

AG/RES. 2073 (XXXV-O/05)

AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1022 (XIX-O/89), AG/RES. 1479 (XXVII-O/97), AG/RES. 1549 (XXVIII-O/98), AG/RES. 1610 (XXIX-O/99), AG/RES. 1708 (XXX-O/00), AG/RES. 1780 (XXXI-O/01), AG/RES. 1851 (XXXII-O/02), AG/RES. 1919 (XXXIII-O/03), and AG/RES. 2029 (XXXIV-O/04);

BEARING IN MIND that, since resolution AG/RES. 1022 (XIX-O/89) of 1989, the General Assembly has requested the Inter-American Commission on Human Rights (IACHR) “to prepare a juridical instrument relative to the rights of the Indian peoples” and that in 1999, by resolution AG/RES. 1610 (XXIX-O/99), the General Assembly established a Working Group of the Permanent Council to consider the “Proposed American Declaration on the Rights of Indigenous Peoples,” presented by the IACHR (CP/doc.2878/97 corr. 1);

CONSIDERING the commitments undertaken by the Heads of State and Government in the Declaration and Plan of Action of the Third Summit of the Americas, held in Quebec City, Canada, and renewed in the Declaration of Nuevo León, at the Special Summit of the Americas, in Monterrey, Mexico, in January 2004, in support of an early and successful conclusion of negotiations on the Draft American Declaration on the Rights of Indigenous Peoples;

ACKNOWLEDGING the important contributions received by the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples and the efficient work of the Selection Board in the selection process for representatives of the indigenous peoples to receive financing from the Specific Fund;

NOTING WITH SATISFACTION the holding of a special meeting, and two meetings of negotiations in the quest for points of consensus, of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples, among representatives of the member states and representatives of the indigenous peoples, in keeping with the mandates issued in operative paragraph 4, subparagraphs (d) and (a), of resolution AG/RES. 2029 (XXXIV-O/04); and

HAVING SEEN the report of the Chair of the Working Group on activities carried out over the past year, which pointed out, in particular, the progress made at the special meeting and the two meetings held in the final phase of negotiations in pursuit of points of consensus, in Washington, D.C., in November 2004 and February 2005, respectively,

RESOLVES:

1. To reaffirm once again that the adoption of the American Declaration on the Rights of Indigenous Peoples remains a priority for the Organization of American States, emphasizing the importance of participation by the indigenous peoples in the process of preparing the draft Declaration.

2. To acknowledge the importance of the final phase of negotiations initiated by the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples, in which negotiation meetings were arranged in pursuit of a consensus and an early and successful conclusion of the draft Declaration.

3. To renew the mandate of the Working Group so that it may conclude the final phase of negotiations on the draft Declaration, starting from the consolidated text of the draft Declaration prepared by the Chair of the Working Group (GT/DADIN/doc.139/03) and considering the proposed Declaration presented by the Inter-American Commission on Human Rights (CP/doc.2878/97 corr. 1) and the proposals by member states, representatives of indigenous peoples, specialized organizations of the inter-American system, and other entities.

4. To request the Permanent Council to instruct the Working Group to:

- a. Give increased emphasis to the holding of negotiation meetings with a view to the prompt adoption of the American Declaration on the Rights of Indigenous Peoples; and
- b. Continue to take the appropriate measures to ensure continuing transparency of, and effective participation by representatives of indigenous peoples in, the negotiation meetings in pursuit of points of consensus.

5. To thank the member states, permanent observers, and institutions for their valuable contributions to the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples; to invite them to continue supporting the objectives of the Fund with their contributions; and to invite those that have yet to contribute to the Specific Fund to consider doing so.

6. To invite the multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere also to contribute to the Specific Fund in order to provide continued support for activities involving the participation of representatives of the indigenous peoples in the process of preparation by the Working Group of the Draft American Declaration on the Rights of Indigenous Peoples, as well to fund the Group's other activities.

7. To invite the multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere to contribute, in their areas of competence, to a process of dialogue and consultation with indigenous peoples and to facilitate the exchange of information and coordination with other bodies of the inter-American system on activities relating to indigenous peoples, including activities undertaken in the context of the Summits of the Americas process.

8. To invite the governments of the member states to continue conducting domestic consultations with their indigenous peoples on the draft Declaration and to promote information exchanges among countries regarding those consultations.

9. To request the Secretary General to enhance coordination, awareness, and promotion of activities on indigenous issues among the various pertinent organs, agencies, and entities of the Organization and to promote the exchange of information and coordination with multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere on these activities.

10. To request the Inter-American Commission on Human Rights and its Special Rapporteur on Indigenous Peoples, and the General Secretariat of the Organization to continue to lend their valuable support to the process of drafting the American Declaration on the Rights of Indigenous Peoples; and to thank them for their ongoing contributions to that process.

11. To request the Permanent Council to follow up on this resolution, which will be implemented within the resources allocated in the program-budget of the Organization and other resources, and to present a report on its implementation to the General Assembly at its thirty-sixth regular session.