenous, native and farmers of sexual diversities at the different levels of indigenous, native and farmer's autonomy.

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<sup>2</sup> Latin America