

## ***DECISION 524, Working Group on the Rights of Indigenous Peoples***

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### THE ANDEAN COUNCIL OF FOREIGN MINISTERS

HAVING SEEN: Articles 1, 6, 16 and 148 of the Cartagena Agreement and General Secretariat Proposal 74;

WHEREAS: The Andean Presidential Council, in its Machu Picchu “Declaration on Democracy, the Rights of Indigenous Peoples and the War against Poverty” of July 2001, ordered a Working Group on the rights of indigenous peoples to be set up within the framework of the Andean Community, with the participation of native organizations, human rights groups, representatives of civil society and the governments of each of the Member Countries. The Andean Council of Foreign Ministers was instructed to establish the Working Group.

In each of the five Member Countries, the General Secretariat consulted native leaders, State agencies with competence in the area, Offices of the Ombudsmen and independent specialists in order to collect criteria and proposals for institutionalizing this vehicle for participation;

On the basis of these consultations, a meeting was held to set up the Working Group in Urubamba, Cusco on May 8 to 10, 2002. The participants included leaders of indigenous organizations, independent specialists, government officials and members of the Offices of the Ombudsmen. The purpose of the meeting was to analyze and submit possible methods for institutionalizing the Working Group and activities for its work program to the Foreign Ministers for their consideration;

As a result of the meeting, the participants signed the Urubamba Act in which they submitted proposals to the Foreign Ministers with regard to the nature, aim and composition of the Working Group and also recommended the procedure for consolidating the Group;

DECIDES:

### **Article 1.- ➡**

To establish the Working Group on the rights of indigenous peoples as a consultative entity within the Andean Integration System to promote the active participation of indigenous peoples in the economic, social, cultural and political spheres of subregional integration.

## **Article 2.-** ➡

The Working Group will report its conclusions and recommendations to the Andean Council of Foreign Ministers and the Commission within their respective spheres of competence.

## **Article 3.-** ➡

The responsibilities of the Working Group are:

- a. To recommend measures for promoting the rights of indigenous peoples, particularly in terms of the eradication of poverty, development with social equity and recognition of the native contribution to the society of the Andean countries.
- b. To give its opinion to the Andean Council of Foreign Ministers, the Commission or the Andean Community General Secretariat, as appropriate, on its own initiative or at their request, on matters connected with the participation of indigenous peoples in the subregional integration process.
- c. To recommend the adoption of joint positions in international forums that address matters having to do with indigenous peoples.
- d. To promote the exchange, evaluation and dissemination of experiences and successful practices, the organizational strengthening and, in general, cooperation among the indigenous peoples and native organizations, State institutions, human rights groups and civil organizations of the Member Countries.
- e. To promote the strengthening of the cultural identity of indigenous populations in the Member Countries.
- f. To help monitor the implementation of Decisions approved by the competent bodies of the Andean Integration System and of the provisions of international treaties, agreements and conventions that concern the rights of indigenous peoples.

## **Article 4.-** ➡

The Working Group will have the following membership:

- a. Seven full members per Member Country, accredited to the Andean Community General Secretariat by the Foreign Ministries and distributed as follows:

Three native delegates elected by organizations that represent the indigenous peoples of each Member Country in accordance with their respective internal democratic and participatory procedures.

Three government delegates appointed by the competent authorities of each Member Country.

A delegate from the Office of the Ombudsman of each Member Country.

- b. Seven consultative members distributed as follows:

An independent expert or technician from each Member Country invited by the General Secretariat in consultation with the full members.

A representative of the “Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica” (Coordinating Group for the Indigenous Organizations of the Amazon Basin), COICA.

A representative of the Development Fund for the Indigenous Latin American and Caribbean Peoples.

- c. The Working Group may invite advisors or observers to take part in its deliberations.

#### **Article 5.- ➡**

The Working Group will hold regular and special meetings, the former at least once a year and the latter whenever necessary.

#### **Article 6.- ➡**

The Andean Community Secretary General will function as the Working Group's Technical Secretariat.

Signed in the city of Lima, Peru on the seventh of July of two thousand and two.